



ORIGINAL



September 22, 2008

Honorable Bryant L. Van Brakle
Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573

RE: Petition of the National Customs Broker and Forwarders Association of America, Inc. for a Limited Exemption from Certain Tariff Requirements of the Shipping Act of 1984

Docket PI-08 Verified Supporting Statement of Joseph R. Meunier

Dear Secretary Van Brakle:

I am Joseph R. Meunier, CEO of New England Groupage. OTI License# 017165
I am also the Chairman of the NVOCC Committee for the NCBFAA representing the national interest of the OTI Licensed member companies.

New England Groupage is the exclusive agent in the northeast USA of the Vanguard/NACA Logistics Group representing the warehouse and NVOCC operations of Direct Container Line, Brennan International Transport and Conterm Consolidation Services.

I would like to shed some insight as to why we are in full support of exempting NVOCC's from being required to publish rate tariffs in those instances when we have negotiated mutually acceptable rates with our shipper customers and memorialized those rates in writing.

1. Shippers/Forwarders that use our services show no interest in the tariffs we have on file. Instead, they have relied solely on written quotations for any cargo we move on their behalf as a supporting document.
2. Full tariffs can be difficult to interpret, with all of the cross references to items, notes rate or rules tariff publications. So, the shippers/forwarders demand we provide a simplified document, again, in a standard quote form.
3. In the competitive marketplace today, even when we have service contracts with the steamship lines, many rates are negotiated on a shipment by shipment basis. So, bullet rates must be established with the carriers. As a result our cost can change dramatically on a daily basis, meaning that the rates we offer undergo the same changes even when we encounter the same commodity moving in the same trade lane.

NACA
Logistics USA Inc.



Conterm
Container Services

BRENNAN

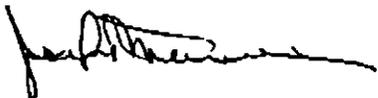
9 Meer Road, Holbrook, MA 02343
Telephone 781-961-4200 Fax 781-961-4222

4. Most importantly we are in a time when rate and surcharge increases take place on a daily basis so the publication process has become burdensome and extremely expensive. During the months of May and June alone we have seen over 250 rate and surcharge changes. Given the large number of shippers we service the magnitude of these changes affect 1000's of rates and rate quotations and obviously the associated published tariffs. I am willing to provide at your request documented evidence of the volume of rate and surcharge increases mentioned.
5. Due to the increase in export volumes and the reduction in equipment and service availability by the carriers it is quite often that cargo must be booked 4-8 weeks out from the time of initial notification from the forwarder/shipper. Again referring to the frequency of rate changes the integrity of the rates quoted at the time of booking is in many cases not even valid for 30 days resulting in the need to re-publish the tariff multiple times for the same transaction. This in itself is a significant part of the reason why shippers/forwarders will only work off written quotations and have no interest in rates we have on file.
6. One would have hoped that NVOCC Service Arrangements would have provided some relief, however that has not been the case. There is no cost savings as these are still written documents that must be filed and published, and would require constant revisions to keep pace with the ever changing carrier rate revisions. It is important to understand that while the carriers can and do file amendments in their service contract covering bullet rates and surcharges, their task is substantially less than the burden on NVOCCs. Their customer base is smaller than ours and they are only working with a single carrier, while we are working with all of the carriers. Besides, they can publish a single surcharge in their tariff, while we have to adjust our surcharges by the carriers that will be handling any traffic.
7. In my experience, Shippers are often reluctant to sign any formal document, as they want the freedom to negotiate rates on a shipment by shipment basis.
8. While we have undertaken steps to provide our clients a more convenient web based quoting system the acceptance of a quote still requires us to load these with disclaimers and in no way takes away the burden and cost of filing tariffs.

The Ocean Export market has changed so dramatically in the last twelve months that I strongly believe it is in the best interest of trade for the agency to establish policy that supports that change. The limited exemption from certain tariff publication requirements would be a welcome first step.

I, Joseph R. Meunier declare under penalty of perjury that the foregoing is true and correct. Further I certify that I am qualified and authorized to file the verified statement.

Executed on September 22nd, 2008



Joseph R. Meunier