

**MINUTES OF THE MEETING
BOARD OF PILOT COMMISSIONERS
PILOTAGE RATE REVIEW COMMITTEE
The Hyatt Place Orlando Airport
5435 Forbes Place
Orlando, FL 32812
407.816.7800
April 29, 2019
9:00 a. m. EDT
UNAPPROVED**

CALL TO ORDER

Meeting was called to order by Chair Benson at 9:01 EDT.

Members Present:

Commissioner Benson, Chair
Commissioner Assal
Commissioner Kurtz
Commissioner Seuter
Commissioner Wilkins

Members Absent

Commissioner Oatis

Others Present

Krista Woodard, Executive Director
Amanda Ackermann, Executive Director
Anne Ahrendt, Government Analyst
Donna McNulty, Pilotage Rate Review Counsel
Edward Tellachea, Office of the Attorney General
Cindy Green, Court Report
Captain Sam Stephenson, Florida Harbor Pilots Association
Captain Ben Borgie, Florida Harbor Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Captain Chris Marlow, Biscayne Bay Pilots Association
Captain Mike Cunningham, Port Everglades Pilots Association
Captain Allen Thompson, Tampa Bay Pilots Association
Lee Adolph, St. Johns Bar Pilots Association
Tom Panza, Panza, Mauer & Maynard, Florida-Caribbean Cruise Association
Jennifer Graner, Panza, Mauer & Maynard, Florida-Caribbean Cruise Association
Greg McDermott, Panza, Mauer & Maynard, Florida-Caribbean Cruise Association
Tara Price, Holland Knight, Port Everglades Pilots Association
Jordan Cohen, Esquire, Counsel for Crowley & King Ocean, WickerSmith

Others Present (continued)

Daniel Russell, Counsel for Seacor Island Lines, LLC, Dean Mead & Dunbar Law Firm

J. Riley Davis, Counsel for Balearia Caribbean, Ltd, Akermann LLP

Richard Pinskey, Representative for Balearia Caribbean, Ltd, Akerman LLP

Instructions to the Committee by Counsel for the Committee, Donna McNulty

The committee's purpose was to determine whether there were disputed issues of material fact presented in the petitions and, if so, refer the matter to the Division of Administrative Hearings.

The following petitioners were allowed 15 minutes each to address the Committee:

Jordan Cohen, Wicker Smith, for Crowley Liner Services, Inc., King Ocean Services, Ltd. And King Ocean Agency, Inc.

Daniel Russell, Dean Mead & Dunbar, for Seacor Island Lines, LLC

J. Riley Davis, Akermann LLP, for Balearia Caribbean, Ltd.

The following applicants for change in rate were allowed 15 minutes each to address the issues brought up by the petitioners:

Thomas Panza, Panza Maynard & Mauer, for Florida Caribbean Cruise Association

Tara Price, Holland Knight, for Port Everglades Pilots Association.

A 20 minute break was called by Chair Benson at 10:00 a.m.

The meeting resumed at 10:20 a.m. Chair Benson opened the floor for Public Comments. There were no public comments.

Petition for Hearing Balearia Caribbean

A motion was made by Commissioner Wilkins to accept the Petition for Hearing by Balearia as timely filed by the petitioner. The motion was seconded by Commission Assal and the vote carried.

Petition for Hearing – Crowley Liner Services, Inc., King Ocean Services, Ltd., and King Ocean Agency, Inc.

Commissioner Kurtz made a motion that there were no disputed issues of material facts in the Crowley petition. The motion was seconded by Commissioner Seuter. A roll call vote was taken and the motion passed unanimously.

Petition for Formal Administrative Hearing – Seacor Island Lines, LLC.

Commissioner Kurtz made a motion that there were no disputed issues of material facts in the Seacor petition. The motion was seconded by Commissioner Assal. A roll call vote was taken and the motion passed unanimously.

Petition for Hearing – Balearia Caribbean, Ltd.

Commissioner Seuter made a motion that there were no disputed issues of material facts in the Balearia petition. The motion was seconded by Commissioner Kurtz. A roll call vote was taken and the motion passed unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

MOTION FOR A FINAL ORDER

Commissioner Kurtz made a motion that a final order on the matter of the Port Everglades Rate Petition be entered. The motion was seconded by Commissioner Wilkins. A roll call vote was taken and the motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 10:47 am. EDT.