

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In The Matter of : DOCKET NO. 910496-TP
Implementation of Florida :
Telecommunications Access : WORKSHOP
System Act of 1991 :

RECEIVED
Division of Records & Reporting

FPSC Conference Room 115
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399

JUL 23 1991

Florida Public Service Commission

Tuesday, July 16, 1991

Met pursuant to notice at 9:30 a.m.

CHAired BY:

RICHARD TUDOR, FPSC, Division of
Communications, 101 East Gaines Street, Tallahassee,
Florida 32399, Telephone No. (904) 488-1280.

ADVISORY COMMITTEE MEMBERS:

R. ROBERT DEMPSEY, Self Help for Hard of
Hearing People, 1 Kelly Bea Court, Ponce Inlet, Florida
32127, Telephone No. (904) 788-6365.

JACK SPOONER, IXC Representative, AT&T, 106
East College Avenue, Suite 1400, Tallahassee, Florida
32301, Telephone No. (904) 425-6340.

1 ADVISORY COMMITTEE MEMBERS (CONTINUED):

2 COURTNEY R. KELLEY, Florida Language Speech and
3 Hearing Association, 1553 East Indianhead Drive,
4 Tallahassee, Florida 32301, Telephone No. (904) 877-7492.

5 CARMEN TIBERIO, Florida Association of the
6 Deaf, Inc., Post Office Box 6166, Ocala, Florida 32678,
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8 DOUGLAS BULLARD, Florida Association of the
9 Deaf, Inc., Post Office Box 6166, Ocala, Florida 32678,
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11 HARRY ANDERSON, Coalition for Persons with
12 Dual Sensory Disabilities, 16 Barcelona Avenue, St.
13 Augustine, Florida 32084-5302, Telephone No. (904)
14 823-4654.

15 CECIL F. BRADLEY, Florida Council for the
16 Hearing Impaired, Florida School for the Deaf and
17 Blind, 207 North San Marco Avenue, St. Augustine,
18 Florida 32084, (904) 824-4300.

19 ROBERT C. WATTLES, Florida League of Seniors,
20 200 East Robinson Street, Suite 1200, Orlando, Florida
21 32801, Telephone No. (407) 843-6370.

22 NORMAN H. HORTON, JR., Florida Telephone
23 Association, 1311-A Paul Russell Road, Suite 102-A,
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1 ADVISORY COMMITTEE MEMBERS (CONTINUED):

2 KEITH MULLER, Deaf Service Center Association,
3 4850 West Oakland Park Boulevard, Suite 207, Ft.
4 Lauderdale, Florida 33313, Telephone No. (305) 731-7203.

5

6 FOR THE FPSC:

7 ALAN TAYLOR, Division of Communiations
8 MONIQUE CHEEK, Division of Communications
9 MARYROSE SIRIANNI, Division of Communications
CINDY MILLER, Division of Appeals

9

10 ALSO PRESENT:

11 CHARLES ESTES, Excutive Director, National
12 Association of the Deaf

12

13 PEGGY SCHMIDT, Florida Council for the
Hearing Impaired

14

FRANK WOOD, MCI Communications, Inc.

15

TOM GALEY, Sprint

16

LARAIN CIKOTA-RENTZ, AT&T
ANDY LANGE, AT&T

17

SHERRI LAMBERT, Gallaudet Regional Center

18

19 TONY LOMBARDO, Southern Bell
SHEILA EDENFIELD, Southern Bell

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SUSAN CITUK, House Regulated Service and
21 Technical Committee

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TRANSLATORS:

LUCRETIA CHILDERS
MICHELE REYNOLDS JACKSON
TONY C. BRAY
MARIANNE STEPHENS

REPORTED BY:

JOY KELLY, CSR, RPR
SYDNEY C. SILVA, CSR, RPR
Official Commission Reporters

P R O C E E D I N G S

(Workshop convened at 9:38 a.m.)

MR. TUDOR: Let's see, now. We have a new system here and we're going to see how it works. We'll need to ask everyone to keep separate conversations quiet or out in the hall as much as possible; because, with a central mike like this, of course, it will pick up not just the individual that is speaking into a separate mike, but also any noise in the room. So we need to be recognizing that that's there.

We have how many loops?

MS. SIRIANNI: We only have one.

MR. TUDOR: We only have one, okay.

MS. SIRIANNI: We have two but Mr. Pruitt has one, so. (Pause)

MR. TUDOR: Okay. I want to welcome everyone here again. It's good to see everybody again. I will again today pass around a sign-up sheet. If you have been here at previous meetings -- there's several blanks -- you don't need to fill in all of those, just put your name down and that would be sufficient. If this is your first time with us, I would appreciate your filling in all the blanks if you would, okay, and I'll just route that around.

Another thing I would like to mention is that

1 we also are recording the -- transcribing the meeting
2 today. And because of that, we need to make sure that,
3 especially this first time as the court reporters
4 become familiar with voices and faces, that you help
5 them out some. And if I could, let me ask you to
6 identify yourself every once in a while just to help
7 them out when you speak, until they get to know your
8 voice and your face a little better. Okay?

9 Also, let me see if we have any substitutions
10 and so forth on the Advisory Committee. Let's see, Jon
11 Rossman I don't believe is here.

12 Harry is here. Welcome back, Harry.

13 MR. ANDERSON: Nice to see you again, Richard.

14 MR. TUDOR: I have not heard from Keith.

15 There is no one here, I believe, substituting for him.
16 His plane may just be late getting here. And Carmen
17 and Doug. And, let's see, Cecil is here for Don
18 Rhoten, is that correct?

19 MR. BRADLEY: Yes.

20 MR. TUDOR: And Courtney and Bob Wattles.
21 And Doc Horton, I'm not sure. Doc, for those of you
22 who may not be aware, Bill Feaster has resigned from
23 the committee and in his place is Doc Horton, who will
24 be taking his place.

25 And Jack Spooner and Bob Dempsey.

1 Let's see, we have another guest that I've
2 asked Peggy to introduce for us.

3 MS. SCHMIDT: I'm very happy to introduce a
4 person who has been invited here by the Florida
5 Association for the Deaf President, I believe. The
6 Executive Director of the National Association of the
7 Deaf, Mr. Charles Estes, has come down here from
8 Washington today and I would like to introduce him.

9 MR. ESTES: Thank you. (Applause)

10 MR. TUDOR: The primary purpose of our
11 meeting this morning is for us to identify and try and
12 finalize the RFP as much as possible. We have the RFP
13 in, I think, pretty good shape. The next step after
14 today will be to present the RFP to the Commissioners;
15 and then, once the Commissioners are satisfied with the
16 RFP, then our next step will be to issue the RFP and
17 ask bidders to submit proposals on the RFP. And

18 then, of course, we'll go through the
19 evaluation process. And then towards the end of the
20 year we'll come back to the Commissioners with a
21 recommendation, and the Commissioners will decide on
22 who the provider of the service will be. And then, of
23 course, the time schedule will be then for the provider
24 to begin setting the system up and to have it in place
25 by no later than June 1st, 1992.

1 So that's our general work plan.

2 What I would like for us to do today, then,
3 is to ask the Advisory Committee to identify any points
4 in the RFP that you feel should be added or changed or
5 deleted. And what I would like to do is make a list of
6 those; and then, after we have a list, then go back and
7 take each of the items one at a time and ask that the
8 Advisory Committee members vote on those issues.

9 Then, when the Staff presents its
10 recommendation to the Commissioners, we will identify
11 the Advisory Committee's position on each of those
12 issues.

13 There, of course, may be some places where
14 there's a disagreement between Staff and the Advisory
15 Committee, and we want the Commissioners to be aware of
16 those. And so that's our main purpose today is to
17 identify any points of disagreement.

18 Welcome, Keith.

19 MR. MULLER: Good morning, welcome.

20 MR. TUDOR: So what I would like to do then
21 is to try to identify those points. All of our
22 discussion so far has been to get us to this draft RFP
23 that we have now. But today, I would like for us to
24 identify issues and then take those issues and ask the
25 Advisory Committee to give us your position as a group

1 members as individuals, or any other individual that
2 would like to speak. It's an open meeting.

3 And the Commission, of course, has lots of
4 business on that day in addition to this RFP, and so
5 they may need to ask you to limit discussion if a lot
6 of people would like to talk. But the Commission will
7 try to get input from the audience on any issues you
8 would like to discuss.

9 So the Agenda on July 30th begins at 9:30.
10 We will ask that this be the first item for discussion.
11 We will try to do that so that people will be able to
12 not have to stay here for the entire day; because the
13 Commissioners, on these Tuesday Agendas, generally meet
14 from 9:30 to late in the afternoon because they may
15 have 20, 30 or 50 items to decide on at a given Agenda
16 Conference.

17 So we will try to ask that this be the first
18 item or at least very early in the morning to deal with
19 that.

20 Let's see if I can think of any other
21 preliminary matters I need to mention to you. Of
22 course, we have the court reporters will be
23 transcribing today's meeting and that will be
24 available. We are working on minutes from our previous
25 meetings, and we will distribute those when those have

1 been completed. We hope we will be able to transcribe
2 fully all of our future meetings.

3 Again, as we discuss today, if you would try
4 to identify yourself to help the court reporters know
5 who is speaking. And with that, what I would like to
6 do now is just to begin compiling a list of issues
7 where you may disagree or want to add something to the
8 July 3rd draft of the RFP.

9 So, with that, before maybe we begin that
10 list, let me see if there are any other preliminary
11 matters that anyone else would like to raise?

12 Okay. If not, let me see if -- Oh, Cecil?

13 MR. BRADLEY: Excuse me, Mr. Tudor. I was
14 wondering if I might be able to have a copy of the last
15 draft.

16 MR. TUDOR: We have some extra copies of the
17 RFP if you do not have one. (Pause)

18 If I could, to assist the court reporters, I
19 guess what you need to know is which interpreters might
20 be voicing? Do you need to know that?

21 THE REPORTER: Only if they voice as their
22 own input.

23 MR. TUDOR: Okay.

24 THE REPORTER: If they are strictly
25 translating, I need to know for whom they are

1 translating.

2 MR. TUDOR: Okay. So if you're voicing for
3 someone, if you would, make sure that the court
4 reporter knows who that is. And let me ask you also
5 that if you need some help in some other way, just stop
6 us and we'll try to accommodate.

7 THE REPORTER: Thank you.

8 MR. TUDOR: Very good. All right, with that,
9 then, what I would like to do is to hear from the
10 Advisory Committee members any issues that you would
11 like to see changed from the July 3rd draft of the RFP;
12 and then we'll compile that list and then we'll proceed
13 from there to get Advisory Committee vote on those.

14 Mr. Dempsey?

15 MR. DEMPSEY: It may be in here, but I
16 haven't been able to find it. If someone takes their
17 TD with them traveling and they stop to a motel and
18 they have a credit card and they make a call, are they
19 going to receive their 50% discount?

20 MR. TUDOR: Let me look at that section and
21 see if there's a --

22 MR. DEMPSEY: I couldn't find it specifically
23 there, it may be covered, I don't know.

24 And on that same credit card, what if they're
25 traveling with, well, their spouse, and the spouse uses

1 voice making a long distance call. How do you
2 distinguish in the billing and are you going to receive
3 the 50% discount for the TDD call and, of course, not
4 for the regular voice call?

5 MR. TUDOR: Okay. Let's explore that a
6 second. I'm looking at Page 38.

7 MR. DEMPSEY: 38.

8 MR. TUDOR: There is -- of course, the
9 discount does go to both a voice or a TDD caller.
10 Anyone using the relay system. So whoever would
11 normally be billed for the call -- which is usually the
12 person that originates the call, as a general rule --
13 but whoever would be responsible for the bill on the
14 call, if it's through the relay system, the 50%
15 discount would apply.

16 So, you know, that would not be a problem as
17 long as the relay system is being used.

18 MR. DEMPSEY: Okay.

19 MR. TUDOR: Now, if it's a person traveling --

20 MR. DEMPSEY: And using a credit card, that's
21 what I'm throwing in another little hooker in that.

22 MR. TUDOR: Yes. But it would still be using
23 the relay system. And so any call through the relay
24 system would have to end up being billed at the
25 discounted rate so I don't see anything in here that

1 would preclude that.

2 MR. DEMPSEY: Well, I know, I'm sure that the
3 intent is to do it but will it be done? That's the
4 question. Is the procedure in there to make sure that
5 it is done, will be done? I know the intent is there
6 to do it.

7 MR. TUDOR: Yes. Yes. We could certainly
8 try to expand the words enough to clarify that that's
9 the intent. But certainly, that is the intent. And I
10 don't know that there's any concern with that being
11 done. Whether you're at your house or whether you're
12 traveling, that's the intent; so we could add that as a
13 clarification, perhaps.

14 We have several, Doug?

15 MR. BULLARD: Doug Bullard. I've made many
16 calls from hotels to TDD 800 numbers and the motels
17 never have charged me for the use of the 800 call. So
18 as long as the relay system is using the 800 number,
19 when I call the 800 number relay system, the motel will
20 not charge me for my party using the call.

21 MR. DEMPSEY: That's not the issue.

22 MR. TUDOR: Yeah. I think it's a little
23 different. If you're talking about a local call from a
24 hotel, then there should not be any charge so there
25 would not be a concern with the discount. But when

1 you're making a long distance call and when it's a
2 credit card call, then the discount would apply.

3 MR. DEMPSEY: The issue is nothing to do with
4 a hotel. I'm staying at a friend's house. I'm going
5 to use a credit card and make a call, wherever it's
6 from.

7 MR. TUDOR: Yes.

8 MR. DEMPSEY: That's my question. Am I going
9 to get the 50% discount? And that same credit card is
10 used by my spouse right after I call to make a regular
11 voice-to-voice call which should not receive the 50%
12 discount --

13 MR. TUDOR: Right.

14 MR. DEMPSEY: -- all I want to make sure is
15 that we're straight and that the people who use a
16 credit card will receive the 50% discount. I know the
17 intent is yes, they will. But is the fixture in there
18 to make sure it's done? Device, or whatever you want
19 to call it?

20 MR. TUDOR: Keith?

21 MR. MULLER: It seems to me rather clear in
22 the second sentence, whether it's a voice or a TDD user.

23 MR. TUDOR: Right.

24 MR. MULLER: -- there's a 50% discount. The
25 next sentence is somewhat vague in that it specifies

1 "shall apply to TDD calls of the visually impaired."
2 You may want to reword that to reemphasize the discount
3 no matter who accesses the system, by rewording that,
4 "An additional 10% discount shall apply to calls to or
5 from a visually impaired person using a TDD Braille
6 machine," something like that. I don't know how that's
7 going to be identified, but otherwise those two
8 sentences contradict each other regarding the discounts
9 to either party.

10 MR. TUDOR: Yes. And that was unintentional,
11 and we'll correct that. Getting back to -- well, Peggy
12 had a comment on that.

13 MS. SCHMIDT: As I understand Bob's concern,
14 it's based on previous discussion in Florida Council
15 for the Hearing Impaired meetings about the discount
16 that currently applies to TDD users. And I think a
17 clarification for the persons that are discussing the
18 issue may be in order.

19 The current discount is given to the
20 individual who is billed by the company that sends you
21 your bill. The relay center will be applying the
22 discount before they send the bill to the billing
23 company, so that the 50% discount will happen without
24 any identification of how the call was placed or from
25 where it was placed.

1 MR. TUDOR: Okay. That distinction may help
2 because the current TDD discount applies to the -- is
3 it to the person?

4 MS. SCHMIDT: It's really to the number --

5 MR. TUDOR: To the phone number --

6 MS. SCHMIDT: -- from which the calls are
7 placed.

8 MR. TUDOR: Whereas this will apply to
9 whoever is using the relay system. So if the call is
10 going through the relay system, the discount will
11 apply. I think that may be the key difference there.
12 Okay?

13 MR. WOOD: Frank Wood with MCI.

14 While we're on these billing arrangements and
15 issues, there's a provision in here that says the
16 provider must validate the calling cards of other
17 interexchange carriers. And there's some problems with
18 that, I think, with all the common carriers in that my
19 calling cards are proprietary database so Sprint
20 doesn't have access to it nor does AT&T and, you know,
21 and vice-versa. So it puts us in a problem here
22 imposing a requirement that we simply, you know, cannot
23 do.

24 MR. TUDOR: We have talked about that a
25 little bit. The word that's in that on Page 38

1 Paragraph 28 talks about all interexchange company
2 calling cards, and the word "all" we've had some
3 concerns about ourselves.

4 We want this system to be as much like a
5 voice-to-voice call system would work. It's not always
6 true to on a voice call that every carrier will accept
7 everybody else's calling cards. There may be a company
8 that issues a calling card in the state of Washington
9 or something that a Florida interexchange company may
10 not accept, whether it be a relay call or a voice call.
11 And I'm not exactly sure how to say that.

12 We certainly want credit cards to be accepted
13 to the same extent they are accepted on voice calls.
14 Do you have a suggestion on a better way to say that?
15 It's always easier to identify the problem than it is
16 to fix it.

17 Do you have a suggestion on what's a better
18 way to say that?

19 MR. WOOD: No. I'm not sure that I am ready
20 to present something right now, but I can get something
21 to you that I think we might be comfortable with. And
22 maybe Jack and I can get together with some common
23 accord with carriers.

24 MR. TUDOR: The purpose would be to make the
25 system work the same, whether it's a relay call or

1 voice call, voice-to-voice. And so we want it to be
2 the same. We want it to be equivalent, and so we would
3 want wording that would certainly make it equivalent to
4 the voice system. But we have had that same concern
5 with the word "all" there because not all credit cards
6 are accepted today in all situations. Okay.

7 MR. WOOD: We'll get a response back to the
8 committee.

9 MR. TUDOR: If you can suggest some wording
10 that we can look at.

11 Okay. All right, let me -- does that pretty
12 well --

13 MR. DEMPSEY: I hate to complain, but your
14 system isn't working very well. On a scale of one to
15 10, I'd give it about a two or three. I couldn't hear
16 anything he said. If I really watch your lips, I have
17 to read your lips more than hear. The system isn't
18 working too well. If I can't get their lip reading, I
19 can't hear.

20 MR. TUDOR: Okay. Let me remind everyone
21 that we do have this central microphone and so we'll
22 have to ask perhaps if you're speaking to stand? That
23 may help. And maybe come towards the table a little?
24 That will help. And we'll continue working on this
25 system and see if we can improve it. If we need to go

1 to separate mikes, that may be the -- that's probably
2 the biggest problem is having a central microphone
3 instead of individual microphones?

4 MR. DEMPSEY: Maybe it's just that I can't
5 hear. (Laughter)

6 MR. TUDOR: But we'll try to have everyone
7 stand, if you would, when you speak. That will help, I
8 think.

9 Okay. If we could, then, what I would like
10 to do is to ask any of the Advisory Committee members
11 that have issues that you would like to raise in way of
12 differences with what's in the July 3rd draft? Keith?

13 MR. MULLER: After our last meeting, I was
14 concerned about the decision that we made to delete the
15 section on the provider needing to have community
16 outreach. Mr. Tudor suggested to us that the way he
17 read the legislation, community outreach is the
18 responsibility of the administrator.

19 I did some thinking about that and came to a
20 conclusion that I think both are needed. The
21 administrator needs to continue the outreach that was
22 already begun by SCH1 in telling people that the
23 equipment distribution program is alive and well in
24 Florida and to provide training on how to use the
25 equipment that is distributed.

1 I think the legislation would also require
2 that the provider do outreach in terms of how to use
3 the relay system and to get people familiar with the
4 relay system, both the communication impaired and the
5 noncommunication impaired, as we're calling it.

6 So I would like to revisit that issue and
7 reinsert in the proposal the community outreach
8 component as a very vital part of our state's relay
9 service, maintaining the fact that the administrator,
10 in addition, has to continue their outreach to help
11 people learn about the free equipment that our state
12 distributes. That's one of the points I'd like to
13 raise, among others.

14 MR. TUDOR: Okay. Keith, I may have said
15 this before you came in, I'm not sure. What we're
16 going to try to do is identify a list of issues --

17 MR. MULLER: Okay.

18 MR. TUDOR: -- and then try to get the list.

19 MR. MULLER: All right.

20 MR. TUDOR: And then go back and ask the
21 Advisory Committee as a group to vote on those issues.

22 MR. MULLER: Let's go down my list, then.

23 MR. TUDOR: If we can, we'll identify that as
24 an issue. Doug has a point.

25 MR. BULLARD: I was thinking that an

1 intelligent phone company would be very aggressive and
2 enthusiastic in preparing a community contact to be
3 more creative, to have fun with the calls, be able to
4 use the calls more effectively.

5 MR. TUDOR: There is certainly going to have
6 to be an outreach program and the only point here is
7 who does it? In many states, there is not an
8 organization like the administrator that is set up by
9 the Florida law. And because of that, it, of course,
10 falls to the provider to do the outreach.

11 But in the Florida law, it is written that
12 there will be an administrator created and it has
13 certain jobs. One, of course, is the TDD and other
14 equipment distribution. And another is, of course,
15 paying the bills to the provider for the relay service.
16 And then another job of that administrator is outreach.

17 So it's set up, Florida is set up a little
18 different than some other states may be. But
19 certainly, the outreach has to be done; I don't think
20 there's any question about that.

21 Okay. We've identified that as an issue.
22 Keith?

23 MR. MULLER: As an addendum to that, if we
24 reinsert the community outreach component, then we also
25 have to reinsert the section in the evaluation form for

1 points about that section. And again, I would like to
2 see those points added on that feature higher than was
3 first given.

4 Another issue on the definitions, our Council
5 had agreed to adopt a definition of voice carryover and
6 hearing carryover. The way the draft has come down
7 would indicate that one carryover would be for those
8 who cannot hear and one carryover would be for those
9 who cannot speak. And I think that's a false
10 assumption. There will be hard-of-hearing people who
11 will be able to hear over the telephone but who may not
12 be able to speak intelligibly, as opposed to singling
13 it out to a speech- or hearing-impaired issue.

14 So I would request that we go back to the
15 proposed definition of last meeting where we talk about
16 "communication-impaired" user instead of specifying if
17 it's a speech-impaired or hearing-impaired user,
18 because you're going to be limiting, in terms of
19 training, training incorrectly, if you say one is for
20 those who cannot speak and the other is for those who
21 cannot hear. They could cross over quite easily.

22 MR. TUDOR: One of the things I was trying to
23 do there was a point was made by someone that a person
24 is not communications impaired --

25 MR. MULLER: Well, we changed it to "hearing-

1 or speech-impaired caller," that's what we agreed to
2 last time. "The hearing/speech impaired caller" in our
3 discussion.

4 MR. TUDOR: Okay, Keith, is what you're
5 trying to do is to add to the statement -- for example,
6 in Hearing Carryover, it says a feature enables a user
7 with a speech impairment, and then it goes on -- to say
8 with a "speech or hearing impairment"?

9 MR. MULLER: Yes. It's for both
10 constituencies. It's not an exclusive kind of thing.

11 MR. TUDOR: Okay. I didn't mean to cause
12 that kind of problem with that. So we can certainly
13 make that say, "speech or hearing impairment." I don't
14 have any problem with that. I didn't intentionally try
15 to --

16 MR. MULLER: Right. I think it wasn't
17 intentional, I think it's just a misunderstanding of
18 the feature.

19 MR. TUDOR: Then we do the same thing with
20 voice carryover.

21 MR. MULLER: Voice carryover.

22 MR. TUDOR: Okay.

23 MR. MULLER: The question I would have next
24 would be for the Council and for the companies to see
25 if the 55-word-per-minute typing requirement is higher

1 than needs be. Is it going to create a difficulty in
2 finding operators? If not, we'll leave it at 55;
3 because the better the typist, you know, the better the
4 service. But I'm thinking of the providers in terms of
5 the pool of people that could be hired. Are there
6 significant numbers out there that can type 55 words per
7 minute, you know, or should we lower it somewhat to 45?

8 If that's not an issue, we can just move on.
9 But I had that thought. It should be visited, I think.

10 MR. TUDOR: Do you have a --

11 MR. ANDERSON: I have a question.

12 MR. TUDOR: Harry.

13 MR. ANDERSON: I just wanted to, can you hear
14 me okay, Bob? This is Harry Anderson speaking. I want
15 to add to the discussion on what Keith was saying about
16 55 words per minute.

17 I had the wonderful experience of using the
18 Minnesota relay system. I function as a hearing person
19 rather than a deaf person and I use the MRS. And I
20 could hear the operator use the TDD. And I was a
21 pretty fast talker, and I found out that the TDD
22 operator asked me to slow down. So I don't know
23 whether the operator couldn't type fast enough? Or
24 something we have to take into consideration is, is the
25 TDD equipment itself designed to print out or follow --

1 some typists can type 125 words per minute. Now,
2 that's something that we think about: if you lower it,
3 you might frustrate the hearing person who is trying to
4 speak over the phone.

5 So maybe 55 words per minute is a reasonable
6 rate than 35, that's a little bit slow. But any person
7 who wants to take and get a job working for a state or
8 county or city, the minimum typing requirement is 35
9 words per minute, so I don't think that 55 is an
10 unreasonable request because many of the TDD operators
11 type very well at 55.

12 MR. TUDOR: Let me identify that as an issue.

13 MR. MULLER: When I use the equipment that
14 SCHI distributes and I type, I have to wait sometimes
15 for the machine to type the rest of my message to the
16 person I'm calling. There may be, on the opposite end,
17 a need to require that the operator not type faster
18 than a certain speed of words per minute. Because if
19 the operator is going to type as fast as is humanly
20 possible, there could be a long pause between the time
21 the operator types and the deaf person receives on his
22 or her TDD the message, which then would create a lull
23 in the process of communication, which would then allow
24 the hearing user to say to the operator, "What's going
25 on? Why is there a delay?" That type of thing. And

1 we may want to look at that issue and leave it alone or
2 may want to say we don't want the typist to type faster
3 than the machine itself can spit out what they are
4 typing.

5 MR. TUDOR: Well, whether the operator slowed
6 down or not, if the operator slowed down just to the
7 maximum speed that the TDD could handle, the message
8 would not be received any faster or slower, would it?

9 MR. MULLER: There just wouldn't be a lull, a
10 waiting period. I have to wait sometimes 5 to 10
11 seconds until the TDD finishes processing the message.

12 MR. TUDOR: You as a typist. As a typist.

13 MR. DEMPSEY: Bob Dempsey.

14 That whole Page 25 and 26, the operator
15 qualifications I think is a little ambiguous.

16 Basic skills and English grammar maybe this
17 is the way we want it; I'm just questioning maybe I
18 don't understand, it's me. But basic skills and
19 English grammar. What is that? That's very ambiguous
20 to me. What do you mean by basic skills and English
21 grammar? What is that?

22 MR. TUDOR: We talked some at one of our
23 first meetings about trying to identify a specific
24 test, but what we're talking about here is that we do
25 want the provider to test their operators and that

1 those tests would include basic English grammar skills.
2 It's not a specifically defined test.

3 MR. DEMPSEY: If you are leaving it up to the
4 bidder to say, "I'm going to use the Princeton so and
5 so test for basic English skills." We just talked
6 about the typing and we can question that. And then
7 minimum spelling skills; proficiently and quickly,
8 easily spell words comparable to the beginning college
9 level conversation. Again, this is grammar to me,
10 except for adding spelling along with it, and I guess
11 what we're trying to do, and correct me if I
12 misunderstand, we're telling the bidder, we're making
13 this purposely ambiguous; you, the bidder, come in and
14 tell us how you are going to accomplish it. Is that
15 what you're trying to do?

16 MR. TUDOR: Yes. We would leave it to the
17 bidder to set up those testing standards. And if along
18 the way a provider does not, in our opinion, provide
19 adequately for testing, then we would ask them to
20 adjust their testing techniques.

21 MR. DEMPSEY: The other question that I had
22 was ethic. What is that?

23 MR. TUDOR: I think -- I haven't sat down and
24 tried to design a test.

25 I think you might ask an operator questions

1 about how they would respond to certain situations, and
2 if you didn't get adequate answers, it might result in
3 your needing to further train that operator. There may
4 be some situation come up and you would want the
5 operator to be transparent in the conversation. It may
6 have to deal with not something going on during a
7 conversation but perhaps discussions with other
8 operators at a break or any of those kinds of
9 situations that could arise; it would be just to simply
10 test the operator to make sure they have an
11 understanding of what their requirements are in terms
12 of dealing with content of conversation, things like
13 that. It would be a way of testing an operator to make
14 sure they understand the operating procedures.

15 MR. DEMPSEY: Okay. We had. Before we left
16 this second, I have two issues so far.

17 One is on the outreach, and the second is on
18 Keith's comments on the typing speed.

19 Keith, do you have a suggestion on the -- we
20 need to have an alternative to the 55. Do you have a
21 number you would like to suggest?

22 MR. MULLER: I thought we would take
23 advantage as we have been doing of the companies around
24 the room who operate systems to see what their
25 words-per-minute requirement is and how it is working

1 and use that as some basis to make a decision.

2 MR. TUDOR: So when we come back to that
3 issue, we'll take some comments on something until we
4 come to a number that we can vote on.

5 MR. BULLARD: The National Association of
6 the Deaf has been working on developing a test for
7 relay operators. NAD has been working with other NTDI
8 organizations in developing that kind of a test.
9 Perhaps Mr. Estes can help us with that.

10 MR. ESTES: Doug, they are talking about
11 evaluation of an operator. There are assistant
12 training programs both by providers and outside
13 vendors. A number of organizations have developed an
14 appropriate training packages for operators. NAD also
15 has developed an evaluation system for operators.
16 We've already seen, because of our mobile society,
17 operators from one state moving to another, and a
18 number of people are discussing the day it is desirable
19 for an independent organization to evaluate and perhaps
20 even certify an operator, and the service provider in
21 the individual states make use of or make judgments
22 based on that certification that the operator may have.

23 MR. TUDOR: Okay. I have identified two
24 issues, the outreach and the typing speed.

25 MR. MULLER: Just one more.

1 MR. TUDOR: Okay.

2 MR. MULLER: On the section on complaint
3 resolution, it suggests we keep complaints on file for
4 three years. If indeed the contract is for four years
5 or five years I would suggest we keep the complaints on
6 file until the end of the contract period as a way of
7 reviewing how the provider did.

8 And the last question I had was on -- two
9 more questions actually. Referring back to the
10 outreach program, if we reinsert that, then, of course,
11 I would like to revisit the idea of the provider
12 preparing a demonstration tape as a specific
13 requirement for training purposes. A demo tape is very
14 effective in helping older hard-of-hearing people see
15 the system in operation; more effective than trying to
16 communicate or write down what is going on. But the
17 other question was I am sorry I arrived late. The
18 plane was late. Did you discuss interstate yet or not?

19 MR. TUDOR: No. Can I just ask you, when you
20 say a demo tape you're talking about like a video tape.

21 MR. MULLER: That is portable, that could be
22 available for the Florida association of the deaf, any
23 of their affiliate chapters in the state, deaf service
24 centers, to vocational rehabilitation, to high schools
25 that they could show to their students and potential

1 users how the relay system works.

2 MR. TUDOR: Thank you.

3 MR. MULLER: So then interstate, I scanned
4 through the legislation last time and have been
5 delinquent, I didn't go through it with a fine-tooth
6 comb since our last meeting, but is interstate truly
7 prohibited?

8 MR. TUDOR: It is certainly not clearly
9 expressed in the statute. There is no question. You
10 will not find anything that's very clear on that issue
11 in the statute. There is some general language in the
12 economic impact statement that the legislative Staff
13 prepared that talks about how the Florida system is an
14 adjunct or associated with an interstate system that's
15 required by the ADA. That's the closest you come to
16 anything that helps you on clarification.

17 I have talked with the legislative Staff
18 member that worked on the language and it is her
19 position that it was written with the idea that this
20 would be an intrastate system with the interstate
21 system coming through the federal program. That's
22 about as clearly as I can express that.

23 MR. MULLER: Then I would like the council
24 members to consider strongly the idea of putting, at
25 least, before the Commissioners, our opinion that for

1 the first year the surcharge that it has collected
2 could be used to pay for the cost of the interstate
3 system, and to then adjust that in the second year
4 following or subsequent to the FCC formula that is
5 developed regarding how to fund interstate phone calls.

6 I don't think we want to open a system that
7 will not provide interstate calls, and I don't think we
8 want to ask a provider to have to eat those costs, and
9 then try to somehow conceal the costs. I would rather
10 have it up front and have the surcharge recommended by
11 us used for that purpose for one year. And then if the
12 Commissioners look at the legislation and state they
13 can't do that legally, then they can decide whether or
14 not to find another way of providing interstate or they
15 can say no, which is their authority. But I think the
16 counsel here, from all of our discussions, believe
17 strongly in providing an interstate system, and since
18 the legislation is very vague about this, let's take
19 advantage of that and put that in our proposal.

20 MR. TUDOR: Thank you.

21 MR. BULLARD: Mr. Estes recently told me that
22 the FCC has already written those new regulations,
23 interstate, and we should get a copy of that in a few
24 days.

25 MR. TUDOR: Mr. Estes, may I ask you a

1 question?

2 MR. ESTES: Yes.

3 MR. TUDOR: I know that the -- I think that
4 the FCC voted last week on their rules.

5 MR. ESTES: First day.

6 MR. TUDOR: Did they, in their vote, as far
7 as you know, identify a start date for when they would
8 start funding interstate calling?

9 MR. ESTES: No, no.

10 On the question of funding, one of the
11 Commissioners raised the question is there a provision
12 for adequate funding in the regs. The Commission went
13 as far as to say that they were working with individual
14 states if lack of funding became an issue.

15 The Commission is very supportive of the
16 concept of universal service. The approval of the
17 final rates was unanimous.

18 MR. TUDOR: So is there anything there that
19 you think would cause us to believe that interstate
20 funding may be available before July of '93?

21 MR. ESTES: No. The regs are written were
22 not released to the public. Only the Staff and the
23 Commissioners have that. You should have the regs in a
24 few days yourselves. But I haven't seen them. The
25 Staff didn't discuss with the public what's in the

1 regs.

2 MR. TUDOR: Yes. We have been trying to
3 watch very closely what they have done and we've just
4 not been able to get much detail from them yet either
5 over the telephone.

6 MR. ESTES: If I may say so, I would agree
7 with what the gentleman said, in the RFP it should make
8 provisions for interstate service to start with. The
9 language of ADA is very clear. The intrastate cost
10 will be gathered -- surcharges is one method that
11 Florida has chosen. The interstate cost will be
12 interstate means. I would recommend that interstate be
13 kept in the present RFP and leave it to the Commission
14 to find ways to fund that extra cost. The Commission
15 has the authority.

16 MR. TUDOR: Thank you.

17 MR. TIBERIO: I propose that we put it in now
18 and not waste time discussing it anymore.

19 MR. TUDOR: Okay. Cecil.

20 MR. BRADLEY: I agree that the basis that
21 we're a free country; therefore, we have the right to
22 call long distance and make contacts, if we can.

23 MR. MULLER: He's supporting the long
24 distance. I know.

25 MR. TUDOR: Are there additional issues? I

1 have five we've identified so far. Doug.

2 MR. BULLARD: I notice you forget to put in
3 that we want the relay center, where we want the relay
4 center in Florida? I don't see it anywhere up here.

5 MR. DEMPSEY: I can't hear you at all.

6 MR. TUDOR: The question that --

7 MR. BULLARD: I see that there is no mention
8 that we desired to have the relay system to be in the
9 state of Florida.

10 MR. TUDOR: Yes. The issue is whether the
11 RFP should require that the center be located in
12 Florida, and, Doug, the reason it's not there, that is
13 a point of disagreement. I do not agree that it should
14 be mandatory that it be in Florida, and so let me list
15 that as another issue and have the advisory committee
16 vote on the issue.

17 MR. DEMPSEY: I thought we were going to put
18 that ask for it, to put it down, the cost; if it costs
19 \$3 million more to have it in Florida than in Georgia
20 or some other state, Alabama or whatever it may be, we
21 wanted to be able to see that cost and determine
22 whether that cost was worth having it here or not.

23 In other words, I know what Doug is driving
24 at, some jobs here. But if it costs 5 million more to
25 create four jobs, we might better give the people each

1 a million dollars and every year after that we'll be
2 saving money. I know legally we can't do that but
3 that's what we're inclined to sometimes -- penny-wise
4 and pound-foolish.

5 One of the questions I have, you have weights
6 here on these things.

7 MR. TUDOR: Yes.

8 MR. DEMPSEY: New technology, I'm questioning
9 whether that is weighted enough. And then you have
10 this interstate billing. But interstate cost, whether
11 that is weighted or not, I believe that we should have
12 interstate without -- without costing the deaf extra.
13 And how we do it, we left it as as I understand it -- I
14 didn't get all of this conversation, I haven't been
15 able to follow. I may be repeating someone. But I
16 thought two things: One, we were going to leave it up
17 to the companies to come in, whether they would finance
18 it or how but come in. That's why I'm saying the
19 waiting is important because if we leave it up to the
20 companies and the one who comes in with the best will,
21 of course, naturally get more points and more credit
22 towards getting the contract.

23 MR. TUDOR: Do you have a specific suggestion
24 on how much weight you would like for those to have?

25 MR. DEMPSEY: I don't know. You seem to have

1 25, 50 and 100; you never touched 75. Let's go 75.

2 Let's put it down once.

3 MR. TUDOR: Okay.

4 MR. DEMPSEY: I have to figure off the top of
5 my head.

6 MR. TUDOR: Anyway that's more weight.

7 MR. DEMPSEY: And the other is new
8 technology. I'm not sure myself. I'd like the rest of
9 the advisory committee to speak up how they feel if new
10 technology is weighted enough or whether we should be
11 weighted higher. How important is it to them, for the
12 rest of the members. I think of it as important. They
13 may not.

14 MR. TUDOR: Okay. But anyway a higher
15 weighting.

16 MR. DEMPSEY: Are they interested in changing
17 them.

18 MR. TUDOR: Okay. Harry.

19 MR. ANDERSON: Thank you, Richard. This is
20 Harry speaking.

21 If I understood the legislature said that the
22 surcharge will be a minimum of a nickel and the maximum
23 is 25 cents.

24 Am I correct to think that setting up like I
25 hear wanted, everything under the sun, from having the

1 relay center here in Florida plus all the new
2 technologies and all that, am I understanding it right,
3 that the operation of the relay system in the state of
4 Florida must fall within 5 to 25 cents. I mean is that
5 the funding we're looking at to with you to set up the
6 relay system?

7 MR. TUDOR: Harry, if I can just clarify
8 something that does not really -- I think a big issue,
9 but you said the 5 cents is a minimum. To be very
10 specific, the law calls for the 5 cents to begin being
11 charged July 1. I don't believe there is anything that
12 would prohibit us from charging less than 5 cents later
13 on if that seemed to be appropriate. I don't know that
14 that would ever happen, but just as a technicality I
15 don't think it requires that you never charge less than
16 5 cents. That's a minor point.

17 MR. ANDERSON: I tried to make myself clear.
18 I was saying that the money coming in -- I mean to
19 provide a relay system in the state of Florida comes
20 from surcharge alone, like buying TDDs and training
21 operators, and setting up the program, community
22 outreach; all of that is based on the money that comes
23 in surcharge alone? Or is there another source of
24 funding that we can use if we needed to?

25 The reason I'm concerned about that is there

1 is a clause there that gave the PSC the authority to
2 suspend temporarily any relay system if the funding is
3 beyond what we can afford, if I'm correct on that.

4 What I was trying to find out is to help the
5 Advisory Committee weighs -- one wants to establish a
6 relay system center here in Florida. Somebody else --
7 says, "I want technologies." And the responsibility is
8 going to fall on the review -- for the Review Committee
9 to weigh that if we're looking at using the surcharge
10 as our base, then the Advisory Committee will have to
11 -- would be the important priority like. We should
12 have interstate phone call; we should have a relay
13 system here, we should prioritize. But I need to have a
14 very clear understanding where is the money coming
15 from? Is the money coming from the surcharge itself in
16 order to have all the things we want? That was my
17 question.

18 MR. TUDOR: Harry, certainly the surcharge is
19 the primary source of revenues.

20 There is language in the statute that talks
21 about how the fund may also use -- I believe it
22 mentions grants, so yeah, there may be possibly other
23 sources of funding, such as a grant, that might come
24 into the fund itself.

25 But the primary source of funds will be the

1 surcharge. There would be some -- there could be some
2 interest income, for example. If there's a balance in
3 the fund there could be some interest. So that and
4 grants, I believe the statute mentions gifts and
5 donations, those sorts of things could be also in
6 there.

7 There could be funds in the operating fund
8 from -- well, for example, the TDDs, there is nothing
9 in the statute that requires that those either be free
10 or at some leased price. So, for example, if the
11 system were to decide to lease TDDs for maybe a small
12 fee, that possibly could be a source of revenues.

13 I don't know of any other sources but I think
14 by far the surcharge will be the major source of
15 revenues.

16 MR. ANDERSON: Thank you, Richard, that's
17 what I needed clarified, because I have a feeling that
18 the Advisory Committee is going to have to really set
19 some priorities saying well we -- clearly we need the
20 outreach program, very clearly.

21 And second, it's very desirable to have the
22 relay center set up here in Florida. But I think we
23 all have to use our good judgment and I feel that the
24 Advisory Committee should really weigh in, try to put
25 some of the most expensive items on the list as a

1 priority to make it easier for the bidders and the
2 Review Committee and PSC and our pocket money.

3 MR. TUDOR: Thank you, Harry.

4 MR. BRADLEY: I'd like to make a comment. I
5 thought the Advisory Committee should lean towards the
6 concept of having the center in Florida on the basics
7 of the economics. Who wants to send money out of state
8 where the tax -- excuse me, where we can hire people
9 here in Florida to get the money back from the tax
10 system to keep in Florida. This makes a lot more sense
11 to try to keep as much business in Florida rather than
12 having it out of state, where I've noticed other states
13 are looking at similar directions to try to keep as
14 much business within the state as much as possible.

15 MR. TUDOR: Doug.

16 MR. BULLARD: Doug Bullard. At this
17 scenario, this contract we signed for five years, we
18 have this with the company and they decide to use
19 another state for the center where they have a, let's
20 say, two-year contract, you know, this center, in two
21 years where will we be? That's why I want the center
22 to be here where we have some control.

23 MR. TUDOR: Mr. Tiberio.

24 MR. TIBERIO: We voted on this at the last
25 meeting. It was very positive. I don't understand why

1 it's not in here now. We're going to end up discussing
2 this over again.

3 MR. TUDOR: Carmen, basically the meetings we
4 have had to date have been to try to take comments from
5 everyone and to compile the RFP we have gotten to so
6 far.

7 The purpose of today's meeting would be to
8 try to make up this list of issues and have the
9 Advisory Committee vote as a group. That was one of
10 the reasons in the letter to you about this meeting, I
11 tried to emphasize it was important for everyone to be
12 here, so that we could get everyone as much as possible
13 here, and actually vote on the issues.

14 We don't necessarily need to have a lot of
15 discussion once we identify this list of issues, but we
16 would want to have the entire committee vote. We
17 haven't actually taken votes on a lot of the discussion
18 we have had. In a lot of cases there seemed to be
19 general agreement but we haven't tried to every time we
20 make a single word change take a vote on it. But I
21 wanted us to use today's meeting to try to identify
22 these kinds of issues and actually have a vote on them.

23 MR. TIBERIO: The consensus seems to be now
24 that we should have the center here in Florida. That's
25 what it appears to me to be the consensus here at the

1 table.

2 MR. TUDOR: In just a few minutes we'll vote
3 and determine what's the consensus.

4 MR. MULLER: I think we, as council members,
5 need to realize that Richard is Staff with PSC. And we
6 haven't had a discussion about the presentation of the
7 final draft. I think Richard is operating under the
8 assumption that the final draft can be what the Staff
9 might recommend, and then where we have disagreements,
10 our advisory council disagreement could be an
11 attachment to it. We can discuss and maybe negotiate
12 on how that is presented because the Commissioners, may
13 view the Staff recommendation with more weight than the
14 Advisory Committee's recommendation.

15 So perhaps we could have the presentation of
16 the proposal on areas where there are disagreements,
17 have one document, and on the items to which there are
18 disagreements have PSC Staff recommendation in one
19 column of the page and have Advisory Council
20 recommendation side by side in the same document rather
21 than as an attachment at the end.

22 Because I think we need to present to the PSC
23 the fact that we're here representing the state of
24 Florida residents in what we feel is right for this
25 system. Richard is in a different position. He's got

1 to be responsible as an administrator to the PSC
2 Commissioners, and not come in asking for the moon when
3 he thinks it's not really realistic. We don't have
4 this responsibility as much as Richard does, I don't
5 believe. We can ask for a lot more things.

6 So I think maybe you can do it side by side
7 because I feel that some of the things Carmen and I are
8 bringing up right now, if we add them as disagreements,
9 as an appendix to the document, it may be given less
10 attention or less weight. So a good, maybe, compromise
11 would be to have the split columns on those items we
12 disagree upon.

13 MR. TUDOR: Yes. I did not intend, Keith, to
14 -- I thought a little bit about how to put the package
15 together and I was not going to make them as an
16 appendix but put them in the body of the
17 recommendation. I had not thought necessarily about
18 side-by-side, but I can do something like that.

19 MR. MULLER: Great.

20 MR. TUDOR: Bob?

21 MR. DEMPSEY: I like that. I asked something
22 some time ago and I never did get an answer from the
23 Advisory Committee, and I'd like to bring it up again
24 to see if they are interested and if they want it in
25 some form here or leave it up to the Company.

1 I asked that they consider, reconsider,
2 having a deaf person, at least one, on every shift as
3 an advisor, hire a deaf person to be an advisor on
4 every shift. Possibly the day shift you need two, I
5 don't know, depends upon the work load.

6 It was dropped. No one ever picked it up and
7 said, "Yes, we would like that considered," or, " No,
8 we wouldn't." I would like to ask the Advisory
9 Committee now, are they interested in it, do they want
10 to drop it, or what do they want to do?

11 MR. BULLARD: We've already discussed this
12 matter --

13 MR. DEMPSEY: What?

14 MR. BULLARD: We've already discussed this
15 matter before. I believe that it was clearly stated
16 that we all wanted that.

17 MR. DEMPSEY: I didn't get that intention.

18 MR. BULLARD: Anyhow, going back to Keith's
19 recommendation on his list, I would think that we would
20 be more successful to be going with the Commission
21 itself if the Staff and we, the Committee, could work
22 on one track, that way we could be accepted more easily
23 there. I think it would be better to have it that way
24 that we both would be on track rather than having
25 conflicting interests. But I have not yet heard from

1 the Staff exactly why they don't want to have or to put
2 in the requirements for the center to be here in
3 Florida. I have never understood why. You might have
4 a very good reason, but I haven't heard that reason
5 yet.

6 MR. TUDOR: Okay. When we come to each of
7 these issues, we'll have some time for discussion. But
8 we do have that down as an issue; and I have added as
9 another issue No. 9, this issue of whether there should
10 be a deaf person required to be on each shift as an
11 advisor. Now, this is as opposed to being in some
12 other role, but as an advisor or a supervisory-type
13 person.

14 MR. DEMPSEY: Advisory or consultant or
15 whatever you want to call them.

16 MR. TUDOR: Okay. I will add that as an
17 issue. Cindy?

18 MS. MILLER: On the issue about the facility
19 being located in Florida, you may want to discuss that
20 as additional points being given rather than an
21 absolute mandate. Legally, you may be a little bit
22 safer on that. I just wanted to point that out.

23 MR. TUDOR: Okay, thank you.

24 MR. DEMPSEY: Isn't the big difference cost?

25 MR. TUDOR: Yes, that would be the issue

1 primarily, yes. (Pause)

2 Yes?

3 MR. WOOD: Are we finished on the location
4 issue?

5 MR. TUDOR: Yes.

6 MR. WOOD: Frank Wood with MCI. Two other
7 points. On page --

8 MR. TUDOR: Frank, it may help if you stand
9 up, if you would.

10 MR. WOOD: On Page 32, Item D, it addresses:
11 "Operators shall not discuss even among themselves or
12 their supervisors." I think we should include
13 emergency situations here. A minor administrative
14 point, but the way it's worded, it precludes that.
15 Certainly didn't want to have an emergency situation
16 not to have a supervisor involved.

17 MR. TUDOR: Before you leave that, let's see
18 if maybe we can agree on that. On Page 32, there is a
19 list of exceptions where an operator can discuss
20 specifics of a call, and those are in cases where you
21 need to resolve a complaint, or where the specifics are
22 needed for bill processing, or if it's necessary for
23 training purposes. And you're suggesting we add to
24 that list --

25 MR. WOOD: In emergency situations.

1 MR. TUDOR: And that would be an exception
2 there where an operator could discuss with their
3 supervisor or perhaps another operator an emergency
4 situation? I don't think there's any -- I think I'm in
5 agreement with that. Let's see if we have agreement;
6 if not, we'll make it an issue.

7 Is that an agreement from the group that
8 there can be emergency situations where an operator
9 should be able to talk to their supervisor about that
10 and we should spell that out as a possible exception?
11 Mr. Estes?

12 MR. ESTES: We're building the issues --
13 (Simultaneous conversation.)

14 MR. ESTES: You -- may I sit here so I can
15 free up my hands? Is it's all right with you?

16 I have a few issues I would like to throw in.

17 UNKNOWN SPEAKER: Mr. Dempsey is having a
18 hard time.

19 MR. TUDOR: Mr. Wood had, I think, one more.
20 Could we let him finish?

21 MR. ESTES: Yes, I'm sorry.

22 MR. WOOD: The other item contained on Page
23 24, talking about the recording devices. MCI feels
24 that should be specific to indicate that this should be
25 an automated process and that paper tickets should not

1 be acceptable.

2 MR. TUDOR: So your suggestion is that?

3 MR. WOOD: That we clarify the ticketing
4 device, that it be an automated device and not a manual
5 written entry. Just ensures billing accuracy for all
6 parties.

7 MR. TUDOR: Alan, do you have any thoughts on
8 that?

9 MR. TAYLOR: I don't disagree, but I wouldn't
10 think that we would have anybody bidding with a manual
11 ticketing device. But I don't have a problem with
12 adding that, automated.

13 MR. TUDOR: Do any of the companies that are
14 operating in any of the other states now use paper
15 ticketing manual systems?

16 What I was thinking was there might be
17 exceptional situations where you do use those, perhaps
18 in third-number billing or some kind of situation like
19 that? Or are we dealing with automated systems in all
20 cases?

21 I don't know that we need to make that
22 requirement, I guess, but I think that's pretty much
23 the standard for the industry is automated systems.

24 MR. WOOD: I would agree, but it's my
25 understanding that there has been some instances in the

1 past, and I can provide some more specifics on it,
2 where there have been problems with manual entries.

3 MR. TUDOR: Would that be a system where
4 manual entries are done on an ongoing basis, or was it
5 when the automatic system went down, or something like
6 that?

7 MR. WOOD: I believe it was a lack of having
8 automation, or it might pertain to a scenario where I
9 think there was equal access involved and ensuring that
10 the calls were, the call records were reconciled
11 properly.

12 MR. TUDOR: Okay.

13 MR. TAYLOR: Frank, I believe, under this
14 system, that the operator is going to be making a
15 determination of when a call is connected and pressing
16 a button, so it's going to be manual to that extent as
17 far as the operator deciding when conversation begins.
18 But beyond that, I don't know, you know, certainly no
19 handwritten tickets.

20 MR. WOOD: Okay.

21 MR. TUDOR: I'll talk with our engineering
22 group with that just a little bit and maybe we can
23 think through that.

24 Peggy?

25 MS. SCHMIDT: Richard, I would like to

1 request that you actually poll the companies on their
2 current operations as to whether they're using paper
3 tickets or automated systems.

4 MR. TUDOR: Okay.

5 MS. SCHMIDT: I know a couple of years ago,
6 anyway, some of them were still using paper tickets.

7 MR. TUDOR: Well, Bell, are you using paper
8 ticketing in any cases?

9 MS. EDENFIELD: Sheila Edenfield, Southern
10 Bell. And ours is mechanized within the operator's
11 position. Not paper, not a paper ticket.

12 MR. TUDOR: And AT&T?

13 MS. RENZ: I'm LaRain Renz with AT&T, and
14 our systems are thoroughly automated.

15 MR. TUDOR: And someone here from Sprint
16 today? Yes?

17 MR. GALEY: Our system is also automated.

18 MR. TUDOR: Could you identify yourself for
19 the reporter?

20 MR. GALEY: I'm sorry. My name is Tom Galey,
21 G-a-l-e-y.

22 MR. TUDOR: Did I get everybody? I'm sorry,
23 MCI?

24 MR. WOOD: Yeah, MCI.

25 MR. TUDOR: Okay. Mr. Estes?

1 MR. ESTES: First, I would suggest that the
2 word "assistance" throughout the RFP be replaced with
3 "service." The relay is clearly a service, it is not
4 a welfare program. The word "assistance" is not
5 proper. There are two places that I have found them to
6 be on Pages 10 and 20. (Pause)

7 The other issue --

8 MR. TUDOR: Let me look at those and see if
9 that causes any concern.

10 On Page 10 down at the bottom, "assistance to
11 the deaf."

12 MR. TUDOR: You're suggesting there that we
13 replace the word "assistance" with "service"?

14 MR. ESTES: Yes, with "service." It appears
15 to be more proper that way.

16 MR. MULLER: That's fine with me.

17 MR. TUDOR: I hate to tell you this, but the
18 language that is there is a direct quote from the
19 statute; and so at the beginning of that section, I
20 identified where it came from, from the statute. Since
21 it is a quote, I wouldn't change that.

22 I don't disagree with what you're saying; and
23 if we had thought of that when we were working on the
24 statute, I probably wouldn't have had any problem with
25 that. But since this is a quote, I feel like I would

1 need to leave it as a quote.

2 MR. ESTES: All right. Well, that is a good
3 point. But, I do believe that this Council has a
4 responsibility that goes beyond the letter of the law.
5 You have ADA to live with, and I think that the counsel
6 should take the initiative or have it done for you
7 later by other powers.

8 The example of this is in Page 12 and 13 that
9 we've discussed a little bit, the words, "discontinue
10 the service" is another option if you have funding
11 problems. I respectfully suggest that this be out,
12 that the "relay data" is a better terminology. Because
13 under the ADA, telephone companies are required to
14 provide the service. They all say, "Do it, money or no
15 money." You will not say to all the other people in
16 this room, "Okay, so Southern Bell is broke, tomorrow
17 we'll close down the telephone company." I mean,
18 you'd never be able to do that.

19 The ADA requires that the service be "equal
20 to," in quotes.

21 A third issue?

22 MR. TUDOR: Let me comment just briefly on
23 the one you just raised. And I agree with you that the
24 possibility of shutting down the entire system would
25 conflict with the ADA.

1 There are -- and perhaps what I'll do is
2 speak with my attorney and see whether that phrase that
3 talks about totally discontinuing the service is
4 something we should remove. But I will talk with her
5 about that.

6 Our concern, of course, is if -- and I don't
7 know how it might happen, but if there were no funds, I
8 don't know how you would deal with that. The provider
9 may not be too interested in providing the service if
10 they're not going to get paid; and so this is partly to
11 put the provider on notice that it is a possibility. I
12 don't think it's a very likely situation, but this is
13 more to put the provider on notice that it could happen
14 and so that they are aware that it is, while remote, a
15 possibility.

16 Like I say, I don't think it would happen,
17 but it's mostly to put the provider on notice.

18 Peggy, is your comment related to this?

19 MS. SCHMIDT: Yes.

20 MR. TUDOR: Okay.

21 MS. SCHMIDT: It's my understanding, Charles,
22 of the ADA, that if the State system were to fail, run
23 out of money, that the ADA would require the individual
24 telephone companies to accept the responsibility. So
25 while this contract might be canceled or suspended

1 because of lack of funds, the services would still have
2 to be available to hearing-impaired persons, and the
3 telephone companies would have to accept that
4 responsibility to do that. Am I correct?

5 MR. ESTES: I was trying to comment on
6 probably this Council could look beyond the letter of
7 the law. There may be a day that might come when
8 someone might take over and tell the telephone
9 companies that, "Okay, you do it this way, this way,
10 this way. The most effective way." Those things do
11 happen.

12 MR. TUDOR: Okay, thank you. Do you have a
13 third point? Excuse me, on this same point?

14 MR. MULLER: On this same point.

15 MR. TUDOR: Okay.

16 MR. MULLER: That section has always caused
17 me concern but like Richard I felt the likelihood was
18 so remote that I didn't comment on it. But since Mr.
19 Estes is making us look at details such as this,
20 perhaps it might be a good idea in the initial part of
21 the proposal, when we talk about what we anticipate the
22 provider to do, we may want to insert a paragraph that
23 says, "The State program is designed to provide funding
24 to cover the cost of running this. However, the PSC
25 recognizes that this service has to be provided either

1 through this mechanism or some other mechanism and that
2 the provider cannot just shut down based upon
3 unavailability of funds."

4 MR. ANDERSON: Richard?

5 MR. TUDOR: Harry?

6 MR. ANDERSON: If I may, you may want to
7 rephrase that paragraph. Because it bothered me, too,
8 that if -- I mean, Rick, it's almost like if the
9 telephone went broke and we stopped all the telephone
10 system. So the TDD relay system should not be stopped
11 at all. You may want to add that it is required that
12 the provider would set aside x-number of dollars into
13 reserve like the bank systems do; they take out so much
14 money, put in the Federal Reserve Fund. So there
15 should be a reserve fund put aside only to cover when,
16 for some reason, we get into a deep recession or the
17 telephone company made a booboo, they can refer to
18 that. They may want to add it.

19 But I don't think we would want to leave that
20 the Public Service Commission has the authority to shut
21 it down completely; but I think that there should be a
22 language stipulated in there that the providers will
23 set out a special reserve fund and will notify the
24 Public Service Commission in advance that funding is
25 running low and they need help, and that the provider

1 will contact every means of getting funding to keep the
2 program going.

3 I don't think that the provider has any right
4 to keep a secret. Because too many times we have read
5 in the paper or hear on TV when the company is going
6 broke they wait until the very last date and announce
7 to the employees and say, "I'm sorry, we have to lay
8 you off, the company is broke; we're shutting down next
9 week."

10 The federal law has passed that a company
11 must give employees 30 days. So I'm thinking that
12 maybe it's not unrealistic to require that the provider
13 have 90 days to notify Public Service Commission that
14 they are going to have financial problems and that they
15 can temporarily tap the reserve money at the same time
16 the Public Service Commission, or whoever, will work
17 with the provider to get out of the red. I think that
18 needs to be required.

19 MR. TUDOR: Harry, I think in the way the
20 Florida system is set up, the requirement of the sort
21 you're discussing should fall to the administrator,
22 since the administrator is the one that has the money
23 and actually knows the shape of the fund itself, knows
24 how much money is available and can best project how
25 much will be coming in.

1 The provider is basically living, to some
2 extent, from month-to-month. They get whatever traffic
3 comes through the system, send a bill to the provider
4 -- I mean, to the administrator -- and then the
5 administrator pays the bill.

6 The administrator is the one that will have
7 to have some requirements in terms of how much money
8 they try to keep in reserve. And I believe there's
9 some statutory language that talks about the
10 administrator needs to keep the Commission aware of the
11 status of the fund, and the administrator and the
12 Commission both share a mutual responsibility with
13 making sure that the surcharge is sufficiently high to
14 cover the cost of the system.

15 So I would hesitate to make that requirement
16 on the provider. But I think, when we look at the
17 requirements we place on the administrator, that some
18 kind of reporting mechanism from them would be very
19 appropriate to keep track of maybe --

20 MR. ANDERSON: Okay. And since the provider
21 will be under the responsibility of the administrator,
22 then it should be the administrator. But I feel also
23 in addition to that that the Advisory Committee will be
24 kept informed of any problem that might happen that
25 would be statewide. The Advisory Committee can be very

1 helpful because we are organizations serving the state,
2 and we, as organizations serving the state, the people
3 can be very instrumental in helping the administrator.
4 I don't think the administrators can stand alone and do
5 everything by themselves.

6 MR. TUDOR: Yes, certainly the oversight
7 would come by the administrator and also by the
8 Commission and certainly with the input of the Advisory
9 Committee. (Pause)

10 Cecil?

11 MR. BRADLEY: I have a question. To help
12 clear up the responsibility in the role of the
13 administrator.

14 You said that the administrators would
15 administrate the funds, correct? It says here in this
16 proposal that the Public Service Commission's
17 responsibility to -- or they have the right to continue
18 service.

19 My question is: Is the administrator
20 supposed to report to you, the Public Service
21 Commission?

22 MR. TUDOR: Yes.

23 MR. BRADLEY: Therefore, the administrator
24 must respond or inform the Public Service Commission
25 when the money runs out, is that correct?

1 MR. TUDOR: Yes.

2 MR. BRADLEY: Okay. Therefore, the
3 administration has no control over -- wait a minute --
4 over the phone system. Therefore, the administrators
5 -- you're their puppet, then.

6 MR. TUDOR: No.

7 MR. BRADLEY: They're playing with the money.

8 MR. TUDOR: No. We have not established all
9 the guidelines for the administrator yet, but the
10 Commission will be reviewing a proposal they have sent
11 to us on how they will operate.

12 We met -- the Commissioners had an Agenda
13 Conference a few weeks ago, and we talked about the
14 rules and the guidelines for the administrator. And
15 that would include things like reports. And the
16 administrator was asked to go back and put together a
17 package of operating procedures.

18 They have sent those to the Commission and
19 now the Commission will review those, and we will set
20 up and take to the Commissioners some -- Staff will
21 propose some guidelines for how the administrator will
22 operate. And one of those requirements will be how
23 they keep track of the funds, what kind of reporting
24 they will do back to the Commission, and those sorts of
25 things.

1 Now, we will have full auditing authority
2 over the administrator and be able to set up all the
3 guidelines for how they operate.

4 So, no, we will have control over the
5 administrator and be able to keep track of the funds.
6 We will be using the administrator as our tool to keep
7 track of the status of the funds.

8 MR. BRADLEY: Thank you.

9 MR. MULLER: This paragraph, in my opinion,
10 is the Achilles heel to the proposal. It's a basic
11 philosophical problem represented by this paragraph.

12 An analogy might be those students who want
13 to go to a community college and those students require
14 an interpreter. Federal law requires community
15 colleges to be accessible to all handicapped students.
16 We are constantly told that the state is not giving
17 them enough money to provide for auxiliary aides so
18 that deaf students can go to college. We're always
19 told as service providers, "Well, you have to wait,
20 wait until September when the new money becomes
21 available, then we can do that." And we always
22 respond, "We can't sit back and accept that."

23 We could accept the argument, "Since money is
24 low, we are going to assess an increase in tuition
25 costs to cover those additional costs," or, "Since

1 money is low, we will shut down the entire summer
2 program so that deaf students aren't delayed in their
3 education any more than hearing students would be."
4 So we have truly enacted the idea of equal access.

5 This paragraph allows the State of Florida
6 to state, in essence, that this is a welfare program,
7 not an equal access program. If it were an equal
8 access program, the State would say, "We are obligated
9 to provide this; we will have a funding mechanism to
10 cover emergencies." And if it requires that the relay
11 service be shut down, then the State's phone system
12 should be shut down because deaf people and
13 speech-impaired people would be unable to access the
14 phone system, which is the whole thrust of the Act to
15 have equal access.

16 Now, we can wait until 1993 when ADA becomes
17 a matter of the law, or we can go ahead with the letter
18 of the law today and act today to state that this
19 really is contradictory of the intent of the
20 legislation we're trying to enact.

21 It's convenient to shut the phones down for
22 the deaf and speech-impaired people. It's not
23 convenient to shut the phones down for hearing people.

24 MR. ANDERSON: Right, right, right.

25 MR. MULLER: That attitude is the basic core

1 of the discrimination against handicapped people in
2 America that the ADA is trying to overcome.

3 So I think Mr. Estes' bringing this to the
4 point certainly helps get rid of some of the nausea I
5 had inside of me about this. But again, I have been
6 speaking so much I chose not to bring this up in favor
7 of other issues this is a fundamental philosophical
8 issue in telephone access. So it's vital.

9 MR. TUDOR: I think one of the -- I know when
10 you try to use an illustration it never works exactly,
11 but in your example of raising tuition, in this case we
12 have a statutory limit. In our case tuition cannot be
13 over 25 cents per access line. So of course, yeah, we
14 wouldn't shut the system down, I don't think, until we
15 reached that cap. But then we have a legislative
16 mandate not to go over that cap.

17 MR. MULLER: You do have a prohibition to use
18 other funding mechanisms. You have a prohibition of
19 going over a 25-cent surcharge. But to state the
20 legislation doesn't preclude the PSC assessing the
21 phone companies a charge for transferring monies from a
22 trust fund into something else. What this does is get
23 the PSC off the hook from providing the phone service.
24 You know, and I understand the rationale for it as
25 being cost effective and the reality of the budget

1 deficits and all of that, but like Mr. Estes says, it's
2 going to open us up if the event ever happens to a
3 charge of discrimination from violating ADA if we ever
4 chose to do that. So work it out. (Laughter)

5 MR. BULLARD: Well said.

6 MR. TUDOR: I think another piece of this is
7 if we imposed a charge on the telephone companies,
8 under our statutes we would have to let the telephone
9 company pass that through to their customers.

10 MR. MULLER: That's right.

11 MR. TUDOR: And that amounts to nothing more
12 than more surcharge in a hidden way.

13 MR. MULLER: That's right.

14 MR. TUDOR: We may not be able to legally do
15 that. And if the alternative was to tell the companies
16 to pay it; in other words, the stockholders of the
17 companies to pay it and not the customers, then we have
18 violated some constitutional rights of taking property
19 without any authority. There is a lot of legal issues
20 here and I understand what you're saying.

21 MR. SPOONER: Richard Jack Spooner.

22 The paragraph Keith is referring to, and I
23 can see why there are problems with that paragraph,
24 whether this will make you feel any better or not,
25 every state bid has that paragraph in it. Every one of

1 them. I don't know of a one that hasn't been reused,
2 but it has that disclaimer in it, every one I'm
3 familiar with.

4 MR. BULLARD: In construction contracts the
5 state requires the contractor to get a bond --
6 insurance that they will have enough money to cover
7 until the end of the job to correct mistakes and
8 errors. Why can't we have that? A bond or insurance
9 to guarantee that this will not run out of money?

10 MR. TUDOR: In that case what we would have
11 to be doing, I think, is asking an insurance company to
12 ensure maybe the state of Florida for not running out
13 of money or I'm not sure how that would work exactly.
14 I don't know if we could afford the premium.

15 MR. BULLARD: If it was a private company, if
16 FTR was a private company they could get the insurance.

17 MR. TUDOR: Yes. And the question would be
18 can we afford the premium? It would depend on how
19 risky an insurance company felt they were.

20 MR. BULLARD: Right.

21 MR. TUDOR: Whether it would be a good
22 decision to buy an expensive insurance policy.

23 MR. BULLARD: The insurance people are
24 smarter than us. They are very skilled in figuring the
25 odds. If the odds are low, the premium will be cheap.

1 If the odds are high, the cost will be high. We know
2 that. Then we would have something to worry about if
3 the premiums were high. Let them figure it for us.

4 MR. TUDOR: Were there other comments on this
5 issue?

6 MR. ESTES: Just a few. I just want to
7 observe here that the Commission, the Public Service
8 Commission, is full of the authority of the universal
9 service funding, which is the only means of funding in
10 the state of Texas, the relay service, so the
11 Commission has, within its power to continue the
12 service even if 25 cents proves not to be enough.

13 MR. TUDOR: Let me ask, should I add this as
14 an Issue 10 and let's come back and vote on this to
15 remove that requirement from the language? I will add
16 that as an issue that we will come to and vote on
17 later. Mr. Estes.

18 MR. ESTES: Thank you. Another issue, three
19 customers references. I think the council should
20 clearly say what it means by three references. At
21 least one state relay RFP spelled it out, that three
22 would be a statewide rely reference, which effectively
23 prevented some qualified bidders from the game.

24 MR. TUDOR: Our requirements do not require
25 that those references be from another state that has a

1 statewide system. It provides also that those
2 references could be for comparable services or as
3 comparable as they might provide in some other state.
4 So we have not, by our reference requirement, precluded
5 anyone from being a qualified bidder because they have
6 never provided a statewide system. So that would not
7 preclude a bidder as it is written.

8 MR. ESTES: Okay. I think that you have
9 clarified that one yourself.

10 On Page 25 they refer to the question of
11 testing. I would like to suggest to the council that
12 you write in language to make it clear that you're
13 looking for valid unbiased evaluations, testing; every
14 private entity has its own little evaluation
15 performance. And when it comes to providing services
16 to the public, a private test may not be in the
17 interest of the public. So I would suggest that kind
18 of language be built in under No. 9.

19 MR. TUDOR: I'm sorry, I really don't
20 understand what you're suggesting that we change.

21 MR. ESTES: Okay. For example, one of the
22 major providers of relay services is now developing an
23 evaluation system of its own, which they should. But
24 the Council should not accept that as valid for the
25 service itself. Maybe it's good for their

1 interservice, their internal purposes as a measurement
2 that satisfactory service -- is that sufficiently
3 confusing?

4 MR. TUDOR: I guess what I want to hear is
5 what specific words are you suggesting that we put in
6 the RFP?

7 MR. ESTES: I don't have any specific words
8 in mind, just the concept.

9 MR. TUDOR: Keith.

10 MR. MULLER: Keith Muller.

11 I think Mr. Estes might be referring to any
12 testing that is used has to be certified as nonbiased
13 based upon cultural and ethnic differences. There are
14 culturally biased tests that are used; there are ethnic
15 groups that are discriminated based upon which tests
16 are used. So I guess that's a nondiscrimination
17 concern regarding the testing that is used, so you
18 wouldn't bias yourself in favor of a white male
19 chauvinist pig as the operators as opposed to whatever
20 group you want to mention. That whole language of
21 cultural discrimination, I think that's what he's
22 referencing, certain groups. Obviously the national
23 educators are coming out against IQ measurements for
24 school placement as being totally cultural biased and
25 invalid for those determinations. So is that what --

1 MR. ESTES: Yes, that's pretty good, yes.

2 One final issue. On Page 31 it talks about
3 retaining information. I think in instances of protest
4 -- let me see. Okay. Confidentiality, I think the
5 Council would do well to clarify the differences
6 between retaining information about a call and
7 retaining the call, which is completely different.

8 What I propose to say is you want to avoid
9 creeping of retention of conversations and I see that
10 in this language. A possible interpretation that
11 you'll be saving a call for a given purpose.

12 I think the Council should take the position
13 that retained information about the call but not the
14 call itself. Thank you.

15 MR. TUDOR: Okay. Do we have other issues --
16 I have a list at this point of 10 issues, or do we have
17 others that you would like to add?

18 MR. MULLER: For the record I will say it
19 one more time, I think that the weight given to the
20 special needs aspect of the proposal needs to be
21 increased from 50 to at least 100. Special needs is
22 designated in the legislation as a group that needs to
23 be attended. We had much discussion around the table
24 about the need for that, and I think that the
25 difficulties that population may impose or present is

1 worthy of points for creative ways of dealing with that
2 population. Maybe Mr. Bradley from VR might want to
3 support the needs of clients or people who are not able
4 to use the system as well as others who need that
5 special assistance, but they are out there in the
6 state.

7 MR. TUDOR: Okay. I'll add that as an Issue
8 11.

9 Doug.

10 MR. BULLARD: Is 100 the maximum number of
11 points?

12 MR. TUDOR: Shake heads.

13 MR. BULLARD: Could you add 1,000? One to
14 1,000 accept the services relay system in Florida, that
15 would be 1,000. (Laughter)

16 MR. TUDOR: It could.

17 There was one item in the waiting process
18 that I looked at yesterday, and I want to tell you what
19 I have thought about it.

20 There is one item that's the financial
21 information about the company.

22 I had a couple of concerns. One was that the
23 Proposals Review Committee, none of us our accountants
24 and I had concerns about us trying to evaluate the
25 financials for a company. We had a point -- I don't

1 remember the points, hundred points or whatever, for
2 the financials of the company.

3 My change that I'm going to make is that
4 we're going to change that -- go back two changes. One
5 is to change that to a pass/fail, and the other is that
6 for that one item only, I'm going to ask that I think
7 three CPA's on the Commission Staff would review that
8 one item and decide whether it's a pass/fail item.

9 I don't feel comfortable in making that
10 decision and I had a hard time when I looked at that
11 trying to decide whether I would give a company ten
12 points or 100 points and I couldn't decide what basis I
13 would make that decision on.

14 I feel more comfortable and believe it would
15 be more proper to simply make it a pass/fail with our
16 three CPA's looking at that one item only and deciding
17 the pass/fail on that, and looking at that from the
18 viewpoint of would the company be able to adequately
19 provide the relay service based on what they see in the
20 financial information.

21 So I wanted to let you know that when you see
22 this the next time that change will be made, and I
23 didn't want that to surprise you when you see it next.

24 I have 11 issues, and what I would like us to
25 do is go -- I'm sorry, Bob.

1 MR. WATTLES: It's not an issue but if you
2 are now at the end of your list, I think it's incumbent
3 on the Committee if you are going to ask them to vote,
4 they understand the exact process, now what happens
5 with the RFP.

6 MR. TUDOR: Yes.

7 MR. WATTLES: It's my analysis that private
8 companies are going to bid on this because they are
9 going to make money at it, so I think the Committee
10 should feel free to vote to put things in the RFP that
11 the Committee feels from its various constituencies
12 ought to be in there, knowing that if we make it too
13 unreasonable the companies are not going to bid on it
14 and then in effect what would happen? Would you not go
15 back, revise the RFP and reissue it?

16 MR. TUDOR: I can't tell you for sure what we
17 would do but certainly if no one bid or no one received
18 qualified bid, anyway a situation like you described
19 occurred, I suppose that would be one of the most
20 logical approaches is to rewrite the RFP to remove
21 things we believe may cause the problem.

22 MR. WATTLES: Sure, you can certainly go by I
23 know this has been done by other state agencies, poll
24 the people who requested a copy of the RFP and did not
25 bid, as to the reasons why they did not submit a bid.

1 And take the balance of that poll, go back to the
2 Committee and that would point out the problems to us.

3 I want the Committee members to understand
4 the process, if they feel very strongly about having
5 the center in Florida, they vote for having the center
6 in Florida and not feel they are going to jeopardize
7 the whole RFP, or the process in the long run. We may
8 have to go through it twice but we can still get it
9 done.

10 MR. TUDOR: Thank you, Bob. Yes.

11 MR. WATTLES: I wanted to make sure.

12 MR. TUDOR: We have some problems with doing
13 it over and that is the statutory deadline we face, and
14 we would have to try to decide how to deal with that
15 and we would have to work with some very tight time
16 frames if we had to indeed reissue the RFP.

17 MS. MILLER: There are probably some points
18 that could be raised at the bidders conference, and
19 then there would be a question as to whether we could
20 do an addendum of any sorts prior to having to go back
21 and start the whole process over.

22 MR. WATTLES: Sure. You've got the ability
23 in here to do addendums and to clean it up some if you
24 need to.

25 MR. TUDOR: And another point, particularly

1 for the potential bidders, is certainly at the July
2 30th agenda you are also free to speak there. And if
3 all the potential bidders or one potential bidder comes
4 up and says this is a real problem; your system is
5 really different from all the other states because of
6 some paragraph; if it's a real problem, that's
7 certainly another opportunity to air that and to do
8 that before the RFP is even issued.

9 That will be an open meeting and again,
10 everyone is free to make presentations to the
11 Commissioners, there. And I can assure you I would
12 take no personal offense with any disagreement with
13 anything in here.

14 It's a very difficult process and there is a
15 lot of things to balance, and -- so please feel free at
16 the agenda on the 30th to speak on any of those items.

17 What I would like to do now is to go through
18 this list of 11 issues that I have, and ask you to, as
19 an Advisory Committee to vote. And the purpose of that
20 vote will be so that I, as a Staff member, can say this
21 is the position of the Advisory Committee.

22 So then I will present that to the
23 Commissioners, in the written recommendation and
24 perhaps when we finish voting and, for example, if we
25 decide to go with seven of these 11 items, if you as an

1 Advisory Committee want to present those, we can
2 discuss who might present those either individually or
3 maybe for the whole group; one person may want to
4 present all seven of those. Did you have a comment,
5 Harry?

6 MR. ANDERSON: Richard, before we vote, I
7 think we need to summarize what happened this morning.

8 Keith brought out a very important point here
9 that I think we need to have a response to that.

10 Number one, I am curious as to why, if we
11 are going to vote on an item, an issue listed, if the
12 majority of the Advisory Committee says, for example,
13 that the relay center will be established in the state
14 of Florida and we ask the Staff to write that in, and
15 the Staff decides not to accept our advice, then I
16 think that the Staff should tell the Advisory Committee
17 and explain why it cannot be put in or should not be
18 put in before it goes to the Public Service Commission.
19 Because if the Staff doesn't want to talk with the
20 Staff Advisory Committee, then why do we have an
21 Advisory Committee for in the first place?

22 Number two, I think it would look good for
23 all of us in this room to be able to go to the Public
24 Service Commission and say that the Division of
25 Communications and the Staff and Advisory Committee and

1 all outside interested people have gotten together,
2 hammered it out. This is what we want to propose to
3 the Public Service Commission.

4 I'm not saying that no one who voted against
5 an issue does not have the right to speak up at the
6 Public Service Commission, but I think it would look
7 good if the Staff would -- Staff would accept what the
8 Advisory Committee would recommend, and then the Public
9 Service Commission needs to say, "Okay, this is what we
10 all worked with but there are some issues that the
11 minority of the Advisory Committee disagree." And
12 allows them to stand up and explain it.

13 So that's where I stand. I think that we
14 really need to really look at that, because I wouldn't
15 want to be on the Committee standing up and say, "Well,
16 the Advisory Committee, 85% of the Advisory Committee
17 said that they wanted the relay system to be
18 established in the state of Florida, but we, the Staff,
19 disagree." And it doesn't look good. Then we say,
20 "What's the Advisory Committee for?" That's what
21 bothers me.

22 MR. TUDOR: Harry, we have had several
23 meetings, and I think we have a document here that
24 reflects an awful lot of changes because of these
25 meetings.

1 I think if we try to identify every change
2 that we've made for this RFP over these meetings I
3 think you would find several dozen changes that have
4 been made because of agreement between the Staff and
5 the Advisory Committee. So I think the Advisory
6 Committee's purpose has been well -- the Advisory
7 Committee has been well used in this process already.

8 The agenda conference on the 30th will just
9 be another step in that process for you to provide
10 input directly to the Commissioners, but I think we've
11 got an awfully lot already and I think we have a pretty
12 good product in the RFP so far. But, you know, we have
13 at this point 11 points that we don't have in the RFP
14 right now.

15 MR. ANDERSON: Okay.

16 MR. TUDOR: And we don't know if there is a
17 majority position of the Advisory Committee or not.

18 MR. ANDERSON: Okay. Then I'm understanding
19 that if the Advisory Committee votes in the majority
20 for each or all or whatever the issue is, that that
21 means your Staff will accept and put that into the RFP
22 for the Public Service Commission's view?

23 MR. TUDOR: No, it will not necessarily mean
24 that, Harry. It will mean that the Staff's
25 recommendation will identify those points of

1 disagreement. It could be that after today's meeting I
2 may change my position on one or more of those items
3 and you may find that that's the case. But to the
4 extent that there is still disagreement, the
5 recommendation will be the Staff's recommendation and
6 then it will highlight these points of disagreement on
7 issues where the Advisory Committee feels differently,
8 and then the Commissioner will be allowed to hear those
9 different points of view.

10 MR. ANDERSON: Thank you, Richard. If I may
11 continue on the discussion so we can all leave here
12 happy.

13 As supposing that taking this relay system to
14 be established in the state of Florida the majority
15 voted yes, we want that in the RFP but the Staff
16 disagrees. Will you tell that us this morning that the
17 Staff disagrees with it? Because Staff has every right
18 to discuss this, write it, do anything they want during
19 the time from now, tomorrow, until July 30th. The
20 Advisory Committee, after we leave here under the
21 sunshine law, are not permitted to discuss it.

22 So we don't have the authority to sit around
23 and say, "Okay, how are we going to present our
24 discussion or idea on this issue against your Staff
25 because they are going to weigh it." We can't go out

1 and discuss it under the sunshine law if I'm not
2 mistaken.

3 MR. TUDOR: You will be able to decide today
4 who you would like to make the presentation, and
5 certainly you will be able to take what you have heard
6 at our past meeting and what we've talked about today,
7 and put together whatever presentation you would like
8 to make to the Commissioners on the 30th.

9 The Staff's recommendation will be out at the
10 end of this week, so you will have that time, also, to
11 see what we have prepared, from the end of this week
12 until the 30th, so basically next week to see what the
13 Staff's presentation to the Commissioners will consist
14 of.

15 MR. ANDERSON: So if I'm understanding it
16 right, Richard, you will take the poll of the Advisory
17 Committee this morning and work with the Staff after
18 which you will get through the mail the final draft
19 before it goes to the Commission for review and
20 approval on the 30th; am I correct?

21 MR. TUDOR: Yes. What you will get at the
22 end of this week is the Staff's recommendation of the
23 RFP to the Commissioners. The RFP will not be final
24 until the Commissioners vote on it.

25 MR. ANDERSON: Wait a minute. Say that

1 again, I missed something, I'm sorry.

2 MR. TUDOR: Okay. What the Staff will send
3 out at the end of this week is its recommendation to
4 the Commissioners on what the RFP should look like.
5 The RFP will not be final until the Commissioners vote
6 on it, which will be either July 30th or if they defer
7 it to a later date.

8 MR. ANDERSON: Okay. Then is it -- it's
9 okay if I request that with their approval Advisory
10 Committee that perhaps the advisory committee want to
11 have a public meeting on Monday before the 30th to
12 discuss and agree who is going to present any issue
13 that the Staff did not accept pm our recommendation?

14 MR. TUDOR: What we can do is decide today
15 before we leave who will make the presentation.

16 MR. ANDERSON: Well, I was asking if the
17 Advisory Committee if, say, we have hopefully no issue
18 but we have three issues on the agenda that the
19 Advisory Committee did vote on the majority that we
20 accept and Staff didn't, do we have the right to meet
21 the day before to discuss our strategy? I think that's
22 only fair but a Staff member has -- everybody else
23 don't live in the same town. We are scattered all over
24 the state. And we can't contact each other on the
25 phone, mail or anything, so I think it would be nice if

1 we could meet on a Monday afternoon if necessary. But
2 I'm asking the Advisory Committee's feelings on that.
3 I'm just presenting it on the table.

4 MR. TUDOR: One thing I need to determine is
5 issues about notice and whether we can get interpreters
6 and those sorts of things. Cindy, do you have a
7 comment.

8 MS. MILLER: I believe we would have time.
9 If we sent the notice in Thursday and it was published
10 next Friday, I think that would be sufficient.

11 MR. TUDOR: It would be short notice but we
12 also have the notice verbally here today if we were to
13 do that.

14 MS. MILLER: So I would be prepared to do
15 that and that sounds like a very fair idea.

16 MR. TUDOR: We would have to determine if we
17 can obtain interpreters for that date, and so that
18 would be another piece of that issue.

19 MR. ANDERSON: I was telling her that was her
20 job.

21 MR. TUDOR: We can decide that at the end if
22 that would be necessary. If we only have one issue,
23 perhaps we can deal with that today. But let's try to
24 remember that as an issue right at the very end.

25 MR. ANDERSON: Okay, Richard. I was just

1 asking the interpreter but I'm willing to wait until
2 the end of our polling. And if the Advisory Committee
3 still has strong feelings about it, then I would like
4 to have a few minutes to ask the Advisory Committee or
5 the chairperson if the Advisory Committee feels that we
6 may want to meet on Monday afternoon -- it's not
7 required, but wants to meet to discuss. We can do that
8 after, okay?

9 MR. BULLARD: I have a question.

10 It was my understanding that the two people
11 from, that the people here who are sitting here and
12 three of your Staff would be finalizing the final
13 draft, or what is happening to that?

14 MR. TUDOR: I believe you're talking about
15 the Proposals Review Committee?

16 That's the group that will be evaluating the
17 proposals once they come in, will be giving the scores
18 once all of the bidders have sent in their proposals.

19 MR. BULLARD: Okay. Now, anyhow, what Harry
20 was just saying is that we have never really heard the
21 reason why the Staff didn't want some of the points in
22 the RFP. If we don't know why you don't really want
23 this within the RFP, then, you know, we don't want to
24 hash it out in front of, you know, the Committee. We'd
25 rather go ahead and do it here, but your Staff is just

1 too quiet.

2 MR. TUDOR: Let's go through this process of
3 these issues and I'll be glad to express to you, but I
4 would tell you generally it would be a concern about
5 the cost it might add to the system. Just as a general
6 thing; that doesn't necessarily apply to all 11 of
7 these. But I think it would apply to several of them.

8 Keith?

9 MR. MULLER: To remind you all that I
10 unfortunately have commitments in Broward County
11 tonight for my PhD, et cetera, that I can't cancel.
12 You may be blessed by my absence shortly or you may be
13 cursed, I don't know which it would be.

14 But in terms of these 11 issues, would it be
15 possible to vote without discussion on them, just
16 identify them and vote and then revisit them as you
17 need to afterwards so that I can feel at least my voice
18 was heard. I would appreciate that courtesy if
19 possible.

20 MR. TUDOR: Yes. I think most of these
21 issues we have discussed, at least one other time
22 anyway, so I think we can probably do that. I would be
23 glad to try to just give a very quick opinion of why
24 Staff has not included that item in the RFP and then we
25 can vote.

1 So with that, if I could, let me go through
2 this list of issues. Let me see. On these, I believe
3 we have -- well, now we have 10 of our 11 members here
4 -- Mr. Horton is here -- and we can proceed with these
5 11 issues.

6 Let me remind you that on a couple of them we
7 may have to try to word the issue because perhaps
8 someone just suggested a thought or a concept, and we
9 may have to try to tie that down to a specific wording
10 before we can really vote on it.

11 So, with that, the first issue was raised
12 about outreach. The proposal and the issue here is
13 that the provider needs to be required in the RFP to
14 provide outreach in terms of explaining how the relay
15 system works.

16 My position on that is that the statute calls
17 for an administrator to be created and that is one of
18 the jobs of the administrator; and if we have both the
19 administrator and the provider doing that task, it will
20 probably result in some overlap, and it will result in
21 two people trying to do the same job, and that may
22 raise the cost of the system; plus, the law just simply
23 says that the administrator will do that job. So
24 that's why I have taken that out, so that that would be
25 a job of the administrator, not the provider.

1 Okay. So that's the issue is: Should the
2 RFP require the provider to have an outreach system to
3 explain how relay works? Is that a fair statement of
4 the issue?

5 MR. TIBERIO: Yes.

6 MR. TUDOR: Let me just then ask with a
7 raised hand that those of you that would like to
8 require the provider to provide outreach to explain how
9 the relay service works to raise your hands.

10 MR. WATTLES: Can we amend this?

11 MR. TUDOR: I'm sorry, I'm sorry. I'm not
12 very good at Roberts Rules. Yes, that's really what I
13 was asking when I was saying is that a clear statement
14 of the issue? Perhaps another thing I should ask is:
15 Would you prefer it would be worded otherwise?

16 MR. WATTLES: How about requiring the
17 provider to cooperate with the administrator to provide
18 the outreach program?

19 MR. TUDOR: Okay. Let's see if that's a
20 separate issue, an amendment or --

21 MR. WATTLES: I don't want this to be a
22 separate issue.

23 MR. MULLER: Since Susan Cituk is here,
24 perhaps she can give us the information.

25 Susan, I suggested earlier that my thinking

1 was that the legislation was designed so that when FCHI
2 became -- the duties of FCHI regarding the distribution
3 of the equipment became the duty of the administrator;
4 that the outreach component that was also the duty of
5 the FCHI was transferred to the administrator; that
6 that entity would have to continue doing outreach on
7 distribution of equipment and training on how to use
8 the equipment; that that reference would not preclude
9 or mention at all the fact that the provider of the
10 relay service also has to do an outreach to educate the
11 community about the existence of the relay system.

12 So I don't see an overlap there if the
13 administrator is going to outreach about the equipment
14 distribution and training on how to use it and the
15 provider does outreach on educating the consumer about
16 the existence of the relay service, et cetera, and its
17 features. I see them as two separate issues.

18 MS. CITUK: Keith, they really were not
19 viewed during the Legislative process as two separate
20 issues because we felt that the two went hand-in-hand,
21 in that the ability to use the system also was
22 incumbent on the ability to use the equipment. And
23 they both, like I said, went hand-in-hand.

24 So we felt that there were entities out there
25 that were already providing services, such as the local

1 deaf service centers, doing outreach and training on
2 the equipment as well as assisting in distributing the
3 equipment, as well as providing relay services. So it
4 made sense that that would be all tied in together and
5 that the funding of outreach and training would be done
6 by the administrator because they were best situated to
7 look statewide and consider who should be contracted
8 with to do that.

9 Now, there is nothing that would preclude the
10 administrator from also contracting with the provider
11 of the relay service for some of the outreach or
12 advertising services.

13 I would imagine that that would be one of the
14 things that they would consider doing because who could
15 sell that service or that company better than the
16 Company itself? So I don't think it's precluded. But
17 the issue that Richard raised in terms of funding was
18 the concern is that we didn't want the company building
19 into their budget and into their cost to the state
20 advertising as well as having the administrator who has
21 the responsibility for doing advertising.

22 MR. MULLER: Then I withdraw my concern on
23 that issue.

24 MR. TUDOR: Peggy?

25 MS. SCHMIDT: I wonder if you have considered

1 including a requirement that they work closely with the
2 administrator in ensuring that appropriate community
3 outreach is developed?

4 MR. MULLER: Fine.

5 MR. WATTLES: That's what I'm suggesting.

6 MR. TUDOR: I don't have any problem with the
7 concept. I guess we expect the provider to be
8 cooperative with all the people it has to work with.
9 We certainly hope that all the providers understand
10 that. But I see what you're saying.

11 Bob, do you then want to -- I understand
12 Keith has basically withdrawn the issue.

13 MR. MULLER: I would support what Peggy and
14 Bob just suggested.

15 MR. WATTLES: Well, I just simply was
16 suggesting that the successful bidder or the provider
17 that was chosen be required to work with the
18 administrator in developing an effective outreach
19 program.

20 MR. MULLER: Period.

21 MR. WATTLES: You still have the
22 responsibility with the administrator, but the provider
23 clearly, because the terms of the RFP, knows going in
24 to the deal that they have to cooperate and try to help
25 in that effort.

1 MR. TUDOR: I don't have any problem
2 including something along those lines. I think it's --
3 like I said earlier, I think that's a given, but I
4 certainly have no problem with adding that just to
5 strengthen it.

6 Mr. Estes?

7 MR. ESTES: I just like to add in a thought,
8 too, because other states have confronted this outreach
9 activity, and they have charged.

10 The council will do well to assign the
11 responsibility one way or the other. Working together
12 is fine, but we usually foot the bill.

13 MR. WATTLES: The responsibility, as I
14 perceive what we have just proposed, is with the
15 administrator. You still have one person, one entity,
16 to look at for the responsibility as to whether or not
17 it's being done.

18 MR. TUDOR: There can certainly be situations
19 where the administrator cannot do an effective job
20 without understanding the inner workings somehow of the
21 relay system and might need some input from the
22 provider to assist them. So, certainly, that's what
23 we're talking about is that kind of cooperation.

24 Okay, Issue 2 --

25 MR. MULLER: Are you going to vote on it or

1 not?

2 MR. TUDOR: I thought you withdrew it.

3 MR. MULLER: I withdrew mine but that's
4 something new that has been added. Unless you agree to
5 it, that's fine.

6 MR. TUDOR: Let me just tell you that I would
7 agree to add some language that would just say that the
8 provider should cooperate with the administrator in
9 providing technical information, that sort of thing, so
10 that the administrator can do an effective job of
11 outreach. Okay. (Pause)

12 The second issue --

13 MR. ANDERSON: Did we vote on the first issue
14 yet?

15 MR. WATTLES: Sure.

16 MR. ANDERSON: I was trying to ask her
17 identify what -- I can't see, so I didn't know who it
18 was.

19 MR. TUDOR: We did not vote on that because I
20 think we're in agreement. And if you still want to
21 have it as an issue to vote on, we will, Harry. But I
22 think we we're in agreement that it is not an issue
23 that the administrator will have the responsibility for
24 the outreach program. I will agree to add to the RFP
25 that there is certainly a requirement or a

1 responsibility on the part of the provider to cooperate
2 with the administrator in its preparation of the
3 outreach program.

4 MR. ANDERSON: Okay. So what you're saying
5 is that your Staff and the Advisory Committee have a
6 mutual agreement on that. Right?

7 MR. TUDOR: Yes.

8 MR. ANDERSON: Thank you.

9 MR. TUDOR: I believe so, unless someone
10 would like to raise it as an issue and address it in
11 somewhat different wording.

12 Okay. The second issue that was raised is
13 the typing speed. The current RFP calls for a typing
14 speed of 55 words per minute. Is there a proposal for
15 a different typing speed?

16 The question here, of course, is one of --
17 well, partly, will you be able to find qualified
18 typists at that typing speed? Should a lower one be
19 required or should there be a higher one required? Of
20 course, that ties to the cost issue and that sort of
21 thing.

22 MR. MULLER: I move we leave it at 55.

23 MR. BRADLEY: I second it.

24 MR. TUDOR: All right.

25 MR. BRADLEY: Is there any opinions from the

1 phone companies, from Carmen?

2 MR. LANGE: Andy Lange from AT&T. ADA will
3 require 45 words per minute requirement on the ADA. So
4 you may want to consider that.

5 MR. TUDOR: Thank you, Andy. (Pause)

6 Mr. Estes?

7 MR. ESTES: We do not know that for a fact
8 yet. In a few days we will know. But the NAD's
9 position is 60 words per minute.

10 We have TDDs everywhere that operate at 60
11 words per minute. And the new ASCII code will be able
12 to handle 300 words per minute. So since 60 is already
13 built into the equipment, it is ideal to assign at
14 least 60 to the RFP.

15 MR. TUDOR: Okay. We have a motion for
16 leaving it at 55. Let me ask you to vote on that.

17 If you would raise your hand if you would
18 like to leave it at 55. If you would raise your hand?

19 (Vote taken.)

20 MR. TUDOR: One, two, three, four, five, six,
21 seven, eight, nine. Who is my tenth person? Oh, Jay.

22 Okay. So the vote is ten to zero to leave it
23 at 55.

24 The third issue is on complaint resolution.
25 Keith has suggested that, rather than saying three

1 years to retain complaints, that they be kept for the
2 life of the contract, whether that be three, four or
3 five years.

4 Is there any discussion on that?

5 MR. BRADLEY: Yes.

6 MR. DEMPSEY: The life of the contract?

7 So what if my contract is up a month from now
8 and I get a complaint, that means one month is all I
9 have to keep it?

10 MR. TUDOR: Yes. Yes.

11 MR. DEMPSEY: Do we want that?

12 MR. TUDOR: No. Let me change my answer,
13 Bob.

14 No, because these companies also are
15 certificated Florida telephone companies, and they have
16 some record retention requirements for complaints just
17 as telephone companies, not as relay providers. So
18 they would have some requirement to keep it longer than
19 a month. I don't know what that time is off the top of
20 my head, but it's certainly several months and may be
21 years. So, no, they would have to keep it longer than
22 one month just because --

23 MR. DEMPSEY: But actually we don't know how
24 long.

25 MR. TUDOR: I just don't know the

1 requirement, but it would certainly be beyond the life
2 of the contract.

3 MS. CHEEK: Richard, I believe it's a year
4 that the companies keep it on file, minimum.

5 MR. TUDOR: It may be a year.

6 MR. DEMPSEY: The life of the contract may be
7 five years, we keep saying a minimum of three, but it
8 may be five years. What we're saying, though, it is
9 not really the life of the contract, it's whatever they
10 -- if they're allowed to keep it a year, it would be
11 actually a year and not five years.

12 MS. CHEEK: The minimum they have to keep it
13 is a year, minimum, I believe.

14 MR. DEMPSEY: Minimum. Okay.

15 MR. BULLARD: No. The minimum of one year is
16 fine for me to understand, or the life of the contract.
17 Or, as I said, the life of the contract, as long as the
18 one-year minimum is included, that's fine.

19 MR. TUDOR: So, I believe we have perhaps a
20 suggested amendment to the issue, and that is that it
21 should be for the life of the contract but for a
22 minimum of one year?

23 MR. MULLER: Uh-huh.

24 MR. TUDOR: So if you would like to see that
25 change made to the RFP instead of three years, the life

1 of the contract with a minimum of one year, let me ask
2 you to vote on that if you would raise your hand.

3 (Vote taken.)

4 MR. TUDOR: Okay, the vote on that is also
5 ten to zero. (Pause)

6 Hopefully, the number of complaints would be
7 so low that that would not be a burden. Let me just
8 add that I believe I will incorporate that in Staff's
9 recommendation.

10 Item Issue 4 was on the issue of outreach
11 dealing with the demonstration tape requirement. That
12 would be moot, I think, based on the fact that what we
13 decided on Issue 1 of not requiring the provider to
14 provide the outreach. So I believe 4 is moot.

15 Issue 5 deals with the issue of interstate
16 calling. Keith, correct me if I don't state this
17 properly.

18 The issue here is that the surcharge would be
19 used to fund interstate calling for the first year,
20 which is when we expect the federal funding to become
21 available.

22 For clarification, let me ask, should we say
23 "for the first year or until federal funding becomes
24 available?" The latter?

25 Okay. So let me word that issue this way:

1 "That the RFP would include the requirement that
2 interstate calling be provided to be funded through the
3 surcharge for the time period until federal funding
4 becomes available." Is that a correct statement of the
5 issue?

6 MR. MULLER: That's correct.

7 MR. TUDOR: Let me ask you, then, to vote on
8 that, if you would raise your hand. (Pause)

9 (Vote taken.)

10 MR. TUDOR: One, two, three, four, five, six,
11 seven, eight. Eight.

12 And those opposed?

13 MR. HORTON: Richard, I don't understand the
14 issue.

15 MR. TUDOR: Okay. The issue is, there's a
16 one-year --

17 This is Doc Horton.

18 MR. HORTON: Mr. Horton.

19 MR. TUDOR: The issue here deals with what we
20 believe to be a one-year window. The Florida state
21 requirement is that the system become available June 1,
22 '92. The federal requirement is that, under the ADA,
23 is that interstate calling will be funded through some
24 as-yet-unknown federal funding system, beginning,
25 though, in July, I believe, of '93. So there's a

1 one-year window from mid '92 to mid '93 where the
2 Florida system will be up and running; however, the
3 interstate system will not necessarily be on line. It
4 could be; we don't know for sure, but may not be on
5 line until mid '93.

6 So the Florida law -- and this is not as
7 clear as we wish it could be, but the Florida law does
8 not, in Staff's position, intend for the surcharge to
9 cover interstate costs, costs of interstate calling.

10 So the question is: Should the RFP require
11 that that surcharge be used to fund interstate calling
12 for the time period from June of '92, when the Florida
13 system becomes operational, until the federal funding
14 becomes available for interstate calling? Is that
15 understandable?

16 We have spent a lot of time discussing that
17 one. That one-year window is confusing and hard to
18 follow.

19 So let me ask if there is --

20 MR. SPOONER: One other question, Richard.

21 Jack Spooner.

22 If I understood what you just said, you said
23 according to the Staff or your interpretation, the
24 statute is not clear on whether to fund with the
25 surcharge interstate and intrastate. But you all have

1 an interpretation that says no to interstate? Is that
2 a true statement?

3 MR. TUDOR: That's our understanding of the
4 intent in the statute, and so we will go with that
5 interpretation.

6 So we have eight for. Do we have any votes
7 against? So we have --

8 MR. WATTLES: That's a position where the
9 Staff and the Committee differ.

10 MR. TUDOR: We will disagree on that. So the
11 vote will be eight to zero.

12 Okay. Issue 6 is our issue of whether to
13 locate the center in Florida. On this issue, my
14 position is that I will not include it in the RFP as a
15 requirement. It could, it could be, and I do not know
16 but it could be that the cost of providing the service
17 would be lower if a service was located, a center was
18 located in another state; for example, in conjunction
19 with the service that's already being provided in
20 another state. There may be some economies of scale
21 there that would lower the cost of the system. And
22 from my point of view, that's important to keep the
23 cost of the system low. That provides funds that might
24 otherwise not be available for whatever purpose, TDD
25 distribution, or outreach, or whatever. I would rather

1 see those funds available for that than just to have a
2 higher cost just to locate the center in Florida.

3 Again, I don't know that that's the case. It
4 may not be. It may well be that everybody that comes
5 in will propose to offer it in Florida because that's
6 the least expensive place for them to provide it. I
7 don't know that. But I simply would not require that.

8 So the issue here is: Should the RFP require
9 that the center be located in Florida?

10 If you would raise your hand on that?

11 (Vote taken.)

12 MR. TUDOR: One, two, three, four, five, six,
13 seven. Seven.

14 And those that are opposed to requiring that?
15 Seven to three. Okay. To locate in Florida.

16 MR. TUDOR: Okay. Issue 7 was whether or not
17 to give technology a higher weighting. It currently
18 has a weighting of 50 points. And, Bob, do you have a
19 specific number you'd like to suggest there?

20 MR. DEMPSEY: I told you nobody used 75 yet,
21 so I put 75 on it. I really don't know, Richard, to
22 opinion me down to an exact number, except that I feel
23 that we have not paid enough attention to technology.
24 And I'll leave it up to the Advisory Committee what the
25 exact number they want to put on. I'll recommend 75 to

1 get them started. Put a bid in at 75 and go from
2 there.

3 MR. TUDOR: Okay. Well, let me then just ask
4 if anyone would like to suggest a number other than 75
5 before we vote on the issue?

6 MR. BULLARD: For setting it up, the relay
7 system in Florida, right?

8 MR. TUDOR: No, no. On the issue of how many
9 points in the evaluation process we should give to a
10 Company's proposal in terms of how they will provide
11 the service using new technology as it becomes
12 available in the future.

13 The language that's in the RFP that deals
14 with this says that "The user should be allowed to
15 benefit from advancing technology. The bidder will
16 describe the methodology and the process that are used
17 to keep abreast of technological change in providing a
18 relay and to inform the Commission and the
19 administrator what new enhancements are available, what
20 the price of those would be, and to provide the PSC the
21 opportunity to take advantage of those." And it
22 requires an annual report on technology improvements.

23 MR. TIBERIO: I have a comment. I'd like to
24 make it 100 points. 101, make it 101.

25 MR. TUDOR: Let's see. How should we

1 approach this?

2 Let me take Carmen's suggestion as a
3 suggested amendment to the original issue and see if
4 you would prefer to stay in with 75 or go with 100.

5 MR. DEMPSEY: I'll give it to him the 100.
6 I'll withdraw the 75.

7 MR. TUDOR: So the issue then is whether the
8 points on technology should change from 50 to 100. And
9 let me ask you then to vote on that, whether to change
10 the points from 50 to 100. If you would raise your
11 hand?

12 (Vote taken.)

13 MR. TUDOR: Seven. And those opposed to
14 making that change? And so it's seven to zero.

15 MR. WATTLES: Staff doesn't care?

16 MR. TUDOR: I think I'm going to have to
17 think about that one just a little bit. I wish I could
18 tell you for sure right now but I ask you to let me
19 think about that. And I want to look at maybe the
20 whole layout of the point system, but I'll just have to
21 let you know on that one.

22 Yes, because we certainly are concerned, and
23 that's why it's in there in the first place that we
24 want the network to constantly be improving and we want
25 to get some assurances from the bidders about doing

1 that. Because anything that can be done
2 technologically to lower the cost of the system again
3 frees up money that can be used elsewhere. Or the new
4 technology may help improve the quality of the service.

5 Issue 8 is, again, an issue about the weight
6 of the issue on how interstate calling will be provided
7 and how it will be routed, that kind of issue.

8 The suggestion is that that be increased from
9 50 to 75 points. So, again, this is an issue of how
10 much weight to give to how the provider would provide
11 interstate service.

12 So the proposal is to increase that from 50
13 to 75 points; if I could ask you to raise your hand on
14 whether you would like to increase that from 50 to 75.
15 (Vote taken.)

16 MR. TUDOR: We have we have seven, and those
17 opposed to increasing that? We have seven to zero to
18 increase that from 50 to 75.

19 The ninth issue deals with this question of
20 whether the RFP should require that a -- and I believe
21 the wording was that a deaf person be on every shift as
22 an advisor/consultant. So we'd like to take a vote
23 then on that as whether there should be a deaf person
24 on every shift as an advisor consultant, in that kind
25 of a role. A question from Cecil.

1 MR. BRADLEY: You say one on every shift or a
2 minimum of one? To have at least one.

3 MR. TUDOR: I believe that probably is more
4 correctly the original wording anyway, yes, let me
5 change that to say that there be a minimum of one deaf
6 person on each shift serving in the role of an
7 advisor/consultant.

8 Okay, then if I could ask you to raise your
9 hand on that issue. (Vote taken.)

10 Seven. And those opposed? Seven to zero.

11 On this one I think this would be another one
12 where I would not require that. There may well be
13 people that are not deaf that might be able to do the
14 same quality of work as an advisor/consultant supervise
15 shift consultants, operators, so I don't believe that
16 will include that in my recommendation.

17 The tenth issue -- okay, deals with the
18 language on pages 12 and 13 that Mr. Estes was raising
19 about whether the language that's in the RFP now that
20 says that the system may be discontinued -- let me read
21 that language, it deals with of course funding would be
22 the primary reason. Let me see if there is any other
23 language there. It says "The PSC reserves the right to
24 discontinue the service for a period of time in order
25 to reduce costs." I'm sorry, not to reduce costs, that

1 goes with discontinuing certain services like certain
2 optional services.

3 So that language that is in there we talked
4 about that earlier today. So the question is would you
5 like to see that language removed from the RFP.

6 MS. LUCRETIA REYNOLDS: Where are you
7 speaking very specifically. Doug wants to know.

8 MR. TUDOR: At the very bottom of Page 12 and
9 top of 13.

10 MS. MILLER: Richard, a couple of things.

11 MR. TUDOR: Just one second. They are
12 reading.

13 Okay, Cindy.

14 MS. MILLER: I think Keith had some suggested
15 language he came up with in place of eliminating all of
16 it, and I'll check my notes, but also I'm concerned
17 that we legally can't get away from this totally. As I
18 understand it one legislature cannot bind a future
19 legislature and I cannot say what right the Florida
20 Public Service Commission has to try to do that.

21 In other words, if the program were ever
22 discontinued through the state, the state funding
23 mechanism would disappear, but I believe what Keith was
24 pointing out was that the federal system would kick in
25 so maybe we could use some language he had suggested.

1 Such as if the state system were to whatever; he said
2 were to fail due to the funding mechanism disappearing,
3 the ADA would require the individual telephone
4 companies to take on the responsibility.

5 Now, I have not researched that but that was
6 one of the suggestions I heard made.

7 MR. TUDOR: I guess, Cindy, I would wonder
8 whether we should include that kind of a statement in
9 the RFP, an interpretation of what the other companies
10 might all have to do under the ADA if the state system
11 were discontinued for whatever reason.

12 MS. MILLER: I'm just wondering if there is
13 some alternative language as opposed to deleting this
14 altogether. I think state agencies may be required to
15 have this kind of language in their contracts.

16 MR. TUDOR: Okay. The issue as I presented
17 it so far, is simply to eliminate the language that's
18 on the bottom of Page 12 and top of 13, which is
19 paragraph 15. Is there any suggestion of other
20 language to use? Harry?

21 MR. ANDERSON: Richard, maybe we need to
22 have the Staff work with your attorney keeping in mind
23 working with the Board of Florida, FTRI because they
24 have already proposed to the Public Service Commission
25 their operating procedure. And that I think that the

1 Staff and your attorney and everyone else who know
2 about this should put in some kind of what we call a
3 fail-safe clause, and that I would say that we will
4 leave that up to your responsibility but we must have
5 something in there that would not threaten -- because
6 when a deaf person sees that language, they are going
7 to get all excited about it saying, "What's happening?"
8 So we need to put in a very good clause, what we call a
9 fail-safe like that, the FTRI administrator with the
10 provider will put aside X number of dollars in a trust
11 fund, something like that where there is a strong fail-
12 safe.

13 If the PSC said that you have to lay that,
14 that is required, fine, but add a language that there
15 will be a fail-safe.

16 MR. TUDOR: I guess that's kind of the
17 purpose of the language in the first place, Harry. I
18 don't think there is a fail-safe.

19 Again I think the probability is very, very
20 low, but I can't simply say that it's zero. There is
21 no fail-safe. There is no guarantee.

22 Now, again I'm talking about the one provider
23 that wins this contract and is providing the service.
24 The day may come when the state system may have to
25 discontinue for whatever reason under the current law,

1 but that does not eliminate the fact that there's still
2 going to be an ADA on the books.

3 Again I think these possibilities are very
4 low, but I can't say that they are zero, and that's the
5 problem.

6 And any requirements that we're going to
7 place on the administrator don't belong in the RFP that
8 deals with the contract between the Commission and the
9 provider. So I guess --

10 MR. ANDERSON: You've got a point there. It
11 seems to fall on the responsibility of the
12 administrator to make sure it doesn't happen.

13 MR. TUDOR: And the Commission.

14 MR. ANDERSON: And the Commission. I'm
15 being funny; can we add we can fire the Public Service
16 Commission if it happened? (Laughter)

17 MR. TUDOR: Yeah I can assure you we're going
18 to do everything we possibly can to make sure that it
19 doesn't. Yeah, as long as that statute is on the
20 books, we're going to try to make sure the system works
21 as the statute intends for it to work. And I can
22 assure you we're going to continue to do that. Cecil.

23 MR. BRADLEY: Mr. Tudor, I was wondering if
24 we could possibly put a few words, if this is proper or
25 not, to go to this extent of the Public Service

1 Commission's authority, but can we say that the Public
2 Service Commission would look at other possible funding
3 to continue this service rather than just to cut it
4 off?

5 MR. TUDOR: Yes. The only reason this
6 language is in there is if the Commission and the
7 administrator and the telephone company are unable to
8 figure out a way to do those kinds of things, then this
9 is notice to the provider that we may have to
10 discontinue the service.

11 It's only in the case where the other
12 alternatives just haven't worked out.

13 MR. BRADLEY: But that doesn't sound possible
14 because if your money runs out, and we collect 5 cents
15 a month, up to 25 cents a month and so that money keeps
16 coming in, I don't foresee how the money could run out.
17 How could that happen?

18 MR. TUDOR: Well, because there is --

19 MR. BRADLEY: Unless, you know, there is a
20 misappropriation of the administration.

21 MR. TUDOR: The way the money could run out
22 is 25 cents may not be enough.

23 Again, I hate to belabor this because I don't
24 think it's going to be a very likely situation. The
25 language is in the RFP simply because it is a

1 possibility even though the chances of it, I believe,
2 are fairly low it is a possibility. And it's to put
3 the provider on notice that it is a possibility.

4 MR. WATTLES: Richard.

5 MR. TUDOR: Doug.

6 MR. BULLARD: Doug Bullard. I wouldn't want
7 to have this in the RFP. I would rather have it
8 changed to the administration should have some type of
9 insurance or something to guard against this funding
10 running out.

11 MS. MILLER: Richard, I think that it was
12 Jack Spooner who said every state has the same language
13 in their RFPs.

14 I will certainly review other state agency
15 contracts for large construction projects and large
16 health care systems to see if there is any more
17 palatable language that will not make it seem that this
18 is in any way likely.

19 My understanding is this is some just
20 boilerplate language that goes into a RFP when a state
21 agency is involved. But I will see if I can come up
22 with some language that isn't so -- whatever this is.
23 This may make someone think this is more of a
24 possibility than it is. I will see if I can find some
25 better language. Does Susan have anything.

1 MS. CITUK: We spent considerable time during
2 the drafting of this legislation looking at the issue
3 of the surcharge and what the proper amount to set the
4 cap at would be in order to fund the system and in
5 order to adequately fund the distribution system as
6 well as the relay system. And we got input from other
7 states; experience that other states have had, the
8 experience that providers in other states have had, the
9 level that comparable states have had to charge for
10 their surcharge.

11 We built into the budget the top budget
12 request that the Florida council for the hearing
13 impaired, their wish list for the distribution of
14 specialized equipment. We almost doubled what their
15 budget was and took that into consideration in this
16 surcharge and we built enough safeguards into the law I
17 believe so that if it looks like, and there will need
18 to be some projections made, but the administrator is
19 to do financial reporting to the Commission, the
20 Commission will review these statements; they will look
21 at trends, and if there is a need to increase the
22 surcharge up to the 25-cent limit the Commission can do
23 that.

24 Now, if it looks like over the next several
25 months that the 25-cent limit is not enough, the

1 legislature meets once a year. The legislature has
2 requested in this legislation that the Commission
3 report to them annually on the implementation of the
4 system, on the funding, on any anticipated funding
5 problems, any need to increase the cap, and the
6 legislature over the next several years will be looking
7 very closely at the implementation of this system, so
8 hopefully there would be some projections that the
9 25-cent cap is not adequate in the time for the
10 legislature to act on it.

11 As most of you probably know there are times
12 that the legislature goes into special session
13 depending upon how critical this situation is, there is
14 nothing to preclude the legislature from going into
15 special session, although that is not likely unless
16 there are a lot of other issues.

17 But I think that the likelihood of the system
18 not having adequate funds to the point that the relay
19 system would have to be shut down is unlikely.

20 MR. ANDERSON: Richard.

21 MR. TUTOR: Yes, Harry.

22 MR. ANDERSON: In continuing what Susan said
23 that the bidders have to put in their proposal by
24 October 3rd -- am I correct, October 3rd?

25 MR. TUDOR: Yes.

1 MR. ANDERSON: So in that proposal, will we
2 have an estimate, a figure of how much the surcharge
3 will be so that each company will say it will cost
4 about ten cents a mile, would that be an estimate in
5 that proposal?

6 MR. TUDOR: It won't necessarily be a part of
7 their proposal but we can estimate that based on what
8 they propose their charge will be, and based on
9 whatever estimates we want to make of how many minutes
10 of use there will be.

11 MR. ANDERSON: Okay, fine. Because I'm
12 quickly contemplating the time line we have. We want
13 to start about June 1st and we will probably have a
14 fairly good idea how much it will cost for the first
15 year, between June 1st and July 1993. And the
16 Legislature meets in March to May, so perhaps we want
17 to put in there something -- I don't know, but
18 somewhere a fail-safe where the Public Service
19 Commission, the administrators look, figure, "Oh, oh,
20 we may not make it 25 cents." Then request the
21 Legislature to increase the surcharge in the 1992
22 legislative session as a safeguard for the year June
23 1st through July, until the ADA comes into effect.

24 MR. TUDOR: Are there other comments here?

25 I don't know. Again, the purpose of language

1 is simply to let the provider know that there are not
2 unlimited funds. That it is a possibility that funding
3 might not be available.

4 The Commission, you know, could take several
5 different approaches to try to make sure funds are
6 there in addition to, of course, monitoring. Things
7 like reducing outreach efforts, reducing TDD
8 distribution for a time. There are things like that
9 that could be done to shift more dollars to the relays
10 service and those kind of balancing activities will
11 have to go on throughout the process, both in terms of
12 deciding whether to go all the way to a quarter, as
13 well as trying to decide if we don't seem to have
14 enough money for the relay service, what to cut out
15 that's more optional than the relay services.

16 So since the person that proposed the issues,
17 Keith, is not here, I hesitate to vote on it. I would
18 suggest that perhaps we do vote on his suggestion that
19 we strike the language -- I'm sorry, was that Keith? I
20 don't want to put words in his mouth. I believe he was
21 the one that suggested that. Mr. Estes brought it up
22 initially, and I believe Keith also suggested it.

23 But at any rate, it is an issue. Let's vote
24 on whether to strike that language that's in there now.
25 And so that would be the issue before you now, should

1 that language which talks about the Commission
2 reserving the right to discontinue the service, whether
3 that should be deleted or not.

4 Let me ask that you would vote on that,
5 whether that language should be struck. Can I ask you
6 to raise your hands on that?

7 MR. WATTLES: Should be, shouldn't be, or
8 what?

9 MR. TUDOR: Should the language be struck is
10 the question.

11 Let me ask you to raise your hands again.

12 Should the language be struck? Removed.

13 (Vote taken.)

14 Five. Okay. And those that would leave the
15 language in? Two. So we have a vote of five to two on
16 that issue.

17 Okay, the eleventh issue is on the weighting
18 of the special needs clause. The current weight was
19 50, and Keith has suggested we increase that to 100.
20 So that would be the issue before you then. On the
21 special needs issue, should the weight be increased
22 from 50 to 100. If you would raise your hands on that
23 issue.

24 MR. HORTON: What is it, Richard?

25 MR. TUDOR: I'm sorry. There is a paragraph

1 in there about meeting special needs requirements,
2 people who would not, you know, necessarily use
3 standard TDD to the operator and then voice, but would
4 have some other special needs. There is a weight on
5 that currently of 50 points, and Keith suggested
6 raising that to 100.

7 Could I ask you to vote on that one more
8 time, increasing -- Cecil, wait. To increase the
9 weight to 100 from 50. (Vote taken.) Eight to zero.

10 Okay. That was all the issues.

11 Now, we wanted to go back and identify who
12 would be the spokesperson for the Advisory Committee on
13 each of those issues.

14 MR. BULLARD: We have a chairman here. Let
15 him be our spokesperson.

16 MR. TUDOR: If that's the way you would like
17 to approach it, that's fine. I have no problem with
18 that. I just wanted to give you the opportunity to
19 discuss who you would like to present the issues.

20 Harry.

21 MR. ANDERSON: What I would like to do --
22 first of all, I feel that I would like to present to
23 the PSC on behalf of the Advisory Committee, be
24 positive to note just a short presentation explaining
25 how the Advisory Committee works with your staff, the

1 value of the Advisory Committee and anything like that,
2 just, you know, a nice opening statement.

3 And second, I feel that there are going to be
4 some members here who may feel that -- I'm glad that we
5 almost unanimously agree, but there might be one or two
6 issues like this thing like that.

7 Perhaps the Advisory Committee can say,
8 "Well, I'll let Harry do that," and maybe we can sit as
9 a group to discuss as to how we will present it. Or if
10 the Advisory Committee prefers that there is one person
11 here who is very good at discussing this one particular
12 issue, because each one has their strengths and
13 weaknesses, and I see that some of us have better ideas
14 than others.

15 So I'm asking that I would open in behalf of
16 the Advisory Committee members as a whole, how we work
17 with you, what we hope to do in the future, and if
18 there is any specific issue, that I would like to
19 advise the Committee here to identify whatever the
20 issue is that they feel comfortable to discuss.

21 MR. TUDOR: That would certainly be a fine
22 procedure, Harry. There's no problem with using that
23 sort of procedure. If the Advisory Committee is
24 comfortable with that. Okay.

25 Well, with that, I believe the only thing we

1 have open is the issue of meeting on the 29th, the day
2 before the agenda on the 30th. I believe we can handle
3 the notice requirement. I said we'd come back to this
4 because we might want to talk about it again after
5 voting on the issue, so let me ask you, would the
6 Advisory Committee like to -- would you like to meet
7 again on the 29th or meet on the 30th? Of course,
8 you'll be meeting on the 30th with the Commissioners,
9 but the question is, would you like to meet on the
10 afternoon of the 29th?

11 Comments from the group? Doug.

12 MR. BULLARD: Doug Bullard. I think it's
13 useful to meet again on the 29th to make sure that we
14 can get our act together.

15 MR. TUDOR: Okay. And, Harry, perhaps -- of
16 course, it would be a meeting of the Advisory
17 Committee. You may want to make that flexible for them
18 who, you know, maybe are not going to make
19 presentations on the 30th. You may just want to meet
20 with those who are going to make presentations.

21 Bob, do you have a thought?

22 MR. DEMPSEY: I have two suggestions. I'd
23 like to put on the agenda for that meeting -- I'd like
24 an update on where we stand on this telecommunication
25 equipment, handing out TDDs, what's going on right

1 there.

2 The Florida Council gave it up, it's been
3 transferred. Where do we stand? I'd like a report
4 from, I guess, the Assistant Executive Director is the
5 one that is running that now. I'd like a report from
6 him at that meeting where we stand.

7 MR. TUDOR: I'll be glad to contact the FTR
8 and ask them if they could give us a status report.

9 MR. DEMPSEY: The other thing, if we're going
10 to have a meeting, I'd like to have it -- this is just
11 my own personal -- it's a little bit late in the
12 afternoon, so we have a chance -- you don't have to
13 come the day before. You can drive up that day and
14 still make the meeting instead of staying two
15 overnights. It will save you some money.

16 MR. TUDOR: Yes. I think maybe the afternoon
17 of the 29th, starting at 1:30, would that be
18 acceptable?

19 MR. ANDERSON: 1:30.

20 MR. TUDOR: Doug?

21 MR. BULLARD: During that meeting, we'll be
22 using Ann Marie Gillant (phonetic) to come here and to
23 explain why she doesn't want the Advisory Council to
24 help FTRI. Because the law says the Advisory Council
25 should be helping both the Public Service Commission

1 and FTRI. And we've heard from her. We need to hear
2 why she wants to block us.

3 MR. TUDOR: Mr. Lombardo has a comment. Tony
4 Lombardo.

5 MR. LOMBARDO: I'm Tony Lombardo. I think
6 I've met everyone here. I'm Chairman, President,
7 whatever, of the FTRI Corporation.

8 Let me speak for Ann Marie Gillant for a
9 moment. She's a Southern Bell attorney. However, she
10 is also the attorney we have asked to represent us with
11 the FTRI Corporation.

12 You and I spoke the last time I was here
13 about attorneys that were hired to do various things,
14 and I think I was fairly clear that the last thing I
15 ever wanted was to get into a battle of attorneys.
16 That's probably the worst possible thing that could
17 happen in the relationships that exist between the FTRI
18 and this Advisory Council. I don't want that to
19 happen.

20 Nevertheless, it was brought to my attention
21 that there had been an attorney hired for whatever
22 purpose I didn't know at the time -- as a matter of
23 fact, I think I discussed that at our last meeting. So
24 I asked our attorney to call your attorney and discuss
25 whatever the issues are.

1 Now, it got down into what are
2 interpretations of the law? I think those were some of
3 the issues that were discussed, and I think all of us
4 being educated people, we could pick up the law as it
5 applies to dual-party relay service. And I think if
6 there are a half a dozen of us here, there could be a
7 half a dozen different interpretations.

8 The interpretations, needless to say, of our
9 individual attorneys would be that interpretation that
10 best fits the argument of their client. And I'm sure
11 that your attorney has come up with an interpretation
12 that fits whatever it is that you think protects your
13 interest to the fullest extent. And I'm sure that
14 would be the interpretation of our attorneys that would
15 do the same thing as far as we're concerned.

16 I don't know that it is necessary, and I'm
17 going to speak for my attorney. I don't know that it's
18 necessary, and I would prefer her not to come here. I
19 have a tremendous amount of respect for the lady, don't
20 get me wrong. But I think she was looking at that law
21 and interpreting it in a manner that she believes is
22 legal and she believes is in the best interest of her
23 client. But since I'm her client, I prefer to speak to
24 it from that perspective.

25 As Chairman of the FTRI, and I know I speak

1 for the rest of the Board, it is fully our intent and
2 our belief and our desire that we have the input of
3 this Advisory Council in every phase of this
4 implementation of DPRS in this state. We won't have a
5 good DPRS and we won't have a good FTRI without your
6 input. We intend to get that.

7 I have tried to project, as best I personally
8 could, our goal for that kind of cooperation.

9 There will never be any time that I can think
10 of where we won't come to this Council and discuss
11 what's going on. That doesn't mean that every time a
12 decision has to be made, which are going to happen on a
13 daily basis, that somebody from the FTRI is going to
14 try to get this Advisory Council together and get an
15 action plan from them to implement a decision. That's
16 not going to be done. But in good faith, I'm going to
17 tell you that it is fully our intention and desire to
18 get the input on a continuing basis from this Advisory
19 Council.

20 Enough said. I think I have been with you
21 enough now; I hope you take that in good faith from me,
22 and that's the kind of cooperation you can expect. And
23 I don't think we need the attorneys in here to
24 interpret these laws for us. When we get to that point
25 -- I hope we never get to that point.

1 MR. BULLARD: Thank you, Tony. I appreciate
2 your clearing this up. You made an offer last time
3 that we made a recommendation from the people in the
4 deaf community or the people who are hearing impaired
5 to sit on your Board.

6 I make another sympathetic suggestion; that
7 the Chairman of our Advisory Council be invited to
8 maybe sit, or at least sit at your Board meetings, you
9 know, for the start of your meetings, for starters.

10 MR. LOMBARDO: I have no problem with that.
11 And what I had asked, if I recall right, was that you
12 give me -- the Advisory Council give me a person or
13 persons that you would desire be a board member. And
14 if you've got that today and if Harry is that
15 representative, I would be glad to go back to the Board
16 and recommend to them that Harry be our next board
17 member.

18 If you're just asking me to ask Harry to sit
19 in on our meetings, I certainly don't have any problem
20 with that, I speak for the Board in that matter that
21 he's welcome at our meetings.

22 MR. ANDERSON: If I may, Tony, I wanted
23 everybody here to know it was such a pleasure meeting
24 you. Before I went on vacation, we eyeballed each
25 other. I don't know if I like his looks or not

1 (Laughter) but he's lucky I can't see him, so I think
2 he's okay.

3 MR. LOMBARDO: I got more hair than you've
4 got, Harry. (Laughter)

5 MR. ANDERSON: Okay. I will be more than
6 happy to serve on the Board, and I think that it would
7 be very appropriate, not being wild about it, but it
8 would make the working relationship between the
9 Advisory Committee and the administrator a lot easier
10 than to have the entire Board meet with the entire
11 Advisory Committee; that I will represent my Advisory
12 Committee, that I go to the Board meeting, notes be
13 taken and I will share what happened at the Board with
14 the Advisory Committee. And if the Advisory Committee
15 had some concern, I will be available to discuss it.
16 If I can't resolve it, then I will get in touch with
17 the Board.

18 MR. LOMBARDO: One other -- I guess one other
19 thing that I would like to ask, and this may well be
20 Harry, also. We will be interviewing the last five
21 applicants -- I'm trying to think of the date, but I
22 think it's late this month sometime. Currently, our
23 plan was that the Board of Directors of the FTRI would
24 do that interview. There has been a suggestion made to
25 me that perhaps somebody from the deaf community also

1 should be included in that interviewing process.

2 While I haven't discussed that yet with my
3 Board, I think it's a great idea. And I would like
4 your thoughts as to who that person should be. And if
5 it should be Harry, that's fine. I'm, you know, just
6 asking you your suggestion on a name of someone who
7 could be included in that process.

8 MR. DEMPSEY: May I bring something up? Last
9 time we got Doug Bullard's figures of 120,000 deaf in
10 the state. Jerry, I can't think of his last name now,
11 the head of the Deaf Service Center, the network that
12 took the survey and said there are 986,000, if I
13 remember the figures correctly, using TDD.

14 In other words, functionally, many more
15 hearing impaireds, who operate functionally, hearing
16 impaired use the TDD than the deaf. Yet, you give no
17 representation to the hard of hearing.

18 MR. BULLARD: I also would like to make a
19 comment, Doug Bullard. The hearing impaired numbers
20 that Bob had mentioned were deaf in the generic,
21 quote/unquote, "generic" way to include all of the
22 hearing impaired. Some people don't use the TDDs. We
23 would say that 120,000 deaf -- I'm speaking of
24 culturally deaf. There are, of course, truly more hard
25 of hearing people than there are deaf, but we would

1 surely like to include the group SHH in that part of
2 the format. That's why I would like to suggest Bob be
3 included in that PB part of the members -- like Doug,
4 Bob, and possibly Keith to maybe try to represent all
5 of the hearing impaired community.

6 MR. DEMPSEY: On what? To what?

7 MR. BULLARD: On this Board to help Tony to
8 be able to select, to make the best possible educated
9 decision.

10 MR. DEMPSEY: I'm not sure I agree with that.
11 Every time I bring an opposition up, you want to
12 appoint me to something like you're paying me off.
13 It's a bribe to keep me quiet.

14 I don't agree. I think this thing gets
15 unwieldy. I don't see -- I believe two things: That
16 the Board is certainly made up of intelligent people
17 and can make a decision of who should be hired. I
18 don't know why we have to necessarily have somebody
19 from the Advisory Council. Maybe I'm wrong, but I
20 question why we have to have somebody.

21 Can't they make the decision themselves?

22 MR. LOMBARDO: If you're asking me, there's
23 no question we can make the decision, Bob. It was a
24 suggestion that was made because there are -- I mean, I
25 have had the opportunity over the last few months to

1 learn a little bit about American Sign Language and the
2 deaf culture, and I recognize that sometimes deaf
3 people can see things in an individual simply because
4 of facial expression and body language that I'll never
5 see. And as a result, I wouldn't have any opposition
6 at all toward having that kind of expertise there when
7 we interview an individual and that's why I thought it
8 was a good suggestion.

9 MR. DEMPSEY: Well, the thing that gets me a
10 little bit, disturbs me, is we get in, we started off
11 with having one and now we're talking about two or
12 three more? And another group that I've heard no one
13 has represented here that have an input is the speech
14 impaired. No one has ever represented them, brought
15 anything up. It has been one small group that has
16 hollered and brought up their complaints and I think
17 others should be heard from.

18 It disturbs me.

19 I go along. Put Harry on and let him sit in
20 on it. But I don't think adding me and some others,
21 all we do is muddy the water again if we have more
22 people on.

23 MR. LOMBARDO: Yeah. And I didn't have any
24 intention of really -- I felt like one was, at least as
25 far as the interview process is concerned, was what I

1 was asking for and recommending. And if that be Harry,
2 that's wonderful. And if no one, that's wonderful. I
3 mean, I'm certainly not trying to tell you what to do.

4 MR. DEMPSEY: Well, the other thing that
5 disturbs me sometimes in this council is that we don't
6 take votes, we automatically select someone. We do not
7 take a vote on who we really want to represent us. I'm
8 sure that the way the vote would come out, it would be
9 Harry. But to make it legal, I think we should vote
10 and not necessarily dictate who is representing the
11 Florida -- the Advisory Committee.

12 I read several memos that have upset me where
13 we have said, it is said "that the Advisory Committee
14 recommends this," and I have seen no vote or know
15 nothing about some of it, even. And I've attended
16 every meeting. And I know I have a hearing problem so
17 I miss something once in a while, but I don't see where
18 there has actually been a vote take own these issues
19 and it disturbs me when we just automatically say,
20 "This is the Advisory Committee's stand." I don't
21 believe it is until we vote. It probably will be if we
22 vote, but we haven't voted on it.

23 MR. TUDOR: Harry?

24 MR. ANDERSON: I'm hearing two things
25 happening at the same time, so I need clarification

1 here.

2 The first thing that Doug recommended was
3 that Tony said he would have to have one more deaf
4 person serve on the Board, so Doug recommended my name
5 as a fair person -- which I feel very honored -- and
6 that I could work as liaison between the FTRI and the
7 Advisory Committee.

8 Now, I'm hearing that -- then I think the
9 second issue was asking that Tony said that we --
10 correct me if I'm wrong, Tony -- that we have to have a
11 deaf person who is just a deaf culture to be on the
12 screening team. Am I correct? Is that what was the
13 discussion?

14 MR. LOMBARDO: Harry, let me go back. The
15 first part of what you said is exactly correct.

16 MR. ANDERSON: Okay.

17 MR. LOMBARDO: The second part was it was
18 just somebody made a suggestion to me that it would be
19 a good idea that a hearing impaired person sit on the
20 final screening committee to give input.

21 MR. ANDERSON: Oh, okay.

22 MR. LOMBARDO: And if you were going to be
23 our next Board member -- and I've got to get that
24 approved by my Board -- you might very well be that
25 same person.

1 MR. ANDERSON: Okay.

2 MR. LOMBARDO: That's all. And it's
3 certainly not a requirement.

4 MR. ANDERSON: Okay, okay, that's what I
5 needed clarification --

6 MR. LOMBARDO: Not a requirement.

7 MR. ANDERSON: Okay. Thank you.

8 So if I may, I think that Cecil Bradley would
9 be a good person to serve on this screening because he
10 works for a central vocation, he had experience as an
11 administrator in Ohio, I could go on and on and on, and
12 I think he would be a good representation of the
13 hearing impaired. Because he had to work with all
14 kinds of hearing impaired people, not just deaf, hard
15 of hearing, hearing impaired, deaf/blind, and he is in
16 a position where he has his hand on the pulse of the
17 State of Florida and the deaf community. So I think he
18 would serve wonderfully as one of the deaf/hearing
19 impaired screeners.

20 MR. LOMBARDO: I'll take that -- is that --
21 before I create any more controversy, is that
22 acceptable to this council that I bring that suggestion
23 back to my Board?

24 MR. TUDOR: Harry, I think maybe --

25 MR. TIBERIO: I have another name I'd like to

1 suggest, Carmen. I think maybe it should be a lady,
2 Sherri Lambert, that should be on the committee. We
3 have all these men.

4 MR. LOMBARDO: I think I like Sherri better
5 anyway. (Laughter) Only kidding, Harry.

6 MR. ANDERSON: I know. I -- never mind.

7 MR. TUDOR: Doug?

8 MR. BULLARD: To respond back to Bob? Back
9 to Bob Dempsey. I don't know if he's listening or not.

10 MR. DEMPSEY: What?

11 MR. DEMPSEY: This is Doug responding back to
12 Bob, Bob Dempsey. We're talking about the National
13 President as being the keystone, the keystone. It's a
14 very positive cooperation between the deaf and the hard
15 of hearing. And we're very supportive, you are very
16 supportive of NAD, and we have a very friendly
17 relationship.

18 FAD has been trying to establish the same
19 cooperation with the group SHHH and we feel as though
20 you're being very negative to the deaf relationship and
21 I think that's hurting both the deaf and the group
22 "Shhh" but I think we need to work together.

23 But the second thing is there are other
24 organizations we can invite to send people to be here
25 that have never shown up. If they don't show up, then

1 they have no right to complain. And I applaud all the
2 people here who have shown up, and I applaud the
3 organizations for sending their representative here.
4 FAD have always supported the group SHHH and know that
5 the Group SHHH will support the FAD as we hope that we
6 could support each other and to help assist each other.

7 Tony has finally agreed to work with us, too,
8 the hearing impaired, not just the deaf. As most
9 hearing people, he has been able to use the generic
10 term to include the hard of hearing. So please do not
11 attack the deaf individuals every time that you hear
12 the word "deaf."

13 MR. DEMPSEY: Let me correct one thing, Doug.
14 Don't keep calling us "Shhh." This is what we have
15 changed. We're SHHH now, we decided not to "Shhh" keep
16 quiet anymore. We have come out. (Laughter) Too long
17 we have been Shhh. So we're SHHH.

18 I agree with you, Doug. The only thing that
19 gets me, and I don't want -- I get people -- I get
20 complaints, phone calls and letters, from people who
21 belong to SHHH telling me I don't represent them, that
22 I don't speak up for the hard-of-hearing because
23 everyone who is appointed is deaf and I don't speak up.
24 So I have to speak up for the hard-of-hearing and say,
25 "Why do we always -- we don't even vote. We

1 automatically you say, "I put Harry on," and it's okay.
2 I don't know if the rest of the Advisory Committee
3 wants that. I'm sure they do, but I think just to make
4 it legal we should vote.

5 I guess that's my only -- I hope I'm getting
6 this interpretation across right. I'm not trying to
7 pick a fight. I'm just trying to explain that I have
8 to speak out sometimes when I think that the hard-of-
9 hearing should be represented more. That's all I'm
10 saying.

11 MR. TUDOR: Thank you, Bob.

12 MR. ANDERSON: I'm hard-of-hearing, would
13 that help? (Laughter)

14 MR. TUDOR: Harry, I believe there's been two
15 issues before us -- before the Advisory Committee,
16 really, that you might want to go ahead and decide on.
17 One can wait, if you want. One probably needs to be
18 decided today. And the issue of who should be
19 suggested from the Advisory Committee for the Board of
20 Directors you could decide today or later. The other
21 issue, though --

22 MR. LOMBARDO: Tony, let me -- I would prefer
23 it be now because we're going through some very
24 important decision-making and I think it would behoove
25 you to move quickly.

1 MR. ANDERSON: Yes, I plan to ask the
2 Advisory Committee to vote on that issue. What's the
3 second issue, Richard?

4 MR. TUDOR: And then the second is who the
5 Advisory Committee might want to recommend to FTR to be
6 involved in the interview process. And that one, since
7 it's going to be done at the end of the month, probably
8 should be decided today.

9 MR. ANDERSON: Okay. Thank you, Richard.
10 Now, the Advisory Committee is in session at what time?
11 About 1:00 o'clock?

12 MR. TUDOR: Yes.

13 MR. ANDERSON: The first issue that was
14 presented, Doug moved that I be nominated to be placed
15 on FTRI Board as the other hearing-impaired person as
16 well as representing the Advisory Committee chairperson.
17 Anyone want to second that motion?

18 MR. BULLARD: Doug Bullard seconds that
19 motion.

20 MR. ANDERSON: Doug seconds. Do I hear a
21 discussion on this motion? None? So all in favor
22 please say "aye."

23 MR. ANDERSON: Opposed?

24 MR. TUDOR: We have, I believe, a unanimous
25 vote of the group present.

1 (Vote taken.)

2 MR. ANDERSON: Thank you, Richard.

3 The second issue, I believe there were two
4 names presented on the floor to be on the reviewing
5 team of FTRI. And I put Cecil Bradley's name on the
6 table. Anyone want to pick it up as a motion?

7 MR. TIBERIO: Carmen, I think we should vote
8 on the both of them, that we should have Sherri Lambert
9 as the first person and have Cecil Bradley, maybe have
10 both, if we could vote on those two people as options.

11 MR. ANDERSON: Okay. So you mean both be on
12 the review team, is that right, Carmen? Is that a
13 motion?

14 MR. TIBERIO: But they only asked for one.

15 MR. ANDERSON: So FTRI would have the right
16 -- I'm just clarifying -- you're moving that both names
17 be approved by the Advisory Committee and that FTRI
18 will pick one of the two? Am I understanding right,
19 Carmen?

20 MR. TIBERIO: I would like to have both, if
21 possible.

22 MR. ANDERSON: Okay.

23 INTERPRETER BRAY: Doug --

24 MR. ANDERSON: Wait, wait, wait. Carmen
25 moved that we have both be approved by the Advisory

1 Committee to serve on the reviewing team if possible.

2 Is my statement of the motion right?

3 MR. TIBERIO: That is correct.

4 MR. ANDERSON: Anyone second that motion?

5 MR. BULLARD: I would like to ask a question.

6 MR. ANDERSON: Doug wants to ask a question.

7 MR. BULLARD: Yes.

8 MR. ANDERSON: The motion has to be seconded
9 before the question can be asked.

10 MR. WATTLES: I second, Bob Wattles.

11 MR. ANDERSON: Now Doug has a question.

12 MR. BULLARD: My question is, do we want to
13 have someone only from our Board or our committee to be
14 on this Board or should we allow or accept an outside
15 person? If we have an outside person, will the APC pay
16 for the transportation to go to this meeting and during
17 this interview process?

18 MR. ANDERSON: Richard?

19 MR. TUDOR: First of all, I believe Doug's
20 question is not going to the issue that's on the floor.
21 The issue on the floor is not to do with someone that's
22 on the Board of Directors but someone to help on this
23 interview process? Is that your question dealing with
24 the interview process?

25 MR. ANDERSON: Yes, he wants to know if the

1 Public Service Commission will pay for the
2 transportation. Maybe Tony can answer that question.

3 MR. LOMBARDO: I think FTRI would pay for
4 that transportation and the offer is for one.

5 MR. ANDERSON: Carmen?

6 MR. TIBERIO: Can the second one go at their
7 own expense?

8 MR. LOMBARDO: That's not really the issue,
9 Carmen. It's not the expense. I feel like I'm going a
10 little beyond what the Board might want as it is; and
11 right now I'm saying I'm going to make the suggestion
12 for one and I'm asking you to give me one name, not
13 two.

14 MR. ANDERSON: Okay. Tony had made it clear
15 for the record that FTRI Board has authorized him to
16 ask for one deaf or hearing impaired person to serve on
17 that. So apparently that motion --

18 MR. LOMBARDO: Let me clarify that, Harry.

19 MR. ANDERSON: Okay.

20 MR. LOMBARDO: I'm going to make the
21 suggestion. I haven't even talked to the FTRI Board
22 yet. I'm going to make the suggestion that the one
23 person, and I want that name from you, and the Board
24 can disapprove that. But it will be my recommendation
25 to them that they approve that one person. But you

1 tell me who that one person should be.

2 MR. ANDERSON: I will tell you, Tony?

3 MR. LOMBARDO: Well, the council.

4 MR. ANDERSON: Fine. Carmen, would you like
5 to discuss that?

6 MR. TIBERIO: I would like to have a woman on
7 the screening committee. I would like to have Miss
8 Lambert.

9 MR. ANDERSON: So do you still want to keep
10 your motion?

11 MR. TIBERIO: He's asking for just one so we
12 need to vote on either one of them.

13 MR. ANDERSON: Okay. May I add that does the
14 second want to change that motion to make it that the
15 first choice be Sherri, the second choice be Cecil, if?
16 Do you accept that, first choice, do you want to change
17 your motion to say that Sherri Lambert will be the
18 first choice with Cecil as the second choice? Doug?

19 MR. BULLARD: Yes.

20 MR. ANDERSON: Do you accept that motion be
21 changed to first choice Sherri, second choice Cecil if
22 we vote? No?

23 MR. TIBERIO: I think we need to vote on it
24 first.

25 MR. ANDERSON: Do you want the motion to be

1 changed to either?

2 MR. TIBERIO: Yes. I think we should vote to
3 just pick one.

4 MR. ANDERSON: Okay. I'm sorry if I'm -- but
5 your motion was that you wanted two and Tony said only
6 one. So we have to vote on your motion --

7 MR. TIBERIO: Because we can't have two, we
8 should only vote on one.

9 MR. ANDERSON: Okay. That's what I was
10 asking, do you want to change your motion to one?

11 MR. TIBERIO: Yes.

12 MR. ANDERSON: So Carmen requests for the
13 record that his motion be changed to vote for one
14 person. And Doug, do you accept that change of motion?

15 MR. BULLARD: Yes.

16 MR. ANDERSON: Okay. Any more discussion on
17 the motion that we pick one to represent the deaf or
18 hearing impaired at the screening? Discussion?

19 MR. TIBERIO: No discussion.

20 MR. ANDERSON: Vote. All in favor of
21 Carmen's motion that we elect one deaf/hearing impaired
22 on the screening committee? That's the first motion.
23 All in favor?

24 (Vote taken.)

25 MR. TUDOR: I believe it's six to zero.

1 MR. ANDERSON: Opposed?

2 MR. TUDOR: No one opposed.

3 MR. ANDERSON: Thank you. Now, the floor is
4 open for nominations to appoint someone to be
5 recommended to FTRI.

6 MR. TIBERIO: Carmen recommends Sherri
7 Lambert.

8 MR. ANDERSON: Carmen recommends Sherri
9 Lambert. Any more nominations? Sherri Lambert is one.

10 MR. BULLARD: Doug Bullard suggests Cecil
11 Bradley.

12 MR. ANDERSON: Nominates Cecil Bradley. Any
13 more nominations? None?

14 MR. TUDOR: Harry, I believe we have a
15 comment from Sherri?

16 INTERPRETER LUCRETIA CHILDERS: She was just
17 waving so we could see who Sherri is.

18 MR. ANDERSON: Cecil? Do you want to say
19 something? Since you're standing?

20 MR. BRADLEY: No. We're fine.

21 MR. ANDERSON: Beautiful. Any more
22 nominations? We have Sherri on the floor, we have
23 Cecil Bradley. Any more nominations? Do we want to go
24 outside the Advisory Committee, do you want to have one
25 on the Advisory Committee.

1 MR. TIBERIO: Yes.

2 MR. ANDERSON: How many?

3 MR. TIBERIO: Yes, that's why I suggested an
4 outside person, someone who can focus in on the problem.

5 MR. ANDERSON: Any more nominations? Going
6 once, two, three?

7 INTERPRETER BRAY: None.

8 MR. ANDERSON: So now we have two names on
9 the floor, Sherri Lambert or Cecil Bradley. Now, I
10 will ask, since Carmen made the first motion so Sherri
11 Lambert will be the first to be voted on.

12 THE REPORTER: Just a second, please. This
13 is the court reporter. I have a little technical
14 problem. Sherri Lambert, sorry, I'm ready now.

15 MR. ANDERSON: I'm surprised I could speak.
16 Sherri Lambert is first on the block to be voted on.
17 All in favor of Sherri Lambert as one of the
18 interviewers on the TRI Board vote?

19 (Vote taken.)

20 MR. TUDOR: Four.

21 MR. ANDERSON: Four for Sherri Lambert. All
22 who want to vote for Cecil Bradley please vote? You
23 can't vote twice.

24 MR. TUDOR: Two.

25 MR. ANDERSON: The vote is that Sherri

1 Lambert by the vote of four to two that she be
2 recommended to Tony Lombardo, Chairperson of FTRIS, one
3 of the hearing impaired deaf -- Tony, all yours.

4 MR. LOMBARDO: Thank you.

5 MR. ANDERSON: Richard?

6 MR. TUDOR: Thank you, Harry. We will plan
7 to have this item on the Agenda for the Commissioners
8 on July 30th. We will ask that it be an early item
9 that morning so it should be shortly after 9:30. Also
10 on July 29, we will try to set up a meeting for that
11 afternoon at 1:30. Is 1:30 okay or would you like a
12 little bit later?

13 MR. DEMPSEY: No. A little later would be
14 better. Maybe it's just me. Maybe the others, it's
15 better earlier.

16 MR. TUDOR: Bob suggests maybe --

17 MR. DEMPSEY: Don't inconvenience everybody
18 just for me.

19 MR. TUDOR: Bob suggests just a little later
20 for driving time? May 2:00?

21 MR. ANDERSON: 2:00.

22 MR. DEMPSEY: I have a five-hour drive.

23 MR. ANDERSON: 2:00 is fine.

24 MR. TUDOR: We will say 2:00 on the 29th.

25 MR. ANDERSON: What will be on the agenda?

1 That's where I'm stuck.

2 MR. TUDOR: Okay. I believe, so far I've
3 identified two items for the Agenda. One would be for
4 discussion of the presentation to the Commissioners on
5 the 30th.

6 MR. ANDERSON: Right.

7 MR. TUDOR: To discuss how that would be done
8 and who would do certain presentations.

9 MR. TUDOR: And then the other item, Bob
10 asked that we get an update on the TDD distribution
11 program. I will ask the FTR if they can have someone
12 give us an update on that, and assuming they will be
13 able to do that that will be the second item on the
14 agenda.

15 MR. ANDERSON: If time permits, I feel a
16 little muddy about this sunshine, could we have a
17 session on that with a attorney explaining the legal
18 language?

19 MR. TUDOR: Yes. We will be glad to give you
20 some interpretations on that.

21 MR. ANDERSON: Okay. I think those two
22 items should be enough for that one afternoon.

23 MR. TUDOR: I think if we have those three
24 items that will pretty much fill an afternoon.

25 MR. BULLARD: Harry, can we maybe make one

1 more suggestion or motion. That we recommend Cecil
2 Bradley to FTRI as a representative from the hearing
3 impaired community in general as someone on the board
4 of FTRI?

5 MR. ANDERSON: I think that Tony said they
6 could have one more. Definitely want another one?

7 MR. LOMBARDO: Doug, I think, is making a
8 suggestion. I have asked you specifically for one
9 name, and you've given me that and I will go back and
10 make that recommendation.

11 However, I would also say this; that I assume
12 that this advisory council with the FTRI board decides
13 them to add additional deaf members -- I say deaf, drop
14 the word, hearing impaired members, they may or may not
15 be members of this advisory council but if we decide we
16 want more representation I would assume I'm not going
17 to have a conflict with anybody on this advisory
18 council because I think that's something we may well
19 think strongly about.

20 MR. BULLARD: I have another comment. The
21 reason I prefer to have Cecil is because he's very
22 intelligent, he's very experienced, he has been working
23 in the deaf community for so many years, he is
24 fortunate enough to be living here in Florida now and
25 working for vocational rehabilitation. He has a chair

1 on FCHI; he is aware of what is happening throughout
2 the community, and I think that he would be a very
3 valuable service to inform FTRI as an advisory person
4 on the board.

5 MR. ANDERSON: Okay. So Doug is making a
6 motion that Cecil Bradley be nominated as a
7 representative on FTRI board.

8 MR. BULLARD: That's correct.

9 MR. ANDERSON: Do I hear a second?

10 MR. LOMBARDO: Can I speak to that? I don't
11 know that that's --

12 MR. ANDERSON: I was asking if a second.

13 MR. LOMBARDO: I think you're making a
14 suggestion.

15 MR. ANDERSON: Are you making a suggestion or
16 making a motion.

17 MR. BULLARD: I've made the motion and am
18 looking for a second.

19 MR. ANDERSON: I think he said Carmen
20 seconded.

21 MR. ANDERSON: Is Doug making a motion?
22 Discussion.

23 MR. BULLARD: No discussion.

24 MR. ANDERSON: All in favor of appointing
25 Cecil Bradley at another hearing deaf representation on

1 the FTRI board, all in favor.

2 MR. BULLARD: My suggestion was not to
3 appoint him but to recommend to FTRI --

4 MR. ANDERSON: Recommend him to FTRI to serve
5 on their board, right?

6 MR. BULLARD: That's correct.

7 MR. ANDERSON: All in favor of that motion,
8 that the Advisory Committee recommend to the FTRI Board
9 that Cecil Bradley serve on their board as representing
10 the deaf and hearing impaired in the state of Florida,
11 all in favor say "aye".

12 MR. TIBERIO: I have nobody to recommend an
13 objection. I have no objection to recommending him.

14 MR. ANDERSON: Hold it. I lost count, all
15 in favor. One in favor. (Vote taken.) Two. All
16 opposed that motion?

17 MR. TUDOR: Harry, you have --

18 MR. ANDERSON: Maybe you could postpone to
19 the 29th because a lot of people have left already.

20 MR. TUDOR: Yes.

21 MR. ANDERSON: Let's table this motion until
22 the 29th meeting and we'll bring that up again.
23 Richard, would you have it on the agenda that we will
24 discuss this motion?

25 MR. TUDOR: Yes.

1 MR. ANDERSON: I didn't realize --

2 MR. TUDOR: Okay. There is a sign-in sheet
3 here. If you did not sign in I would ask that you sign
4 in. It looks like maybe several people have not. If
5 you would sign in we'd appreciate that. With that we
6 will anticipate meeting further on the 29th at 2:00 and
7 then on the 30th with the Commissioners, somewhere
8 after 9:30. Thank you all very much for your time
9 today.

10 (Whereupon, the hearing concluded at 1:20
11 p.m.)

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1 F L O R I D A)
 2 : CERTIFICATE OF REPORTERS
 3 COUNTY OF LEON)

4 We, JOY KELLY, CSR, RPR, and SYDNEY C. SILVA,
 5 CSR, RPR, Official Commission Reporters,

6 DO HEREBY CERTIFY that the workshop in the
 7 captioned matter, Docket No. 910496-TP, was held by the
 8 Florida Public Service Commission at the time and place
 9 herein stated; it is further

10 CERTIFIED that we reported in shorthand the
 11 proceedings held at such time and place; that the same
 12 has been transcribed under our direct supervision, and
 13 that this transcript, consisting of 147 pages
 14 constitutes a true and accurate transcription of our
 15 notes of said proceedings; it is further

16 CERTIFIED that we are neither of counsel nor
 17 related to the parties in said cause and have no interest,
 18 financial or otherwise, in the outcome of this docket.

19 IN WITNESS WHEREOF, we have hereunto set our
 20 hands at Tallahassee, Leon County, Florida, this 23rd
 21 day of July, A.D., 1991.

22 Joy Kelly
 23 JOY KELLY, CSR, RPR

24 Sydney C. Silva
 25 SYDNEY C. SILVA, CSR, RPR

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