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May 6, 2020

**VIA WEB PORTAL & EMAIL**

Mark L. Johnson  
Executive Director and Secretary  
Washington Utilities and Transportation  
Commission  
PO Box 47250  
Olympia, WA 98504-7250

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Records Management  
05/06/20 11:32  
State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

Attention: Rayne Pearson, Director, Administrative  
Law Division

Re: TP-190976  
WUTC v. Puget Sound Pilots  
Continuance of Proceedings

Dear Mr. Johnson and Judge Pearson:

As counsel for the Pacific Merchant Shipping Association (“PMSA”), I write to request a second extension of the scheduling deadlines contained in the Commission’s Order dated March 31, 2020. That Order, *inter alia*, continued the suspension date from October 23 to December 4, 2020, and PMSA’s responsive testimony filing deadline from April 22 to May 27, 2020. The purpose of the Order, which all parties requested (although with different perspectives on the proposed length of the extensions), was to redress impediments to preparation for proceedings caused by the pandemic lockdown. At the time the Order was issued, the lockdown was set to expire on May 4, 2020. As we are all aware, the lockdown recently was extended to May 31, 2020.

PMSA requests an additional extension now for the same reasons the parties did so in late March, this time seeking to June 26, 2020 to file its responsive testimony, with all succeeding deadlines (including the suspension date) extended accordingly.

The Commission’s March 31, 2020 Order provides as follows:

FG:53732100.1

We find that extending the suspension date is in the public interest for the reasons PSP cites in its Motion. Delaying the schedule due to the current public health crisis, the extent and residual impacts of which remain unknown, is appropriate because all parties will benefit from additional time to prepare testimony and exhibits. In turn, the Commission will benefit from additional time to prepare the final order in light of disruptions and delays to its operations that have already occurred, and may continue to occur. Accordingly, we grant PSP's Motion. ***We also acknowledge that the procedural schedule may require further revision to respond to the ever-changing circumstances the parties and the Commission may face due to the COVID-19 pandemic*** [emphasis added].

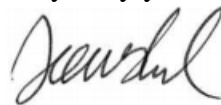
PMSA submits that the italicized language was included in contemplation of the extended lockdown now in place. As PMSA stated earlier, the lockdown environment inhibits PMSA's ability to prepare its testimony, and impacts its abilities to communicate effectively with its witnesses. Its counsel are unable to access voluminous file materials and other resources located in their offices and elsewhere. The parties, through counsel, are still sorting through and attempting to resolve discovery disputes arising out of their data requests. Motion practice may prove necessary.

Puget Sound Pilots ("PSP") is expected to resist this request by urging that the parties are not inhibited from preparing for proceedings; and that PSP members have not had a raise since July 2015. PSP was able to prepare its extensive testimony with the benefit of face-to-face witness meetings and hands-on access to documents they could discuss together (before the pandemic). PMSA is entitled to that same benefit. PSP's members are not low-wage workers concerned with subsistence on their current income; with a substantial portion of the population out of work altogether as a result of the pandemic, their concern about an urgent pay increase is not persuasive.

Pacific Yacht Management joins in this request; UTC counsel is expected to take no position in response to it.

PMSA, through its counsel, is available to attend a status conference call to discuss the parties' respective proposals at most any time. Thank you for your consideration.

Very truly yours,



Steven W. Block