

**PORT OF SEATTLE**  
**MEMORANDUM**

**COMMISSION AGENDA**

**Item No.** 6a

**ACTION ITEM**

**Date of Meeting** April 2, 2013

**DATE:** March 25, 2013

**TO:** Tay Yoshitani, Chief Executive Officer

**FROM:** Mark Reis, Managing Director, Aviation

**SUBJECT:** First Reading of Resolution 3677: Establishing a rates and charges methodology and other policies for the use of facilities at Seattle-Tacoma International Airport

**ACTION REQUESTED:**

Request First Reading of Resolution 3677: A Resolution of the Port Commission of the Port of Seattle establishing a rates and charges methodology and other policies for the use of facilities at Seattle-Tacoma International Airport; and authorizing the Managing Director, Aviation Division to calculate Airline rates and charges in accordance with said methodology, and implement all other provisions of this Resolution.

**SYNOPSIS:**

From January 1, 2006, through December 31, 2012, airline rates and charges were established by agreement with the signatory airlines of the Signatory Lease and Operating Agreement (SLOA). Beginning in early 2012, Port staff and airline representatives met regularly to negotiate a new agreement. The negotiations were not successful and a new agreement was not reached. In the absence of an agreement, airports are permitted to establish rates and charges consistent with policy established by the Department of Transportation. Consistent with this policy, staff has consulted with airline representatives to develop the rates and charges methodology incorporated in Resolution No. 3677.

Upon approval of this resolution, Port staff will notify airlines of the new rates to be implemented May 1, 2013, retroactive to January 1, 2013. The rates established by this resolution will generate approximately \$4.2 million less airline revenue to the Port than budgeted in 2013.

**BACKGROUND:**

Port staff distributed to the airlines a draft resolution and rates on December 11, 2012. We met with the airlines on December 13 to present the proposed rate methodology. On January 10,

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2013, we again met with the airlines to hear their questions and concerns. We received written comments from Alaska Airlines, Southwest Airlines, United Airlines and Federal Express. On February 7, Port staff sent the airlines by letter a summary of proposed revisions in the draft resolution (along with detailed exhibits of the rate calculations, etc.). On February 15, we received comments from Alaska Airlines and Southwest Airlines.

Based on airline input, the Port revised key elements of the rate setting approach resulting in lower costs to the airlines and lower revenues to the Port.

### **FINANCIAL IMPLICATIONS:**

The rates and charges policies established under this resolution will affect airline revenues only (e.g., landing fees, terminal rents paid by airlines). Implementing this resolution will result in lower 2013 airline revenues to the Port than were included in the 2013 budget. In the absence of better assumptions, the 2013 budget was based on a continuation of SLOA. SLOA could only be extended by agreement with the airlines.

### **ALTERNATIVES CONSIDERED AND THEIR IMPLICATIONS:**

- Alternative 1: Continue to negotiate in 2013 to obtain a new agreement. Negotiations were effectively terminated in October 2012 when Alaska Airlines, as Chair of the Airlines Airport Affairs Committee for Sea-Tac, requested that the Port develop rates and charges by resolution. Since that time, Alaska Airlines has paid its 2013 invoices “under protest.”
- Alternative 2: Negotiate a one-year extension to SLOA to give more time to negotiate a new agreement. This alternative was rejected by the airlines.
- Alternative 3: Maintain 2012 rates for 2013. Airline rates are set to recover costs. For 2013, airline costs are increasing due to the airline realignment within the terminal, increased debt service on existing bonds, and general cost increases for salary, benefits and wages. Also, 2012 rates were set below cost recovery for 2012 due to a surplus from 2011. In addition, the airlines have claimed that the continuation of the SLOA rate methodology in 2013 is not allowable since the agreement expired at the end of 2012.
- Alternative 4: Approve a resolution to set rates and charges. The rates set by resolution will be retroactive to January 1, 2013. This appears to be the only alternative at this time. **This is the recommended alternative.**

### **OTHER DOCUMENTS ASSOCIATED WITH THIS REQUEST:**

Resolution No. 3677

Exhibits A – J related to rates and charges

### **PREVIOUS COMMISSION ACTIONS OR BRIEFINGS:**

None