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January 13, 2026

WA UTC v. Puget Sound Pilots

TP-250574

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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	
vs.	)	No. TP-250574
PUGET SOUND PILOTS.	)	

PUBLIC COMMENT HEARING

Volume 2 - Pages 16 - 41

January 13, 2026

Begin 6:00 PM - End 6:35 PM

Reporter: Christy Sheppard, CCR, RPR

B&A Litigation Services

Adminstrative Law Judge:
Harry Fukano

UTC Chair: Brian Rybarik

UTC Commissioners:
Ann Rendahl
Milt Doumit

UTC Staff:
Kris Irelan
Kai Hiatt

Alexandra Kory, AAG, Public Counsel

Commenters:
Donald Marcus
Nick Matson
Monique Webber
Mason Reed
Dennis Halpin

BE IT REMEMBERED that on Tuesday, January 13, 2026, via Zoom, 6:00 p.m. before Christy Sheppard, Certified Court Reporter, CCR, RPR;

WHEREUPON, the following proceedings were had, to wit:

<<<<<< >>>>>>

CHAIR RYBARIK: We are discussing the increase in the pilotage rates, the 50 to approximately 52 percent increase to those pilotage rates; an increase in pilot compensation consistent with a benchmarked pilot compensation study that was submitted with the filing; an update to the Port Angeles expense charge to replace the pilot boat charge; the funding of a pay-as-you-go pension plan; and the implementation of a capital recovery charge to fund several near-term capital projects, so we look forward to your comments.

I will remind you that as we proceed here I will be swearing you in and you will be providing sworn statements. It will feel like a hearing because it is one, but we also recognize that that can be intimidating and so our hope is that we create a setting that everybody feels comfortable sharing their perspectives because that's what we are here to gather.

So to let us know about some additional logistics, I'll turn it over and move to the comments on this, but Kris Irelan from our staff here at the UTC will move through our meeting logistics and then we will get to the public comments. Kris, over to you.

MS. IRELAN: Thank you, Chair. Good evening, my name is Kris Irelan, and I'm a public involvement representative with the Utilities & Transportation Commission. I will be the moderator for the comment hearing this evening.

If you are calling in, please press star nine to raise your hand and we will call on you for your name in a few minutes. If you provided your name to staff previously, there's no need to provide it again.

If you are on the phone you can press star six to mute yourself and star six to unmute yourself.

Please wait to be called on for comment, and do not interrupt other speakers. There are two options to report technical difficulties. You can use the chat feature in Zoom or you can call Bridgit Feeser at 360-528-1130. The chat feature should be used to report technical difficulties and to ask to be added to the sign-in sheet.

As the Chair said, we will not be accepting comments via the Zoom chat feature, so please do not use the chat

to provide your comments.

Closed captioning is available via the tool bar at the bottom of the Zoom application under more.

When you are called upon to speak you will first be sworn in. Please wait until you have been sworn in before you start providing your comments. Please be concise with your comments.

After you have provided your comments you will not be called upon to speak again. If you have additional comments to provide you can do so in writing. If you do not wish to speak tonight, you can still provide your comments in writing via the following ways: The online public comment form is located on the Commission website at www.utc.wa.gov. You can submit comments via email using comments@utc.wa.gov. We also have a toll free number at 1-888-333-WUTC, or you can write to us, and I will display that information. I think you can see it on our board. If you need more, we can also put that in the chat.

As the Chair said, commissioners and the judge in formal filings like this cannot answer questions; however, if you do have questions you can send an email to comments@utc.wa.gov. You can call the phone number, 888-333-9882, and ask to speak with me, Kris Irelan. You can also talk to the public counsel by email, and that

email address is utility@atg.wa.gov or by calling 206-464-7744.

Before I turn the time over to Chair Rybarik, if you are using the Zoom application and wish to speak and haven't provided your name yet, please put your first and last name into the chat. If you are calling in, please press star nine to raise your hand and we will call on you to provide your name. When we state your phone number, please provide your first and last name with spelling. After you provide your name press star nine again to lower your hand.

I will now turn the time over to Chair Rybarik, Commissioner Rendahl, Commissioner Doumit, and Judge Fukano.

CHAIR RYBARIK: Thanks, Kris. We will now begin our process of taking public comments. We did have one sign up in advance. I have the current list as Don Marcus will be our first one and then Nick Matson, who I believe just put their name in the chat here, and we will go to you second.

Don Marcus, if you are on, if you want to either come off mute or come on camera, we can swear you in and you can begin your comments.

MR. MARCUS: Yes, sir, I'm here. Thank you.

CHAIR RYBARIK: All right. Very good. If you -- if you could tae a minute and raise your right hand and respond to the following oath.

Do you swear or affirm that the statements you provide tonight are the truth and nothing but the truth?

MR. Marcus: I do.

CHAIR RYBARIK: Please go forward with your comments.

MR. Marcus: Thank you, Chairman Rybarik and distinguished Commissioners. My name is Donald Marcus. I'm President Emeritus of the International Organization of Masters, Mates, & Pilots. MMP represents ships, masters, inmates aboard unlimited tonnage vessels on the high seas and inland waters.

Most associations of state licensed pilots in the United States, including Puget Sound Pilots, are affiliated with Masters Mates & Pilots. I'm a professional mariner with approximately 20 years of seagoing experience, including master aboard unlimited tonnage vessels in foreign trade. Prior to my retirement, I served, and was elected three terms as president of MMP.

The environment of Puget Sound and the flow of domestic and international commerce are priceless jewels held in trust by the citizens of Washington state. For

proper stewardship of these assets, resources must be expended and exemplary care taken. Seaborne commerce is often a hidden industry to the public. The cargo vessels of all types that keep our economy functioning become notable only if disaster strikes. The destruction of the Key Bridge in Baltimore Harbor last year by the MV Dali, the grounding of the MV Ever Given in the Suez Canal in 2021, and the backup of vessels in West Coast ports caused by the Covid-19 pandemic a few years ago, all had tremendous impacts on local and regional economies.

None of us of a certain age will forget the impact of the grounding of the Exxon Valdez on the environment of Alaska's Prince William Sound.

On these occasions, the fundamental vulnerability of maritime trade and its impact on the environment and the economy become obvious. Puget Sound Pilots are essential guardians to Washington's environment and economy. Washington must be able to compete nationally in order to continue to attract the most capable experienced mariners who can meet the extraordinary demands of the profession of piloting. Vacancies caused by the attrition of an aging workforce must be filled. As the current workforce retires, there is simply fewer, younger, qualified mariners available to replace them. As a result, the mariners who are available are in higher demand. They

are recruited with significant and most frequently more financially rewarding options in other pilot associations around the country.

If pilot compensation and benefits in Puget Sound are not nationally competitive, Washington will lose top candidates to other pilot associations and maritime employers that offer superior compensation packages.

The record in this docket indicates that Puget Sound Pilots' compensation package is significantly below the state regulated pilot organizations nationwide. This further increases the need for a nationally competitive total compensation package. The training, skills, and innate talent necessary to produce a first class harbor pilot are not readily found. Anywhere from 15 to 20 years of experience aboard ship and in study ashore is necessary to obtain the required qualifications to competently navigate the large, increasingly unwieldy merchant vessels that transit Puget Sound. The largest of these vessels are built to operate efficiently only in the open seas at moderate to full speed. Cargo capacity and fuel efficiency dictate this design. While reasonably maneuverable at sea, in congested waters and at slow speeds these vessels can very quickly become irrevocably unmanageable. Errors in judgment, sudden, extreme weather conditions, precipitous actions by

vessels nearby, or mechanical failures can instantly turn a routine transit into international headlines.

It is during these occasions that a pilot's experience, training, and calm judgment become the difference between a catastrophe and a near miss.

As commissioners, the responsibility to provide the resources necessary to employ the most capable pilots is yours. This is a challenge because the profession is largely invisible and frequently misunderstood. Misunderstandings arise due to the fact that those unfamiliar with the industry have difficulty digesting one, the years of experience necessary to achieve the required qualifications; two, the degree of personal and financial risk involved to the individual pilot should he or she err; three, the very heavy, shared financial expenses involved in running a pilot association; and four, the onerous 24/7 lifestyle required by pilots on duty.

Personal risk includes the extremely hazardous job requirement of manually ascending and descending the side of a vessel's hull to or from a pilot boat on an unstable rope and composite ladder in all weather conditions, while both vessels, the pilot boat and the ship, are underway.

In fact, just last night in the Port of Panama City,

Florida a pilot was killed in a pilot ladder accident. In short, the job requires highly skilled and motivated, physically fit individuals of strong personal character. Such individuals are sought after by many. Puget Sound Pilots must compete to recruit and retain these pilots.

As a professional mariner, who never developed the vocation to become a pilot, but who always admired their skills and held them in highest esteem, and who, like all mariners, understand their essential role in the navigation and flow of commerce, I urge you to carefully consider the rate proposals advocated by the Puget Sound Pilots. The basis for these proposals is fully documented. They reflect what is necessary to protect the pristine environment and essential economic activity of Washington state. Please approve these measures, and thank you for your attention and consideration.

CHAIR RYBARIK: Don, thank you very much, appreciate the perspective, the context you've provided, and, of course, you know, our thoughts and hearts go out to the tragedy you reported there of a pilot dying, I believe you said yesterday in Florida.

MR. MARCUS: Yes.

CHAIR RYBARIK: Sad news to report there, but, again, appreciate the context and the information, and appreciate your service to the industry

as outlined at the beginning, so thank you.

MR. MARCUS: Thank you.

CHAIR RYBARIK: We move then to our second speaker and the last one we have on our list at this time. Again, if you do want to sign up please put your name in the chat and we will get you on the list, or reach out to Kris somehow using the various methods here, and we will move on.

Next on our list is Nick Matson. Nick I see you on camera already. If you want to come off mute and we will get you sworn in and we will continue with your comments.

Raise your right hand and respond to the following oath. Do you swear or affirm that the statements you provide tonight are the truth and nothing but the truth?

MR. MATSON: I do.

CHAIR RYBARIK: All right. Please go ahead with your comments.

MR. MATSON: My name is Nick Matson. I am the vice president of the ILWU Washington Area District Council.

I speak in support of the adjustments to the Puget Sound Pilots' tariff in Docket 250574. The pilots seek only industry average wages. Wages are cheap insurance for the safety and security of our economy, our environment, our infrastructure, and our very way of

life, offered dutifully by the best pilots every hour of every day in all conditions. Cheap insurance against the billions of dollars in losses at stake.

I believe being against this is indefensible. Puget Sound Pilots deserve an increase to the standard. One should not risk cents on the dollar against everything that could be lost.

And I would say that I'm in full agreement with the representative of MMP, and I speak with authority on this as an A-registered longshoreman, a ten-year merchant mariner, who has manned the helm for hundreds of pilots, and as a port commissioner in the state of Washington I fully concur with the gentleman.

CHAIR RYBARIK: Thank you for that perspective and your comments there. One thing we try to do here in a very acronym-heavy world is to spell out our acronyms. You mentioned you are from the ILWU. For the record, could you just let us know what the ILWU is?

MR. MATSON: Absolutely. The International Longshore and Warehouse Union.

CHAIR RYBARIK: Very good. Thank you very much. Anything else, Nick?

MR. MATSON: No. No. I would just reaffirm that the absolute importance of this, as I stated, incredibly cheap insurance for everything at

stake. And as the gentleman said, yes, it's very difficult for people to ingest who don't have all of that context, but the consequences for not giving your best to the best are dire. It is a mistake.

CHAIR RYBARIK: Very good. Thank you very much for your comments. We will move on. I see we have had a couple more sign up, so Monique Webber is next on the list. Monique, I see you off mute and on camera. If you could raise your right hand and respond to the following oath.

Do you swear or affirm that the statements you provide tonight are the truth and nothing but the truth?

MS. WEBBER: I do.

CHAIR RYBARIK: All right. Please proceed with your comments.

MS. WEBBER: My name is Monique Webber and I work for a company called Pacific Yacht Management I represent a sector of the maritime industry that is often overlooked when it comes to pilotage, and that is recreational vessels. In the state of Washington, every foreign-flagged vessel, regardless of size and tonnage, is subject to pilotage.

Having a law like that is actually quite unusual worldwide. In most piloted zones there is a tonnage marker in which vessels underneath are automatically

exempt. In British Columbia, it's 500 gross tons, which is the international standard for that.

While everyone is in agreement that we want a beautiful facility for boaters to enjoy our waters, we do not want an environmental accident. As someone who has partaken of all three of the Puget Sound Pilots' rate cases, it is incredibly frustrating to go through the rate case process every two years, especially in light of the fact that the pilot member owners of PSP have not dealt with the retirement fund, which was a requirement in the first rate case to be able to file a second rate case.

During the second rate case, I had extensive negotiations with then Executive Director Charles Costanzo, about their -- PSP's proposal of a six cent per gross ton tariff line item on every bill to fund their retirement. I asked Executive Director Costanzo that the Puget Sound Pilots three cents of the six cents and that industry paid the rest, and Executive Director Costanzo came back to me and said that his pilot member owners were not interested in funding money towards their retirement. A 52 percent rate increase on recreational vessels is going to drive all recreational vessels away from the state of Washington, and it's going to do irreparable harm to the recreational maritime industry,

to our shipyards, to our ancillary workers in grocery stores, and butchers, and forest, and car services, who all generate income from non-Washington state residents, and it's going to do irreparable harm to the state of Washington, which is going to lose a lot of tax revenue off of these vessels.

We have already seen a massive loss in commercial vessels heading to Vancouver, BC because it is cheaper to operate there. While we all understand it is terribly hard to find employees in maritime at this point in time, I do not understand how the State and the UTC can endanger the jobs of more than 100,000 people who work in recreational maritime to give 53 people a 52 percent increase in their wages. It is unstainable and will have dire consequences for those of us who work in maritime.

CHAIR RYBARIK: Very good. Thank you, Monique, for those perspectives and the context you provided from that perspective that you bring, so I appreciate that very much. Thank you.

We will move into our next on the list I have Mason Reed is on my list. Mason, if you can come on camera and/or off mute.

MR. REED: Okay.

CHAIR RYBARIK: I see you now. Thank you, Mason. If you could raise your right hand and

respond to the following oath.

Do you swear or affirm that the statements you provide tonight are the truth and nothing but the truth?

MR. REED: I do.

CHAIR RYBARIK: All right. Please proceed with your comments.

MR. REED: Good evening. My name is Mason Reed. I'm the Director of Vessel Operations in the Pacific Northwest for Matson. I'm speaking on behalf of Matson to oppose the Puget Sound Pilots' rate increase of 52 percent. Matson fully recognizes the critical importance of safe and reliable pilotage. We support a system that ensures both navigational safety and cost effective operations. However, there's no demonstrated operational necessity for a rate increase of this magnitude to simply to cover Puget Sound Pilots' existing expenses.

As a domestic carrier providing high frequency serve in the Puget Sound, with approximately three inbound and outbound vessel transits per week, Matson relies heavily on predictable, efficient, and reasonably priced pilotage. A 52 percent increase would impose a substantial and unjustified burden on domestic operators that already operate under tight margins and intense competition.

Even more concerning, an abrupt increase of this scale disrupts established budgets, contracts, and supply chains across the regions.

I think it's also important to note that the Puget Sound Pilots do not provide a true 24-hour dispatch service unlike other major pilot associations across the United States. For an organization seeking a rate increase, one would expect that parity in service levels would be one of the prerequisites. The absence of round-the-clock dispatch capability is a significant service gap, and to my knowledge, there is no shortage of pilots given the overall level of pilotage demand.

Matson is seeking pilotage services that minimize preventable delays, particularly given my understanding that the number of pilots scheduled for watch per day easily exceeds the average number of assignments each day, which should make delays a very infrequent occurrence. It is clear that pilots on watch must not be fully available for assignment or delays in callbacks of off-watch pilots would be far more infrequent.

These operational limitations have a direct impact on vessel schedules, port productivity, and the broader supply chain. As a vessel operator, we expect all our crew members scheduled for watch to fully fulfill their duty to stand the watch assigned unless they are not fit

for duty.

Equally concerning was the lack of communication. This proposed increase was announced abruptly without meaningful advanced notice to vessel operators or an opportunity for a collaborative discussion. We depend on transparency, predictability, and good faith engagement. The pilots' development of this proposal and their surprise submission both fall short of these standards.

Given the scale of the proposed rate increase, the lack of evidence to justify the increase, the lack of correspondence, and the service enhancements such as the 24-hour dispatch, Matson fully opposes this rate increase.

Thank you for the opportunity to speak and your attention to the matter.

CHAIR RYBARIK: Thank you, Mason. Thank you for those comments. I appreciate those perspectives as well.

We will then move on to the last person I have on our list at this point, Dennis Halpin, if you can come off mute and/or on camera, we will get you sworn in and move through with your comments.

All right, Dennis, I see you have your hand raised.

Do you swear or affirm that the statements you provide tonight are the truth and nothing but the truth?

MR. HALPIN: I do.

CHAIR RYBARIK: All right. Please proceed with your comments.

MR. HALPIN: My name is Dennis Halpin. I am currently the marine operations manager for the Port of Edmonds. I'm here representing the US Superyacht Association as the Northwest Regional Direction, as well as a founding member of Superyachts Northwest.

I would just like the Commission to note my opposition, and I would like to second Mr. Reed and Ms. Webber's comments.

CHAIR RYBARIK: All right. Very good. Thank you, Dennis. Thank you for those comments and that perspective. I do not have any others on the list at this time. I don't know, Kris, if you have any others that have signed up from your channels.

MS. IRELAN: Chair, I do not have any other folks that have wished to sign up.

CHAIR RYBARIK: Okay. Well, we will give it another minute here if there are any others that want to sign up.

Once, again, I will just say thank you to those who have provided comments, Don, Nick, Monique, Mason, and Dennis. I just really appreciate that, and thank anybody who is planning on filing written comments. As you can

see, we will continue to get written comments. Actually, we need to talk with public counsel here very briefly about when we will accept those written comments.

So, Public Counsel, let's determine the final date for written comments here. I think it was Alex Kory who is representing Public Counsel on this matter. Do you have a proposal for public comments? I know we normally time it to the evidentiary hearing, but perhaps there's a reason to do something different here. Why don't we identify the closing date for public comments?

MR. HIATT: Hi, Chair Rybarik, my name is Kai Hiatt. I'm a regulatory analyst at Public Counsel. We would like the 15th for the closing ate for accepting comments, and then to have the exhibit ready by the following, the 22nd, if that is acceptable.

CHAIR RYBARIK: Okay. So the 15th meaning this Friday -- Thursday?

MR. HIATT: Yes.

CHAIR RYBARIK: This Thursday, and then you would file the exhibit in the case. Okay. Normally, we go some period within the evidentiary hearing, which I think is scheduled sometime in March, is there a reason to do that differently here?

MR. HIATT: No. Actually, maybe Alex can chime in here.

MS. KORY: Hey, good evening. We don't have a particular preference here if the Commission wants to push it back past the evidentiary hearing, we are fine with that. Our only request is that we just have a week between the time when comment period closes and then the exhibit would be due, but if March is preferred we can certainly push back to after the evidentiary hearing.

CHAIR RYBARIK: Okay. Let me just inquire with my colleagues, Commissioner Rendahl and Commissioner Doumit, any thoughts on the public comment or the written comment closing date? Commissioner Rendahl, we will start with you.

COMMISSIONER RENDAHL: I agree we usually accept public comment until a week after the evidentiary hearing, and so I think setting those dates a week after the evidentiary hearing, and then submitting the comments or the day -- you know, sometime after the evidentiary hearing and then a week after that date for Public Counsel to submit comments is usually the practice. I'm agnostic on how many days after the public comment hearing that we allow comments given that we are having this public comment hearing so much earlier than the evidentiary hearing, so I don't know if there is a particular date in mind for after the public comment

hearing -- I mean, after the evidentiary hearing, excuse me.

CHAIR RYBARIK: Right. Commissioner Doumit, anything to add?

COMMISSIONER DOUMIT: The anomaly here is, Commissioner Rendahl, so we're having this public, you know, comment hearing, so -- so much earlier than the evidentiary hearing, so I don't think we should change our practice in terms of allowing public comment up into the evidentiary hearing. That's my thought.

CHAIR RYBARIK: And, Public Counsel, it sounds like there's no concerns with that, so I'm realizing we have a two-day hearing scheduled for this, the 16th and the 17th of March. One week after that would be the 24th of March, and then one week after that, if I'm remembering my number of days in a month, there are 31 in March, so we keep the comment hearing -- or public -- written comment record open until the 24th, and then Public Counsel will file that by the 31st in the case.

Does this work for everybody? I will turn to our Administrative Law Judge to make sure that works for Harry?

JUDGE FUKANO: Yes, that would work the Administrative Law Division.

CHAIR RYBARIK: Public Counsel, does that sound good?

MS. KORY: That sounds good. Thank you. Okay. So we will keep the written comment availability open until March 24th, which is one week after the close of the evidentiary hearing, and then Public Counsel up to you to then file those one week later.

So anybody who wishes to file written comments, if you are listening to our discussion here, that will be open until March 24th, and you can see here different ways of contacting us. Kris, I don't know if we have the ability to put up the slide of how they would be into the written comments, but I think maybe it is the comments@utc.gov.

MS. IRELAN: They can come directly to the inbox for public involvement if they send the comments to comments@utc.wa.gov, and that's a shared inbox for all of us and we cover all of that.

CHAIR RYBARIK: Very good. All right. So if there's anybody who wishes to file written comments, please do so, and you have the methods to do that until the 24th of March.

So once again, thanks everybody for your comments here tonight, and thanks in advance to those who provide

written comments to the extent you do.

As I mentioned at the start, this is such an important part of our process to gain information and perspectives, and we certainly gained a better understanding, at least I did, this evening from the comments that you provided. That helps us as we issue the decisions that we need to make that impact all of you. So I just want to say thank you again.

We will make one last call for any comments here as we have the record open. Are there any other persons interested in making a comment tonight, here is your last chance, otherwise unless there's anything else from my colleagues, we can prepare to adjourn the meeting.

COMMISSIONER RENDAHL: Nothing for me. Thank you very much. I appreciate everyone making their comments tonight.

COMMISSIONER DOUMIT: Nothing from me. Thank you all for your comment.

CHAIR RYBARIK: All right. With that, hearing nothing, thank you everyone for your time. This concludes our public hearing on the case, and we are adjourned. Thank you.

(Proceedings adjourned at 6:35 p.m.)

STATE OF WASHINGTON)
) ss
County of Pierce)

I, Christy Sheppard, CCR, RPR, a certified court reporter in the State of Washington, do hereby certify:

That the foregoing proceedings was taken before me and completed on January 13, 2026, and thereafter was transcribed under my direction; that the transcript is a full, true and complete transcript of the testimony, including all questions, answers, objections, motions and exceptions;

That I am not a relative, employee, attorney or counsel of any party to this action or relative or employee of any such attorney or counsel and that I am not financially interested in the said action or the outcome thereof;

That I am herewith promptly delivering the same to Stacey Brewster.

IN WITNESS WHEREOF, I have hereunto set my signature on January 27, 2026.

/s/Christy Sheppard, CCR, RPR
Certified Court Reporter No. 1932
(Certification expires 05/06/26.)

1

1-888-333-WUTC 21:16
100,000 32:12
15 25:14

2

20 23:18 25:14
2021 24:8
206-464-7744 22:2
24-hour 34:5 35:12
24/7 26:17
250574 28:22

3

360-528-1130 20:21

5

500 31:1
52 31:22 32:13 33:11,22
53 32:13

8

888-333-9882 21:24

A

A-REGISTERED 29:10
aboard 23:13,19 25:15
abrupt 34:1
abruptly 35:3
absence 34:9
absolute 29:24
Absolutely 29:19
accepting 20:24
accident 27:1 31:5
achieve 26:12
acronym-heavy 29:16
acronyms 29:17
actions 25:25
activity 27:14
added 20:22
additional 20:1 21:9
address 22:1
adjustments 28:21
admired 27:7
advance 22:17
advanced 35:4
advocated 27:11
affiliated 23:17
affirm 23:4 28:13 30:11 33:2 35:24
age 24:11
aging 24:22
agreement 29:8 31:3
ahead 28:17
Alaska's 24:13
ancillary 32:1
and/or 32:22 35:21
announced 35:3
application 21:3 22:4
approve 27:15
approximately 23:18 33:19
Area 28:19
arise 26:10
ascending 26:20
ashore 25:15
assets 24:1
assigned 34:25
assignment 34:19
assignments 34:16
association 26:16 36:7
associations 23:15 25:2,6 34:6
attention 27:16 35:15
attract 24:19
attrition 24:21
authority 29:9
automatically 30:25
average 28:23 34:16

B

back 31:20
backup 24:8
Baltimore 24:6
bar 21:2
basis 27:12
BC 32:8
beautiful 31:4
begin 22:16,23
beginning 28:1
behalf 33:9
benefits 25:4
bill 31:16
billions 29:3
board 21:18
boat 26:21,23
boaters 31:4
bottom 21:3
Bridge 24:6
Bridgit 20:20
bring 32:18
British 31:1
broader 34:22
budgets 34:2
built 25:19
burden 33:23
butchers 32:2

C

call 20:12,20 21:23 22:7
callbacks 34:19

called 20:17 21:4,9 30:17
calling 20:11 22:1,6
calm 26:4
camera 22:22 28:10 30:8 32:21 35:21
Canal 24:7
candidates 25:6
capability 34:10
capable 24:19 26:7
capacity 25:20
captioning 21:2
car 32:2
care 24:2
carefully 27:10
cargo 24:3 25:20
carrier 33:18
case 31:8,11,12,13
cases 31:7
catastrophe 26:5
caused 24:9,21
cent 31:15
cents 29:6 31:18
chain 34:23
chains 34:3
Chair 20:6,24 21:20 22:3,12,15 23:1,7 27:17,23 28:3,16 29:14,21 30:5,14 32:16,24 33:5 35:16 36:2,12,17,19
Chairman 23:9
challenge 26:8
channels 36:16
character 27:3
Charles 31:14
chat 20:19,21,25 21:19 22:6,19 28:6
cheap 28:23 29:2,25
cheaper 32:8
citizens 23:25
City 26:25
class 25:13
clear 34:18
Closed 21:2
Coast 24:8
collaborative 35:5
Columbia 31:1
comment 20:10,17 21:13
comments 20:2,5,24 21:1,6,7,8,10,12,14 22:16,23 23:8 28:11,17 29:15 30:6,15 33:6 35:17,22 36:3,11,13,23,25
comments@utc.wa.gov. 21:15,23
commerce 23:24 24:2 27:10
commercial 32:7
Commission 20:9 21:13 36:9
commissioner 22:13 29:12
commissioners 21:20 23:10 26:6
communication 35:2
company 30:17
compensation 25:4,7,9,12
compete 24:18 27:5
competently 25:17
competition 33:25
competitive 25:5,11
composite 26:22
concise 21:7
concur 29:13
conditions 25:25 26:22 29:2
congested 25:22
consequences 30:3 32:15
consideration 27:16
context 27:18,24 30:3 32:17
continue 24:19 28:11
contracts 34:2
correspondence 35:11
cost 33:13
Costanzo 31:15,17,19
Council 28:20
counsel 21:25
country 25:3
couple 30:7
cover 33:16
Covid-19 24:9
crew 34:24
critical 33:11
current 22:17 24:22

D

Dali 24:6
day 29:2 34:15,17
dealt 31:10
degree 26:13
delays 34:14,17,19
demand 24:25 34:12
demands 24:20
demonstrated 33:14
Dennis 35:20,23 36:4,13,24
depend 35:5
descending 26:20
deserve 29:5
design 25:21
destruction 24:5
developed 27:6
development 35:7
dictate 25:21
difference 26:5
difficult 30:2
difficulties 20:19,22
difficulty 26:11
digesting 26:11
dire 30:4 32:15
direct 34:21
Direction 36:7
Director 31:14,17,19 33:8

disaster 24:5
discussion 35:5
dispatch 34:5,10 35:12
display 21:17
disrupts 34:2
distinguished 23:10
District 28:20
docket 25:8 28:22
documented 27:13
dollar 29:6
dollars 29:3
domestic 23:24 33:18,23
Don 22:18,21 27:17 36:23
Donald 23:11
Doumit 22:13
drive 31:23
due 26:10
dutifully 29:1
duty 26:18 34:25 35:1
dying 27:21

E

easily 34:16
economic 27:14
economies 24:10
economy 24:4,16,17 28:24
Edmonds 36:6
effective 33:14
efficiency 25:21
efficient 33:21
efficiently 25:19
elected 23:21
email 21:14,22,25 22:1
Emeritus 23:11
employ 26:7
employees 32:10
employers 25:7
endanger 32:12
engagement 35:6
enhancements 35:11
enjoy 31:4
ensures 33:13
environment 23:23 24:12,15,17 27:14 28:25
environmental 31:5
Equally 35:2
err 26:15
Errors 25:24
essential 24:16 27:9,14
established 34:2
esteem 27:8
evening 20:7,10 33:7
evidence 35:10
exceeds 34:16
Executive 31:14,17,19
exemplary 24:2
exempt 31:1
existing 33:16
expect 34:8,23
expended 24:2
expenses 26:16 33:17
experience 23:19 25:15 26:4,12
experienced 24:19
extensive 31:13
extraordinary 24:20
extreme 25:25
extremely 26:19
Exxon 24:12

F

facility 31:4
fact 26:10,25 31:9
failures 26:1
faith 35:6
fall 35:8
feature 20:20,21,25
Feeser 20:20
fewer 24:23
file 31:11
filing 36:25
filings 21:21
filled 24:22
financial 26:14,15
financially 25:2
find 32:10
fit 27:3 34:25
Florida 27:1,21
flow 23:23 27:10
folks 36:18
foreign 23:20
foreign-flagged 30:21
forest 32:2
forget 24:11
form 21:13
formal 21:21
forward 23:7
found 25:14
founding 36:8
free 21:15
frequency 33:18
frequently 25:1 26:9
frustrating 31:7
fuel 25:21
Fukano 22:14
fulfill 34:24
full 25:20 29:8
fully 27:12 29:13 33:11 34:19,24 35:12
functioning 24:4
fund 31:10,16

fundamental 24:14
funding 31:21

G

gap 34:11
generate 32:3
gentleman 29:13 30:1
give 32:13 36:20
giving 30:3
good 20:6 23:1 29:21 30:5 32:16 33:7 35:6 36:12
grocery 32:1
gross 31:1,16
grounding 24:7,12
guardians 24:17

H

Halpin 35:20 36:1,4
hand 20:12 22:7,11 23:3 28:12 30:9 32:25 35:23
harbor 24:6 25:13
hard 32:10
harm 31:25 32:4
hazardous 26:19
heading 32:8
headlines 26:2
hearing 20:10
hearts 27:20
heavily 33:20
heavy 26:15
held 23:25 27:8
helm 29:11
hidden 24:3
high 23:14 33:18
higher 24:25
highest 27:8
highly 27:2
hour 29:1
hull 26:21
hundreds 29:11

I

ILWU 28:19 29:17,18
impact 24:11,15 34:21
impacts 24:10
importance 29:24 33:12
important 34:4
impose 33:22
inbound 33:19
includes 26:19
including 23:16,19
income 32:3
increase 29:5 31:22 32:14 33:10,15, 22 34:1,8 35:3,9,10,13
increases 25:11
increasingly 25:17
incredibly 29:25 31:7
indefensible 29:4
individual 26:14
individuals 27:3,4
industry 24:3 26:11 27:25 28:23 30:18 31:19,25
information 21:17 27:25
infrastructure 28:25
infrequent 34:17,20
ingest 30:2
inland 23:14
inmates 23:13
innate 25:13
instantly 26:1
insurance 28:23 29:2,25
intense 33:24
interested 31:21
international 23:12,24 26:2 29:20 31:2
interrupt 20:18
invisible 26:9
involved 26:14,16
involvement 20:8
Irelan 20:3,6,7 21:24 36:17
irreparable 31:25 32:4
irrevocably 25:24
item 31:16

J

jewels 23:24
job 26:19 27:2
jobs 32:12
judge 21:20 22:13
judgment 25:24 26:4
justify 35:10

K

Key 24:6
killed 27:1
knowledge 34:11
Kris 20:3,5,7 21:24 22:15 28:7 36:15

L

lack 35:2,10
ladder 26:22 27:1
large 25:17
largely 26:9
largest 25:18
law 30:23
level 34:12
levels 34:8
licensed 23:15
life 29:1
lifestyle 26:17
light 31:8

limitations 34:21
list 22:17 28:4,6,9 30:8 32:20,21 35:20 36:14
local 24:10
located 21:13
logistics 20:1,4
Longshore 29:20
longshoreman 29:10
lose 25:5 32:5
loss 32:7
losses 29:3
lost 29:7
lot 32:5
lower 22:11

M

magnitude 33:16
major 34:6
make 34:17
Management 30:17
manager 36:5
maneuverable 25:22
manned 29:11
manually 26:20
Marcus 22:18,21,24 23:6,9,11 27:22 28:2
margins 33:24
marine 36:5
mariner 23:18 27:6 29:11
mariners 24:19,24,25 27:9
maritime 24:15 25:6 30:18 31:25 32:10,13,15
marker 30:25
Mason 32:20,21,25 33:8 35:16 36:23
massive 32:7
master 23:19
masters 23:12,13,17
Mates 23:12,17
Matson 22:18 28:9,15,18 29:19,23 33:9,10,11,20 34:13 35:12
matter 35:15
meaningful 35:4
measures 27:15
mechanical 26:1
meet 24:20
meeting 20:4
member 31:9,20 36:8
members 34:24
mentioned 29:17
merchant 25:18 29:10
methods 28:7
minimize 34:13
minute 23:2 36:20
minutes 20:13
mistake 30:4
Misunderstandings 26:10
misunderstood 26:9
MMP 23:13,22 29:9
moderate 25:20
moderator 20:9
money 31:21
Monique 30:7,8,16 32:17 36:23
motivated 27:2
move 20:2,3 28:3,8 30:6 32:20 35:19,22
mute 20:16 22:22 28:10 30:8 32:22 35:21
MV 24:6,7

N

nationally 24:18 25:5,11
nationwide 25:10
navigate 25:17
navigation 27:10
navigational 33:13
nearby 26:1
necessity 33:15
negotiations 31:14
news 27:23
Nick 22:18 28:9,18 29:22 36:23
night 26:25
non-washington 32:3
Northwest 33:9 36:7,8
notable 24:5
note 34:4 36:9
notice 35:4
number 21:16,23 22:9 34:15,16

O

oath 23:3 28:13 30:10 33:1
obtain 25:16
obvious 24:16
occasions 24:14 26:3
occurrence 34:18
off-watch 34:20
offer 25:7
offered 29:1
onerous 26:17
online 21:12
open 25:20
operate 25:19 32:9 33:24
operational 33:15 34:21
operations 33:8,14 36:5
operator 34:23
operators 33:23 35:4
opportunity 35:5,14
oppose 33:10
opposes 35:12
opposition 36:10
options 20:18 25:2
order 24:18

organization 23:12 34:7
organizations 25:10
outbound 33:20
outlined 28:1
overlooked 30:19
owners 31:9,20

P

Pacific 30:17 33:9
package 25:9,12
packages 25:7
paid 31:19
Panama 26:25
pandemic 24:9
parity 34:8
partaken 31:6
people 30:2 32:12,13
percent 31:22 32:13 33:11,22
person 35:19
personal 26:13,19 27:3
perspective 27:18 29:15 32:18 36:14
perspectives 32:17 35:18
phone 20:15 21:23 22:8
physically 27:3
pilot 25:2,4,6,10,14 26:14,16,21,23 27:1,7,21 31:9,20 34:6
pilot's 26:3
pilotage 30:19,22 33:12,22 34:12, 13
piloted 30:24
piloting 24:21
pilots 23:12,15,16,17 24:16 26:7,17 27:5,12 28:22 29:1,5,11 31:18 34:5, 12,15,18,20
pilots' 25:9 28:22 31:6 33:10,16 35:7
planning 36:25
point 32:10 35:20
port 26:25 29:12 34:22 36:5
ports 24:8
precipitous 25:25
predictability 35:6
predictable 33:21
prerequisites 34:9
president 23:11,22 28:19
press 20:11,15 22:7,10
preventable 34:14
previously 20:14
priced 33:21
priceless 23:24
Prince 24:13
Prior 23:20
pristine 27:14
proceed 30:15 33:6 36:3
process 22:16 31:8
produce 25:13
productivity 34:22
profession 24:20 26:8
professional 23:18 27:6
proper 24:1
proposal 31:15 35:7
proposals 27:11,12
proposed 35:3,9
protect 27:13
provide 20:14 21:1,10,11 22:8,9,10 23:5 26:6 28:14 30:12 33:3 34:5 35:25
provided 20:13 21:8 22:5 27:19 32:18 36:23
providing 21:6 33:18
PSP 31:9
PSP's 31:15
public 20:5,7 21:13,25 22:16 24:3
Puget 23:16,23 24:16 25:4,8,18 27:4,11 28:21 29:4 31:6,18 33:10, 16,19 34:4
put 21:18 22:5,19 28:5

Q

qualifications 25:16 26:13
qualified 24:23
questions 21:21,22
quickly 25:23

R

raise 20:12 22:7 23:2 28:12 30:9 32:25
raised 35:23
rate 27:11 31:6,8,11,13,22 33:10,15 34:7 35:9,12
reach 28:7
readily 25:14
reaffirm 29:24
recognizes 33:11
record 25:8 29:18
recreational 30:20 31:22,23,25 32:13
recruit 27:5
recruited 25:1
Reed 32:21,23 33:4,7,8 36:10
reflect 27:13
regional 24:10 36:7
regions 34:3
regulated 25:10
reliable 33:12
relies 33:20
Rendahl 22:13
replace 24:24
report 20:19,21 27:23
reported 27:20
represent 30:18
representative 20:8 29:9
representing 36:6

represents 23:13
required 25:16 26:13,17
requirement 26:20 31:10
requires 27:2
residents 32:3
resources 24:1 26:7
respond 23:3 28:12 30:9 33:1
responsibility 26:6
rest 31:19
result 24:24
retain 27:5
retirement 23:21 31:10,17,22
retires 24:23
revenue 32:5
rewarding 25:2
risk 26:14,19 29:6
role 27:9
rope 26:22
round-the-clock 34:10
routine 26:2
running 26:16
Rybarik 22:3,12,15 23:1,7,10 27:17, 23 28:3,16 29:14,21 30:5,14 32:16, 24 33:5 35:16 36:2,12,19

S

Sad 27:23
safe 33:12
safety 28:24 33:13
scale 34:2 35:9
scheduled 34:15,24
schedules 34:22
sea 25:22
Seaborne 24:2
seagoing 23:19
seas 23:14 25:20
sector 30:18
security 28:24
seek 28:22
seeking 34:7,13
send 21:22
serve 33:18
served 23:21
service 27:25 34:6,8,11 35:11
services 32:2 34:13
shared 26:15
sheet 20:23
ship 25:15 26:23
ships 23:13
shipyards 32:1
short 27:2 35:8
shortage 34:11
side 26:20
sign 22:17 28:5 30:7 36:18,21
sign-in 20:23
signed 36:16
significant 25:1 34:10
significantly 25:9
simply 24:23 33:16
sir 22:24
size 30:21
skilled 27:2
skills 25:12 27:8
slow 25:23
sought 27:4
Sound 23:16,23 24:13,16 25:4,8,18 27:4,11 28:22 29:5 31:6,18 33:10, 16,19 34:5
speak 21:4,9,11,24 22:4 28:21 29:9 35:14
speaker 28:4
speakers 20:18
speaking 33:9
speed 25:20
speeds 25:23
spell 29:16
spelling 22:10
staff 20:3,13
stake 29:3 30:1
stand 34:25
standard 29:5 31:2
standards 35:8
star 20:11,15,16 22:7,10
start 21:6
state 22:8 23:15,25 25:10 27:15 29:12 30:20 31:24 32:3,4,11
stated 29:25
statements 23:4 28:13 30:11 33:2 35:24
States 23:16 34:7
stewardship 24:1
stores 32:2
strikes 24:5
strong 27:3
study 25:15
subject 30:22
submission 35:8
submit 21:14
substantial 33:23
sudden 25:24
Suez 24:7
superior 25:7
Superyacht 36:6
Superyachts 36:8
supply 34:2,23
support 28:21 33:12
surprise 35:8
swear 22:22 23:4 28:13 30:11 33:2 35:24
sworn 21:5 28:11 35:21
system 33:13

T

tae 23:2
taking 22:16
talent 25:13
talk 21:25
tariff 28:22 31:16
tax 32:5
technical 20:19,22
ten-year 29:10
terms 23:21
terribly 32:9
thing 29:15
thoughts 27:19
tight 33:24
time 22:3,12 28:5 32:10 36:15
toll 21:15
ton 31:16
tonight 21:11 23:5 28:14 30:12 33:3 35:25
tonnage 23:14,20 30:21,24
tons 31:1
tool 21:2
top 25:5
total 25:12
trade 23:20 24:15
tragedy 27:20
training 25:12 26:4
transit 25:18 26:2
transits 33:20
transparency 35:6
Transportation 20:9
tremendous 24:10
true 34:5
trust 23:25
truth 23:5 28:14 30:12 33:3 35:25
turn 20:2 22:3,12 26:1
types 24:4

U

underneath 30:25
understand 27:9 32:9,11
understanding 34:14
underway 26:24
unfamiliar 26:11
Union 29:20
United 23:16 34:7
unjustified 33:23
unlike 34:6
unlimited 23:13,19
unmanageable 25:24
unmute 20:16
unstable 26:21
unstainable 32:14
unusual 30:23
unwieldy 25:17
urge 27:10
UTC 20:3 32:11
Utilities 20:8
utility@atg.wa.gov 22:1

V

Vacancies 24:21
Valdez 24:12
Vancouver 32:8
vessel 30:21 33:8,20 34:22,23 35:4
vessel's 26:21
vessels 23:14,20 24:3,8 25:18,19, 23 26:1,23 30:20,25 31:23 32:6,8
vice 28:19
vocation 27:7
vulnerability 24:14

W

wages 28:23 32:14
wait 20:17 21:5
Warehouse 29:20
Washington 23:25 24:18 25:5 27:15 28:19 29:12 30:20 31:24 32:5
Washington's 24:17
watch 34:15,18,24,25
waters 23:14 25:22 31:4
ways 21:12
weather 25:25 26:22
Webber 30:7,13,16
Webber's 36:11
website 21:13
week 33:20
West 24:8
William 24:13
wished 36:18
work 30:17 32:12,15
workers 32:1
workforce 24:22
world 29:16
worldwide 30:24
write 21:16
writing 21:10,12
written 36:25
www.utc.wa.gov. 21:14

Y

Yacht 30:17
year 24:6
years 23:18 24:9 25:15 26:12 31:8
yesterday 27:21
younger 24:23

Z

zones 30:24

Zoom 20:20,25 21:3 22:4