

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

DOCKET TP-220513

ORDER 01

COMPLAINT AND ORDER
SUSPENDING TARIFF REVISIONS

BACKGROUND

- 1 On June 29, 2022, Puget Sound Pilots (PSP) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 1, as listed in Appendix A, attached to this Order. PSP characterizes its filing as a general rate case (GRC). PSP's proposed revised tariff sheets provide an effective date of January 25, 2023. Also on June 29, 2022, PSP filed testimony, proposed exhibits, and supporting documentation related its proposed tariff.
- 2 Specifically, PSP proposes to increase the organization's revenue requirement from \$35.4 million to \$48 million (a 35.6 percent increase). PSP also filed a Petition for Interim Rates (Petition), requesting that the Commission adjust current tariff rates by 1.4 percent to reflect the gain or loss of licensed pilots in the organization pending the decision in the organization's general rate case.

DISCUSSION AND DECISION

- 3 PSP's requested increase might injuriously affect the rights and interests of the public, and PSP has not demonstrated that the increase would result in rates that are fair, just, reasonable, and sufficient. Pursuant to RCW 81.116.030(4), the Commission, therefore,

suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable, and sufficient.

FINDINGS AND CONCLUSIONS

- 4 (1) The Commission is an agency of the State of Washington vested by statute with the authority to establish in tariffs the rates for pilotage services provided under chapter 88.16 RCW.
- 5 (2) PSP is association of pilots subject to Commission jurisdiction.
- 6 (3) The proposed tariff PSP filed on June 29, 2022, would increase charges and rates for service provided by PSP and might injuriously affect the rights and interest of the public.
- 7 (4) PSP has not yet demonstrated that the tariff revisions would result in rates that are fair, just, reasonable, and sufficient.
- 8 (5) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.04.130, as incorporated by RCW 81.01.010, the Commission finds it is necessary to investigate PSP's books, accounts, practices, and activities, and appraise various phases of PSP's operations.
- 9 (6) The Commission finds that this docket meets the criteria of WAC 480-07-400(2)(b) and that the parties may conduct discovery pursuant to the Commission's discovery rules in WAC 480-07-400 – 425.
- 10 (7) As required by RCW 80.04.130(4) and RCW 81.116.030, PSP bears the burden to prove that the proposed rates are fair, just, reasonable, and sufficient.
- 11 (8) PSP may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with Chapter 80.20 RCW.
- 12 (9) The Commission should convene a prehearing conference in this matter, Docket TP-220513.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The filing made by Puget Sound Pilots on June 29, 2022, is suspended.
- 14 (2) The Commission will hold hearings at such times and places as may be required. Such hearings may also examine any of Puget Sound Pilots' service, rates, and charges related to its June 29, 2022, filing.
- 15 (3) Puget Sound Pilots must not change or alter the filing made in this Docket during the suspension period, unless authorized by the Commission.
- 16 (4) The Commission will institute an investigation of Puget Sound Pilots' books, accounts, practices, activities, property, and operations related to its June 29, 2022, filing.
- 17 (5) Discovery will be conducted pursuant to the Commission's discovery rules in WAC 480-07-400 – 425.
- 18 (6) Puget Sound Pilots shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with Chapter 80.20 RCW.
- 19 (7) The Commission will convene a prehearing conference in this matter, Docket TP-220513.

DATED at Lacey, Washington, and effective July 15, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

Appendix A
PSP Tariff No. 1 Puget Sound Pilotage

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| First Revised Page No. 1 ¹ | Canceling | Original Page No. 1 |
| First Revised Page No. 2 | Canceling | Original Page No. 2 |
| First Revised Page No. 3 | Canceling | Original Page No. 3 |
| First Revised Page No. 4 | Canceling | Original Page No. 4 |
| First Revised Page No. 5 | Canceling | Original Page No. 5 |
| First Revised Page No. 6 | Canceling | Original Page No. 6 |
| First Revised Page No. 7 | Canceling | Original Page No. 7 |
| First Revised Page No. 11 | Canceling | Original Page No. 11 |
| First Revised Page No. 12 | Canceling | Original Page No. 12 |
| First Revised Page No. 13 | Canceling | Original Page No. 13 |
| First Revised Page No. 14 | Canceling | Original Page No. 14 |
| First Revised Page No. 15 | Canceling | Original Page No. 15 |

¹ While PSP submitted revised tariff sheets for Original Pages Nos. 1-7, showing changes in both legislative and clean formats, PSP did not specifically label these revised tariff sheets as a “First Revised Page” as normally required by Commission rules.

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| First Revised Page No. 16 | Canceling | Original Page No. 16 |
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