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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20170235-EI

PETITION BY FLORIDA POWER &
LIGHT COMPANY (FPL) FOR
AUTHORITY TO CHARGE FPL
RATES TO FORMER CITY OF
VERO BEACH CUSTOMERS AND
FOR APPROVAL OF FPL'S
ACCOUNTING TREATMENT FOR
CITY OF VERO BEACH
TRANSACTION.

_____ /

DOCKET NO. 20170236-EU

JOINT PETITION TO TERMINATE
TERRITORIAL AGREEMENT, BY
FLORIDA POWER & LIGHT AND
THE CITY OF VERO BEACH.

_____ /

PROCEEDINGS: PUBLIC HEARING

COMMISSIONERS
PARTICIPATING:

CHAIRMAN ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER DONALD J. POLMANN
COMMISSIONER GARY F. CLARK
COMMISSIONER ANDREW GILES FAY

DATE: Thursday, October 18, 2018

TIME: Commenced: 2:00 p.m.
Concluded: 2:50 p.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: ANDREA KOMARIDIS
Court Reporter

1 APPEARANCES:

2 BRYAN S. ANDERSON and KENNETH RUBIN, ESQUIRES,
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5 J. MICHAEL WALLS, ESQUIRE, Carlton Fields Law
6 Firm, 4221 W. Boy Scout Boulevard, Tampa, Florida
7 33607-5780, appearing on behalf of City Vero Beach.

8 DYLAN REINGOLD, COUNTY ATTORNEY, 1801 27th
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10 on behalf of Indian River County Board of County
11 Commissioners.

12 BRUCE D. MAY, JR., ESQUIRE, Holland & Knight
13 Law Firm, 315 S. Calhoun Street, Suite 600, Tallahassee,
14 Florida 32301, appearing on behalf of Indian River
15 Shores.

16 LYNNE A. LARKIN, ESQUIRE, 5690 Highway, AlA
17 #101, Vero Beach, Florida 32963, appearing on behalf
18 Civic Association of Indian River County, Inc.

19 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,
20 DEPUTY PUBLIC COUNSEL; and STEPHANIE A. MORSE, ESQUIRES,
21 Office of Public Counsel, c/o the Florida Legislature,
22 111 W. Madison Street, Room 812, Tallahassee, Florida
23 32399-1400, appearing on behalf of the Citizens of the
24 State of Florida.

25

1 APPEARANCES (CONTINUED):

2 CHARLES MURPHY and SUZANNE BROWNLESS,
3 ESQUIRES, FPSC General Counsel's Office, 2540 Shumard
4 Oak Boulevard, Tallahassee, Florida 32399-0850,
5 appearing on behalf of the Florida Public Service
6 Commission Staff.

7 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE
8 HELTON, DEPUTY GENERAL COUNSEL; Florida Public Service
9 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
10 Florida 32399-0850, advisors to the Florida Public
11 Service Commission.

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I N D E X
WITNESSES

NAME :	PAGE NO .
SENATOR DEBBIE MAYFIELD	6
REPRESENTATIVE ERIN GRALL	22
DORI STONE	30
TRACY ZUDANS	33
ZACK SANDERS	38
ROBERT BRACKETT	41
GLEN HERAN	43
BRIAN HEADY	47

1 PROCEEDINGS

2 CHAIRMAN GRAHAM: All right. Well, we have a
3 quorum here, so we'll get started. We are supposed
4 to start the public testimony at 2:00. So, we will
5 do that. I only have -- we are going to start at
6 2:00.

7 I set the expectation that we are only going
8 to give everybody two minutes to speak because I
9 wasn't quite sure of how many people were going to
10 show up. I'm getting ready to do something that
11 you'll probably never, ever hear me say, but I'll
12 give you more than that two minutes because we only
13 have six speakers and two elected officials. So,
14 I'll give you up to five minutes each to speak.

15 Please don't be duplicative. If it's
16 something that's already been said, there's no
17 reason for you to re-say it. It's okay to say,
18 "ditto." But it's just -- it's not like your city
19 council meeting. It's not five minutes to talk
20 about anything you could possibly want to talk
21 about in the world. We're talking about the
22 specifics of this case.

23 So, I will tell you to move on or I will tell
24 you, enough, and we'll bring the next person up.
25 So, don't feel like you've got to fill that time,

1 but if you have some -- some specific things to
2 say, then now is the time to do that.

3 If I can get the seven people that are here to
4 speak to stand up and raise your right hand, I need
5 to swear you in.

6 (Witnesses sworn en masse.)

7 CHAIRMAN GRAHAM: Thank you.

8 Okay. Well, you can't talk about Vero Beach
9 and the power system and not talk about Senator
10 Mayfield. So, we will call her up first.

11 Senator, welcome back.

12 SENATOR MAYFIELD: Thank you.

13 CHAIRMAN GRAHAM: And -- and as I bring you
14 up, if -- if you will, give me your name and
15 address, and I guess just for clarity, if you are
16 currently a Vero Beach customer. If you would,
17 answer those questions, and then you have five
18 minutes to speak. And then hold on because there
19 may be some cross-examining questions following
20 your speech.

21 Senator, welcome.

22 SENATOR MAYFIELD: Thank you. Thank you,
23 Chairman. And I like the stand up, swear your --
24 raise your right hand to tell the truth, the whole
25 truth, nothing but the truth. We're going to start

1 doing that in committee meetings and legislative
2 process so maybe we can get the truth out.

3 But I really do appreciate you guys allowing
4 us to speak again. And my name is Senator Debbie
5 Mayfield. I live at 6191 Anchor Lane in Rockledge,
6 Florida, now. I was a resident of the City of Vero
7 Beach since 1989 and -- with my husband, who passed
8 away in 2008.

9 And I remarried three years ago. Yesterday
10 was our third-year anniversary. And my kids
11 thought it was a good idea if I lived with my
12 husband now instead of Vero. So, I moved over to
13 Rockledge. So, that -- that's kind of where I'm --
14 I reside now.

15 But a couple of questions I want to address
16 with you, Commissioner Graham, first. You asked
17 about legislation. In 2008, there was legislation
18 that was passed. And the then-city council members
19 and city attorney, who was Charlie Vitunac, who was
20 part of the Civic Association, and the city
21 manager, who is no longer there, nor the mayor, who
22 is no longer there, chose not to abide by that
23 legislation that was passed.

24 And the wording that was put into that
25 legislation was the number of customers that was

1 given to the committee staff by the Public Service
2 Commission from the City of Vero Beach Utilities.
3 And they chose to not abide by it. They chose to
4 change the way that they counted their customer
5 base. So, therefore, that legislation was never
6 enacted on behalf of them.

7 So, we -- yes, we have tried to change,
8 legislatively, many times; not only through that
9 process, but also through putting regulations,
10 giving them -- giving the customers that live
11 outside the city residence -- outside the City
12 representation by the public service council as
13 well. That didn't go through. We tried to do it
14 by the number of residents that live outside the
15 City. That didn't go through.

16 So, we've tried many times to change this,
17 legislatively. And unfortunately, we were never
18 able to get it through because of the powers to be
19 with the other municipalities that did not want it
20 happening. And as you know, the municipalities are
21 exempt from the Public Service Commission. So,
22 that's why we did that.

23 But you know, I wrote a letter, May 30th,
24 before the June 5th meeting, which I'm not going to
25 rehash, of all the benefits of this sale. And I'm

1 sure that you guys remember that. That was for the
2 June 5th meeting.

3 Then, for the -- for the hearing that was
4 supposed to be held, we wrote a letter, October
5 1st, that addressed the -- the petitions that were
6 filed by the individuals that filed those
7 petitions. And we addressed each point as to why I
8 disagreed with their petition. And I'm not going
9 to rehash that because you have that letter on
10 file.

11 But I will talk about transparency that was
12 brought up. There was a contract that was done by
13 the OUC when the City of Vero Beach chose to change
14 their -- their utility provider. There was a lot
15 of controversy about the transparency of that
16 contract within itself.

17 And -- and then after that controversy was
18 brought to light a few -- I don't know exactly how
19 long later, if it was a year later or -- or less,
20 the city manager chose to resign. The city
21 attorney chose to resign. And the mayor at the
22 time chose not to run for reelection.

23 So, I'm not sure there was a lot of
24 transparency in this contract with the OUC that we
25 are now trying to get out of through this sale to

1 the Florida Power & Light.

2 This contract with Florida Power & Light has
3 had many meetings, many meetings. It -- this has
4 got to be the most transparent process I have ever
5 seen. We had public hearings in the community. He
6 had City Council hearings, which I attended most
7 every one of the City Council meetings that were
8 there.

9 And it had been approved by the OUC, which had
10 to have public hearings; the FMPPA, who had
11 hearings; and the other municipalities that were
12 part of this deal that had to have hearings. So,
13 there was many transpar- -- many hearings where the
14 transparency was -- was out.

15 The other issue I want to bring up was the
16 various groups. It was noted that -- what groups
17 are out there that support that; we haven't seen
18 them. Well, I can tell you what groups they are
19 because, if you went to these public hearings, you
20 would know who they were.

21 You've got the Taxpayer's Association that is
22 in support of this sale. You have the Tea Party
23 that is in support of this sale. You have South
24 Beach Property Owners, the Indian River Shores, the
25 Chamber of Commerce, all -- those are just a few.

1 All are in support of this sale.

2 There's only one group that has been mentioned
3 today that is opposed to this sale. And -- and I'm
4 not really sure the membership of that group and
5 who are the officers because, you know, we don't
6 have who that membership is.

7 The other thing I want to address is -- and
8 with all due respect -- and I really do mean this,
9 with all due respect, Mr. Kelly, the last hearing
10 we had where it was approved, Mr. Kelly indicated
11 that he was not going to file protest on your
12 decision and -- and now, here we are.

13 And you can play with words of whether it is a
14 protest or it's just defending his job as the
15 public counsel for all the ratepayers, but the fact
16 of the matter is, when we left this chamber, no one
17 that left thought there would be any protest on the
18 decision that was made and -- but then yet, here we
19 are with the protests going on.

20 And you know, I've been working this for 12
21 years. I mean, you're talking about getting old --

22 CHAIRMAN GRAHAM: Senator --

23 SENATOR MAYFIELD: If I had a photo 12 years
24 ago and what I look like here --

25 CHAIRMAN GRAHAM: Senator, you've got --

1 SENATOR MAYFIELD: -- believe me, I have aged.

2 CHAIRMAN GRAHAM: -- 30 seconds left.

3 SENATOR MAYFIELD: I have aged. So, you know,
4 this is one of those where we just need to move on.
5 You know, this is something that we have beat this
6 horse to death.

7 This is good for our community. And -- and I,
8 quite frankly, would ask, Mr. Chairman, if you
9 would ask all the members that have protested this
10 to forego their -- their -- their briefing -- their
11 brief. And the reason I ask you to do that -- it's
12 my understanding that everyone has agreed to do
13 that except for one party. And it's time for us to
14 move on.

15 It's \$2 million a month. \$2 million a month
16 that it is costing taxpayers -- ratepayers in
17 Indian River County. And that is made up from the
18 hospitals that are paying more in a rate, the
19 school districts that are paying more in the rate
20 and businesses, not in addition to residents that
21 are paying more in a rate. And it's time to move
22 on.

23 You know, I remember in 2006 when this first
24 came up. A lady by the name of Barbara -- and I'm
25 not going to give your her last name because I

1 don't want her to be harassed. She called me and
2 she said, we have to do something about City of
3 Vero Beach rates. My neighbor, who lives right
4 across the street from me, has power with Florida
5 Power & Light. My power is with the City of Vero
6 Beach, and my bill is almost twice as much as her
7 bill. And that is -- there's something wrong with
8 that.

9 That's how long we've been fighting this,
10 since 2006.

11 CHAIRMAN GRAHAM: Thank you, Senator.

12 Hold on, see if there's any questions.

13 OPC?

14 Ms. Larkin?

15 MS. LARKIN: Sure.

16 Senator Mayfield, you agree this is a fairly
17 complex contract, transaction, correct?

18 SENATOR MAYFIELD: Uh-huh.

19 MS. LARKIN: Okay. And -- but you say it's
20 time to move on.

21 Are you aware of all the testimony from OPC's
22 expert about the controversies, the changes, the
23 possible problems with their accounting?

24 SENATOR MAYFIELD: Mr. Chairman -- no, I have
25 not -- I'm not -- I'm not a number-cruncher. I am

1 going by what they have said. I do --

2 MS. LARKIN: Who've said?

3 SENATOR MAYFIELD: Well, what they said today.
4 You know, I believe that this is a good deal. I
5 do. I believe this is a good deal.

6 MS. LARKIN: That wasn't the question. I was
7 just asking if you understood -- and -- and perhaps
8 not -- the problems with the accounting -- is there
9 any concern, in your mind, whether or not the
10 problems in the accounting that they're using might
11 affect what the outcomes are?

12 SENATOR MAYFIELD: No, I don't -- one, I don't
13 under- -- I'm not an accountant. I'm not a -- a
14 financial accountant to get into the weeds of this
15 deal, but I do know, on surface, based on what I've
16 been -- what I have been paying in a rate, that
17 these are going to be good -- this is going to be a
18 good deal for all -- all people, the City of Vero
19 Beach, as well as the residents of Vero Beach.

20 But no, I am not -- I do not know the
21 intricacies of what this deal -- numbers crunch out
22 to be.

23 MS. LARKIN: And you stated there was certain
24 groups that supported the -- the transaction.

25 SENATOR MAYFIELD: Uh-huh.

1 MS. LARKIN: And you na- -- you listed the
2 South Beach Property Owner's Association. My
3 understanding, from the president is, that they
4 don't support it.

5 Did you have some other information?

6 MR. MAY: Objection. She's testifying.

7 MS. LARKIN: I'm not. I'm asking if they have
8 other information about it.

9 CHAIRMAN GRAHAM: I think she just wanted to
10 clarify if -- how --

11 SENATOR MAYFIELD: That's fine. Yeah, I have
12 attended their meetings. And I've attended their
13 meetings. And the members that were there at the
14 meetings I attended supported the sale. They
15 specifically asked me to come talk about the sale
16 of the City of Vero Beach and the status of where
17 we were.

18 So, there's members within the South Beach
19 Homeowner's Property Association that does agree
20 with this sale.

21 MS. LARKIN: I see. So, that's a little
22 different than saying that the South Beach Property
23 Owner's Association has officially made a statement
24 either way on whether they approve of this
25 transaction.

1 SENATOR MAYFIELD: That -- that would be a
2 fair statement.

3 MS. LARKIN: Okay.

4 SENATOR MAYFIELD: But there's homeowners
5 within that association that, at the meeting,
6 agreed with the sale to take place.

7 MS. LARKIN: I understand.

8 SENATOR MAYFIELD: And I know they've also
9 changed membership and presidents between the South
10 Beach Homeowner's Association as well.

11 MS. LARKIN: Okay. That is just the
12 distinction I was trying to make as far as
13 officially standing behind something.

14 As far as OPC protesting, I -- maybe they
15 should speak for themselves, but they didn't
16 protest; they just joined in afterwards.

17 CHAIRMAN GRAHAM: Is there a question?

18 MS. LARKIN: So, I was wondering -- yes -- I
19 was wondering why -- why would you be against
20 having, again, this accounting issue brought to --
21 brought to the subject -- brought to the docket?

22 SENATOR MAYFIELD: I'm not against the
23 project. My -- my question to you would be: Where
24 were you at, at the meeting in June? That would be
25 my question to you.

1 MS. LARKIN: Well --

2 SENATOR MAYFIELD: Where were the meetings
3 of -- the three individuals that are doing this
4 protest -- where were you at in June?

5 CHAIRMAN GRAHAM: Senator --

6 MS. LARKIN: Senator, you're not --

7 SENATOR MAYFIELD: We have been working --

8 MS. LARKIN: You're not asking me questions.
9 I'm asking you, if you don't mind.

10 Your idea that we need to move on -- now, have
11 you personally done studies on all of these things
12 or are you taking FPL's word for all this?

13 SENATOR MAYFIELD: I'm taking the citizens'
14 words on how much money they are going to save with
15 FPL's rates.

16 MS. LARKIN: So, the citizens are the ones
17 telling you how much they're going to save?

18 SENATOR MAYFIELD: The citizens is who I
19 represent.

20 MS. LARKIN: Well, a lot those citizens don't
21 agree with you.

22 You're saying that two neighbors would compare
23 their own rates, and they might have different
24 houses. They might have different ways of spending
25 their electricity. One might have --

1 MR. MAY: Mr. Chairman, I'm going to object.
2 I'm trying to give Ms. Larkin some latitude. I
3 know she doesn't practice here, but she's going far
4 beyond the pale here. She's testifying, and that's
5 improper.

6 CHAIRMAN GRAHAM: I agree.

7 MS. LARKIN: I'm repeating what Senator
8 Mayfield has stated. And I'm saying, has -- has
9 that comparison, the neighbor's comparison, that --
10 I'm getting to the question of: Has the neighbor's
11 comparison been apples-to-apples?

12 SENATOR MAYFIELD: Yes.

13 MS. LARKIN: You're sure of that.

14 SENATOR MAYFIELD: Based on what they've told
15 me, yes. Same-sized house, the same -- the same,
16 whether it's one people or -- one person lives in
17 the house, two people live in the house. When they
18 get together and they compare, what they're telling
19 me is that their houses are very identical. When
20 you live in one subdivision, most of the houses are
21 identical. And these particular houses were.

22 MS. LARKIN: Got it.

23 I think that's it. Thank you.

24 CHAIRMAN GRAHAM: Any other questions of the
25 Senator?

1 Commissioner? Commissioner Brown?

2 COMMISSIONER BROWN: Thank you.

3 And Senator Mayfield, thank you so much for
4 coming to every single meeting that we've had and
5 providing your thoughtful written comments, which
6 have been helpful and -- and at least in part --
7 part of my deliberation. So, thank you so much.
8 You've been involved in this issue and in this
9 transaction peripherally and also directly, I
10 guess, attending meetings for a number of years.

11 SENATOR MAYFIELD: Right.

12 COMMISSIONER BROWN: Do you have a number --
13 I'm just curious -- on the amount of expense? I --
14 I know, out of pocket, you -- you are a true public
15 servant. I mean, you -- you've traveled to all of
16 these meetings and expended a lot of your own time
17 on behalf of your own constituents.

18 But do you know a number of how much time --
19 how much the litigation has cost as well as the
20 expense and time -- can you quantify it?

21 SENATOR MAYFIELD: You know, that -- that -- I
22 cannot quantify that. I can tell you that the
23 trips to Tallahassee for these hearings is a
24 four-and-a-half-hour drive for most people in this
25 room that come up from Vero Beach that come.

1 You're talking about the number of hours that
2 are in City Council meetings to have meetings that
3 people travel to. The meet- -- the public hearings
4 that are within the community -- I mean, I'm sure
5 there's thousand of dollars that we have spent.

6 And I have spent these on my own money. This
7 is not taxpayer monies because I do not turn in --
8 turn in receipts for the taxpayers on this. This
9 is -- this is on my dime because I -- that's how
10 passionate I feel about this.

11 And everyone else in this room is the same
12 way. They're very passionate about this. You
13 know, whenever -- this is the only outlet we have
14 to solve our problem.

15 And Chairman Graham, as -- and I really do
16 appreciate your passion for your constituents as
17 well in Jacksonville on their issue, but this issue
18 is one that we have come before the Public Counsel
19 before. We have asked for your help on it. And
20 your answers have always been, our hands are tied
21 because we do not have oversight over the
22 municipalities. And that's okay and I get it.

23 And we have went back and we have done what
24 you've asked us to do; and that is, work it out at
25 home, work it out locally. And that -- that's what

1 we've done.

2 But there's many, many hours of not -- just
3 not my time, but everyone sitting in this room and
4 other people that you're going to hear from, that
5 have taken time out of their day, away from their
6 family, to come up here and share with -- and the
7 cost is just mounting and mounting, more and more.

8 And the more we delay this, you know, the more
9 the cost is going to be; and not just to us, but to
10 the taxpayers that pay taxes for their hospitals,
11 that pay taxes to the school district because
12 every -- every month that we're delaying this, this
13 is a cost to them on money that they could be
14 saving in this deal.

15 And I think it's been proven that -- I -- I --
16 you know I'm not an accountant. I haven't looked
17 at the numbers, but I have to depend on the experts
18 that have.

19 COMMISSIONER BROWN: But -- but you said, it's
20 two million a month right now, at least, and --
21 for -- for the delay in our decision. Thank you.

22 SENATOR MAYFIELD: Yes.

23 CHAIRMAN GRAHAM: Commissioner Fay.

24 COMMISSIONER FAY: Thank you, Mr. Chairman.

25 Just a real quick question. I've worked with

1 Senator Mayfield for a long time now. I have the
2 utmost respect for your commitment to the people
3 that you -- you represent. And I share
4 Commissioner Brown's point that -- that this has
5 been a long time that you've worked on this, a lot
6 of it on your personal dime.

7 So, I -- I'm just curious, from listening to
8 the questioning, at any point, did the -- the Civic
9 Association approach you, I guess, recently,
10 regarding this issue at all?

11 SENATOR MAYFIELD: No, sir.

12 COMMISSIONER FAY: Okay. Thank you.

13 CHAIRMAN GRAHAM: Thank you, Senator. Thank
14 you for your time.

15 SENATOR MAYFIELD: Thank you.

16 CHAIRMAN GRAHAM: All right. Next speaker --
17 I'm sorry -- next witness is Representative -- I
18 apologize -- Grall?

19 REPRESENTATIVE GRALL: Grall.

20 CHAIRMAN GRAHAM: Welcome, Representative.

21 REPRESENTATIVE GRALL: Thank you. Thank you,
22 Mr. Chairman. Thank you, Commission, for hearing
23 from us today. I'd also like to thank you for your
24 consideration of these issues. I know it's
25 challenging. I appreciated where the Commission

1 landed in June, and am hopeful that you will find
2 yourself in the same posture at the end of this
3 hearing.

4 My comments today are going to be focused a
5 little more on the role of the Office of Public
6 Counsel. And as a practicing attorney, it is
7 confusing for me sometimes when I come into agency
8 proceedings when I'm used to the civil justice
9 system. And so, there have been some nuances and
10 some terminology that I've had to, you know, get
11 used to, quickly.

12 But overall, I believe that I have a clear
13 understanding of what happened in June; and that
14 was the Public Counsel's office said they did due
15 diligence, that was their duty; they were duty-
16 bound to do such. And they said, "We've discharged
17 our duty," specifically in the transcript; and, "We
18 will abide by the Commission's decision."

19 And although they haven't filed a formal
20 protest here today, that is certainly the ob- --
21 object of what is happening and what is occurring.
22 And that is because it appears just as if they had
23 filed a protest; where, instead, it is actually
24 that they are -- from an outsider's perspective, it
25 appears as if they are carrying the water of a

1 special interest group because if the Office of
2 Public Counsel was actually duty-bound to represent
3 the citizens of Florida -- and that is who they are
4 to represent, the citizens of Florida -- then they
5 would have filed a protest and they would not have
6 abdicated that role in this chamber in June.

7 And that is the type of gamesmanship that
8 builds distrust in the public. And so, for me,
9 it's very frustrating because we deal with trust
10 issues every day, as elected officials, and we
11 don't need them to be piled on by a system that
12 just allows nuances and different rhetoric in order
13 to get to the final -- final goal.

14 And so, I believe that, if the Office of
15 Public Counsel was duty-bound, they should have
16 filed that protest. So, I have spent some time
17 looking into what exactly is the relationship
18 between the Office of Public Counsel and the
19 special interest groups because that's really what
20 it is.

21 These are not individuals that are coming
22 before the Commission and asking for some sort of
23 relief. These are special interest groups who had
24 filed protests, and a couple of individuals.

25 In my public records request, I had two things

1 that showed up that were of great concern. And
2 they're -- the Office of Public Counsel had offered
3 advice and went so far as to offer to the citizens'
4 association help in finding an expert for these
5 proceedings.

6 And I just have to ask: What is the role of
7 Public Counsel? Is it to help -- is it to be
8 counsel for all of the citizens' groups that decide
9 that they have an interest in the proceedings for
10 the Commission? I believe that responsibility lies
11 with the citizens' group.

12 And so -- also, the Office of Public Counsel
13 had authorized up to \$36,000 in expert witness
14 fees. Those are taxpayer dollars. Those are
15 taxpayer dollars that are being used to defeat this
16 sale, which we have heard testimony is in the
17 public interest, is in the best interest of
18 citizens.

19 Without that testimony here, today, there
20 would be no conflicting testimony to consider. So,
21 they have provided a basis -- a legal basis for
22 which you to be concerned about a conflict that a
23 court might have to look at.

24 However, they have not done it in their own
25 name and in the interest of the citizens of

1 Florida. And this is bothersome to me especially
2 because, previously, the Office of Public Counsel
3 has stated that they have no statutory jurisdiction
4 to represent the customers of municipal utilities
5 or cooperatives. And that is, in fact, what has
6 happened here.

7 And so, I would ask you to consider these
8 motives, consider whether or not any conflicting
9 testimony or any testimony presented by the Office
10 of Public Counsel is appropriate for you to
11 consider in your decision, as they had the ability
12 to protest specifically and not be painted with the
13 bias of what this appears to be.

14 So, thank you very much for your
15 consideration. And I appreciate everything that
16 you have to -- the difficult decision ahead of you.

17 CHAIRMAN GRAHAM: Thank you, Representative.

18 Hold for any questions.

19 OPC?

20 Ms. Larkin?

21 MS. LARKIN: Sure. Just one, I think.

22 You seem to be very much targeted on OPC. And
23 I'd like to just clarify that the only relationship
24 I've had with OPC is asking them is there a
25 place --

1 CHAIRMAN GRAHAM: Ms. --

2 MS. LARKIN: -- where there --

3 CHAIRMAN GRAHAM: Ms. Larkin, you need to ask
4 a question.

5 MS. LARKIN: Yes.

6 CHAIRMAN GRAHAM: You don't need to clarify
7 her statement.

8 MS. LARKIN: Okay.

9 I wonder if there is some law that prevents
10 anyone on the Commission staff or anyone else from
11 giving me information about where the experts on
12 utilities are. Is that a problem?

13 REPRESENTATIVE GRALL: I'm not certain about a
14 law that creates a problem. I am limited, based on
15 the Public Service Commission's own general
16 counsel, from speaking to the Public Service
17 Commission, even though I am part of a legislative
18 body that is involved with their oversight.

19 And the same -- I -- I equate it to a clerk of
20 court. A clerk of court is not permitted to give
21 any type of legal advice. And that usually -- that
22 usually encompasses anything from where you might
23 find information, making certain legal arguments,
24 looking for how you would draft a pleading. And
25 there was documentation of some of that

1 communication within the public records request.

2 So, that was what I was referring to.

3 MS. LARKIN: So, if I got information from a
4 clerk of court, that is also improper because
5 there's -- the clerk of court puts a list of
6 attorneys out with their specialties.

7 REPRESENTATIVE GRALL: If it is legal advice,
8 yes, it is improper.

9 MS. LARKIN: And if it's not legal advice --
10 if it's just referring people to folks that
11 actually practice in a certain field, which is what
12 they do, then it's not improper.

13 REPRESENTATIVE GRALL: I believe that we're
14 talking about two different types of issues,
15 Ms. Larkin, but --

16 MS. LARKIN: Well, you brought up the clerk of
17 courts, so that's why I was making that comparison.

18 REPRESENTATIVE GRALL: But if a clerk of court
19 or -- it would be improper for somebody else with a
20 similar -- with a different interest to point you
21 in the direction, a certain litigation direction,
22 to certain experts that -- I believe, that the
23 appearance is improper.

24 Whether or not there is a law that prohibits
25 it is something I cannot speak to today. The

1 appearance is improper. And I believe that the
2 Office of Public Counsel should be separate and
3 apart from any other protesters. That is -- that
4 is my personal belief, after looking through this
5 process, and in understanding the statute and the
6 duty that attaches to the Office of Public Counsel.

7 If it is something that has happened in the
8 past in which the Office of Public Counsel has, in
9 fact, helped different special interest groups who
10 file protests -- just because it has been done, in
11 my opinion, does not make it right.

12 MS. LARKIN: So, that's your opinion, right?

13 REPRESENTATIVE GRALL: That is my --

14 MS. LARKIN: That's not based on law.

15 REPRESENTATIVE GRALL: That is my opinion.

16 I've not asserted that anybody broke a law. I am
17 merely bringing up points that should speak to the
18 credibility of the Office of Public Counsel's
19 witness and the motivation for which they are
20 providing testimony.

21 MS. LARKIN: Okay.

22 CHAIRMAN GRAHAM: Thank you, Representative --

23 REPRESENTATIVE GRALL: Thank you.

24 CHAIRMAN GRAHAM: -- for your testimony.

25 Commissioner Brown.

1 COMMISSIONER BROWN: And I just had a quick
2 comm- -- comment for Representative Grall, although
3 she -- it's not a question, just a comment, in
4 similar to fashion of Senator Mayfield's.
5 Appreciate you participating in our proceeding and
6 providing very well-articulated comments today
7 and -- and prior, and encourage you to continue
8 participating in our proceedings. And thank you
9 for coming up to Tallahassee here. Thanks.

10 The first witness we have to testify is Dori
11 Stone. Please come up to the podium. Ms. Stone,
12 could you please state your name and address for
13 the record and whether you are a customer or not.

14 MS. STONE: Yes, Dori Stone, City -- I'm
15 sorry, Indian River County -- I apologize for my
16 voice. It's been a long haul -- Indian River
17 County Chamber of Commerce, 1216 21st Street, Vero
18 Beach, Florida. And yes, we are customers.

19 Thank you very much for giving me the
20 opportunity to speak today. The Chamber sent up a
21 resolution on 1001, which I believe in is in your
22 background packet of information, but today I would
23 like to discuss several other points with you, if I
24 may.

25 The Chamber has been actively engaged in this

1 conversation since before 2009, when the first
2 proposal came forward to consider the sale of Vero
3 Beach Utility to Indian River -- I'm sorry -- to
4 FPL. I am here today representing over 800 members
5 of our Indian River County Chamber of Commerce,
6 which encompasses Indian River County, Vero Beach,
7 and Fellsmere.

8 We are made up of over 4,000 employees and
9 employers, with regard to our -- our outreach. We
10 also have, within my framework of organization,
11 tourism as well as an economic development
12 organization, which is actively engaged in -- in
13 both retention and recruitment of new -- of new
14 employers into Indian River County.

15 I want to speak today a little bit about the
16 economic impact that we see with regard to
17 infrastructure and the ongoing needs of making sure
18 that the infrastructure that we have in Indian
19 River County is competitive with other
20 infrastructure needs throughout the State of
21 Florida and in -- throughout, actually, the
22 southeast.

23 One of the critical issues, when we see
24 recruiters bringing in new businesses to Indian
25 River County is the cost of doing business; not

1 just for the business, itself, but for the intended
2 employees and as well as any people who would be
3 moving in with them.

4 So, it becomes critical to us, as we're
5 beginning to put together proposals, to look at the
6 most cost-effective way to provide those recruiters
7 and our possible, potential economic businesses
8 with the best resources available.

9 One of the keys to this has been looking at
10 power. And we've heard back from recruiters that,
11 unfortunately, our electric power in Indian River
12 County, provided through Vero Beach Utilities, has
13 been, in some cases, a discouragement to see new
14 businesses come into the -- come into the county.

15 We are very much looking forward to seeing
16 Florida Power & Light bring in, not only their
17 competitive edge, but also some of the incentives
18 they offer for us to recruit and retain our
19 existing businesses.

20 This became more and more important to us as
21 we began to look at our existing businesses. We
22 recently underwent an effort with Piper Aircraft,
23 one of our longest-term businesses, who was looking
24 to move out of county. And one of the reasons they
25 were looking to move out of county, and actually

1 out of state, was the cost of doing business in our
2 county.

3 Luckily, my Chamber, as well as the other
4 business and community leaders, got together to
5 persuade Piper that they were in the best fit
6 throughout -- where they could fit into -- in -- in
7 what they do.

8 With that, we are very excited about this. As
9 I said, we are looking forward to the conclusion of
10 this. And I'm here to answer any questions. Thank
11 you.

12 CHAIRMAN GRAHAM: Thank you.

13 OPC, any questions?

14 Ms. Larkin?

15 MS. LARKIN: No, none.

16 MS. STONE: Thank you.

17 CHAIRMAN GRAHAM: No other questions.

18 Ma'am --

19 MS. STONE: Thank you.

20 CHAIRMAN GRAHAM: Thank you very much.

21 COMMISSIONER BROWN: Next up, we have Tracy
22 Zudans. Again, please state your name and address
23 and whether you are a customer or not.

24 MS. ZUDANS: My name is Tracy Zudans. I am
25 one of seven trustees on the Indian River County

1 Hospital district. The hospital district address
2 is 37307 Terrace, and the zip code there is 32960.
3 They pay for Vero Beach electric, and they live
4 outside the City limits. I am a Vero electric
5 payer and City resident at 3845 Indian River Drive
6 East, and my zip code is 32963.

7 So, being a hospital district trustee, it is a
8 challenging job at times because you have to deal
9 with healthcare for an entire community. And a
10 majority of the healthcare that happens there is
11 for indigent patients, patients that don't have the
12 ability to pay for medical services.

13 And so, it was our board of trustees that
14 recently unanimously voted for a resolution
15 supporting the sale of the Vero Beach electric to
16 FP&L. And I'm assuming that you all received
17 copies of the resolution. If you have not, I did
18 bring copies with me for you, if you would like
19 one.

20 What I would like to do is just highlight a
21 few points from the resolution that I think are
22 really poignant in regards to making this sale
23 happen.

24 The hospital district owns, on behalf of
25 taxpayers, healthcare facilities, other medical

1 facilities that are within Indian River County. We
2 collect approximately \$14 million in annual ad
3 valorem taxes from county residents, both that live
4 inside City limits and outside the City limits.

5 We fund, through taxpayer dollars, safety net
6 for indigent healthcare at hospital-district-owned
7 facilities and many other public and non-profit
8 facilities throughout Indian River County.

9 Our healthcare providers receiving healthcare
10 funding with facilities on Vero electric include
11 Indian River Medical Center, which is our hospital,
12 University of Florida Psychiatric Clinic, Mental
13 Health Association, the Visiting Nurse's
14 Association, Indian River County Health Department,
15 Healthy Start Coalition, Treasure Coast Community
16 Health, New Horizons, and the Mental Health
17 Collaborative.

18 These funded agencies, as well as our own
19 offices for the hospital district, all are on Vero
20 Beach electric, and we live outside the City limits
21 or the facilities are outside the City limits.
22 Indian River Medical Center receives the majority
23 of the funding. And it's my understanding that
24 they pay \$2.7 million annually just in electric.

25 Utilities are a significant cost to these

1 funded agencies, most of them being not-for-profit;
2 therefore, it affects the cost of healthcare for
3 indigent population. And therefore, it also
4 affects the ad valorem taxes that we, as the
5 district, assess.

6 Indian River Hospital district has no
7 governmental body to appeal to for the relief from
8 the significant rate disparities between what FPL
9 is offering or -- and what Vero electric is
10 costing. So, it was unanimously decided by the
11 hospital district that we were in support of the
12 sale to FP&L. And I hope that you will continue
13 with that decision.

14 CHAIRMAN GRAHAM: Ms. Zudans --

15 MS. ZUDANS: Yes.

16 CHAIRMAN GRAHAM: -- thank you very much for
17 your testimony.

18 OPC, any questions?

19 Ms. Larkin, any questions?

20 MS. LARKIN: Sure.

21 Good afternoon.

22 MS. ZUDANS: Yes, Ms. Larkin.

23 MS. LARKIN: I think what a lot of your
24 testimony concerned was, of course, lower rates,
25 which is important. That seemed to be the focus.

1 And I think we all agree lower rates benefit
2 everyone.

3 Does it concern you at all that maybe there
4 won't be lower rates? Maybe the bills, themselves,
5 won't go down? Is that anything that your board or
6 the hospital district has looked into?

7 MS. ZUDANS: We have not budgeted for lower
8 rates this year. And it's my understanding that
9 none of the other agencies have either. So, they
10 all are in favor of this sale and a lower rate
11 would help with that.

12 MS. LARKIN: Right. What I -- I'm sorry. I
13 wasn't probably very clear. What I mean is, with
14 the counter-testimony about what these numbers
15 actually mean, if there weren't going to be lower
16 rates, would you be for the sale?

17 MS. ZUDANS: I would still be for the sale no
18 matter what because I think, in the end, over time,
19 it will be to the benefit of our community and
20 residents and FP&L customers as a whole.

21 MS. LARKIN: Okay. You said there was no
22 government body to complain to. Have you ever
23 presented any of your concerns to, say, the utility
24 commission or the finance commission or the City
25 Council, itself?

1 MS. ZUDANS: I have not presented, but I did
2 present the resolution to the City Council.

3 MS. LARKIN: Right. That was a recent
4 resolution.

5 MS. ZUDANS: Correct.

6 MS. LARKIN: But in the past, you haven't made
7 any other presentations or requests?

8 MS. ZUDANS: No, I have not.

9 MS. LARKIN: Okay. Thank you.

10 CHAIRMAN GRAHAM: Any other questions of
11 Ms. Zudans?

12 Ma'am, thank you very much for your testimony
13 today.

14 MS. ZUDANS: Thank you.

15 CHAIRMAN GRAHAM: I'm going to do that. We
16 are going to give that exhibit a number of 66. And
17 we'll talk about if we're going to enter it into
18 the record after we're done with Mr. O'Connor.

19 COMMISSIONER BROWN: Thank you. That -- while
20 he's passing that out, I will read -- the next name
21 is Mr. Zack Sanders.

22 MR. SANDERS: Good afternoon, Chairman,
23 Commissioner. My name is Zackery Sanders. I
24 reside at 2015 19th Avenue Southwest, Vero Beach,
25 Florida 32962.

1 I'm not a -- I'm not a ratepayer with Vero
2 electric. I was born and raised in Vero Beach,
3 however, and I've been working in Indian River
4 County since I've graduated high school.

5 I've followed this sale closely and worked on
6 campaigns for candidates who are also for the sale.
7 With the help of the Indian River Taxpayers'
8 Association, I designed a petition against one of
9 the petitioners to the PSC ruling from earlier this
10 summer.

11 I collected over 2,000 signatures in a
12 community of 16,000. That represents about
13 10 percent of the population, which is sometimes
14 more than show up for our elections.

15 It's evident, from the petitions I've
16 collected and the canvassing that I've done, that
17 the people of Vero Beach and Indian River County
18 are for the sale of Vero Electric to FP&L. There's
19 only a handful of protesters that are against the
20 sale, and their motives are still quite puzzling.

21 Vero Beach is an expensive place to live. For
22 young professionals, such as myself, to stay in
23 Vero Beach after graduation, our variable expenses
24 cannot be too high. Vero electric charging folks
25 up to 30 percent higher than FPL represents a real

1 dent in their budget.

2 I hope you'll approve the sale for all young
3 men and women like myself who wish to stay in our
4 community even after graduation. Thank you.

5 CHAIRMAN GRAHAM: Thank you, Mr. Sanders.

6 OPC?

7 Ms. Larkin?

8 MS. LARKIN: Just one question.

9 MR. SANDERS: Yes, ma'am.

10 MS. LARKIN: Mr. Sanders, your focus, again,
11 is on rates. And I understand everyone wants lower
12 rates. If the rates didn't turn out to be lower,
13 would you still be in favor of the sale?

14 MR. SANDERS: Yes, ma'am. I don't -- I don't
15 see that it's the government's position to be in --
16 in any type of business whatsoever.

17 MS. LARKIN: Any business.

18 MR. SANDERS: Yes, ma'am.

19 MS. LARKIN: Okay. Thank you.

20 MR. SANDERS: Thank you.

21 CHAIRMAN GRAHAM: If no other questions, thank
22 you, Mr. Sanders, for your testimony.

23 COMMISSIONER BROWN: Next up, we have
24 Mr. Robert Brackett. Again, please state your
25 name, address, and whether you are a customer or

1 not. We've seen you before.

2 MR. BRACKETT: Good afternoon. Thank you,
3 Mr. Chairman, Commission, for allowing us to speak
4 today. My name is Robert Brackett. I live at 2105
5 Cordova Avenue, Vero Beach, Florida. I am on the
6 City power and I am a current candidate for City
7 Council.

8 As I stated, I'm a current candidate for City
9 Council. There's never -- previously, it was never
10 my desire to run for public office, but when --
11 when I heard that petitions had been filed, I knew
12 that it was time for me to get involved.

13 Our community has wanted this for a long time,
14 almost a decade now. It truly is the will of the
15 people. And that's one of the main reasons I
16 decided to run.

17 I currently represent multi-generation
18 families living in the Vero Beach area who want the
19 sale. For three generations, my family and I have
20 built and revitalized the City of Vero Beach.
21 We've been a very active part in that. Along with
22 that, we've owned a number -- a number of
23 businesses in that area.

24 As we progress through this process, it's
25 become crystal clear that the sale was the right

1 thing to do. There are only a small handful of a
2 community of people that are against this sale.

3 In my campaign trail I've been on for the last
4 months, I would predict that be to somewhere around
5 5 percent, people that I've run into. That means
6 that 95 percent are for the sale. And that
7 definitely is a majority. That's the desired
8 result and it's right thing to do.

9 Again, I decided to run because of this. I am
10 running for City Council. I want to make sure the
11 sale is complete. And I plan to fight for that
12 until the very end, right until the ink is dry on
13 the closing papers.

14 Please, give us better service, better rates,
15 and protection of the PSC, and approve the sale.
16 Thank you.

17 CHAIRMAN GRAHAM: Thank you, Mr. Brackett.

18 OPC?

19 Ms. Larkin?

20 MS. LARKIN: Yes, please.

21 Hi, Mr. Brackett.

22 MR. BRACKETT: Hi.

23 MS. LARKIN: I understand that you believe
24 that this is the will of the people, and you're
25 talking about 95 percent of people are for the

1 ref- -- for the sale. Are you aware of the numbers
2 of the votes on the referendums?

3 MR. BRACKETT: What I said was 95 perc- --
4 95 percent of people that I've run across in my
5 campaign trail. I've been to numerous events --

6 MS. LARKIN: Right.

7 MR. BRACKETT: -- campaign meetings, other
8 things that I've run across, and I've tried to pull
9 that out. Okay.

10 MS. LARKIN: So, that's your numbers. Right.
11 I see.

12 MR. BRACKETT: It is.

13 MS. LARKIN: I misunderstood. Okay.

14 And I think that was it. Thank you.

15 CHAIRMAN GRAHAM: Thank you --

16 MR. BRACKETT: Thank you.

17 CHAIRMAN GRAHAM: -- Mr. Brackett, for your
18 testimony today.

19 COMMISSIONER BROWN: All right. We have just
20 two more speakers here.

21 Mr. Glen Heran -- I hope I pronounced that
22 correctly. Again, name, address, and whether
23 you're a customer or not, please.

24 MR. HERAN: Good afternoon, Commission. My
25 name is Glen Heran. And I am an FP&L customer.

1 And on my family's property, we are 75 percent of
2 the property is on the City grid and my family is
3 also on the City grid.

4 My mother and my father, both elderly, are
5 City of Vero Beach voters on the City grid, as is
6 my sister. She's also on the City grid and a City
7 of Vero Beach voter. So, my family represents kind
8 of all of it.

9 Again, my name is Glen Heran. And over the
10 past 11 years, some have suggested that the effort
11 to sell Vero's inefficient, government-run utility
12 was merely subterfuge, driven entirely by FP&L.
13 Nothing could be further from the truth. And such
14 a claim is an insult to our public.

15 I know because I am one of the founding
16 members of this modern movement to sell Vero Beach
17 electric to the private sector. 11 years ago,
18 Dr. Steven Faherty and I were simply responding to
19 the public's complaints about Vero's high rates,
20 inefficiency, and unregulated behavior.

21 Our findings were simple: Vero Beach really
22 does have significantly higher rates than FP&L.
23 Vero Beach really does cost its customers over
24 \$20 million per year. Outside customers really
25 can't vote in City elections. And the big surprise

1 to us was we have no representation from the Office
2 of Public Counsel.

3 It was the public who long understood and
4 fought to free themselves from Vero electric. Did
5 FP&L contribute funds to -- to political committees
6 to support our community's wishes? Yes, because I
7 asked them to.

8 I believed that well-funded anti-sale forces,
9 not only in Vero Beach, but in Tallahassee and
10 around the state, would and did attempt to misguide
11 the voters with fear tactics and false narratives.

12 To be clear, this issue would not have been
13 possible without the tremendous partnership that
14 FP&L has demonstrated to our community. We would
15 not be here today if FP&L had merely said, we have
16 no interest in 33,000 City of Vero Beach customers.

17 And frankly, given how small we are, relative
18 to the 4.9 million customers that FP&L has, I am
19 shocked they have stood by us so long. But stood
20 by us, they did.

21 They did because it was our community that
22 asked FP&L to come to the table. It was our
23 community who overwhelmingly voted to sell to FP&L.
24 And hopefully, with your affirmative vote today, I
25 hope you will help our community finally realize

1 its dreams.

2 Thank you.

3 CHAIRMAN GRAHAM: Thank you, Mr. Heran, for
4 your testimony today.

5 OPC?

6 Ms. Larkin?

7 MS. LARKIN: Just one question.

8 Mr. Heran, you had spoke about the long fight
9 to get free. Are you aware of any complaints about
10 the divisions that you talk about in -- in between
11 the outside customers, inside customers, prior to
12 2008 or nine?

13 MR. HERAN: Yes, the -- actually, it was the
14 South Beach Property Owners' Association who -- one
15 of the first communities to -- they actually asked
16 Dr. Steven Faherty to produce a study, which he did
17 with no cost. And it was --

18 MS. LARKIN: That was prior to 2008?

19 MR. HERAN: That was 2007, uh-huh. Yes,
20 ma'am.

21 MS. LARKIN: Okay. Got it.

22 And you talk about the -- the supposed anti-
23 sale people being well-funded opposition. Do you
24 know how well-funded --

25 MR. HERAN: Well, cer- --

1 MS. LARKIN: -- and where the funding is
2 coming from?

3 MR. HERAN: Certainly. There was a white
4 paper -- and I actually have it with me here today.
5 It's from the FMEA. And that was in 2011. And
6 that their opposition to the 2011 referendum.

7 MS. LARKIN: So, you're talking about really
8 FMEA, FMPA --

9 MR. HERAN: The FMEA specifically.

10 MS. LARKIN: Yeah. So, not the citizens.
11 Okay.

12 Thank you.

13 MR. HERAN: Mr. Chair, if I -- if I may be so
14 bold --

15 CHAIRMAN GRAHAM: No. No. No. Thank you for
16 your testimony.

17 MR. HERAN: Thank you.

18 COMMISSIONER BROWN: The last customer signed
19 up -- or person -- is Brian Heady. Mr. Heady,
20 please state your name, address, and whether you
21 are a customer, please.

22 MR. HEADY: My name is Brian Heady, and
23 actually, I'm one of the complainants. And you
24 have lots of information already from me. And I am
25 a customer. My address is 406 19 Street.

1 And I would ask that the documents that you
2 already have from me, specifically dated July the
3 23rd and August the 28th, be entered into the
4 public record as -- as it was repeated and set
5 forth today.

6 Second, I would like you to know that you know
7 what your responsibility is, but I can tell you
8 that the general public at home thinks that your
9 responsibility and your obligation is to protect
10 that -- us. And I would agree and I would hope
11 that you see your way to do that.

12 Third, the level of deception here today is
13 mind-boggling. The -- I've been active in this
14 issue for many years, prior to the 2008 beginnings
15 of the current issues. And Mr. Heran would
16 testify, if asked, that he and Dr. Faherty came to
17 me when I was elected in 2009.

18 And I was the council member that put this on
19 the agenda for the council to discuss. I'm not
20 against the sale. I am against what's going on
21 here today, and I am against the sale, as it's
22 currently structured. I was the first council
23 member, by the way, to make the -- the motion to
24 invite FP&L.

25 As a council member, I personally witnessed

1 FP&L remove from City Hall all public records,
2 current and -- originals and copies, of the initial
3 proposal. Those documents before you today bear
4 little resemblance in what they originally brought.
5 They took the originals and the copies from City
6 Hall.

7 If Peggy Lyon, the assistant city attorney,
8 were here, she would testify that I went to her
9 office more than once because of out-of-sunshine
10 meetings on this issue that they tried to involve
11 me with. And I don't get involved in shenanigans.

12 In fact, shenanigans -- they've removed me
13 from the current ballot. I was sworn in as a
14 candidate, and my name has been removed from the
15 ballot as further shenanigans because the City
16 Council is hell-bent on making sure this deal goes
17 through, and they'll do anything, including --
18 including interfere with a lawful election.

19 The -- I'm not against the sale. I've been
20 threatened. I've been removed by police from
21 public meetings because I took a position against
22 the mayor. The -- I'm probably one of the few
23 people in this room that didn't receive a dime from
24 anybody from -- to be here today. It's all on me.

25 And I can tell you -- help me if I can't get

1 through this, but my brother was a Vietnam
2 casualty. And he was a casualty not because a
3 Vietcong bullet at all; he was a casualty because
4 of the deception by governing officials over the
5 dangers of what they were exposing our military,
6 our soldiers, our veterans to.

7 And I can tell you that the deception before
8 you today is no less important to the community as
9 a whole. Please, please, please do not allow this
10 deal, as it's structured, to go through.

11 Thank you.

12 CHAIRMAN GRAHAM: Thank you, Mr. Heady.

13 OPC?

14 Ms. Larkin, you don't have any --

15 MS. LARKIN: No.

16 CHAIRMAN GRAHAM: -- for any cause?

17 Mr. Reingold.

18 MR. REINGOLD: No.

19 CHAIRMAN GRAHAM: Mr. May, Mr. Walls,

20 Mr. Rubin? Okay.

21 Sir, thank you very much for your testimony.

22 MR. HEADY: Thank you.

23 CHAIRMAN GRAHAM: That's all the names that we
24 have on our list. Is there anybody else out there
25 that wanted to give testimony today? Seeing none,

1 we will go back to Ms. Larkin.

2 (Whereupon, public testimony concluded at 2:50
3 p.m., and the trial resumed in a separate volume.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED THIS 19th day of October, 2018.



ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #GG060963
EXPIRES February 9, 2021