

BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

TOTE MARITIME ALASKA, LLC,

Movant,

PUGET SOUND PILOTS,

Respondent.

DOCKET

DECLARATION OF PHILIP MORRELL

I, Philip Morrell, declare as follows:

1. I am over the age of eighteen, have personal knowledge of the matters attested to herein, and am capable of testifying to them.

2. I am the vice president, commercial marine operations of TOTE Services, LLC, which provides ship management services to its sister company Movant TOTE Maritime Alaska, LLC (“TOTE”). In that role, I am involved and familiar with the facts presented below.

3. TOTE’s vessels MIDNIGHT SUN and NORTH STAR both have gross register tonnage (“GRT”) tonnage of 35,825 and international gross tonnage (“IGT”) tonnage of 65,314.

4. These vessels are the equivalent of 1,360 TEU vessels which are considered small as a function of the vessel size PSP typically services. To demonstrate this, I went through the following process as demonstrated in the table below.

- I selected a container vessel of comparable IGT tonnage from WTB 11 – the invoice number is stated in the table below.
- This vessel has four times the Twenty Foot Equivalent (“TEU”) capacity as compared to the MIDNIGHT SUN’s functional equivalent.
- This vessel can carry over three times MIDNIGHT SUN’s maximum weight capacity as measured in deadweight tons. Although not tariff item, it is an exact measurement of a vessel’s maximum weight capacity.

	<b>WTB 11 invoice number 184207  Container Ship</b>	<b>WTB 11 Invoice Number TOTE - MIDNIGHT SUN</b>
Container Capacity/Equivalent in TEU's	<b>5,680 TEU's</b>	<b>1,360 TEU's</b> <i>Less than 1/4<sup>th</sup> of the container vessel</i>
Tonnage IGT	<b>64,845 tons</b>	<b>65,314 tons</b>
Regulatory Tonnage	N/A – International Service	35,825 tons
Deadweight Tonnage: Maximum weight a ship can carry):	<b>68,250 tons</b>	<b>22,437 tons</b> <i>Less than 1/3<sup>rd</sup> of container vessel</i>
Current Tonnage Charge per Tariff	<b>\$4,273.12</b>	<b>\$4,301.50</b>

5. On this basis, I am able to conclude that MIDNIGHT SUN's cargo carrying capacity is far less than the container vessel listed in WTB 11. Yet it is charged more tonnage tariff under PSP's current practices.

6. These are Orca class roll-on-roll-off vessels which contain large volumes of "exempted space," or space not filled with cargo. The GRT applied in domestic measurements does not consider such dead space, while IGT measurements do. Consequently, the vessels at issue have much larger IGT measurements than GRT measurements.

7. The Board of Pilotage Commission staff provided to me on November 25, 2019. PSP's submission to UTC supporting its petition for a tariff rate increase last year, including

PSP's worksheet data. I confirmed that these documents demonstrated that PSP was not proposing rate increases based on IGT instead of GRT calculations for TOTE's two vessels.

8. Subsequently, PMSA provided me calculations showing that PSP's proposed first-year increase would be 39.5% based on the PSP worksheets using GRT. I reviewed the practical economic and operational effects PSP represented would result from its new tariff, i.e., the worksheets that presented specific tonnage and service-hour rate data for each vessel. I could not, and did not, review PSP's entirely revamped tariff to deduce potential issues that would be in conflict with that worksheet data.

9. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

EXECUTED at Seattle, Washington this 25 day of August, 2021.



Philip Morrell