

SURFACE TRANSPORTATION BOARD ACCEPTS ELECTRONICALLY FILED TARIFFS IN NONCONTIGUOUS DOMESTIC TRADE

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has issued a decision permitting tariffs showing water and joint motor-water carrier rates in the noncontiguous domestic trade to be filed electronically.

Although most carriers are no longer required to do so, water carriers operating in the noncontiguous domestic trade (involving domestic movements from or to Alaska, Hawaii, or U.S. territories or possessions such as Puerto Rico and Guam) still must file public tariffs showing their rates and the joint rates they establish with motor carriers. Since passage of the ICC Termination Act of 1995, the Board has permitted these carriers to file electronic tariffs through the Automated Tariff Filing and Information System (ATFI) maintained by the Federal Maritime Commission (FMC). As a result of the recently enacted Ocean Shipping Reform Act of 1998, however, the FMC will not be accepting new electronic tariffs after April 30, 1999. Therefore, in a decision issued on February 3, 1999, the Board indicated that parties seeking to continue to file tariffs electronically would need to obtain "special tariff authority" from the Board (see "Surface Transportation Board News" release No. 99-3, issued February 5, 1999).

A request for such authority was filed by D.X.I. Incorporated (DXI), a tariff publisher whose software is currently used in the FMC's ATFI system. Under DXI's proposed system, which several major carriers have apparently agreed to use, DXI will continue the online tariff data base that it currently maintains for domestic ocean and joint ocean-motor rates, including rates currently published in ATFI. DXI will make online (dial-up) access available at no cost from the Board's offices to all of its tariffs that are filed electronically with the Board, and DXI will notify the Board on the day of filing (through one or more electronically-submitted transmittal letters) of all tariff changes being filed with the Board that day. The Board and the public will be able to immediately access those filings and determine the exact rates and other tariff provisions that are being proposed by the carriers that participate in the DXI program.

DXI will also provide the Board with a machine readable copy of all changes to its tariffs, which the Board will retain in its offices. For persons who desire to have DXI's tariffs available in their own offices, DXI advises the Board that it offers the public both printed and electronic subscriptions to its tariffs for a fee.

In granting the special tariff authority sought, the Board noted that the system that DXI proposes will permit a largely seamless transition from ATFI tariffs. The Board will continue to permit carriers that do not wish to file electronically to file printed tariffs, and it will also consider electronic tariff filing proposals from other filers.

The Board's decision, which becomes effective immediately, was issued on April 29, 1999 in *Electronic Filing of Noncontiguous Domestic Trade Tariffs*, STB Special Tariff Authority No. 6. It is available on the Board's web site at www.stb.dot.gov.

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