EXH. WST-08
DOCKET TP-250574
2025 PSP GENERAL RATE CASE
WITNESS: WALTER S. TABLER

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, **Complainant,** **v.** **PUGET SOUND PILOTS,** **Respondent.**	**Docket TP-250574**

SEVENTH EXHIBIT (NONCONFIDENTIAL) TO THE PREFILED REBUTTAL TESTIMONY OF

WALTER S. TABLER

ON BEHALF OF PUGET SOUND PILOTS

FEBRUARY 2, 2026

MEETING MINUTES

STATE OF WASHINGTON BOARD OF PILOTAGE COMMISSIONERS

May 11, 2006

Present:
Chairman: Dudley
Commissioners: C. Davis, Mackey, Niederhauser, Hannigan, Addington, Lee, Palmer and N. Davis
Assistant Attorney General: Susan Cruise
Administration: Peggy Larson and Judy Bell

Richard McCurdy, Mel Flavel, Dave Sanders, Chris Larson, Peter Giese, Mark Shuler, John Harris, Eric vonBrandenfels, Cal Hunziker, Bill Bundren, Jed Arnold, Mike Wood, Don Mayer, Dan Shaffer, Jim Shaffer, Carl Johannes, Robey Robichaux, Del Mackenzie, Denny Stensager, Larry Mathisen, Gary Hurt, Andy Coe, Larry Emerson, Walt Tabler, Brett Valentine: Puget Sound Pilots
Mike Moore, Luis Kohls, Seth Berntsen, Mike Jacob, John Veentjer: Pacific Merchant Shipping Assn
Jeff Shaw, John Piotrowski: Polar Tankers
Cees Deelstra: Holland America
Phil Morrell: Totem Ocean Trailer Express
Ed Irish: Tesoro Corp
Julio Soares, Chris Fricker: American President Lines
Dan Heverly: Princess Lines
Matthew Darbous: Quay Cruise USA
George Quick: I.O.M.M.&P.
Colin Southcote-Want: Albion Actuarial Services
Kevin Davis, Paul Amos, Dave Halmagyi: Columbia River Pilots
Gary Lewin: Columbia River Bar Pilots
Gary Nelson: Port of Grays Harbor
Scott Craig: Crowley Marine
Katharine Sweeney: pilot applicant

PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 9:30 a.m. by Chairman Harry Dudley at 2901 Third Avenue, Seattle, Washington.

WAC 363-116-300: Pilotage Rates for the Puget Sound Pilotage District. RCW 88.16.035(4) requires the Board of Pilotage Commissioners to annually fix pilotage tariffs. The proposed rule reflects a range of increases to be charged for pilotage services in the Puget Sound Pilotage District for the 2006-2007 tariff year. The low end of the range is proposed by the Pacific Merchant Shipping Association (PMSA) and Polar Tankers, Inc. NW (PTI). The high end of the range and other specified increases and amendments are proposed by the Puget Sound Pilots (PSP). Upon consideration of all written and oral testimony, it is anticipated that the adopted rule will reflect increases to most tariff categories that range between 1.59% and 28.3%. Exceptions include some tariff categories which are outside of this range and are specified below. The low end of the range of increases is 1.59% applied across-the-board except for the *Transportation* and *Training Surcharge* categories to which no change is applied. The high end of the range of increases is 28.3% applied across-the-board except for the following categories: *Boarding Fee, Trial Trips, Docking Delay-after anchoring, Sailing Delay, Slowdown, and Delayed Arrival-Port Angeles* to which a 100% increase is applied; and *Training Surcharge* to which no change is applied. PSP proposes a modification to the cancellation portion only of the *Transportation* category as well the creation of a new category called *Draft Charges* for purposes of charging each vessel $10 per foot of draft. PMSA and PTI do not support the addition of *Draft Charges* or the amendment to the *Transportation – Cancellation* category; nor do they support the 100% increase to the categories for which PSP proposes be increased by as much.

All written documents submitted in accordance with the timetable established for tariff document submission were considered in today's tariff determination, in addition to numerous letters from interested parties and members of the public.

Oral testimony in support of the Puget Sound Pilots was presented by Walt Tabler, George Quick, Mel Flavel, Del Mackenzie and Andy Coe. Oral testimony in support of the shipping industry was presented by Mike Moore, Mike Jacob, Jeff Shaw, John Piotrowski, Cees Deelstra, Phil Morrell, Seth Berntsen and Colin Southcote-Want. Rebuttals were presented by Richard McCurdy, George Quick, Walt Tabler and Mike Moore. This hearing was recorded on audiotape. The public hearing was closed by Chairman Dudley at 2:45 p.m.

REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened immediately following the public hearing.

Consideration of Preceding Hearing: WAC 363-116-300. Following the Board's review and consideration of all written and oral testimony, it was moved by Commissioner Niederhauser and seconded by Commissioner Hannigan that the Board set the '06-07 Target Net Income for the Puget Sound Pilots at $295,000 per pilot ~ up from the current TNI of $214,665. The motion failed with a vote of two in favor, six opposed and one abstention.

It was moved by Commissioner Addington and seconded by Commissioner Lee that the tariff be increased by 3.46%, except "Delay of Sailing" and transportation; increase "Delay of Sailing" by first doubling the current fee and then increasing the hourly rate by 15% for each hour of delay after the first hour; increase TNI by 5% to $225,398 per pilot; and set the Individual Business Expense Allowance at $28,621 per pilot. The motion failed with a vote of two in favor, six opposed and one abstention.

It was moved by Commissioner Hannigan and seconded by Commissioner Niederhauser that the tariff be increased across-the-board by 24% except transportation; and that the rate be doubled in the following four hourly categories ~ Delay of Sailing, Slowdown, Docking Delay after Anchoring, and Delayed Arrival - Port Angeles. The motion carried with a vote of five in favor, three opposed and one abstention. The effective period of the new tariff will be from 0001 hours on July 1, 2006 through 2400 hours on June 30, 2007. All written materials, Power Point presentations and more detailed records of testimony, discussion and motions are contained in the rule-making file. (4:10 p.m.)

In summary, the proposed rule reflected a tariff increase in a range of 1.59% to 28.3% which was modified by both PSP and Industry to a range of 3.46% to 25.94% with noted exceptions. The adopted rule differs from the proposed rule in that it reflects a tariff increase of 24% across-the-board except as specified below:

- The *Transportation and Training Surcharge* categories were not modified,
- The proposed new category "*Draft Charges"* was not adopted,
- The *Transportation – Cancellation* category was not modified as proposed, and
- Of the six tariff categories where a 100% increase was proposed, the four categories for which this increase was adopted are: *Docking Delay After Anchoring, Sailing Delay, Slowdown, and Delayed Arrival – Port Angeles*. The two categories for which this proposed doubling was not adopted are *Boarding Fee* and *Trial Trips*.

Elements of previous tariff-setting proceedings that were acknowledged by the Board but were not acknowledged today for this new 2006-07 tariff are:

- Total projected vessel assignments for 2006
- Number of tariff-funded pilots
- Maximum Safe Assignment Level
- Target Net Income per pilot
- Individual Business Expense Allowance per pilot
- The Tariff Setting Formula set forth in a multi-year Memorandum of Understanding

Minutes. There being no corrections or additions, the April 13, 2006 Minutes stand approved as written.

NEW BUSINESS

Consideration of Petition for Vessel Exemption: Motor Yacht *BLUE STAR*.

Consideration of Petition for Vessel Exemption: Motor Yacht *MEA CULPA*.

Consideration of Request for Additional Approved Operator: M/V *TAMEME MARINO*.

Consideration of Renewal of Vessel Exemption: Motor Yacht *LADY ZELDA*.

Consideration of Petition for Vessel Exemption: Motor Yacht *BARCHETTA*.

Consideration of the above five agenda items was deferred to the next regular Board meeting. Interim action will be given consideration by Chairman Dudley and will be reviewed for concurrence by the full Board.

2006 Annual Tariff Hearings Preparation. GHPD – A 2006-2007 tariff proposal from the Port of Grays Harbor has been submitted to the Board in addition to the 2005 Preliminary Financial Statement in accordance with the timetable established for tariff document submission. The written proposal submitted today contains a request for a 3% increase in the Vessel Draft Charge, the Vessel Tonnage Charge, the Minimum Net Registered Tonnage Charge, and the charge per vessel movement calling at Terminal No. 2. A new provision is proposed that will allow a vessel to berth at Terminal No. 4 (without loading or discharging cargo) in the case that Terminal No. 2 is not available upon arrival. It is proposed that the charge for an extra vessel (in case of tow) is increased by .68%. It is also proposed that the Pension Charge be decreased by $9 per pilotage assignment, including cancellations. All other tariff charges remain the same. A public hearing has been filed for June 8, 2006 at 9:30 a.m.

Pilot's Report of Marine Safety Occurrence: *WESTWOOD ANETTE*, 4-17-06. While transiting northbound just north of SG Buoy, the vessel briefly lost power with the rudder stuck at 5 degrees left. The power loss was caused by a gantry crane switch that was left on which caused an overload and knocked a generator off line. The problem was resolved and the VTS was notified. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

Pilot's Report of Marine Safety Occurrence: *EVER USEFUL*, 5-6-06. While transiting northbound in the Seola Beach area the vessel's engine was stopped due to a leak on the high pressure fuel oil piping to the #8 cylinder. VTS was notified and arrangements were made by the pilot to coordinate with a nearby tug for assistance if necessary. Two attempts to fix the leak were made during the next hour while drifting in the northbound traffic lane. Upon successful repair the vessel was given permission to proceed. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

Pilot's Report of Marine Safety Occurrence: *KAUAI*, 5-6-06. After departing the berth at Terminal 25, Seattle, East Waterway and approximately 2 ship lengths from the berth, the bow thruster failed due to a generator shutting itself down. After careful maneuvering, the vessel was safely returned to its berth. The pilot was later cancelled off the job. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

Procedures for Submittal of 2007 Agency Request Legislation. The schedule for submission of agency-sponsored legislation has been released by the Governor's office. If the Board should have any proposed legislation for consideration during the 2007 Legislative Session it is due by August 18

if it has a fiscal impact, or September 29, 2006 if no fiscal impact. The agency's budget is also due on August 18 and will reflect any fiscal impacts based on legislative requests if any are determined. Susan Cruise stated she has been keeping a file on certain statutory issues that need to be addressed; Andy Palmer mentioned vessel exemption issues that may be ready for discussion; and determination of when to hold the next pilot examination will also be considered as potential legislation. Further discussion of this matter was continued to future meetings.

Committee Reports:
Deep-Watering Anchoring Committee. Commissioner Niederhauser presented a draft Safety Advisory Bulletin for the Board's consideration. It's been circulated among the Puget Sound Pilots for review and comment and presented to the Board as a "Recommendation for Deep-water Anchoring". It was moved by Commissioner C. Davis and seconded by Commissioner Lee that the Bulletin be approved with one change to clarify intent. The motion carried. The Bulletin will be posted on the Board's web site and forwarded to the Harbor Safety Committee.

Trainee Evaluation Committee.

- Ivan Carlson has completed his initial evaluation program. It was moved by Commissioner Niederhauser and seconded by Commissioner Palmer that the TEC recommends to the Board that Captain Carlson be approved to advance in the training program pursuant to WAC 363-116-078(5)(c). The motion carried.
- The TEC met with the six trainees on April 27 which resulted in a follow-up memo to them regarding issues relative to their training programs.
- The TEC has developed proposed changes to WAC 363-116-078(10) intended to clarify the rule, resolve difficulties experienced with the training program and amend the criteria for stipend eligibility. Susan Cruise has added her comments to the draft for the Board to examine and discuss at the next regular meeting.
- Based on the unanimous recommendation by the TEC to abolish the Policy Statement that was adopted by the Board on September 8, 2005 called "Qualifications of Pilot Applicants Under WAC 363-116-075 When Experience is on Vessels Employing More Than One Master", it was moved by Commissioner Niederhauser and seconded by Commissioner Mackey to terminate the Policy Statement effective today. Chair Dudley recommended that Susan review with Commissioner Niederhauser the ramifications of withdrawing the Policy Statement at this time since there are unanswered letters from potential applicants asking for the Board's determination of their eligibility to take an exam under the current statutes, regulations and policy statements. The motion was withdrawn.
- The list of TEC recommendations presented to the Board at the March 9 meeting will be brought back to the Board for discussion and consideration. They deal mostly with future training programs and pilot examinations.

Legal Update. There will be an Executive Session at the end of today's meeting to discuss potential litigation with Susan Cruise.

Administrator's Report. Peggy Larson suggested that a CR-101 be filed at this time regarding the intent to amend WAC 363-116-078 *Training Program*, which is a necessary step in the rule-making process. It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that a CR-101 be filed. The motion carried. Peggy asked for the status of the license upgrade letter for Captain Jonathan Ward. It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that the Board empower Chairman Dudley to approve a license upgrade program as drafted by the TEC for Captain Jonathan Ward. The motion carried.

Pilots' Activity Reports. Captain Richard McCurdy, President, Puget Sound Pilots, introduced Gary Lewin from the Columbia River Bar Pilots and Paul Amos and David Halmagyi from the Columbia River Pilots who attended today's PSPD tariff hearing; he reported that there were 650 jobs in April compared to a 585 average for the past 3 Aprils; Captain Fosse remains on medical

leave and should return to work in June; Captains Carl Engstrom and John Harris who were recently sent to Port ASH (Australia Ship Handling) for purposes of exploring the possibility of using the facility in the winter months for manned model training were pleased with the facility; Captain Andy Coe went to San Francisco to participate in the evaluation of the simulator portion of the recent pilot examination; Captain Jim Shaffer and Harry Dudley are currently involved in a project locally relating to the SE Alaska pilot exam; Captain Jim Shaffer is the point man in the Tacoma Narrows bridge deck project; and two pilots are currently at manned model training in Port Revel.

Gary Nelson, Executive Director, Port of Grays Harbor, reported that vessel arrivals are down about 15-20% through April at 14; Captain Cooke is approaching his first license anniversary in mid-July; and the pilot boat is back in the water after being refurbished.

Confirmation of Next Regular Meeting Date. The next regular meeting is scheduled for June 8, 2006. The Grays Harbor Pilotage District tariff hearing will begin at 9:30 a.m. followed by the regular Board meeting. The hearing and meeting will be held in the Fourth Floor Rainier Conference Room, at 2901 Third Avenue, Seattle.

An EXECUTIVE SESSION was called from 5:30 p.m. to 6:05 p.m. for purposes of reviewing pilot physical examination reports and discussing potential litigation. In attendance were Chairman Dudley, Commissioners C. Davis, Mackey, Niederhauser, Hannigan, Addington, Lee, Palmer and N. Davis; Susan Cruise, Judy Bell and Peggy Larson. Regular session was reconvened by the chairperson immediately following executive session.

It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that the Board's staff and AAG work together to preclude and/or limit public disclosure of any specific element of the 2005 pilot examination and simulator evaluation. The motion carried.

Review of Pilot Physical Examination Reports. After reviewing the physicians' reports it was moved by Commissioner C. Davis and seconded by Commissioner Mackey that the annual physical examination reports for Captains M.R. Flavel, P.M. Hannigan, G.D. Hurt, G.N. Larson and R.F. McCurdy be accepted for license renewal. The motion carried. It was moved by Commissioner Mackey and seconded by Commissioner Niederhauser that the annual physical examination report for Captain V.O. Engstrom be accepted for license renewal with a request for follow-up information. The motion carried. Captain Fosse remains on medical leave but intends to return to duty in June.

The Chairman adjourned the regular session Board meeting at 6:10 p.m.

Respectfully submitted,

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Peggy Larson, Administrator

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Harry H. Dudley, Chairman

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Charles M. Davis, Vice Chairman	Commissioner Oliver E. Mackey
_____	_____
Commissioner John S. Niederhauser	Commissioner Patrick M. Hannigan
_____	_____
Commissioner Vincent Addington	Commissioner Craig W. Lee
_____	_____
Commissioner Andrew C. Palmer	Commissioner Norman W. Davis