

BEFORE THE STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

Docket No. TP-190976

DECLARATION OF CAPTAIN  
MICHAEL MOORE IN SUPPORT  
OF PACIFIC MERCHANT  
SHIPPING ASSOCIATION'S  
RESPONSE TO PUGET SOUND  
PILOTS' MOTION TO STRIKE

1. I, Michael Moore, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief.
2. I am over eighteen years of age, am competent to testify herein, and base this declaration on my personal knowledge.
3. I submit this declaration in support of and consistent with my previous testimony in this proceeding in order to clarify and amplify my direct and specific experience with standing and supervising watchstanding on vessels, in operation centers and on call and recall duties.
4. My testimony (Exh. MM-1Tr at 1-7) and curriculum vitae (Exh. MM-2) refer in general terms to my experience with watchkeeping, setting a watch schedule, managing a watch schedule, investigating a watch schedule, and human resources management, including addressing fatigue across a 24-hour watch-standing environment, and regulating, investigating, and prosecuting licenses and cases in which watchkeeping and fatigue were specific issues.
5. During my career in the U.S. Coast Guard, I performed all of the following duties in multiple assignments in different locations: I stood duty on-watch and on call,

managed watch and on call rotations, set watch and on call calendars and policies, supervised staff who managed watchstanding and on call calendars, managed fatigue amongst workforce that stood duty on watch and on call, regulated fatigue of licensed mariners subject to standing watch, and investigated incidents where fatigue and watchkeeping were factors.

6. It is important to understand the difference between standing a watch on a vessel or in an operations or vessel traffic service center versus various levels of on call and recall duty. The majority of my Coast Guard assignments were operational field unit assignments and required me and those I supervised or commanded to also stand duty either on watch or on call to answer questions, make decisions, be dispatched to an event, or report for duty. On-call or recall duties were necessary in order to meet readiness and response missions typically driven by no notice events. Adjustments to on watch and on call duty intensity and schedules had to be made to adjust to demand with the understanding that not all duties are equal and managing them required flexibility to match demand and skill set requirements in a safe, effective and efficient manner which included managing fatigue. Every effort was made to fully utilize predictable up-tempo operations to adjust for events like severe weather forecasts or special events like World Trade Organization meetings in Seattle in 1999 which required significant adjustments. Examples of no notice events requiring a surge in operations include port emergencies, fires, disabled vessels, medivacs, and pollution response. Events like the 2001 earthquake required me to make immediate changes to duties and watchstanding in addition to dramatic organizational and watchstanding changes I made as Captain of the Port coordinating various active

duty and reserve units and resources from different branches of service following 9/11.

7. During my career in the U.S. Coast Guard, my assignments were dominated by being assigned to operational field units in marine safety. I served in a significant number of operational capacities requiring watchstanding service and management as well as investigation and enforcement of rest hours between watches. Duty assignments requiring these actions are listed in my CV. As a senior officer, I was responsible for Captain of the Port duties in the Los Angeles/Long Beach area of operations including standing up and supervising a 24 hour vessel traffic service, implementation of marine safety and environmental protection and response laws and regulations. These responsibilities included the implementation of port state control to eliminate substandard vessels which included enforcement of rest hour standards for vessel crews per compliant watchstanding schedules and logs. In that assignment, I also led the development of a schedule during the LA Pilot strike of 1997 creatively setting up watch schedules for a limited supply of working pilots to ensure management of fatigue which contributed to the safe movement of ships for over four months with less than 20 percent of the pilot workforce. As Alternate Captain of the Port and then when promoted to Captain of the Port Puget Sound, I had the same port state control, emergency response, waterways management and vessel traffic service responsibilities plus Officer in Charge of Marine Inspection duties which included investigation of marine casualties and management of licensing and documentation of mariners including pilots. These duties required

internal management of watchstanding as well as enforcement duties covering a myriad of marine safety standards including rest hours and watchstanding.

8. During my career in the U.S. Coast Guard, and most recently as Captain of the Port for the Puget Sound I was also designated Incident Commander of Coast Guard Forces during World Trade Organization meetings and post 9/11. In that position I was ultimately responsible for successfully setting, maintaining, and managing watchkeeping schedules for hundreds of Coast Guard and other military branch active duty, reserve, and civilian personnel in order to secure and maintain a 24-hour marine safety, environmental protection, and law enforcement presence in a large area of operations including all Puget Sound waterways, a large international border, and coastal waters out to 200 nautical miles. These watchkeeping schedules were reviewed, modified and approved personally by me as Captain of the Port in order to ensure continuous service to the public and our nation across a diverse set of Coast Guard missions.
9. My testimony (Exh. MM-1Tr at 1-7) and curriculum vitae (Exh. MM-2) refer in general terms to my experience with Puget Sound Pilotage specifically and with the Board of Pilotage Commissioners.
10. As part of that experience, I have been the lead representative of ratepayers of U.S.-flagged and foreign-flagged vessels on issues surrounding pilotage, state pilotage, and state pilotage licensing, including the setting of the number of pilots and the setting of the pilotage tariff for every year for the past 17 years.
11. From 2003-2020, I have appeared in a representative capacity and provided testimony at each hearing to set the pilotage tariff and at each hearing to set the

number of pilots. My experience and advocacy before the Board of Pilotage Commissioners of 17 years also includes attendance and formal participation at these specific hearings continuously and longer than any of the current members of the Board of Pilotage Commissioners, any current member of the staff of the Board of Pilotage Commissioners, any PSP employees, either the PSP President or PSP Vice President, the PSP Executive Director, and all of the current PSP licensees who are formally participating in the WUTC process here.

12. For all of these 17 years, I have been present and directly involved in ratemaking procedures and processes in the Puget Sound as the lead representative and advocate on substantive ratesetting matters on behalf of ratepayers at the state Board of Pilotage Commissioners, at the Washington State Legislature, during the Joint Transportation Committee study, and now before the Utilities and Transportation Commission.
13. It would be nearly impossible to find any industry representative that has more direct, hands-on, and definitive experience in the Puget Sound with respect to the analysis, collection, presentation, and historical application of pilotage data or with respect to setting the pilotage tariff or with respect to setting the number of pilots than I have amassed over the past 17 years. I have more continuous in-person experience with pilotage ratesetting in the Puget Sound than any of my contemporaries because I have been in attendance at each of the ratesetting meetings myself as set forth above and have been a part of nearly every industry-based pilotage ratesetting committee formed to address this matter.

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed this 7th day of July, 2020 at Seattle, Washington.

A handwritten signature in blue ink that reads "MR Moore". The letters are cursive and somewhat stylized.

---

Capt. Michael Moore