

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

IN RE THE MATTER OF

TOTE MARITIME ALASKA, LLC'S
PETITION FOR AMENDMENT,
RESCISSION, OR CORRECTION OF
ORDER 09

DOCKET NO. TP-190976

WAC 480-07-870(3)

RESPONSE OF PACIFIC MERCHANT SHIPPING ASSOCIATION

IN SUPPORT OF THE

PETITION OF TOTE MARITIME ALASKA, LLC

October 15, 2021

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I. INTRODUCTION & SUMMARY OF POSITION

1. The Pacific Merchant Shipping Association (PMSA) is a party to the above-captioned underlying tariff revision proceeding. PMSA files this response pursuant to WAC 480-07-870(3) in response to the Petition of TOTE Maritime Alaska, LLC (TOTE), filed on August 26, 2021, for an amendment or correction of the Final Order in this matter.
2. PMSA respectfully requests that the Commission grant the Petition of TOTE for an amendment to the Puget Sound Pilotage tariff (PSP Tariff No. 01, effective January 25, 2021) and adopt the language proposed by TOTE for PSP Tariff Item 300.
3. TOTE's Petition meets all of the threshold factors for rehearing of an order pursuant to WAC 480-07-870(1). TOTE has demonstrated all of the following: (a) since the Commission issued the Final Order in this matter, the Puget Sound Pilots (PSP) changed its practices for calculation of tonnage billed to TOTE's vessels; (b) PSP's changes in billing practices with respect to TOTE were not considered or anticipated by the Commission when it entered the Order, and those changes have resulted in significant harm to TOTE; (c) the harm to TOTE is an effect of the Final Order which neither the Commission nor PSP contemplated or intended, or if PSP did contemplate or intend this effect, it knowingly omitted disclosure of it to the Commission and parties; and (d) good and sufficient cause for not having considered or determined this effect in the

order exists because the testimony and evidence submitted by PSP never contemplated or mentioned any change in the tonnage calculations such that the Commission, the Commission Staff, TOTE, PMSA, or the public could have analyzed, anticipated, or evaluated the outcome as implemented by PSP, and therefore was not a possible scenario that the Commission could have considered or determined in the Final Order.

4. TOTE's proposed amendment is consistent with the Final Order, federal law, and the previous tariff. The amendment offers a reasonable clarification which resolves an unanticipated issue, avoids the need for more extensive and complicated remedies, and should be adopted.

5. TOTE's Petition is consistent with and does not seek to disturb any of the Final Order's findings, determinations, rationales, or directions with respect to the rate-setting issues decided by the Commission in its Final Order based on the testimony and evidence presented by the parties and Staff. TOTE's Petition concerns only the singular and narrow issue of vessel tonnage calculation methodologies as applied to domestic vessels in the coastal United States trades.¹ This is an issue that PSP, as the party petitioning to revise the tariff,

¹ As used herein, the terms "tonnage calculations" or "vessel tonnage calculation" or "vessel tonnage calculation methodologies" all refer to the calculation of the actual vessel tonnage only. The term "tonnage calculation" does not refer to the calculation of which rate in the tariff is applicable to a specific vessel's tonnage as this is not in dispute in the TOTE Petition.

never addressed. It was therefore not addressed by any other parties or by Staff or directly by the Commission in its Final Order.

**II. TOTE'S AMENDMENT IS CONSISTENT WITH PSP'S
PETITION, THE FINAL ORDER, PRIOR BILLING PRACTICES,
AND FAIRNESS TO RATEPAYERS**

6. The TOTE Petition requests relief through an amendment which is consistent with all of the following: the evidence submitted by PSP, including the proformas and revenue calculations presented by PSP's expert witness showing prospective application of its proposed tariff changes; PSP's testimony omitting any mention of an intent to change tonnage calculations as a component of tariff calculation or subsequent billing to customers; the reliance of all non-PSP parties on the proformas presented by PSP's expert witness as to the calculation of both the individual and cumulative impacts of the application of new rates to the proposed tariff; the Final Order's total allowed recovery by PSP, as based upon application of the tonnage calculations made in the proformas presented by PSP's expert witness; the previous tariff and the billing practices of PSP under the previous tariff which reflected an understanding of the application of federal law and state law consistently with one another; and, the procedural and substantive fairness due all ratepayers.

7. While the tariff under the Final Order arguably could be viewed as the basis for a change in vessel tonnage calculations, this would be inconsistent with all of the following: PSP, as the moving party with a burden of proof, did

not propose or describe any change in tonnage calculations of note in its Petition or in any of its testimony or in any of its exhibits; PSP's exhibits demonstrated an intent to continue to calculate the billable tonnage for the TOTE vessels at issue here consistently with the previous tariff; Commission Staff reviewed PSP's exhibits and confirmed PSP's continuation of calculations of billable tonnage consistent using the same tonnage for TOTE vessels as was applied with the previous tariff; PSP did not object to the Staff's evaluation of its proformas which demonstrated that the calculation of the billable tonnage would continue under the PSP proposed tariff; and, the Final Order did not address, make findings, or explicitly authorize or direct any changes in the methodology used for vessel tonnage calculations. Aside from a strict and close reading of PSP's proposed tariff language (which did not comply with the Commission's normal rules for identifying changes to the tariff under WAC 480-160-110), no grounds exist for a change in the methodology for calculation of billable vessel tonnage.

A. PSP's exhibits demonstrated an intent not to change vessel tonnage calculations from the prior tariff.

8. The Commission rules require petitioners to present accurate and representative data, testimony, and evidence illustrative of the changes to the tariff calculations proposed. Further, Commission rules require that a petitioner include proformas and revenue calculations to demonstrate to

ratepayers the expected outcome of the proposed tariff to the rates that they would potentially be liable for under a proposal. WAC 480-07-525(4) (d), (e), (i).²

9. The statutes which govern the petition process require the moving party, in this case PSP, to carry “the burden of proof to show that the tariff rates are not fair, just, reasonable, and sufficient.” RCW 81.116.030.
10. The Commission rightfully, accurately, and expressly relied solely on the facts, testimony, exhibits, and evidence in the record before it when it determined and issued its Final Order.
11. PSP did not include any data, testimony, or evidence that illustrated or described that the tariff proposed by PSP, and ultimately adopted by the Commission, would result in any substantive changes to vessel tonnage calculations. Relatedly, none of the responding parties submitted any comments regarding changes to vessel tonnage calculations in response to PSP’s proposed tariff.
12. With respect to TOTE vessels, PSP affirmatively offered testimony which illustrated an intent *not* to change any vessel tonnage calculations under its

² “Work papers reflected the test year must include: ... (d) An income statement with restating actual and pro forma adjustments, including all supporting calculations and documentation for all adjustments. The filing must identify dollar values and underlying reasons for each restating actual and pro forma adjustment. (e) A calculation of the revenue impact of the proposed tariff revisions. ... (i) Schedule reconciling, within five percent, rates and charges: ... (ii) Expected to be earned during the rate year to computed revenue requirement.”

proposed tariff. With specific respect to the vessel tonnage calculations for the TOTE vessels Midnight Sun and North Star, PSP submitted revenue calculations that demonstrated the application of proposed changes in the tariff to both of these TOTE vessels.³ In the projections of impacts from tariff changes in these revenue calculations, there are 612 instances of projected billings for the TOTE vessels Midnight Sun and North Star. None of these hundreds of instances of projected billings for these TOTE vessels ever evidenced any proposed changes to their vessel tonnage calculations.

13. Commission Staff evaluated and validated the accuracy of the PSP Petition and its related testimony and exhibits, including an audited review of the accuracy of the revenue calculations at Exhibit WTB-11.⁴ The Staff test of the accuracy of the PSP revenue calculations specifically evaluated the proposed changes in the tariff as it related to both TOTE vessels at issue in TOTE's Petition – North Star is highlighted at line 134 and Midnight Sun at line 637 of Staff Schedule 3.6 – and affirmed the PSP revenue calculations as accurate at an applied domestic tonnage of 35,825 for both the Midnight Sun and the North Star. Upon completion of its test of the revenue calculations, Staff concluded

³ Burton, Exhs. WTB-11, WTB-12, and WTB-13.

⁴ Sevall, TOTE Petition Exh. SS-3 Part 2, Schedule 3.6 (“Staff Test of Exhibit WTB-11”).

that “the historical information is accurate for the purpose of this filing and can be used to determine staff’s proposed rates.”⁵

14. Subsequent to Staff’s tests of the PSP revenue calculations in WTB-11, in which Staff specifically determined that it was accurate for the purpose of this filing to determine what charges would be imposed against TOTE vessels Midnight Sun and North Star under the prior tariff’s vessel tonnage calculation methodologies, PSP had the opportunity in its Response to challenge, correct, or point out any errors in the Staff review. However, PSP identified no such errors, and therefore both the underlying revenue calculations and the Staff review of the revenue calculations must be deemed and presumed to be correct.

15. Had PSP intended at the time of the submission of their proposed tariff to change the billable vessel tonnage for TOTE vessels but made an inadvertent error in not disclosing it in the original proforma documents, PSP not only had the opportunity at any time to correct the mistake, but the burden as the moving party to do so. Consistently, if this were the case, quick evaluation of the Staff’s tests of the highlighted tonnage calculations of the Midnight Sun and North Star would have exposed the error and provided PSP with the opportunity to clarify, rectify, or supplement its Petition in response. Yet, PSP took no steps to make any such corrections, made no comments in response to this Staff review, and did not otherwise revise its submissions. In effect, PSP’s

⁵ *Id.*

silence affirmed that the Staff's review was correct and at the same time also affirmed that PSP's Exhibits WTB-11, WTB-12, and WTB-13 were a true and correct application of how it was proposing to implement future tariffs against the tonnage of these TOTE vessels.

B. Changes to vessel tonnage calculations will result in an effective rate in excess of that allowed by the final order.

16. The current tariff is based on an application of the Final Order which relies on the vessel tonnage calculations submitted in the PSP proformas and revenue calculations. The Final Order likewise did not approve any changes in vessel tonnage calculation methodologies.⁶ Therefore, the rates applied in the current tariff are appropriate and consistent with the Final Order when applied against the vessel tonnage calculations submitted in the PSP proformas and revenue calculations. However, when the rates are applied against a new and different set of vessel tonnage calculations that were not part of the PSP projections, then the current tariff is inconsistent with the Final Order.

17. The Final Order, at paragraphs 26-27, directed that a tariff be adopted which was consistent with a projected revenue requirement based on the tonnage and vessel activity levels reflected in the test year. Specifically, it

⁶ See Final Order (TP-190976, Order 09) at ¶¶ 26-29, "C. Summary of Revenue Requirement Determinations," which does not authorize any adjustments to the two-year rate plan based on any adjustment to vessel tonnage calculations.

directed revenue requirement increases of 2.7%, or approximately \$969,000, in year 1 and 1.3%, or approximately \$425,500 in year 2.

18. Under the new tariff, the determination of what rates were applicable to which vessels that in turn produces the revenue requirement is based on an application of the data in the PSP revenue calculations at Exhibits WTB-11, WTB-12, and WTB-13. To the extent that the tariff as adopted primarily relies on the time projected for the movement of vessels and the vessel tonnage calculation, the existence of a stable and accurate estimate of total tonnage is a necessary component of having an accurate tariff.

19. After the adoption of the Final Order, PSP produced a proposed tariff meant to effectuate the Order. Commission Staff reviewed the proposed tariff for consistency with the Final Order by using the data in the PSP revenue calculations as tested in TOTE Petition Exhibit SS-3, in order to ascertain that PSP's proposed tariff was in line with the total revenue requirement increase. TOTE Petition Exhibit MM-01. That review was based on a comparison of the proposed rates with the total vessel tonnage calculations in the PSP proformas and revenue calculations which featured vessel tonnage calculations as the most significant revenue producing tariff item.

20. If PSP is allowed to change its vessel tonnage calculation methodologies post-Final Order such that billed vessel tonnage calculations are significantly higher than those included in its proformas, then any rate based on the vessel

tonnage in the calculations will generate more revenue than authorized by the Order. That is the current situation which the TOTE amendment would resolve.

C. PSP's testimony was completely silent on the issue of changes to vessel tonnage calculations.

21. The Commission's rules require all petitions to "(b) Identify the tariff item to be changed. (c) Fully describe the proposed change. (d) State clearly the reason(s) for the proposed change. (e) Include any information or documents that justify the change." WAC 480-160-120.
22. PSP's Petition, exhibits, and testimony were completely silent on the issue of vessel tonnage calculations. PSP did not identify a change in vessel tonnage calculations as a specific tariff item to be changed. PSP did not fully describe a change in vessel tonnage calculations as a proposed change. PSP did not state clearly any reasons for a change in vessel tonnage calculations. And, PSP did not include any information or documents to justify a change in vessel tonnage calculations.
23. If PSP had intended to change any methodology of vessel tonnage calculation as a component of its tariff proposal, then PSP as the petitioner must demonstrate why such a change is requested in order to comply with Commission rules. However, the PSP Petition wholly omitted any description of such an intent or testimony to justify such a change.

24. The Commission’s rules further require that “[e]ach change in rates, charges, terms or conditions in a tariff must be clearly identified” by the petition including “[i]ncreases in rates or charges.” WAC 480-160-110.

25. PSP did not describe its proposed tariff consistent with WAC 480-160-110, which requires a petitioner to describe each proposed change in its tariff. PSP declined multiple opportunities to describe its proposed tariff language changes with specificity in compliance with this rule in response to PMSA’s requests for PSP to do so.⁷ Ultimately, PSP responded to questions of adequacy of its Petition in regard to the requirements of both WAC 480-160-110 and 120 by directing PMSA and the Commission to the testimony of Mr. Burton and Capt. Moreno.⁸ Thus, the Commission, Commission Staff, PMSA, TOTE, and other stakeholders were asked to review the testimonies of Mr. Burton and Capt. Moreno to describe the changes proposed in the tariff language.

⁷ PMSA asked multiple times for PSP compliance with WAC 480-160-110, both in the form of Discovery Requests and in the form of a Motion for Summary Determination.

⁸ PSP claimed, “PMSA is wholly incorrect that PSP failed to comply with WAC 480-160-120’s requirement that the changes be fully described; which description was painstakingly supplied in the prefiled testimony of Capt. Stephan Moreno.” PSP Answer in Opposition to PMSA’s Motion for Summary Determination at ¶ 3. “As to its ministerial obligations under WAC 480-160-110 and 120, in its initial filing also, PSP presented its proposed changes to the existing BPC tariff in two primary narrative places, through the prefiled testimony of witnesses Weldon Burton and Stephan Moreno and quantitatively, in Exhibits WTB-8 through 10. Mr. Burton provided prefiled testimony (Exh. WTB-1Tr) which, among other things, explained that PSP’s submitted tariff proposed wholesale changes to the tariff rates established by rule by the Board of Pilotage Commissioners, both in a new format and rate design.” *Id.* at ¶ 8.

26. The testimony of Capt. Moreno does not include, demonstrate, or reference anything at all regarding a proposal for a change in methodologies for vessel tonnage calculation. Because of its absolute silence regarding any proposed changes in vessel tonnage calculation, Capt. Moreno's testimony provided no basis for ascertaining that PSP intended to change the methodology for vessel tonnage calculations or, even if it had, that PSP complied with WAC 480-160-110 and 120 regarding vessel tonnage calculation changes.

27. The testimony of Mr. Burton similarly does not include, demonstrate, or reference anything at all regarding a proposal for a change in methodologies for vessel tonnage calculation. This is consistent with the testimony of Mr. Burton which introduced the proformas at Exhibits WTB-11, WTB-12, and WTB-13, which applied the existing vessel tonnage calculations under the prior tariff in its evaluation of the impacts of the PSP proposed tariff. Between both the affirmative testimony of Mr. Burton's revenue calculations and the complete omission of any discussion of any proposed changes in vessel tonnage calculation whatsoever in his written testimony, his testimony also provides no basis for ascertaining that PSP intended to change the methodology for vessel tonnage calculations. Mr. Burton's testimony also fails to provide the bases required by WAC 480-160-110 and 120 had PSP intended to change vessel tonnage calculation methodologies.

28. When all of this is taken together – the affirmative evidence presented by PSP in its proformas and revenue calculations that it intended to continue to use current vessel tonnage calculations, the absence of any PSP testimony regarding changes to vessel tonnage calculations in the face of plain Commission rules requiring descriptions and justifications of such changes, the Commission Staff’s tests and affirmation of the accuracy of the revenue calculations submitted by PSP for application to future proposed rates, and the lack of any response by PSP about the accuracy of the Staff’s reviews – it would be fundamentally impossible to assert that PSP provided notice of any intent to change the tariff with respect to vessel tonnage calculations.

D. Changes in tariff language must be viewed in the context of the previous tariff and its application.

29. The vessel tonnage calculations and billing practices under the previous tariff must be presumed legally valid. The Legislature deemed the previous tariff under WAC 363-116-300 to have been set by the Commission. RCW 81.116.050. That tariff contained the following language regarding tonnage charges: “For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.”

30. Under this prior tariff language, the vessel tonnage calculations for the TOTE vessels Midnight Sun and North Star were the vessels’ current domestic tonnage of 35,825 each. We know from both the TOTE testimony in this request

for an amendment and from the PSP testimony in the underlying Petition that all parties agreed that these vessel tonnage calculations were the correct vessel tonnage calculations. We also know from TOTE's testimony that these are the same domestic tonnage calculations that were previously applicable and which are currently applicable to these vessels and that these are not "international gross tonnage" calculations.

31. Though language of the previous tariff did not expressly specify use of the domestic tonnage calculations, those were clearly to be used for domestic vessels, because international tonnage was only to be used "[f]or vessels where a certificate of international gross tonnage is required." WAC 363-116-300. Hence the prior tariff simply followed, and was consistent with, the tonnage requirements set forth in federal law, and therefore the appropriate tonnage for these domestic vessels under federal law was charged by PSP.

32. As interpreted now by PSP, the new tariff's language regarding the use of international gross tonnage ("The Tonnage Charge shall be based on the Vessel's International Gross Tonnage.") should be read as a conversion into an absolute rule, regardless of federal requirements.

33. This interpretation by PSP is a substantive change which puts the state tariff out of step with federal vessel certification requirements and with the presumptively legally valid application of the previous tariff. Given the presumption of validity of the harmony of state and federal laws and their

application under the requirements of the previous tariff, such interpretation and application should remain in place unless or until this Commission affirmatively and purposefully decides otherwise.

34. Moreover, by inclusion of a reference in the tariff's new definitions section that tonnage must be measured in accordance with the International Convention on Tonnage Measurement of Ships, 1969, it is not clear on the face of PSP's proposed tariff language that any change at all was intended, much less a change that would put the state tariff at odds with federal vessel certification requirements. This is necessarily the case given the exceptions for domestic tonnage calculations which exist under the International Tonnage Convention.⁹

35. Given the absence of any explanation or supporting evidence from the moving party consistent with Commission rules, the adoption of a Final Order with no findings or explanation on the topic whatsoever, no factual bases or legal arguments presented in a petition which would counter the presumption in favor of the lawfulness of the application of the prior tariff on this point, and the potential for a consistent interpretation under the current definition which would allow for the application of domestic tonnage, the context of this tariff and its adoption demands a deference to the presumption that statutory

⁹ PMSA endorses the well-reasoned arguments of TOTE with respect to the application of this definition in its Petition at paragraphs 41-47.

construction and interpretation remain consistent with the prior tariff. PSP offered no rebuttal, and therefore the presumption must stand, and any change which was inadvertent should be reversed. This result would also preserve the logic of a consistent application of federal and state law as applied under the prior tariff. The TOTE amendment would resolve these inconsistencies.

E. TOTE’s proposed amendment promotes fundamental fairness for ratepayers.

36. Rates that are adopted pursuant to RCW 81.116.020 must be “fair, just, reasonable, and sufficient.” This means that all rates must be fair to ratepayers.
37. Fundamental fairness dictates that no tariff adoption process should result in new rates which are unexpected, unannounced, unanalyzed, unjustified, or unanticipated to the Commission, the parties, or to individual ratepayers.
38. PSP has seemingly admitted to Commission Staff that under its interpretation of the new tariff that it would be applying the tariff in a way which was a surprise to two ships, as “[t]he main concern from PSP’s point of view was that the invoices for pilotage service to that ship were going to increase more than what the ship would expect” and that the billing change

“really had nothing to do with the tonnage rate.”¹⁰ This violates the premise of fundamental fairness to ratepayers.¹¹

39. TOTE’s proposed amendment remedies this situation and places all vessels on an equal footing vis-à-vis the testimony and exhibits presented by PSP, results in a tariff which charges all vessels on the basis of each vessel’s appropriate type of tonnage consistent with the prior tariff without complaint and without controversy, and does not advantage or disadvantage any U.S.-flagged or foreign-flagged vessel under applicable federal law. Furthermore, the proposed amendment remedies would align revenues with those conveyed by the Order correcting the overcharges being applied now.

40. If PSP truly did not intend for the tariff language change in its proposal to change the tonnage calculations for TOTE’s vessels when applied, then PSP would be just as surprised by its opportunity to garner additional revenue from these two vessels as everyone else, including TOTE, the Commission, Commission Staff, and PMSA. In such an instance, PSP should have no objection to the clarifying amendment proposed by TOTE in its Petition, as it had no intention to ask for, presented no evidence or testimony to justify the

¹⁰ Moore, TOTE Petition Exh. MM-03.

¹¹ With further respect to the correspondence at TOTE Petition Exhibit MM-3, we would note that Staff at that time also correctly advised PMSA that “[m]inor errors happen but at least there is a process in place that they can be corrected and all parties have a chance to view the information.” PMSA very much agrees with Staff on this point. The TOTE Petition here has identified such an error and should be granted in order to correct the error identified.

receipt of, and did not factor into its proposed rate structure after the Final Order any of the revenue increases from application of greater tonnage levels for TOTE vessels. In the case of a surprise error, the amendment proposed in this petition would be fair to both PSP and TOTE, as PSP should not profit from and TOTE should not pay for this unexpected change in applying the PSP proposed tariff. Because the correction of an innocent omission by PSP essentially holds all parties harmless, the error should be corrected, and the Commission should accordingly approve TOTE's Petition.

41. On the other hand, if PSP harbored the express intent to change the tonnage calculations for TOTE's vessels in this tariff but nevertheless actively misrepresented the future year tonnage calculations for TOTE's vessels in its proformas and purposefully omitted and hid any reference to its intent to increase its billing in its testimony, then basic fairness still compels approval of the TOTE amendment. The Commission should not reward or condone deliberate misrepresentation or omission by any petitioner in any ratemaking, PSP should not profit from and TOTE should not pay for the outcome of a deliberate misrepresentation or omission, and the Commission should accordingly approve TOTE's Petition.

III. TOTE'S REQUESTED AMENDMENT IS THE BEST REMEDY AND AVOIDS MORE BURDENSOME ALTERNATIVES

42. TOTE's requested amendment is the best remedy for correcting the issues which arise from PSP's unanticipated change in the methodology for vessel tonnage calculations. This is principally the case because the amendment remedies the imposition of costs on the two TOTE vessels which have been specifically impacted by PSP's actions.
43. The remedy can be limited to billing for one company alone, presents minimal administrative impacts to PSP, and does not impact any other ratepayers' invoices, payments, or rates.
44. The alternative remedy, reflecting the fact that the vessel tonnage calculation changes by PSP after the Final Order have resulted in a rate which is overstated with respect to all vessels equal to \$762,237.76,¹² would require all other rates to be reduced to reflect this same overstatement of tonnage as calculated and then applied hundreds of times per year for these TOTE vessels.
45. This remedy is not currently being prayed for by TOTE. It would require changes to all billings for all invoices, presents expensive and broad administrative costs to PSP to rectify and reimburse hundreds of companies and thousands of vessels which were improperly overcharged, and will result in a complex series of changes to all ratepayers' invoices, payments, and rates. The

¹² TOTE Petition at ¶ 21.

TOTE amendment is clearly a less administratively burdensome remedy than the alternative.

46. PMSA reserves the right to petition for the alternative remedy in the case that the TOTE Petition is not granted.

IV. CONCLUSION

47. We respectfully request that the Commission grant the TOTE Petition.

48. Furthermore, we ask that the Commission act on the Petition in part to protect the integrity of this nascent regulatory framework for pilotage ratesetting under the Commission's authority. Taking action here to approve this Petition by TOTE will assure that all parties, ratepayers and service providers alike, are protected under the Commission's rules from unintended consequences. PMSA feels now, just as we did in the underlying action, that "[t]his is a time to lay the best foundation possible for future tariffs based on the record in this proceeding. As nothing is perfect the first time through, the Commission's decision should also provide direction for improving accountability and transparency for the public and for the ratepayer customers of the pilotage monopoly on the Puget Sound. Doing so will lay an even stronger foundation for future pilotage ratesetting." PMSA Initial Brief ¶ 77.

Respectfully submitted this 15th day of October, 2021.

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