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August 17, 2004

Via Hand Delivery

Mr. Bryant L. VanBrakle, Secretary
Federal Maritime Commission
Office of the Secretary, Room No. 1046
800 North Capitol Street, N.W.
Washington, D.C. 20573

Re: Petition of Danzas Corporation, For Exemption from the Tariff Publishing Requirements of Section 8 of the Shipping Act of 1984, as amended by OSRA. FMC Petition No. P1 - 04

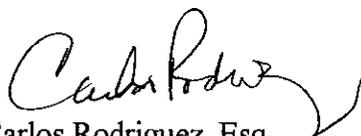
Dear Mr. VanBrakle:

Enclosed for filing in the above captioned proceeding, please find:

1. Reply of Danzas Corporation, Limited to FMC Petition No. P1-04, to the Motion for Leave to File Joint Supplemental Comments Requesting Expedited Adoption of a Conditional Exemption from Tariff Publication, and
2. Comments of Danzas Corporation, Limited to FMC Petition No. P1-04, to the Joint Supplemental Comments Requesting Expedited Adoption of a Conditional Exemption from Tariff Publication.

Very truly yours,

**RODRIGUEZ O'DONNELL ROSS
FUERST GONZALEZ & WILLIAMS, P.C.**

By: 
Carlos Rodriguez, Esq.

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FEDERAL MARITIME COMM

**BEFORE THE
FEDERAL MARITIME COMMISSION**

**PETITION OF DANZAS CORPORATION
D/B/A DANMAR LINES LTD.,
DANZAS AEI OCEAN SERVICES, AND
DHL DANZAS AIR AND OCEAN**

PETITION NO. P1-04

**REPLY OF DANZAS CORPORATION, LIMITED TO FMC PETITION
NO. P1-04, TO THE MOTION FOR LEAVE TO FILE JOINT
SUPPLEMENTAL COMMENTS REQUESTING EXPEDITED
ADOPTION OF A CONDITIONAL EXEMPTION FROM TARIFF
PUBLICATION**

Danzas Corporation d/b/a Danmar Lines Ltd., Danzas AEI Ocean Services and DHL Danzas Air and Ocean (“DHL-Danzas”), the petitioner in FMC Petition No. P1-04, hereby replies in support of the Motion for Leave to File Joint Supplemental Comments Requesting Expedited Adoption of a Conditional Exemption from Tariff Publication (the “Motion”), submitted by the National Industrial Transportation League, United Parcel Service, Inc., BAX Global Inc., FedEx Trade Networks, Transport & Brokerage, Inc., the Transportation Intermediaries Association, C.H. Robinson Worldwide, Inc. and BDP International, Inc.

The Motion was filed in eight separate Commission dockets.¹ However, as a party to only one of those, FMC Petition No. P1-04, DHL-Danzas’ reply is limited solely to that proceeding and addresses the Motion only as it affects Petition No. P1-04.

The Motion seeks an opportunity to present comments (the “Comments”) for consideration by the Commission. The Motion characterizes the Comments as including a “widely-supported proposal for a conditional tariff exemption. . .(that is). . .designed to

¹ Petitions No. P3-03, P5-03, P7-03, P8-03, P9-03, P1-04, P2-04 and P4-04.

streamline rather than complicate. . .” the proceedings. The Motion states that the Comments do not “present new concepts. . .that will require further review or study.” Rather, the Motion characterizes the Comments as intended to offer “. . .a single straightforward approach to resolving the issues and concerns already presented to the Commission.”

DHL-Danzas views the Motion as an effort to offer, for the Commission’s consideration, a means to address many of the same issues that DHL-Danzas raised in its petition, and that it does so in a way that synthesizes many of the diverse proposals offered in various comments already under consideration by the Commission. Granting the Motion will allow the Commission to consider a consensus position that was developed and accepted by a diversified range of organizations from a broad segment of the persons that will be affected by whatever action the Commission decides to take. DHL-Danzas does not believe that mere consideration of the Comments would compromise the Commission’s deliberations, nor would it prejudice any segment of the industry or the public. On the contrary, to the extent that the Motion proposes a consensus approach, approving the Motion and considering the Comments could possibly serve to expedite the Commission’s decision process.

Although, as noted in the Motion, the comment period has closed, Commission Rule 10, 46CFR § 502.10, Waiver of rules in this part², allows the Commission to extend the comment period when “the expeditious conduct of business so requires.” DHL-Danzas submits that granting the Motion is likely to provide the Commission with a means to further the expeditious conduct of the Commission’s business.

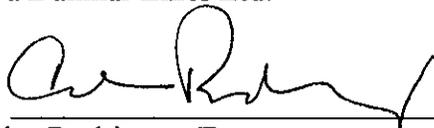
² Rule 10 provides: Except to the extent that such waiver would be inconsistent with any statute, any of the rules in this part, except §§ 502.11 (*Ex parte communications*) and 502.153 (*Appeal from ruling of presiding officer other*

If the Commission decides to grant the Motion and review the Comments, DHL-Danzas' reply to the Comments is hereto attached.

WHEREFORE, DHL-Danzas respectfully urges that the Commission grant the Motion and consider the Comments.

Respectfully submitted,

DANZAS CORPORATION
d/b/a Danmar Lines Ltd.

By: 

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August 17, 2004

than orders of dismissal in whole or in part), may be waived by the Commission. . .to prevent undue hardship, manifest injustice, or if the expeditious conduct of business so requires.

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of August, 2004, served a copy of foregoing Reply of Danzas Corporation, Limited to FMC Petition No. P1-04, to the Motion for Leave to File Joint Supplemental Comments Requesting Expedited Adoption of a Conditional Exemption from Tariff Publication upon:

- a) The parties to FMC Petition No. P1-04,
 - b) The parties that submitted the Motion, and
 - c) The parties served by the commenters,
- by causing a copy thereof to be dispatched via first-class mail, postage prepaid to the following:

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