

1 BOARD OF PILOT COMMISSIONERS MEETING

2 HELD AT:

3 DOUBLETREE FT. LAUDERDALE

4 2670 E SUNRISE BOULEVARD

5 FORT LAUDERDALE, FLORIDA

6
7 October 25, 2018

8 RE. PORT EVERGLADES

9
10 BOARD MEMBERS:

11 DAVID WILKINS (CHAIR)

12 CLARK JENNINGS

13 SHERIF ASSAL

14 LOUIS SOLA

15 GALEN DUNTON

16 RICHARD LAW

17 BRIAN SUETER

18 CAROLYN KURTZ

19 BOB BENSON

20 KRISTA WOODARD

21 ANNE AHRENDT

22
23 ALSO ATTENDING:

24 GEORGE MERES, ESQ - HOLLAND & KNIGHT

25

1 (Thereupon, the following proceedings are had:)

2 CHAIR: Okay, I would like to call the
3 second day meeting to order of the
4 investigative, I mean -- see -- and it's
5 9:00 October 25th. So we completed
6 our business yesterday on the agenda for all
7 items that we were planning to do except for
8 the deliberation process on the agenda, so
9 we're not going to engage in that piece. And
10 Mr. Meres, I know you had requested to
11 reintroduce some adjustments of fact finding.
12 I don't want to do that at this point. If I
13 introduce that then I have to introduce it, you
14 know, open it up for everybody else, so. That
15 part of the proceeding ended yesterday, so. I
16 understand your point.

17 MR. ASSAL: Chair, if I may --

18 MR. SUETER: Mr. Chair --

19 CHAIR: I'm talking to Mr. Assal, Mr.
20 Assal.

21 MR. ASSAL: After reading some of the
22 information I'd like to make a motion to accept
23 the FCCA Pilots Agreement.

24 MR. SUETER: Second.

25 MR. ASSAL: That have been put into place.

1 CHAIR: Well, I don't think we're ready to
2 do that yet. We're going to talk through and
3 get --

4 MR. SUETER: Mr. Jennings, has there been
5 a motion and second; is that valid?

6 MR. JENNINGS: It's the Chairman's call.

7 CHAIR: No, not at this point. We're
8 going to deliberate and discuss it first as a
9 committee rather than been, attempt to be
10 hijacked for an immediate vote.

11 MR. SUETER: Mr. Jennings, is that a valid
12 point of law?

13 MR. JENNINGS: It's not a question of law,
14 Commissioner Sueter, it's a question of
15 parliamentary procedure, and the Chairman has
16 control. Robert's Rules don't apply for a
17 committee this size, so the Chairman is --

18 MR. SUETER: So there's a motion and a
19 second, and it's been turned down by the
20 Chairman.

21 MR. JENNINGS: It hasn't been recognized.

22 CHAIR: Correct. Correct.

23 MR. SUETER: Captain Kurtz has a question,
24 Mr. Chairman.

25 CHAIR: I'm sorry, go ahead.

1 CAPT. KURTZ: I just wanted to make a
2 comment before we started deliberations. I'm
3 not intending to speed up a vote, or do
4 anything improper, just to comment on something
5 yesterday, and I'd like to do that before we
6 start if that's okay.

7 CHAIR: Yes. Yeah, I --

8 CAPT. KURTZ: Thank you.

9 CHAIR: Thank you. Do you want to go
10 ahead?

11 CAPT. KURTZ: Yes, please. Thank you. So
12 yesterday afternoon we went through the
13 investigative report and adopted each section
14 as it corresponds to the twelve factors
15 outlined in 310, and after the meeting I was
16 thinking about, you know, what we had listened
17 to all day, and what we had done at the end of
18 the day, and we heard a lot of testimony from
19 both applicants providing evidence of their
20 positions, and I believe that the information
21 provided was truthful and arranged in a way to
22 support their positions more clearly than how
23 some of it was outlined in the investigative
24 report.

25 If I understand the process correctly, the

1 investigative report is not the only thing to
2 consider in drawing conclusions about the task
3 in front of us. I believe that evidence
4 provided by the applicants is a very important
5 part of whatever decision the committee
6 eventually makes. You seemed uncomfortable
7 with some of the information. You questioned
8 the truthfulness, or the accuracy of it, and I
9 think we're kind of passed that. I think what
10 the applicants present to us is taken in good
11 faith, and is carefully researched, and if we
12 are to consider other information besides
13 what's in the investigative report then that
14 information should be also considered finding
15 of fact.

16 So if that's not something you would like
17 to address now, then perhaps we can address it
18 later, but, but that's the reasoning behind
19 what I will eventually request, is that we do
20 adopt the supplemental information provided by
21 both applicants as factual where it doesn't
22 conflict with the investigative report.

23 CHAIR: I think that's helpful. Thanks a
24 lot. You okay with that?

25 MR. JENNINGS: I'm okay with it. Yeah.

1 That actually would help me draft the final
2 order.

3 CHAIR: Okay.

4 CAPT. KURTZ: So I would -- if -- with
5 your permission I would make a motion --

6 CHAIR: Do you want to make a motion on
7 that?

8 CAPT. KURTZ: Yes, please.

9 CHAIR: Okay.

10 CAPT. KURTZ: I'd like to make a motion to
11 include the material provided by both
12 applicants as findings of fact where there is
13 no conflict with the investigative report.

14 MR. SUETER: Second.

15 CHAIR: Okay. Second. Any comment?
16 Okay. All in favor, just say aye.

17 (AYE)

18 CHAIR: Any opposed? Okay.

19 CAPT. KURTZ: Thank you.

20 CHAIR: All right. In terms of in the
21 deliberation, what I wanted to hear from the
22 different community members is thoughts on the,
23 the rate option that is at hand here for the
24 committee, and any thoughts on any adjustments,
25 or further clarification any of our members

1 would like to have. So I'd like to hear, hear
2 from everyone about that, you know, I will go
3 ahead and start, just some of my initial
4 thoughts.

5 I personally am supportive of the, the
6 methodology that has been established, and sort
7 of how we establish the rate structure. I
8 think it worked in the previous port, and I
9 think that makes sense. I think the
10 adjustments in the cruise industry that is
11 being proposed seem logical, and personally I
12 think the, you know, a rate increase of some of
13 your, of some size, is appropriate for the
14 pilots.

15 My concerns on this is, you know, I still
16 have issues with the pension model that the
17 pilots use, and we've seen this in other places
18 as well, it's just not an industry standard.
19 And, you know, it takes money away from, from
20 the pilots to support the pension, and, you
21 know, it's just not a best practice, and so
22 that's very troubling for me personally to, to
23 see that type of program being continued and
24 supported. Most organizations around the
25 country had evolved their pension programs over

1 the last several decades.

2 The other issues that I saw was in the
3 cargo discussions, the two things that I
4 noticed that bothered me is it does seem like
5 we are having an adverse effect on the very
6 small carriers, and that's a problem. And
7 there's a unique situation in the cargo
8 business with their contracts, and the fact
9 that they do contract for business sometimes
10 years in advance, and so, you know, increases
11 in rates directly affect, you know, their,
12 their bottom line in their areas.

13 So those are the big issues that, you
14 know, jump out to me that, you know, just
15 accepting the, the negotiated offer between the
16 pilots and the cruise lines doesn't address
17 those concerns. So, you know, in my
18 perspective, you know, we ought to look at
19 adjusting something for the little guys. You
20 know, we saw, for instance, just accepting this
21 offer added something like \$800,000 of revenue
22 to the, to the retired partners, yet, you know,
23 there'd be over a \$500,000 increase to one very
24 small pilot organization that potentially could
25 risk their ability to continue to employ their

1 hundred and something employees, so, you know,
2 that's creating a situation where we are
3 potentially putting jobs in jeopardy. It
4 doesn't seem to be the best interest of this
5 committee, so.

6 So I worry about that. I think we ought
7 to figure out how to do a price break for the
8 little guy, and then I think we ought to look
9 at some kind of phase in methodology for the
10 cargo side of the business so that they have
11 some to plan with the additional cost increase
12 process. But I'm open to other suggestions,
13 and other tweaks that, or changes that others
14 would want to include.

15 Commissioner Sola, you had some thoughts?

16 MR. SOLA: Thank you, Chair, and let me
17 say thank you for your leadership that you've
18 exhibited here. And I'd also like to thank the
19 staff, who have absolutely been wonderful
20 throughout this process. The application that
21 we have before us has a lot of facts that I
22 accept. I accept that the, it's been a long
23 time since the pilots had a rate increase, and
24 they are due one, in my estimation.

25 And I believe that we have seen the

1 Florida Cruise Association demonstrate time and
2 time again over the last many years that we've
3 had that they've been taking the burden from
4 some of the bigger ships, because when the last
5 rate review was done, some of these ships
6 weren't even contemplated, we didn't have time,
7 so the ships have doubled in size. And I
8 believe that the, the pilots have maybe got,
9 you know, they always had fat cow coming in
10 with the cruise ships so they didn't really
11 worry too much about the little guy, but
12 there's no question that they've been
13 subsidizing some of the smaller ships.

14 Now let me go ahead and address some of
15 those. I believe that as a licensed state
16 pilot, that part of your obligation is the
17 safety and security, and as we know we're going
18 to have the largest in water boat show in the
19 world here, and in ten days we're going to have
20 three or four boats that are going to be
21 grounded, so I don't want to have the pilots
22 rates beyond, so high that people wouldn't want
23 to, to go ahead and reach out to you if they
24 ever need to.

25 On the cargo, cargo I wish, you know,

1 you've read the transcripts from Miami, and in
2 Miami I was calling you out like the professor
3 from Ferris Bueller; I was like cargo, cargo,
4 cargo where are you. I really appreciate what
5 the cargo does. I know what you do, the
6 economic impact, but we didn't really get a lot
7 of that, we didn't have an application, so what
8 we have before us is an application, and we
9 have data, and we have the economic models, and
10 that's what we have to consider. The model
11 that we have presented, obviously the smaller,
12 \$275 for example, to call a pilot up, my
13 plumber charges more than that to come to my
14 house, so I think that, you know, we can
15 definitely raise that. Somewhere around I
16 think \$500 would be, in that range I think
17 would be a good minimum, I think.

18 Another thing is, is if you do do an
19 application in the future, I would love to hear
20 about the US shipping line that you have here.
21 I mean those are, those are quite rare, so I
22 applaud you for bringing them here, but we'd
23 also like to know about the economic impact,
24 and how you protect and support US exports.

25 With all that being said, it's my view

1 that if we could give a break, as the Chair
2 said, to some of the smaller ships, because I
3 believe some of the larger cargo ships can
4 spread that cost among their containers, but
5 when you have a cargo ship that's only got
6 fifteen, twenty, thirty, thirty containers, and
7 they're doing weekly, or sometimes almost every
8 other day calls, I believe that's a little bit
9 difficult. With that being said, I've worked
10 with Mr. Law, and we, you know, we were trying
11 to adjust some of his formulas here from the
12 different options that he had to try and come
13 up with something. You know, we have a couple
14 different things, but I'd like to hear from
15 some of the other commissioners before I go
16 forward.

17 MR. ASSAL: I agree with Commissioner
18 Sola. I think that when we look at the, at the
19 ships getting bigger and bigger and bigger, and
20 the cruise lines have really taken the burden,
21 and we're here to talk about two applications;
22 one is the pilots, and one, the other one is
23 the FCCA. It didn't happen. The cargo, we did
24 ask, we asked in Miami, we've asked here, there
25 was no representation until yesterday. I think

1 that the facts speak for themselves, the
2 numbers are there.

3 I mean we can go back and forth a hundred
4 and one days of over who is paying more, who is
5 paying less. I think the smaller vessels, like
6 the gentleman with Sea Corp, when he's carrying
7 two containers and he's tripling his costs,
8 that might be the affect right there, two,
9 three containers I think we were looking at.

10 We have to look at the, the amount of
11 containers these small vessels, and what
12 they're paying. I think they need to have an
13 increase because they've had it so good for so
14 long, but to the point they're becoming 200%
15 increase for them, or 300% for the smaller
16 containers, you're correct.

17 When you're talking about \$1 to \$3 per
18 container, you, we're, you know, we're large
19 companies, so some of you guys are very large
20 companies, you can figure out where to spread
21 that cost or that overhead. We have to do it,
22 a small business. When you're publicly traded
23 you raise funds, you do whatever can to support
24 it. And we talked about marketing, it's up to
25 you to generate your own revenue, just like the

1 cruise lines, just like the pilots, so I think
2 the burden would fall on everyone on their own
3 for the costs. You get a -- somebody is going
4 to have to pay some of these costs, and I think
5 that with, with that I felt that the, the
6 agreement that was put into place, Chair, was
7 fair, with the exception of the small boats,
8 the very small ones carrying one or two
9 containers.

10 CHAIR: Thank you. Commissioner Benson.

11 MR. BENSON: It's inconceivable to me that
12 this rate has stayed the same for the last
13 seventeen years. I can't imagine there's any
14 other line item on anybody's financial
15 statements, whether it be passenger, cruise, or
16 the port pilots, that have had any other line
17 item not increase over the last seventeen
18 years, so this is a long time coming. When I
19 look at the percentage of increase, certainly
20 for the smaller ships I was, I was a bit
21 alarmed, until I look at the fact that it costs
22 \$720 per handle, and they've been getting that
23 particular service for \$275.

24 Even if we accept the, the agreement, or
25 settlement, or what have you, of \$645, it's

1 still 12% less than the cost of doing the work,
2 and so to me if we knocked that down any lower
3 to \$500, and with respect to Commissioner Sola,
4 and I understand what he's saying, that gap is
5 going to continue to increase, so while there's
6 going to be somewhat of an economic challenge
7 for some of these short, smaller ships, to me
8 they've been getting a bargain for quite some
9 time, and they're going to have to adjust to
10 that.

11 I'll certainly be interested in hearing
12 any concrete proposals in terms of how to, to
13 buffer that, but not at the expense of the
14 pilots, because in terms of the pilots we've
15 looked at average compensation, we've looked at
16 the fact that it's virtually the lowest cost
17 port, both in the state and outside of the
18 state, and to me I think the increase is
19 justified, and the slew of documents here, and
20 all kinds of testimony we've heard for the last
21 several days. So if there is an alternative
22 that is not significant adverse, adverse to the
23 pilots, it doesn't come back and increase an
24 additional burden on the, on the cruise ship,
25 which is has been subsidizing these rates for

1 quite some time, I'd certainly listen to it,
2 but from my standpoint the agreed upon, the
3 agreement that has come in front of us I think
4 is reasonable.

5 CHAIR: Okay.

6 CAPT. KURTZ: I don't know that I have too
7 much to add. I think you guys have pretty much
8 covered it. You know, there's -- there are two
9 applications before us, but I think even more
10 importantly there, there's an agreement that's
11 been made in an attempt to streamline this
12 process, and to avoid another four year ordeal,
13 so I feel like the agreed upon rate is the fair
14 thing to do, and there are other avenues for
15 people who aren't happy with that to take.

16 CHAIR: Okay, thanks. Commissioner
17 Sueter.

18 MR. SUETER: Yes, sir. To amplify what
19 Commissioner Benson, some of his points. It
20 has been seventeen years since the last
21 adjustment, and Port Everglades Pilots' rates
22 are the lowest of any major port in the United
23 States. The CPI has risen 37% since the last
24 adjustment. The settlement proposes, the
25 settlement between the FCCA and the Port

1 Everglades pilots proposes 34.5% increase, so
2 less than the CPI, and even after this
3 adjustment their rates will still be among the
4 lowest in the country. And although it's not a
5 conversation about income, Port Everglades
6 Pilots work more, and are paid well below the
7 national average. And even after this
8 adjustment, they'll still be well below the
9 national average.

10 Any of the options from, that were
11 provided from Mr. Law, take them further away
12 from the national average, and in my mind
13 that's unacceptable. And has been said almost
14 half the ships that are handled provide
15 services below costs, the largest ships have
16 been subsidizing the smaller vessels for many
17 years. This proposed settlement addresses that
18 by spreading the cost burden amongst all of the
19 vessels irrespective of type, and it's a
20 necessary and overdue correction.

21 As far as the small vessels, we heard
22 evidence yesterday from the public that showed
23 that the increases among the smaller vessels
24 may be large percentage increases, but they're
25 relatively small dollar amount. We voted as a

1 board unanimously in April that the Miami rates
2 were fair, just, and reasonable, using a very
3 similar box method. These proposed rates are
4 7% below what we had unanimously approved of as
5 fair and just. It's difficult to now say that
6 these rates are too high, I think that they're
7 probably too low, but they have been agreed
8 upon by the two legitimate parties to the case,
9 the Port Everglades Pilots and the FCCA,
10 they've determined that they were fair from
11 their business perspective, and they should be
12 adopted today without amendment.

13 CHAIR: Okay. All right, any other
14 comments, suggestions to the group? So
15 obviously the Florida Commissioners are very in
16 line to the offer to be put on the table.
17 Commissioner Sola and I are suggesting some
18 modifications to that offer. Commissioner
19 Sola, do you want to propose an official
20 modification to that offer to be considered?

21 MR. SOLA: I can go ahead and address
22 that. The only modification that I did on this
23 is I adjusted the, from Mr. Law's handout that
24 he did, is I decreased the 34% increase to a
25 20% increase, and I spread that over the

1 smaller boats under 10,000 GT. And it's a
2 basic, like simple formula, by lowing the draft
3 to 15. I kept all boats, or all ships over
4 90,000 GT at the exact same, and the formula,
5 as I said, came out to a 20%, 20% increase
6 rather than a 34% increase.

7 Back when we had Miami and we were doing
8 it we were in a different economic situation.
9 The market is a little bit better now, and I
10 believe this would be a fair solution. And I
11 would hate to avoid more -- I would like to
12 have a final solution I think at one point,
13 that the two parties agreed to it, and I'm in
14 complete concurment (sic) with their coming
15 together, and what they've done, and I think it
16 gave us a great base, and they've also, also
17 came up with a great formula, but this could be
18 held up in, as you know, in administrative
19 court of the next couple of years because
20 somebody else wasn't, didn't put their
21 application in on time and now wants to, to go
22 ahead and try to get this, this taken care of.

23 So as I said, I mean basically I
24 understand that at \$500 for a small ship
25 they're losing, they're losing money, but

1 they're also providing a service, and providing
2 safety and security, and they're also being
3 reliant, so, you know, with that being said,
4 that's the base for the proposal that I worked
5 with Mr. Law.

6 CHAIR: Would you be amendable to offer to
7 the committee just a reduction to your \$500
8 rate on maybe the two lowest tiers only to
9 reduce the overall reduction in income to the
10 pilots?

11 MR. SOLA: I didn't follow the question,
12 Chair.

13 CHAIR: You said you had worked with Mr.
14 Law last night, and sort of had remodeled
15 something that did a reduction on several
16 tiers, and you came up with an overall 20%
17 income increase versus their 34% that's
18 proposed, right? And so my comment back is
19 would you want to consider -- in recognition
20 that the rest of the committee is in support of
21 already, the proposal as is. Would you
22 recommend offering something less than that,
23 you know, to have the rest of the committee
24 consider, a price break for the small carriers?

25 MR. SOLA: Taking into consideration the

1 existing, the existing agreement that they
2 have, and then basically saying that for ships
3 under 2,000 GT that there will be a set limit
4 of \$500; is that what you're asking?

5 CHAIR: Well, that's what I thought you
6 had said.

7 MR. SOLA: Basically that's what the
8 formula comes out to.

9 CHAIR: Right.

10 MR. SOLA: That it just kind of says
11 anything under 2,000 would be \$500. And I
12 realize that they're losing \$175, but, you
13 know, the difference of a captain of a ship
14 that's maintained at 50,000 is much different
15 than a smaller ship. I mean the possibility of
16 an accident is probably more, and I believe
17 that they're more needed.

18 CHAIR: Commissioner Assal, would you be
19 willing to adjust to reduce the rate on the
20 smaller vessels, or, or are you comfortable
21 where we are?

22 MR. ASSAL: I disagree with the
23 percentages. I think seventeen years -- if we
24 all stayed in business, if we all went to a job
25 for seventeen years without an increase, it

1 would affect every one of us. I think that
2 when you're talking about a percentage that,
3 that means if you compromise for one, you're
4 going to comprise for the other, then you're
5 going to start negotiating. I think like
6 everyone has said, that they've already got an
7 agreement in place, we all have to make
8 adjustments, whether fuel costs go up, whether
9 berthing goes up, whether whatever the cost is,
10 or either, then we have to either accept that
11 model of work or we need to change our field of
12 work.

13 There's a cost factor to do business, you
14 know, some of these companies are publicly
15 traded, some of them aren't, that is part of
16 doing business. That's my -- that's my
17 opinion. I don't think the model going from
18 34% to 20%, I think that's a huge drop. I
19 think you need to come maybe somewhere in
20 between, something like that, but I think just
21 again you're compromising. I think that the
22 agreement is in place and, and I understand
23 that we have to make a fair decision, and in my
24 belief that was a fair decision.

25 MR. SUETER: Mr. Chairman.

1 CHAIR: Commissioner Benson, what are your
2 thoughts?

3 MR. BENSON: Well, as I said in my opening
4 comments, if we could find something that would
5 have been equitable, I would certainly listen
6 to it. I still feel that asking the pilots to
7 handle these ships at a 33% loss, you know, is
8 burdensome, and, you know, as I said with this
9 entire increase this only gets them actually
10 less than what the CPI would be. You know,
11 this process, I understand cargo has some one,
12 two, and three year deals, but this process has
13 been going on for several years and so, you
14 know, we had to anticipate that there was going
15 to be some adjustment and it could hit cargo.

16 I'm not against cargo, for cruise, or what
17 have you, but I'm just looking at the equity it
18 would, equitable solution here in terms of, you
19 know, this is a correction in my mind of
20 something that shouldn't be where we are today,
21 and to be able to receive the services they
22 received, you know, for the, for the dollars
23 that they received, I realize they must have
24 built that into their price structure, as has
25 passengers as well.

1 You know, if there was something that
2 would be acceptable to the parties, something
3 with less, I don't know going from 34% to 20%
4 is a reasonable number, because again it looks
5 like that's going to fall on the pilots, and I
6 think the pilots have found a way to maintain
7 their business for seventeen years without
8 increase. I don't know in all the clients that
9 I've had over my career anybody has ever been
10 able to do that, so I don't think what we're
11 being asked today in moving the agreed upon
12 settlement that we have in any material way
13 that would put a burden on the pilots. If it's
14 material, I'd probably be against it, but I'd
15 like to see, see the numbers themselves, what
16 that would mean to the pilots.

17 CHAIR: Okay. Any other comments?

18 Commissioner Sueter.

19 MR. SUETER: At what point will you
20 entertain a motion?

21 CHAIR: When I feel like there's no more
22 interest in discussing. Is there any other
23 interest?

24 CAPT. KURTZ: Yes. There is -- there is
25 an agreed upon rate that would be changed by

1 any changes that we propose to it, and I wonder
2 how the parties affected who have worked very
3 hard to negotiate that agreement, what their
4 opinion is on that, and if there's going to
5 lead to further years of motions and appeals,
6 and whatnot, and so I would like to hear from
7 them. But I do feel that the work has been
8 done, the facts supports the agreed upon rate
9 on both sides, and I question your continuing
10 to solicit commissioners for a change of heart
11 because you don't agree with that.

12 CHAIR: Okay. Commissioner Sola, do you
13 want to -- Commissioner Sola, do you want to
14 make your motion?

15 MR. SOLA: I make the motion to accept the
16 agreement between the FCCA and the pilots.

17 MR. SUETER: Second.

18 CHAIR: Second. Open to discussion.
19 Okay, Ms. Ahrendt, can you take the roll?

20 MS. AHRENDT: Sure. Commissioner Sola.

21 MR. SOLA: Here.

22 MR ASSAL: We had that one already.

23 MS. AHRENDT: Commissioner Benson.

24 MR. BENSON: Yes.

25 MS. AHRENDT: Commissioner Kurtz.

1 CAPT. KURTZ: Yes.

2 MS. AHRENDT: Commissioner Sueter.

3 MR. SUETER: Yes.

4 MS. AHRENDT: Commissioner Sola.

5 MR. SOLA: No.

6 MS. AHRENDT: Commissioner Wilkins.

7 CHAIR: No. Okay, so it passes four to
8 two then. Mr. Jennings, do we have some wrap
9 up?

10 MR. JENNINGS: No, Mr. Chairman. I think
11 by handling it the way you did with the
12 discussion that we've had this morning, that
13 gives me sufficient grounds to be able to write
14 this thing up, that and the addition of the
15 supplemental information, I believe there is
16 plenty of information and plenty of discussions
17 that I can write up my order for you -- It will
18 take me, as I said at the very beginning of
19 this process, a bit of time, all things
20 considered, we'll have to get the transcript,
21 we'll have to do some other things, but once I
22 have drafted the order, as with previous rate
23 cases, I will then distribute the order to you
24 for your review to make certain that I have
25 covered all the points that you want me to

1 cover, and then we'll have a conference call to
2 ratify that final order, making everything
3 that's in that order your decision.

4 CHAIR: Okay.

5 MR. JENNINGS: And then it will be
6 released, and let the parties know that should
7 they disagree with the findings of fact, or any
8 finding of fact in the order, they have twenty-
9 one days within which to challenge that. And
10 if that happens, we'll be back, and I'll
11 explain the whole process to you then, but I
12 don't see any need to explain to you the
13 process at this time unless you really want to
14 hear it.

15 CHAIR: Okay. All right, thank you for
16 everyone's participation in the process.
17 Commissioners, thank you for your commitment to
18 the program, and the meeting is adjourned.

19 (Thereupon, the meeting concluded.)
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C E R T I F I C A T E

(STATE OF FLORIDA)

(COUNTY OF MIAMI-DADE)

I, NATHANIEL TORO, Reporter, certify that I was authorized to and did report the foregoing proceedings and that the transcript is a true and correct transcription of my notes of the proceedings.

Nathaniel Toro

NATHANIEL TORO, Reporter

Commission: GG 111434

Expires: 06/04/2021

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