

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUNDS PILOTS,

Respondent.

DOCKET TP-220513

TOTE MARITIME ALASKA, LLC'S
PETITION TO INTERVENE

I. INTRODUCTION

1. TOTE Maritime Alaska, LLC (“TOTE”) petitions to intervene with full party status pursuant to WAC 480-07-355.
2. TOTE is a U.S. coastwise and international water carrier that routinely uses the services of respondent Puget Sound Pilots (“PSP”). TOTE is a member of the Pacific Merchant Shipping Association, which has also petitioned to intervene in this proceeding.
3. The undersigned counsel, Steven W. Block, represents TOTE in this petition. He represented TOTE in Docket TP-190976 in which the Commission issued Orders deferring consideration of issues TOTE raised until PSP’s next General Rate Case (as further described below). He is in good standing with the Washington State Bar Association.
4. Pursuant to WAC 480-07-345(2), this petition serves as Steven W. Block’s Notice of Appearance herein. He is authorized to act as TOTE’s representative and his contact information is below. Pursuant to WAC 480-07-360, he is authorized to receive service on behalf of TOTE.

II. TOTE'S INTEREST IN THE PROCEEDING AND POSITION IN THE CONTROVERSY

5. The Commission ordered in its Order 12 Granting Petition; Amending Final Order 09 dated February 2, 2022 in Docket TP-190976 that it would consider in PSP's next general rate proceeding various issues TOTE raised regarding PSP charging TOTE pilotage service rates that deviated from charges PSP's worksheets submitted in support of its last general rate proceeding contemplated.
6. At the heart of the issues TOTE raised were PSP's calculation of service rates based on the international gross tonnage of two TOTE vessels which operate exclusively in coastwise trades, and whose rates historically had been calculated based on their gross register tonnage accordingly. The new methodology resulted in significantly higher service rates PSP charged to and collected from TOTE for those two vessels.
7. The Commission directed "PSP to establish a regulatory liability account to defer, from the date of this Order forward until the rate effective date of PSP's next general rate case, the incremental difference between the revenues collected from TOTE for the Midnight Sun and North Star vessels under PSP's current tariff (which assesses tonnage charges based on IGT) and the amounts PSP would have collected from TOTE had tonnage charges been assessed based on GRT." *Id.* at para. 30.
8. PSP opposed and contested TOTE's position, and it remains in controversy to the extent the issue has not been fully resolved by the Commission. TOTE's position as an intervenor would not broaden the issues in the proceeding because they are encompassed by Item 300 and related provisions of PSP's proposed tariff revisions.

9. TOTE petitions to intervene herein so as to pursue its positions that PSP's revised pricing methodology for the two vessels is improper; that funds held in the regulatory liability account should be returned to TOTE; and regarding related issues.

Dated this 8th day of July, 2022.

By: /Steven W. Block

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