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ORIGINAL

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FEDERAL MARITIME COMMISSION
WASHINGTON, D.C.

RE: SUPPORTING STATEMENT FOR THE PETITION OF NATIONAL CUSTOMS
BROKERS AND FORWARDERS ASSOCIATION OF AMERICA FOR
EXEMPTION FROM MANDATORY RATE TARIFF PUBLICATION

VERIFIED SUPPORTING STATEMENT OF RHETT N. WILLIS

I am Rhett N. Willis, President and CEO of DJ Powers Co., Inc, and its subsidiary Transeas Express. (FMC license # 184NF). DJ Powers is a full service, licensed Customs Broker, Freight Forwarder, NVOCC, and Property Broker, offering full logistics services worldwide. We have six offices in the southeast USA, and affiliated offices in over 125 countries worldwide.

I am also Chairman (for the last 20 years) of the South Georgia District Export Council, and have been very involved with Dept of Commerce trade issues throughout those years. I am also a member of the NCBFAA NVOCC committee, and through this involvement as well as my many years building our in-house NVOCC operations, have become very familiar with FMC rules and requirements regarding publication of tariffs and rates.

Our company is fully in support of the NCBFAA Association's petition to exempt NVOCCs from having to publish and memorialize rates that have already been negotiated and agreed upon with shippers in contracts and rate tariffs.

Business with shippers is generally done on a quote by quote basis. Shippers used to be quoted based on a NVOCC contract rate (Cargo NOS in most cases) in writing from our rate quote system in Management Dynamics _ Rate Explorer® which might be adjusted for acceptance and cargo would move against the rate that was quoted and filed for the cause of several months as rates were stable and BAF changes were quarterly or not applicable, so cargo would move against our tariff.

Currently, the market is such that each shipment is to be quoted and filed on a case by case basis as the carriers each have their own set of surcharges and rate changes. If a shipper wants to load on a different carrier than was quoted on, the rate has to be re-filed based on the alternate carrier's rate differentials. In previous years we would maintain a standard tariff with tariff rules that listed all the accessorial charges to

be applied to the Base rates, which were filed under the standard commodity TLI's. In today's market rates change monthly by each carrier independently and in some cases are changed based on specific port pairs which makes it extremely time consuming to maintain rate filings under a rules tariff covering 20 different contract carriers.

We average at least 150 shippers a year of which approximately 25 are regular customers. This means we have potentially (20x25=) 500 lines of tariff to maintain, per port pair. All of our rates are generated by a search engine which will show all available rates for a specific port pair. We select the contract rate that we want to use for this shipment (based on rate level and space availability) and pull that rate into a rate quote. We add our margin plus any special services pull the quote from our software and email the rate to the customer. Upon acceptance we file the rate from the quote itself as a 30 day rate in our tariff. All our rate quotes are thus memorialized in writing and retrievable.

Our company employs the services of Management Dynamics (MDI) for tariff publication. They are the software provider and all rate filing is handled manually by us using their software. In terms of software we spend approximately \$30,000 per year for a subscription, \$8,000 per year for maintenance and an additional salary allocation of approximately \$30,000 to oversee tariff filing maintenance.

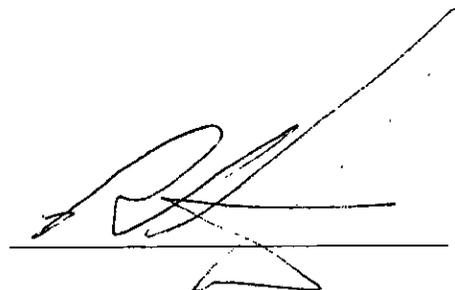
The problem is that in order to pull a rate from the Rate Explorer Program (MDI), the contract has to be entered first into MDI's system, which might take up to 2 days. Due to this situation, most of our rates are negotiated on a case by case basis and contracts are amended upon rate acceptance. Since almost all carriers have outsourced these contract filing / amending administration functions to other countries, this may take days to complete.

As far as I know our tariff has not been accessed. We do not have the capabilities to track this function. We do not have a charge for anyone who wishes to access our tariff.

In conclusion, the benefit of shippers doing business thru NVOCC's is the Client's avoidance of the time consuming process of signing contracts with carriers and not being restricted to only one VOCC. Our company is fully in support of the NCBFAA Association's petition to exempt NVOCCs from having to publish and memorialize rates that have already been negotiated and agreed upon with shippers in contracts and rate tariffs.

I, Rhett N. Willis declare under penalty of perjury that the foregoing is true and correct. Further I certify that I am qualified and authorized to file this statement.

Executed on September 19th, 2008.

A handwritten signature in black ink, appearing to be 'Rhett N. Willis', is written over a horizontal line. The signature is stylized and somewhat cursive.