

## Federal Maritime Commission

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### Monitoring Report for Agreements between or among Ocean Common Carriers

For assistance in preparing agreement data and information to complete the Monitoring Report, please refer to the instructions contained in appendix B of 46 CFR part 535, or contact the Federal Maritime Commission, Bureau of Trade Analysis at (202) 523-5845, or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov). As provided in 46 CFR 535.701(d), the Monitoring Report form may be downloaded from the Commission's home page at <http://www.fmc.gov>. Parties to agreements subject to the Monitoring Report requirements may complete and submit their Monitoring Reports in the Commission's prescribed electronic format, either on diskette or CD-ROM.

### Use of Electronic Report

An electronic version of the Monitoring Report has been prepared in *Microsoft Office Word 2003* ("Word") and allows filers to electronically fill out the required Monitoring Report and submit agreement data electronically. The tables embedded in this form contain *Worksheets* in *Microsoft Office Excel 2003* ("Excel"). Although the format is slightly different, the form collects the same information and data collected by the Monitoring Report published in appendix B of 46 CFR part 535. To open the *Worksheets*, right click on the tables, select *Worksheet Object*, and then select *Open*. The *Worksheet* will open to the main menu in Excel (if the software is installed on your computer).

The applicable data for each agreement party may be entered directly into the *Worksheet* cells in the prescribed format. Alternatively, for convenience, data or *Worksheets* from external Excel files may be copied or imported into the *Worksheet* tables contained in this form. Please ensure that the format of the data in any external Excel files fully complies with the required format prescribed in appendix B of 46 CFR part 535. For technical assistance on copying or importing Excel files, please refer to *Microsoft Excel Help*.

To add more *Worksheets* ("Tabs") within the tables, left click on *Insert* from the Excel menu bar, and select *Worksheet*. To exit the *Worksheet* tables when completed, left click on *File* from the Excel menu bar, and select "*Close & Return to Monitoring\_Rpt.doc*" or simply left click on the Excel *Close Button*. The table will return to the main body of the form; however, the table will still be in the active select mode and may be deleted by accident. To deactivate the select mode, left click outside of the table area in the main body of the form. If a table is deleted by accident, it can be retrieved in Word. To retrieve a deleted table, left click on *Edit* from the Word menu bar, and select *Undo*. Once these steps have been completed, the table should be saved from within Word. To save the table, left click on *File* from the Word menu bar, and select *Save*.

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# Section I

Section I applies to agreements, identified in 46 CFR 535.702(a)(1), that contain the authority to discuss or agree on capacity rationalization as defined in 46 CFR 535.104(e). Parties to such agreements must complete parts 1 through 3 of this section.

### **Part 1 - Name**

Agreement Name:

FMC Number:

### **Part 2 – Vessel Capacity and Utilization**

Provide carrier data for agreement-wide trade.

Time Period: [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>		
(State whether U.S. inbound or U.S. outbound)		
	(A) Vessel Capacity	(B) Utilization
	[TEUs or other units]	[Percent]
Carrier A [Name]		
Liner Service 1 [Name]		
Liner Service 2		
Liner Service 3		
Etc.		
Carrier B		
Liner Service 1		
Liner Service 2		
Liner Service 3		
Etc.		

(C) Narrative statement on significant reductions in vessel capacity to be implemented (submit statement no later than 15 days after a reduction has been agreed upon but prior to the implementation of the reduction):

(D) Narrative statement on other significant changes in vessel capacity implemented during the calendar quarter:

***Part 3 – Vessel Calls***

Narrative statement on significant changes in vessel calls implemented during the calendar quarter:

## Section II

Section II applies to agreements, identified in 46 CFR 535.702(a)(2), where the parties to the agreement hold a combined market share, based on cargo volume, of 35 percent or more in the entire U.S. inbound or outbound geographic scope of the agreement and the agreement contains any of the following authorities: (a) the discussion of, or agreement upon, whether on a binding basis under a common tariff or a non-binding basis, any kind of rate or charge; (b) the establishment of a joint service; (c) the pooling or division of cargo traffic, earnings, or revenues and/or losses; or (d) the discussion of, or agreement on, any service contract matter. Parties to such agreements must complete parts 1 through 6 of this section.

### **Part 1 - Name**

Agreement Name:

FMC Number:

### **Part 2 – Market Share**

Provide carrier data for agreement-wide trade and sub-trades.

Time Period:            [Calendar Quarter]

[Help](#)

<b>Name of Trade (or Sub-Trade):</b>		
(State whether U.S. Inbound or U.S. Outbound)		
	TEUs	Percent
	[or other units]	
Agreement Market Share		
Line A [Name]		
Line B		
Line C		
Etc.		
Total Agreement		
Non-Agreement Market Share		
Line X		
Line Y		
Line Z		
Etc.		
Total Non-Agreement		
Total Trade (or Sub-Trade)		

### **Part 3 – Total Liner Cargo and Revenues**

Provide carrier data for the agreement-wide trade.

Time Period: [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>			
(State whether U.S. inbound or U.S. outbound)			
	Total	TEUs	Average
	Revenues	[or other units]	Revenue
Carrier A [Name]			
Carrier B			
Carrier C			
Etc...			

### **Part 4 – Top Liner Commodities**

Provide carrier data for agreement-wide trade.

Time Period: [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>			
(State whether U.S. inbound or U.S. outbound)			
	Carrier A [Name]	Carrier B	Etc...
Commodity 1 [Name and 4-digit code]			
TEUs [or other units]			
Revenues			
Commodity 2			
TEUs			
Revenues			
Etc...			

**Part 5 – Vessel Capacity and Utilization**

Provide carrier data for agreement-wide trade.

Time Period: [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>		
(State whether U.S. inbound or U.S. outbound)		
	(A) Vessel Capacity	(B) Utilization
	[TEUs or other units]	[Percent]
Carrier A [Name]		
Liner Service 1 [Name]		
Liner Service 2		
Liner Service 3		
Etc.		
Carrier B		
Liner Service 1		
Liner Service 2		
Liner Service 3		
Etc.		

(C) Narrative Statement on significant changes in vessel capacity that occurred during the calendar quarter:

**Part 6 – Vessel Calls**

Narrative statement on significant changes in vessel calls that occurred during the calendar quarter:

## Section III

### ***Part 1 – Contact Person and Certification***

Section III applies to all agreements identified in 46 CFR 535.702(a). Parties to such agreements must complete all items in part 1 of this section.

#### **(A) Contact Person.**

Person(s) to Contact Regarding Monitoring Report.

- (1) Name
- (2) Title
- (3) Firm Name and Business
- (4) Business Telephone Number
- (5) Fax Number
- (6) E-Mail Address

#### **(B) Certification.**

This Monitoring Report, together with any and all appendices and attachments thereto, was prepared and assembled in accordance with instructions issued by the Federal Maritime Commission. The information is, to the best of my knowledge, true, correct, and complete.

Name (please print or type)

Title

Relationship with parties to agreement

Signature \_\_\_\_\_

Date