

BEFORE THE
FEDERAL MARITIME COMMISSION

FMC Docket no. 11-22
NVOCC Negotiated Rate Arrangements – Tariff filing exemption
Response to Direct Final Rule

Comments
Submitted by

FEDESPEDI
FEDERAZIONE NAZIONALE DELLE IMPRESE
DI SPEDIZIONI INTERNAZIONALI

FEDESPEDI
Via Emilio Cornalia, 19
20124 Milano
Italy
www.fedespedit.it

Piero Ugo Lazzeri
President
July 25th, 2012

Fedespedit – Federazione Nazionale delle Imprese di Spedizioni Internazionali – submits these comments on Docket no. 11-22 as a follow up of the document sent on March 23rd 2012 and of the one sent in June 2010 commenting on FMC Docket no. 10-03 on the proposed rulemaking (by that time) on an exemption from tariff rate publications applicable to non-vessel-operating common carriers (NVOCCs).

The final rule on the item, effective April 18th, 2011, exempted licensed NVOCCs from their tariff rate publication obligations when entering into a “negotiated rate arrangement” (NRA) but did not extend this exemption to foreign-based unlicensed NVOCCs.

The amendments made through this final rule, that will be effective as of next September 10th, 2012, fail again to extend the above mentioned exemption.

WHO IS FEDESPEDI

Established in June 1946, FEDESPEDI - Federazione Nazionale delle Imprese di Spedizioni Internazionali - is the Federation of the Italian Freight Forwarding companies.

Fedespedit currently is the trade association in the field of transport representing and safeguarding the interests of almost all international freight forwarders in Italy.

FEDESPEDI NUMBERS

Fedespedit represents about 2.200 companies, employing directly more than 80.000 individuals and 100.000 as an industry. Fedespedit members are located throughout Italy, producing a turnover of about 20 billions €

At international level Fedespedit is a member of:

- Clecat (Comité de Liaison Européen des Commissionnaires et Auxiliaires de Transport) which is the European Association for forwarding, transport, logistic and customs services
- Fiata (Fédération Internationale des Associations de Transitaires et Assimilés) which is the world organization of the freight forwarding community.

FEDESPEDI MISSION

Our Federation, in brief, has the mission to:

- Promote the knowledge, the analysis and the solution of problems concerning the freight forwarding industry, so as to improve efficiency and profitability;
- Create and maintain appropriate connections with national, foreign and international bodies;

- Represent members in the relationships with national, regional or local authorities or with private institutions;
- Safeguard the nature of the freight forwarding activity and promote and improve it;
- Safeguard the interests of the industry in the legislative and regulatory field, as well as in social, economical, financial, union, fiscal and insurance areas;
- Promote publications, debates, conferences, training courses and seminaries.

WHY WE SUBMIT COMMENTS

Fedespedi decided to support the actions taken by other “sister associations”, namely TIA and NCBFAA, as well as that of our world federation - FIATA -, in order to assist our members who are engaged in daily business with the US.

Fedespedi does agree with the amendments made through this final rule but at the same time does retain that the FMC should go further and extend the exemption to all lawful NVOCCs, including foreign registered, not just licensed, companies, because the rule as it stands is still discriminatory. We believe that ALL NVOCCs should benefit of the exemption, whether or not they are subject to the licensing requirement under the Shipping Act.

The expansion of the exemption will reduce operating costs for our NVOCC members, and allow them to concentrate on quality and price, rather than wasting unnecessary time and expense on administrative compliance.

For the reasons set forth above, Fedespedi asks the Commission to consider its comments and act accordingly.

Respectfully submitted,

Piero Ugo Lazzeri
President