

BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

**DOCKET TP-190976**

**CROSS-EXHIBIT FOR**

**Linda Styrk**

**PSP Response to PMSA DR 13, 18, 33, 34, 35, 39, 66, 385**

*August 7, 2020*

PUGET SOUND PILOTS RESPONSES TO DATA REQUEST NOS. 1 - 35 of Page 1 of 9  
PACIFIC MERCHANT SHIPPING ASSOCIATION

DATE PREPARED: February 5, 2020	WITNESS: Linda Styrk
DOCKET: TP-190976	RESPONDER: Puget Sound Pilots
REQUESTER: PMSA	

**DATA REQUEST NO. 13:** If PSP has used at any time from 2016 to present a vendor or third party to bill or invoice pilotage customers or to collect pilotage revenues, please provide copies of (a) the contract between PSP and the vendor or third party, (b) all invoices and billings that the vendor or third party from 2016-present made on behalf of PSP, and (c) all communications between PSP and the vendor or third party including directions or instructions with respect to the methods of billing or invoicing which may add to or clarify any provisions of the contract.

**RESPONSE TO DATA REQUEST NO. 13:**

Objection. PSP objects to producing information regarding expense or income information that precedes the test year, which commences on July 1, 2018, as such information is irrelevant to a general rate proceeding. PSP also objects that the request for “all communications between PSP and the vendor or third party” is an inherently overbroad request that seeks information that would be irrelevant to a general rate proceeding.

Subject to and without waiving the foregoing objections, PSP responds as follows:

PSP does not use third party vendors to bill or invoice pilotage customers or collect pilotage revenues.

PUGET SOUND PILOTS RESPONSES TO DATA REQUEST NOS. 1 - 35 of Page 2 of 9  
PACIFIC MERCHANT SHIPPING ASSOCIATION

DATE PREPARED: February 5, 2020	WITNESS: Linda Styrk
DOCKET: TP-190976	RESPONDER: Puget Sound Pilots
REQUESTER: PMSA	

**DATA REQUEST NO. 18:** For the years 2016 to present, did PSP, its affiliates, or any pilots or pilot entities associated with PSP collect pilotage income from outside Washington State? If so, please provide the reason for collecting income from outside Washington State and documentation showing the amounts and basis for such collections.

**RESPONSE TO DATA REQUEST NO. 18:**

Objection. PSP objects to producing information regarding expense or income information that precedes the test year, which commences on July 1, 2018, as such information is irrelevant to a general rate proceeding.

Subject to and without waiving the foregoing objections, PSP responds as follows:

No pilotage income from outside the state of Washington was earned by PSP or reported to PSP.

PUGET SOUND PILOTS RESPONSES TO DATA REQUEST NOS. 1 - 35 of Page 3 of 9  
PACIFIC MERCHANT SHIPPING ASSOCIATION

DATE PREPARED: February 5, 2020	WITNESS: Linda Styrk
DOCKET: TP-190976	RESPONDER: Puget Sound Pilots
REQUESTER: PMSA	

**DATA REQUEST NO. 33:** Please provide by year for 2016 through 2019 the number of times that a PSP pilot's transportation to or from an assignment was provided by personal vehicle.

**RESPONSE TO DATA REQUEST NO. 33:**

Objection. PSP objects to producing information regarding expense or income information that precedes July 1, 2018, the beginning of the test period, as such information is irrelevant to a general rate proceeding. This request also appears to seek information that is related to operational issues that are outside the jurisdiction of the Commission and therefore is irrelevant to any issue to be adjudicated in this general rate proceeding. Further, because PSP is proposing a transportation charge that is based not upon historic practices, but upon a three-month transportation trial, the information sought is not relevant to this rate proceeding.

Subject to and without waiving the foregoing objections, PSP responds as follows:

PSP filed in its workpapers a file labeled "Transportation Trial Results" which provides a summary of expenses incurred during the only period of time in which PSP has tracked modes of pilot transportation and points PMSA to that record.

PUGET SOUND PILOTS RESPONSES TO DATA REQUEST NOS. 1 - 35 of Page 4 of 9  
PACIFIC MERCHANT SHIPPING ASSOCIATION

DATE PREPARED: February 5, 2020	WITNESS: Linda Styrk
DOCKET: TP-190976	RESPONDER: Puget Sound Pilots
REQUESTER: PMSA	

**TESTIMONY OF LINDA STYRK**

**DATA REQUEST NO. 34:** Please provide a copy of the “three month cost of service study of transportation expenses” that PSP performed in 2019 (Exh. LS-1T p. 3).

**RESPONSE TO DATA REQUEST NO. 34:**

PSP directs PMSA to its Transportation Trial Results, which was filed with its workpapers. Please also refer to PSP’s response to Data Request No. 33.

PUGET SOUND PILOTS RESPONSES TO DATA REQUEST NOS. 1 - 35 of Page 5 of 9  
PACIFIC MERCHANT SHIPPING ASSOCIATION

DATE PREPARED: February 5, 2020	WITNESS: Linda Styrk
DOCKET: TP-190976	RESPONDER: Puget Sound Pilots
REQUESTER: PMSA	

**DATA REQUEST NO. 35:** Please provide all documents and data specifically supporting the following statement at Exh. LS-1T p. 5 lines 15-21: that in her role as Managing Director of the Seaport, Ms. Styrk “became familiar with various factors impacting port economics that covered a rather vast array of topics,” and that “in the overall basket of charges assessed port users i.e. for container handling equipment, fuel, labor stevedoring, lines, berthing, etc. the cost of the individual pilot is an infinitesimal percentage of total port call and terminal charges.”

**RESPONSE TO DATA REQUEST NO. 35:**

Objection. PSP objects that it is impossible to produce “all documents” supporting the statement referenced as there are voluminous factors impacting port economics and a number of published studies regarding the same.

Subject to and without waiving the foregoing objections, PSP responds as follows:

For example, the following document is being produced and is attached.

- Study of U.S. Inland Containerized Cargo Moving Through Canadian and Mexican Seaports, July 2012, document with bates labels commencing on PSP\_000401.

DATE PREPARED: February 18, 2020	WITNESS: ERIC VONBRANDENFELS
DOCKET: TP-190976	RESPONDER: ERIC VONBRANDENFELS
REQUESTER: PMSA	PUGET SOUND PILOTS

**PMSA DATA REQUEST NO. 39:** Regarding Exh. EVB-1T p. 7, lines 19-21 (referencing “massive ships”), please provide the pilotage invoice for the largest ship PSP pilots have provided services to.

**RESPONSE TO DATA REQUEST NO. 39:**

PSP objects that because this request is not limited in time, it inherently would require PSP to search data for all assignments in its history to confirm that a response is complete and accurate. PSP further objects that in isolation, invoices related to the largest ships are not relevant in the discovery sense. PSP will therefore limit its response to the largest ships that PSP pilots have provided service to since January 1, 2016, and accordingly responds as follows:

The following documents are being produced:

- Puget Sound Pilot Invoices, bates labeled PSP\_003150-003167; file label PMSA DR 39 – Large Ship Invoices

DATE PREPARED: March 3, 2020	WITNESS: Weldon Burton
DOCKET: TP-190976	RESPONDER: Weldon Burton
REQUESTER:	Puget Sound Pilots

**DATA REQUEST NO. 66:** Regarding the three-month transportation expense trial program referenced at Exh. WTB-1T, p. 9 line 5-13, please state whether any of the trial program occurred during cruise ship season, and please provide (1) copies of the receipts for the trial program's transportation expenses; (2) documentation of all transportation provided by pilots themselves versus by a transportation service and when used; and (3) documentation of the transportation services used (limo services, taxi, contract shuttle, app-based ride-share program, etc.).

### RESPONSE TO DATA REQUEST NO. 66:

Objection. This request is unduly burdensome because some credit card receipts are not organized in a manner that permitted PSP to efficiently locate them. Subject to and without waiving the foregoing objection, PSP responds as follows:

The three-month transportation expense trial program began on February 1, 2019 and concluded on April 30, 2019. The cruise ship Celebrity Eclipse arrived at the Bell Street Pier Cruise Terminal at Pier 66 on April 15, 2019. Thus, this trial program did occur during the cruise ship season.

<https://www.portseattle.org/news/2019-cruise-season-launches-20-year-celebration-and-economic-impact-focus>

- 1) Copies of the receipts for the trial program's transportation are attached. There may be minor expenses for various public transportation entities charged to credit cards that have not been included with the large number of receipts provided in #2 and #3 answering this data request. If desired PSP can continue to identify additional charge card items in the test period.
- 2) Documentation of all transportation provided by pilots themselves versus a transportation service and when used are attached. Transpo Trial Pilots are the pilots individual expenses seeking reimbursement included with this response.
- 3) Documentation of the transportation services used (limo services, taxi, contract shuttle, app-based ride-share program, etc.) are attached. Various limo service, taxi, contract shuttle and app-based ride-share billing invoices are included with this response.

These responsive documents are produced with the following file labels and commence on the corresponding bates number:

- PMSA DR 66 - Chris Cook Transportation Invoices Feb-Apr 2019 to cc.xlsx; bates number PSP\_003534

PUGET SOUND PILOTS' RESPONSES TO PMSA DATA  
REQUESTS 56-126- 12

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- PMSA DR 66 - Evergreen Town Car 2019 traspo Trial Invoices.pdf; bates number PSP\_003535
- PMSA DR 66 - Fife Maritime 2019-02 to 05 traspo Trial Invoices.pdf; bates number PSP\_003536
- PMSA DR 66 - Glllobal Portage Solutions 2019 traspo Trial Invoices.pdf; bates number PSP\_003577
- PMSA DR 66 - Green Car Club 2019 traspo Trial Invoices.pdf; bates number PSP\_003594
- PMSA DR 66 - Lyft Feb-April 2019 Transaction Reports.xlsx; bates number PSP\_003598
- PMSA DR 66 - Marine & Industrial Security Services 2019 traspo Trial Invoices.pdf; bates number PSP\_003599
- PMSA DR 66 - Mert's Taxi Gary Osborne 2019 traspo Trial Invoices.pdf; bates number PSP\_003607
- PMSA DR 66 - Perry Cook 2019-02 to 04 traspo Trial Invoices.pdf; bates number PSP\_003623
- PMSA DR 66 - Randall K. Willis 2019 traspo Trial Invoices.pdf; bates number PSP\_003700
- PMSA DR 66 - RITE Bros 2019-02 to 04 traspo Trial Invoices.pdf; bates number PSP\_003708
- PMSA DR 66 - Seda Markarova LLC 2019-02 to 04 traspo Trial Invoices.pdf; bates number PSP\_003769
- PMSA DR 66 - Traspo Trial Pilots.pdf; bates number PSP\_003803
- PMSA DR 66 - Wellington Transportation 2019 traspo Trial Invoices.pdf; bates number PSP\_004168
- PMSA DR 66 - Westwind Aviation 2019 traspo Trial Invoices.pdf; bates number PSP\_004171

DATE PREPARED: April 17, 2020	WITNESS: Stephan Moreno
DOCKET: TP-190976	RESPONDER: Stephan Moreno
REQUESTER: PMSA	Puget Sound Pilots

**PMSA DATA REQUEST NO. 385:** Regarding Exh. SM-1T, p. 15, lines 20-23, please provide a definition of the phrase “estimated cost of transportation” and provide documentation of the actual total PSP “estimated cost of transportation” which “PSP includes ... because we provide service” from 2016 to present.

**RESPONSE TO DATA REQUEST NO. 385:**

Objection. This and many other data requests served by PMSA request the witness to “define” testimony that has been given. These are improper data requests and do not seek evidence or information that will lead to evidence, but are instead an attempt to cross-examine the witness through countless data requests. In many instances the testimony is clear and unambiguous and thus these dozens of data requests appear designed to harass or annoy the witness and PSP.

Subject to and without waiving the foregoing objection, Capt. Moreno responds as follows:

The Transportation Expense Charge, which in my understanding has existed in the pilotage tariff since at least 1964, has been traditionally based upon taxi fares, which was an estimation of expense. See, for example, the Board of Pilotage Commissioners’ minutes for December, 1987 and January, 1988, produced with file label “PMSA DR 385 – Minutes Dec 87-Jan88.pdf” and Bates number PSP\_07506-07508.