

PUGET SOUND PILOTS' RESPONSES TO PMSA DATA REQUESTS Nos. 307-327

DATE PREPARED: December 28, 2022 DOCKET: TP-220513 REQUESTER: Pacific Merchant Shipping Association ("PMSA")	WITNESS: CAPTAIN DAN JORDAN RESPONDER: CAPTAIN DAN JORDAN PUGET SOUND PILOTS DATE: January 20, 2023 TEL: 503-338-8599 EMAIL: <a href="mailto:dan.jordan@comcast.net">dan.jordan@comcast.net</a>
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**PMSA DATA REQUEST NO. 307:** Regarding Exh. DJ-01T 5:13–15, admit that if the Columbia River Bar is the most dangerous entrance channel in the world, than all other entrance channels in the world, including the entrance to the Puget Sound are less dangerous.

**RESPONSE:**

Admit that, from the standpoint of a mariner, high waves are among the most feared events. High waves cause the Columbia River Bar to be the most dangerous channel entrance in the world and the entrance to Puget Sound is less dangerous from that perspective.

**PMSA DATA REQUEST NO. 308:** Regarding Exh. DJ-01T 6:12–18, admit that the Puget Sound is not subject to winter wave heights comparable to the Columbia River Bar pilotage grounds or the San Francisco Bar pilotage grounds, and is therefore less dangerous than the Columbia River Bar and San Francisco Bar pilotage grounds.

**RESPONSE:**

Admit that this is generally the case.

**PMSA DATA REQUEST NO. 309:** Regarding Exh. DJ-01T 11:18–26, admit that the Puget Sound is more like “Houston or Baltimore or many other pilotage grounds throughout the world, [where] an incoming vessel can be ‘talked into’ the protected inland waters ... with radio commands referencing navigational aids and gradual course changes,” and less like the “transit [of] a difficult Columbia River Bar” which requires “maneuvers necessary” which “are simply too extreme to expect that a foreign master would ever execute the commands.”

**RESPONSE:**

Admit that the entrances to the Houston and Baltimore pilotage grounds generally calmer close to shore and do not generally require extreme maneuvers, but deny any suggestion that these grounds do not include highly challenging situations requiring extraordinary levels of skill on the part of state-licensed pilots.

**PMSA DATA REQUEST NO. 310:** Regarding Exh. DJ-01T 9:5–7, admit that the position of the Columbia River Bar Pilots is that its trainees must be among the “best of the best” in order to successfully manage the conditions that its pilots encounter on the Columbia River Bar.

**RESPONSE:**

Admit that, because the Columbia River Bar Pilots are the only pilot group in the United States that requires all applicants to have served as Master of an oceangoing vessel for a minimum of two years while holding an Unlimited Masters license (any ocean, any tonnage vessel), our pilot group draws its applicants from a very small national candidate pool and utilizes a very short training period of six months or less. Many other U.S. pilotage grounds have less stringent trainee qualification requirements and require much longer multi-year training or apprenticeship periods.

**PMSA DATA REQUEST NO. 311:** Further regarding Exh. DJ-01T 9:5–7, please address all of the following: 1) define the “best of the best”; 2) describe the size of the “relatively small national candidate pool”; 3) describe how the Columbia River Bar Pilots assess whether they have attracted “trainee candidates who are among the best of the best”; and, 4) describe how many of the existing Columbia River Bar licensed pilots were “among the best of the best” when trainee candidates and how many were not “among the best of the best” when trainee candidates.

**RESPONSE:**

- 1) For the Columbia River Bar Pilots, the term "best of the best" means top-quality, highly skilled mariners who have sailed as Unlimited Masters.
- 2) This small national candidate pool consists of federally licensed mariners who have sailed on their Unlimited Masters license.
- 3) This assessment is accomplished through multiple means, including a physical fitness test, written test, simulator test and interview administered by the Oregon Board of Maritime Pilots with representation from the Columbia River Bar Pilots.
- 4) As a result of the extensive seagoing experience that every applicant to the Columbia River Bar pilotage ground must have and the rigorous application/testing process that ranks all applicants, all of the Bar Pilots licensees during my tenure with the Columbia River Bar Pilots were among the "best of the best."

**PMSA DATA REQUEST NO. 313:** Regarding Exh. DJ-01T pp. 9–11, admit that the navigational situations described in the navigational charts on these pages are materially different from each of the following:

- 1) Vessel navigation at the pilot station at Port Angeles when entering the Puget Sound pilotage district;
- 2) Waterway and navigational channel width and depth in the Puget Sound;
- 3) Sea swell and weather conditions on the Puget Sound;
- 4) Risk of grounding in the Puget Sound; and
- 5) Proximity to other vessels when in navigational channels and traffic lanes in the Puget Sound.

**RESPONSE:**

Each of the situations involving the Puget Sound pilotage district is materially different from the Columbia River Bar, which is exposed to the open ocean and stronger currents due to a narrower and shallower channel entrance. It should also be noted that our pilotage ground is much shorter in length compared to the Puget Sound pilotage district.

- 1) Admit.
- 2) Admit.
- 3) Admit.
- 4) Admit.
- 5) Admit.

**PMSA DATA REQUEST NO. 315:** Regarding Exh. DJ-01T 12:13–16, please provide documentation to support the claim that “during most of the first decade of the 2000s” that “the CRBP fell behind much of the West Coast in terms of pilotage compensation and benefits.”

**RESPONSE:**

Attached are copies of Final Orders Nos. 02-2 and 05-01 issued by the Oregon Board of Maritime Pilots in 2002 and 2005 respectively. In the 2002 Order, CRBP target net income was set at \$170,441. In the 2005 Order, CRBP target net income was set at \$184,000.

**PMSA DATA REQUEST NO. 316:** Regarding Exh. DJ-01T 14:14–19, are you aware of any state which has a compulsory state-licensed pilotage system which does not regulate its pilotage waters “in a manner that maximizes the accident-prevention capability of the pilotage systems serving the waters of each state”?

**RESPONSE:**

No.

**PMSA DATA REQUEST NO. 317:** Regarding Exh. DJ-01T 15:18–16:3, please provide an answer to the questions posed with respect to the comparative rates on the Columbia River with San Francisco/Oakland and LA/Long Beach (as your answer in your testimony relates to Puget Sound only).

**RESPONSE:**

The combined pilotage rates for the Columbia River Bar and the Columbia River pilotage grounds substantially exceed the pilotage rates for San Francisco/Oakland and LA/Long Beach as shown in the charts set out in the testimony of shipping economist Ken Eriksen, Exh. KAE-1T pages 32-35.

**PMSA DATA REQUEST NO. 318:** Regarding Exh. DJ-01T 15:18–16:3, regarding comparative pilotage rates on the Columbia River with Puget Sound, please describe the basis and documentation of the actual pilotage fees for vessels regarding both: 1) those which “substantially exceed the pilotage fees that are charged currently in Puget Sound by the Puget Sound Pilots”; and 2) “also substantially above the proposed rates in this rate case.”

**RESPONSE:**

The current tariff rates for the Columbia River pilotage grounds (Columbia River Bar and Columbia River) compared to the current tariff from the Puget Sound pilotage ground provide the basis for comparison and are publicly available documentation. Regarding the comparison to the proposed Puget Sound rates, see response to DR 317.

**PMSA DATA REQUEST NO. 320:** Regarding Exh. DJ-01T 17:24–18:11, regarding callbacks to cover peak traffic demands, please provide the provisions of the Columbia River Bar Pilots bylaws or other operating rules which authorize the use of callbacks.

**RESPONSE:**

Our working rule regarding callbacks is set out below:

(1) Call Back System:

- a. A pilot called back from off duty to fill in for a short board will be put on the board as close as practical to the number 3 position and will work one turn. If a pilot to be called back cannot be available for the number 3 position, the next pilot on the call back list will be called. If no pilot is available for the number 3 position the operations pilot (#1) may put the first pilot in another position and the pilot called back should be in the loop of any decision separate from the norm.

A pilot called back should be put on the 1630 list unless otherwise dictated by traffic or the lack of rested pilots. Compensation will be provided in the next distribution at a fixed amount determined by a majority of the group or as a day of sick leave.

- b. A callback rotation list will be maintained by the dispatchers. When a pilot is anticipated to be needed for a callback, the operations pilot should notify the dispatcher to make calls to the off duty pilots in the order they are on the list to determine their availability to work. If voice mail is received when calling a pilot, they should be left a message to return a call to the office by 1430 in order to be considered for the callback. Any pilot declining to work, or not responding to the inquiry, will be placed on the bottom of the list only if a pilot is actually called back. Pilots that are on pilot business, on the working board or on standby will retain their relative position on the callback list. When the pilot called back finishes their turn on the board, they will be placed at the end of the list.

**PMSA DATA REQUEST NO. 321:** Further regarding Exh. DJ-01T 17:24–18:11, regarding callbacks to cover peak traffic demands, admit that the Columbia River Bar Pilots bylaws do not require two days of compensation to be credited to a pilot that takes one callback assignment.

**RESPONSE:**

There are two options: a \$2500 cash payment or one day of sick leave up to a cap of 55 days. If sick leave is saved until a pilot's retirement, it is paid as a percentage of a pilot distribution for two days per callback, consistent with the maritime practice of equal amounts of time on/time off. This is based on CRBP's 15 day on, 15 day off schedule for a full month's distribution.

**PMSA DATA REQUEST NO. 322:** Further regarding Exh. DJ-01T 17:24–18:11, regarding callbacks to cover peak traffic demands, please describe the watchkeeping rotation schedule that Columbia River Bar pilots utilize.

**RESPONSE:**

CRBP operates on a 15 on/15 off watch rotation.

**PMSA DATA REQUEST NO. 323:** Further regarding Exh. DJ-01T 17:24–18:11, regarding callbacks to cover peak traffic demands, in the watchkeeping rotation described in response to DR 321, please advise if Columbia River Bar pilots track the daily number of available on-watch pilots compared to the daily number of vessel assignments.

**RESPONSE:**

This data is not tracked on a daily basis, but on an assignment basis per report time period, normally monthly or annually. CRBP tracks the number of pilots (including callbacks) to assignments and the number of callbacks.

**PMSA DATA REQUEST NO. 325:** Further regarding Exh. DJ-01T 18:11–20, admit that Exhibit DL-14, the June 21, 2021 OBMP Order regarding the Columbia River Bar Pilots tariff, set the number of pilots to be funded at “17 FTE pilots” at a proposed pilot workload factor of “215 annual transits per pilot.” (*See* OMPB Order at “(4) Funded Number of Pilots”).

**RESPONSE:**

Admit with the correction that the number of funded pilots is "17.07 FTE pilots."

**PMSA DATA REQUEST NO. 326:** Further regarding Exh. DJ-01T 18:11–20, please (1) clarify Target Net Income as a separate component of Target Gross Income and (2) affirm that Target Gross Income includes TNI plus additional funds for retirement benefits, which are funds to be distributed to individual pilots for the purpose of enabling each pilot to fund their own pension plan.

**RESPONSE:**

Admit.