

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

DOCKET TP-190976

ORDER 10

GRANTING EXTENSION OF TIME  
FOR MOTION FOR LEAVE TO FILE  
REPLY

**BACKGROUND**

- 1 On November 25, 2020, the Washington Utilities and Transportation Commission (Commission) entered Order 09, Final Order Rejecting Tariff Sheets; Authorizing and Requiring Compliance Filing (Order 09) in this docket. This was the final order on the first general rate case filed by Puget Sound Pilots (PSP) with the Commission.
- 2 On August 26, 2021, TOTE Maritime Alaska, LLC, (TOTE) filed a Petition for Amendment, Rescission, or Correction of Order 09 (Petition)
- 3 On August 30, 2021, the Commission issued a Notice of Opportunity to Respond, allowing the parties until October 15, 2021, to file responses to the Petition.
- 4 On October 15, 2021, the Commission received written responses from PSP, Pacific Merchant Shipping Association (PMSA), and Commission staff (Staff).
- 5 On October 21, 2021, TOTE filed a Request for an Extension of Time to File Request for Leave to File Reply (Motion). TOTE explains that its reply in support of the Petition would be due on October 22, 2021. Because the parties' responses to the Petition raised numerous legal and factual issues, TOTE requests until November 12, 2021, to file its request for leave to file its reply, along with its proposed reply.
- 6 On October 22, 2021, the Commission issued a Notice of Opportunity to File Written Responses to Motion for Continuance. The Commission allowed the parties to respond to TOTE's Motion by October 28, 2021.

- 7 On October 25, 2021, Staff filed a Response to TOTE's Motion for a Continuance. Staff noted that it was not properly served with the Motion, but otherwise took no position on TOTE's request for additional time.
- 8 On October 27, 2021, PSP filed a Response to TOTE's Motion for a Continuance. PSP likewise noted that TOTE failed to properly serve the parties in accordance with Commission rules. PSP opposes TOTE's Motion, noting that such motions are rarely granted in transportation cases filed under RCW Title 81 and that TOTE has not demonstrated the need for the time requested in its Motion.

### DISCUSSION AND DECISION

- 9 Pursuant to 480-07-385(2)(a), the Commission may grant a motion for a continuance if the moving party demonstrates good cause, and the continuance will not prejudice any party or the Commission.
- 10 Because of the numerous factual and legal issues raised by the Petition, the Commission finds that TOTE has demonstrated good cause for its Motion in this case. The Commission is not persuaded that TOTE's Motion will prejudice any party or the Commission. The Commission therefore allows TOTE until 5 p.m. on Friday, November 12, 2021, to file its motion for leave to file a reply to the Petition.
- 11 The Commission reminds TOTE, however, of the need to properly serve the parties to this proceeding in accordance with WAC 480-07-365(5).

### ORDER

**THE COMMISSION ORDERS THAT** TOTE Maritime Alaska, LLC's Motion is GRANTED.

Dated at Lacey, Washington, and effective November 1, 2021

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Michael S. Howard*  
MICHAEL HOWARD  
Administrative Law Judge

**NOTICE TO PARTIES: This is an Interlocutory Order of the Commission.  
Administrative review may be available through a petition for review, filed within  
10 days of the service of this Order pursuant to WAC 480-07-810.**