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## American International Cargo Service Inc.

To: Karen V. Gregory, Secretary  
Federal Maritime Commission  
800 North Capitol Street N.W., Room 1046  
Washington, D.C 20573-0001

Re: NOI - Docket No. 11-22  
Comments On Making Tariff Filing Exemption More Useful

March 26, 2012

American International Cargo Service, Inc. is an OTI operating under License No. 13862N. We appreciate the opportunity to provide our comments on the continuing discussions on tariff filings for NVOCC's. We had originally submitted our thoughts to the FMC in 2003 - at which time we were one of the few within our industry to voice our opinion. We are pleased that many others have now voiced their comments to assist the FMC in understanding the real market conditions in which we operate. We are thankful that the FMC has taken the first steps to establishing an alternative to tariff filing. As stated in my original letter several years ago, the tariff filings are quite costly and from a practical standpoint, we have found that that they are not used by our clients.

That being said, our experience is that NSA's, while intended to provide relief from the cost and burdensome process of filing tariffs, has not reached that intended goal. Please note;

1. We have concerns about the formality of the process and whether the existing regulations require the NVOCC to have correspondence from the shipper in which it accepts a rate quote and includes its name, title, and address.
2. The limitations against including surcharges and GRI's in the rate quote.
3. Similarly, the limitation against including special items such as credit, minimum quantities, penalty provisions and other economic terms in specific NRA rate quotes.
4. The restrictions against amending rate quotes.

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5. Whether the record keeping requirements for NRA communications (e-mails, rate quotes, correspondence) are unduly burdensome in light of how the company retains its records.

I find that complying with the "writings" section of the NRA to be problematic. The rule requires that an NRA must be (a) in writing; and (b) be agreed to by both the shipper and the NVO prior to the date on which the cargo is tendered. We have no issue with the rule that the NRA be in writing as it is standard practice for us to provide written quotations to our clients in advance of being selected to move cargo. Based on our quotation to the client, if we receive a booking, we consider that an acceptance of our offer. To require that we receive a formal acceptance document for each and every quote would seem to unnecessary and create a paperwork nightmare. Given the current market, rates are changing monthly - if not weekly.

I further believe that the exclusion of foreign NVOCC's from the tariff exemption could result in retaliation by the governments in countries where we currently do business with thereby making it more difficult for us to operate on a level playing field in those countries.

Once again, my sincere thanks for your efforts and I do hope that we once again move this process forward to reduce the cost and burden of filing tariff that a rarely, if ever, used.

Sincerely,

Tony Kozlowski  
Chief Executive Officer

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