

EXECUTIVE SUMMARY

Pilotage Rate Review Board

I. General Information

Meeting Type: Review of Notice to Intent to Approve in Part and Deny in Part the Port of Tampa Bay Pilotage Rate Increase Application Filed by the Tampa Bay Pilots Association

Meeting Date: Friday, December 19, 2008

Meeting Location: Telephone Conference Call

Attendees:

Honorable Clarence Johnson, Chair
Rick Hugins, Vice Chair
Daniel Corn
Erica Elliott
Steve Reynolds
Evan Weston

Robyn Barineau, Executive Director, Department of Business and Professional Regulation
Elise Rice, Government Analyst, Department of Business and Professional Regulation
Ed Tellechea, Senior Assistant Attorney General, Office of the Attorney General
Richard Law, Certified Public Accountant and Board Consultant
Galen Dunton, Board Consultant
Joe Brown, President, Florida State Pilots Association
Warren Husband, Counsel for Florida State Pilots Association
Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association
Drew F. Winters, Durst and Harndon, P.A.

II. Major Issues/Actions

- Mr. Ed Tellechea, Senior Assistant Attorney General, informed the board that he provided two versions of the draft order for their review. The only difference between the two versions was the language in paragraph one under the “Analysis and Decision; II. Pilotage Rate” section. He indicated that he received some feedback on the first version and offered the second version for the board’s consideration. The board agreed to the language contained in the second version.
- Mr. Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association, asked the board to consider allowing the pilot association initiating the rate application to offer rebuttal after all parties are allowed to provide testimony and before the board deliberates to make a determination on the application. He added that although the Tampa Bay Pilots Association was not disappointed with the approved rate increase, they were concerned with the hearing process. Chair Johnson added that he did not hear anyone from the Tampa Bay Pilots Association ask to offer rebuttal to individuals giving testimony at their rate hearing, but rebuttal will be considered in the future.
- Mr. Warren Husband, Counsel for the Florida State Pilots Association, mentioned that he believed that the Tampa Bay Pilots Association was pleased with the approved rate increase, but that they were unhappy with pages five through nine of the report and

these details could have far-reaching implications. Mr. Daniel Corn indicated that Mr. Richard Law did a thorough job with his Investigative Report and was effective in being neutral in his review and recommendations regarding the rate application. Mr. Corn added that the board is a group of volunteers that keeps an open mind to the facts presented to them. Ms. Erica Elliott agreed that she supported the order as written.

- Mr. Thompson asked if the omission of the cancellation charge included in the rate application was an oversight as the order contained no language relating to this charge. Mr. Law mentioned that the dollar effect was never quantified in the application. Chair Johnson added that he did not recall any testimony relating to this issue. The board indicated that no action was warranted on the cancellation charge.
- The board agreed to an effective date of the order of February 1, 2009.

III. Legislation/Rule Promulgation

- None

IV. Action Required

- Board staff will forward the finalized version of the order for Chair Johnson for his signature and return to the board office for filing with the Agency Clerk.

Robyn Barineau
Executive Director
December 19, 2008