

Federal Maritime Commission an application for a license as a Non-Vessel-Operating Common Carrier (NVO) and/or Ocean Freight Forwarder (OFF)—Ocean Transportation Intermediary (OTI) pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. Chapter 409 and 46 CFR 515). Notice is also hereby given of the filing of applications to amend an existing OTI license or the Qualifying Individual (QI) for a license.

Interested persons may contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

Alo Enterprise Corporation (OFF & NVO), 225 Chambers Street, Trenton, NJ 08609, *Officers:* Amr M. Rihan, President, (Qualifying Individual), Fida Dahrouj, Secretary *Application Type:* New OFF & NVO License;

Auto Shipping Network, Inc. (NVO), 2035 Harding Street, Hollywood, FL 33020, *Officer:* Roy Ezra, President/Secretary, (Qualifying Individual), *Application Type:* New NVO License;

European Roro Lines Corp. (NVO), Rue Heyvaert 142-144, Brussels B-1080 Belgium, *Officers:* Dany Karim, President/Secretary, (Qualifying Individual), Souhail Karim, Director, *Application Type:* New NVO License;

First Forward International Services, Inc. dba First Forward, Container Line (NVO), 5733 Arbor Vitae Street, Suite 101, Los Angeles, CA 90045, *Officers:* Dennis Liebrecht, Treasurer, (Qualifying Individual), Nicholas A. Schiele, President/Secretary, *Application Type:* QI Change;

Goodnight International, Inc. (OFF & NVO), 5160 William Mills Street, Jacksonville, FL 3222, *Officers:* Angela D. Newkirk, Vice President of Logistics, (Qualifying Individual), MaryJane Mackey, President, *Application Type:* New OFF & NVO License;

Myunghe Choi (NVO), 4733 Torrance Blvd., #187, Torrance, CA 90503, *Officer:* Myunghe Choi, President, (Qualifying Individual), *Application Type:* New NVO;

Prisma Cargo Solutions LLC (NVO), 555 Eight Avenue, #1101, New York, NY 10018, *Officer:* Peimaneh Riahi, Managing Director/Secretary, (Qualifying Individual), *Application Type:* New NVO License;

Satellite Logistics Group, Inc. (OFF & NVO), 12621 Featherwood Drive, Suite 390, Houston, TX 77034, *Officers:* Kevin D. Brady, President, (Qualifying Individual), Diane S. Mohr, CFO, *Application Type:* License Transfer;

Uniworld International, Inc. (OFF), 7901 Kingspointe Parkway, Suite #24,

Orlando, FL 32819, *Officers:* Tareq Shrourou, Secretary, (Qualifying Individual), M. Wael Shrourou, President, *Application Type:* QI Change;

World Express & Connection Inc. (OFF & NVO), 63 Hook Road, Bayonne, NJ 07002, *Officers:* Raya Bakhirev, President, (Qualifying Individual), Nasim Rakhimov, Secretary, *Application Type:* New OFF & NVO License.

Dated: May 28, 2010.

**Rachel E. Dickon,**

*Assistant Secretary.*

[FR Doc. 2010-13417 Filed 6-2-10; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

[Docket No. 10-05]

### **American Stevedoring, Inc. v. The Port Authority of New York and New Jersey; Notice of Filing of Complaint and Assignment**

May 28, 2010.

Notice is given that a complaint has been filed with the Federal Maritime Commission (“Commission”) by American Stevedoring, Inc., hereinafter “Complainant,” against the Port Authority of New York and New Jersey, hereinafter “Respondent.” Complainant asserts that it is a corporation organized and existing pursuant to the laws of the state of New York. Complainant asserts that Respondent is a body corporate and politic created by Compact between the States of New York and New Jersey with the consent of Congress of the United States, and a marine terminal operator subject to the jurisdiction of the Commission.

Complainant asserts that Respondent violated Section 10(b)(10) and Section 10(d)(3) of the Shipping Act of 1984, 46 U.S.C. 41106(3), which prohibit a marine terminal operator from engaging in unreasonable refusal to deal or negotiate. Complainant bases this allegation on the Respondent’s “refusal to negotiate the terms and conditions of a lease renewal, its haste in forcing American Stevedoring to sign the leases on one day’s notice, and its ultimatum that the set of leases presented on April 23, 2008 “be signed by noon the following day, if not signed, would not be presented again to American Stevedoring, and that no leases would be presented.” Complainant alleges that Respondent “exacerbated its refusal by not countersigning the set of leases for another ten months” giving competitors “at other terminals an unfair advantage.” Complainant further alleges that

Respondent “then interfered with American Stevedoring’s existing and prospective economic relationships by issuing an RFEI and encouraging competitors to take over American Stevedoring’s piers and operations, and to service its customers.” Complainant asserts that as a result of Respondent’s unlawful conduct, Complainant “has suffered and will suffer monetary damages in an amount yet to be determined, but exceeding \$16,000,000.00 per year.”

Complainant also alleges that Respondent violated Section 10(d)(4) of the Act, 46 U.S.C. app. § 41106(2), which provides that no marine terminal operator may “give any undue or unreasonable preference or advantage or impose any undue or unreasonable prejudice or disadvantage with respect to any person,” in refusing to “negotiate the terms and conditions of the set of leases with American Stevedoring, unlike its relationships and negotiations with other marine terminal operators for lease renewal.” Specifically Complainant alleges that “[t]he Port Authority’s actions have given American Stevedoring’s competitors at other terminals and unfair advantage in that they have been and are able to negotiate the terms and conditions of the lease agreements, including the terms of capital investments the Port Authority undertakes, such as the provision of truck toll replacement payments, on-dock rail connections, highway improvements and other transportation connecting services, whereas American Stevedoring has been frozen out of negotiations, communications, capital investments, ordinary maintenance and repairs, and has suffered other kinds of different, discriminatory treatment, not justified by transportation factors.” Complainant asserts that as a result it “has suffered monetary damages and lost business opportunities in an amount yet to be determined, but exceeding several million dollars.”

Complainant requests that the Commission order Respondent “(i) to cease and desist from all actions to terminate Complainant’s leasehold relationships with Complainant; (ii) to recommence discussions with the Complainant in good faith over the terms and conditions of the Agreements of the Lease entered into on April 24, 2008 comparable to those entered into by the Port Authority for its other marine terminals including the recently reduced rent of Maher Terminals; (iii) to order the Port Authority to cease interfering in the economic relationships of American Stevedoring with its customer and potential

customers; (iv) to establish and put in force such other practices as the Commission determines to be lawful and reasonable governing the relationship between the Port Authority and American Stevedoring; and (v) to pay the Complainant by way of reparation for the unlawful conduct hereinabove described, in an amount yet to be determined, but exceeding \$16,000,000.00 with interest and attorney's fees, or such other sum as the Commission may determine to be proper as an award of reparation; and (v) and that such other and further order or orders be made as the Commission so determines to be appropriate."

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been

given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by May 31, 2011 and the final

decision of the Commission shall be issued by September 28, 2011.

**Rachel E. Dickon,**  
Assistant Secretary.

[FR Doc. 2010-13390 Filed 6-2-10; 8:45 am]

**BILLING CODE P**

**FEDERAL MARITIME COMMISSION**

**Ocean Transportation Intermediary License Reissuance**

Notice is hereby given that the following Ocean Transportation Intermediary licenses have been reissued by the Federal Maritime Commission pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR Part 515.

License no.	Name/address	Date reissued
013787N .....	Trans Caribe Express Shippers, Inc., 163 Tremont Avenue, East Orange, NJ 07018 .....	April 29, 2010.
015941NF .....	Cargo Plus, Inc., 8333 Wessex Drive, Pennsauken, NJ 08109 .....	April 25, 2010.
021975F .....	Adora International LLC dba Adora, 16813 FM 1485, Conroe, TX 77306 .....	April 20, 2010.

**Sandra L. Kusumoto,**

Director, Bureau of Certification and Licensing.

[FR Doc. 2010-13416 Filed 6-2-10; 8:45 am]

**BILLING CODE 6730-01-P**

**FEDERAL MARITIME COMMISSION**

**Ocean Transportation Intermediary License Revocation**

The Federal Maritime Commission hereby gives notice that the following Ocean Transportation Intermediary licenses have been revoked pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR Part 515, effective on the corresponding date shown below:

*License Number:* 004020N.

*Name:* Southern Cross Shipping, Inc.

*Address:* 6440 NW. 2nd Street, Miami, FL 33126.

*Date Revoked:* May 10, 2010.

*Reason:* Surrendered license voluntarily.

*License Number:* 017538N.

*Name:* Cosa Freight, Inc.

*Address:* 1601 W. Mission Blvd., Suite 104, Pomona, CA 91766.

*Date Revoked:* May 17, 2010.

*Reason:* Surrendered license voluntarily.

**Sandra L. Kusumoto,**

Director, Bureau of Certification and Licensing.

[FR Doc. 2010-13415 Filed 6-2-10; 8:45 am]

**BILLING CODE 6730-01-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Privacy Act of 1974; Report of a New System of Records**

**AGENCY:** Department of Health and Human Services (HHS).

**ACTION:** Notice of a New System of Records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, the U.S. Department of Health & Human Services (HHS) is proposing to establish a new system of records (SOR) titled "Early Retirement Reinsurance Program (ERRP)," System No. 09-90-0250. Under authority of Section 1102 of the Patient Protection and Affordable Care Act (the Affordable Care Act) (Pub. L. 111-148) the Early Retiree Reinsurance Program is established. The program provides reimbursement to participating employment-based plans for a portion of the cost of health benefits for early retirees and their spouses, surviving spouses and dependents. The system

will collect and maintain information on individuals associated with plan sponsors who perform key tasks on behalf of the sponsor in order for the sponsor to participate in and receive reimbursement under the program. The system will also collect and maintain information on early retirees, and their spouses, *etc.*, so that sponsors' eligibility to receive reimbursement for the claims of such specific individuals can be verified. The system will also collect and maintain information related to the documentation of actual medical costs of claims for health benefits submitted to the Department, to ensure accurate reimbursement under the program.

The purpose of this system is to collect and maintain information on individuals who are early retirees (and spouses, *etc.*) such that sponsors' eligibility to receive reimbursement for the claims of such specific individuals can be verified, to collect and maintain information on individuals who are associated with plan sponsors who perform key tasks on behalf of the sponsor, so that the sponsor can participate in and get reimbursement under the program, and to collect and maintain documentation of the actual costs of medical claims, so that accurate and timely reimbursements may be made to plan sponsors who continue to offer qualifying health benefits to early retirees (and spouses, *etc.*). Information