

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20220046-TP

Commission approval of Florida
Telecommunications Relay, Inc.'s
fiscal year 2022/2023 proposed budget.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 2

COMMISSIONERS
PARTICIPATING: CHAIRMAN ANDREW GILES FAY
COMMISSIONER ART GRAHAM
COMMISSIONER GARY F. CLARK
COMMISSIONER MIKE LA ROSA
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Thursday, July 7, 2022

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

REPORTED BY: DEBRA R. KRICK
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the State of Florida at Large

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1 P R O C E E D I N G S

2 CHAIRMAN FAY: With that, Commissioners, we
3 will now move on to Item No. 2. I will give our
4 folks a minute just to set up here on the front.

5 Okay. I believe we are all set up. With
6 that, Mr. Williams will be presenting Item No. 2.

7 MR. WILLIAMS: Good morning, Commissioners.
8 Curtis Williams with the Office of Industry
9 Development and Market Analysis.

10 Item 2 addresses Florida Telecommunications
11 Relay, Incorporated's 2022-2023 proposed budget.

12 In Issue 1, staff recommends the Commission
13 approve a total budget expense of 3.9 million for
14 fiscal year 2022-2023.

15 In Issue 2, staff recommends the Commission
16 approve FTRI's request to reduce the relay
17 surcharge to seven cents per wire line per month,
18 and recommends the Commission order all local
19 exchange companies to bill the seven-cent surcharge
20 for fiscal year 2022-2023.

21 Mr. Cecil Bradley, FTRI's Executive Director,
22 is present and would like to address the
23 Commission. Ms. Denay Brown, FTRI's legal counsel,
24 is participating by phone and is available for
25 questions.

1 CHAIRMAN FAY: Great. Thank you,
2 Mr. Williams.

3 And we do have a translator here for Mr.
4 Bradley. I'm just going to make sure real quick.
5 Ms. Brown, you are on the line?

6 MS. BROWN: Yes, I am here.

7 CHAIRMAN FAY: Okay. Great. Thank you.
8 With that, Mr. Bradley, you are recognized.

9 MR. BRADLEY: Good morning, Commissioners.
10 It's a beautiful day I think, and I want to thank
11 you for having me. Briefly, I want to say a few
12 things.

13 Thank you all, the total Commission, for
14 supporting our program now since 1981. We have
15 made a lot of different -- changed a lot of lives
16 for deaf people and people who are hard of hearing,
17 deaf/blind and even speech impaired. Without our
18 equipment, they would -- have almost impossible to
19 have any kind of access, so I appreciate you
20 setting up this program way back when.

21 Over the years, we have served quite a few --
22 quite a bit of people. But sadly, as you know, the
23 law has become antiquated, obsolete. The equipment
24 is only focused on landlines.

25 While we are doing everything that we can to

1 meet the needs of this community, people need
2 access through the phone -- through phones, and
3 some of our equipment, just a few of our pieces of
4 equipment are accessible. Most of them are not.
5 They -- some of them can switch between landlines
6 to Bluetooth, but -- Bluetooth -- but none of them
7 are wireless at all, unfortunately --
8 unfortunately, so we have a lot of limitations in
9 what we can provide.

10 Also, as you know, many of the local companies
11 have it where it will switch from analog to
12 digital, and that makes it very difficult to have a
13 smooth phone conversation in sign language. So we
14 need to make sure that we address that.

15 Our equipment is analog. For example, I have
16 one here to show you. This is 40 years old
17 technology. This is the only thing that we can
18 currently provide, unfortunately. It's
19 embarrassing. It's an old TTY.

20 I recall reading last year's order, I think it
21 was last year, maybe two years ago, that the PSC
22 attorney, attorney group, I understood that they
23 said this is the only specialized piece of
24 equipment that we are providing as a pilot test,
25 and we needed to test tablets. That was a year or

1 two ago that we needed to start testing tablets.
2 As you know, this report to the State was two years
3 ago.

4 The biggest concern of ours is the issue of
5 landlines. They are quickly disappearing. This
6 report is very clear about that. I mean, I predict
7 that within five years, there won't be any
8 landlines left. No more landlines at all, and then
9 our deaf and hard of hearing community will be
10 totally left behind. So that's going to be very
11 challenging for those people who have no more
12 access to phones.

13 The equipment has become obsolete, and so we
14 recommend that you please pay attention, that you
15 please focus on that again. We are very lucky to
16 have a program in Florida, and we hope we can
17 continue to provide what we have.

18 As you see in the budget, we have maintained
19 the same level, as well as we've done a lot more
20 promotion and outreach. We have got to do more
21 outreach to let people know. We have several
22 different ways we can do that. We can focus on
23 digital media more than hard print. We do see some
24 progress in that area.

25 For example, over the last two years, COVID

1 had a extreme impact on us, but the regional
2 distribute -- with the regional distribution
3 centers. Progress has gone down, but we are
4 looking at it coming up. It's starting to come
5 back up.

6 Last -- in the last three months, we've added
7 over 600 services, which is a great increase. Now
8 we are very excited about that. And I just wanted
9 to bring your attention to the budget to include
10 new service fees, so we have had to -- we need that
11 increase so hopefully the centers can continue to
12 support us.

13 17 out of 20 centers are continuing to work
14 with us for the next two years. If we increase the
15 service fee, if you noticed in the report, your
16 order, that a slight increase in the service fee,
17 and we did that. We did the analysis last year,
18 December -- November or December we provided that
19 report staff -- to staff.

20 That -- their request was a huge increase
21 based on this report, almost double. I don't think
22 that's feasible at this time. So instead, we did
23 further analysis. We looked at the charge -- the
24 surcharge being increased. It hadn't been
25 increased for so long, but then to almost double,

1 so we -- I shared that with the centers twice, and
2 they seem to be able to accept that.

3 Again, we are looking ahead at new approaches
4 over the next several years, and hopefully we will
5 be able to serve more people.

6 Another thing is that we are requesting that
7 you -- for you to set up the FTRI chat. We are
8 going to be working on that as well over the next
9 few months. The budget will also include adding
10 staff for that purpose, and we will have -- we will
11 be adding a third distribution program coordinator
12 to meet this demand.

13 When customers call the Tallahassee -- more
14 and more customers are calling the Tallahassee
15 center, so our staff has been overwhelmed, and that
16 is continuing to build. So the Tallahassee office
17 serves every -- all the centers around the state.
18 We definitely see for the future we are going to
19 have to make some changes for the service
20 providers, so the budget reflects that.

21 We are looking forward to a continued
22 partnership with you.

23 CHAIRMAN FAY: Great. Thank you, Mr. Bradley.

24 I do have a few questions, and other
25 Commissioners might also have questions.

1 I just -- I first just want to thank you for
2 accepting this role. I know the Board worked
3 really hard to bring the right person in to do this
4 job, and I think they got it right. They spent a
5 lot of time, and we've had some turnover in this
6 role, and so I appreciate you taking on the
7 challenge, because it is a tough one.

8 I also know that you are well aware this is an
9 important issue to me, and I have felt for a while
10 now that the status quo may not be satisfying what
11 we really need to be doing in this role. And, of
12 course, the Commission's authority is limited to a
13 certain extent, because it's specifically to the
14 budget oversight and not necessarily operational
15 components in that case.

16 But I did want to ask you, you mentioned RDCs
17 and the additional funding that they may need. The
18 recommendation talks a lot about the struggle that
19 both our Commission staff and FTRI have had getting
20 responses from those entities so we can make an
21 accurate calculation. I think it was really a
22 two-year process to get to those numbers.

23 Do you believe that funding those RDCs at that
24 potential break-even level would materially benefit
25 their ability to distribute equipment, or just to

1 provide services in general?

2 MR. BRADLEY: Good question. When we did the
3 analysis, we looked at every possibility whether or
4 not we could fill the centers needs, RDCs needs.
5 The issue with the analysis was that not all of the
6 RDCs provided feedback. They didn't give us good
7 statistics, good numbers, enough information to be
8 able to do a descent analysis. Some included them,
9 some did not, so it varied across the state. So we
10 had to look at a very broad range of responses.

11 As you may have heard, some groups would like
12 what we call advanced funding to the centers
13 retroactive. Honestly, I am not ready for that
14 because advanced allocations require more
15 responsibility. So what we have with the service
16 fee increase, an increase of almost double, the
17 centers had no objection to that.

18 And A funny thing, when we had the Zoom
19 meeting, I guess two -- two or three months ago
20 now, what we proposed -- when we proposed a new
21 surcharge, we received very positive comments from
22 a few, and the rest were silent. So I am hopeful
23 that this is a first step.

24 And again, we will do this again every year
25 and review it just to see if we've been successful.

1 If it's not successful, then we will look for
2 another option. If not, the possibility being, as
3 I mentioned previously.

4 Again, we want what's best for the centers,
5 and the centers are very challenged right now.
6 They don't have the same number of staff that they
7 used to have. For example, a lot of the RDCs have
8 only two or three staff who are focused on this
9 program -- they used to have two or three, and now
10 they are down to one. That makes it very difficult
11 for them to serve their individual communities.

12 So we are looking at probably changing our
13 approach where the customers call us here in
14 Tallahassee, and then we make a referral to the
15 local center, and hopefully they will respond. If
16 they don't respond within a week or two, we are
17 going to follow up and send that customer directly
18 their equipment, the phones. We will communicate,
19 we will explain on line how to use their equipment.
20 So for right now, the centers seem to be accepting
21 what we are -- what we are proposing.

22 CHAIRMAN FAY: Great. Thank you.

23 And I have one more question for you, Mr.
24 Bradley.

25 The equipment distribution program

1 coordinator, the additional position, is that, in
2 part, due to the advancements in technology and
3 maybe in part also to COVID, and the switch from
4 having more in-person operations with the RDCs to
5 putting the burden more on the FTRI in the
6 Tallahassee office, is that --

7 MR. BRADLEY: Yes. Yes. Commissioner, you
8 are correct.

9 We are faced -- we faced a crisis, for example
10 a couple of months ago, when we had a staff ill
11 with COVID, and some staff did -- were kind of not
12 knowing what to -- didn't know what to do, so we
13 were down to two when we only had -- when we are
14 supposed to have three, and then we wound up being
15 down to one, and they were just overwhelmed with
16 all the calls.

17 The third staff person would help with relief
18 in this process, because we get calls constantly
19 all day long, because the promotion, the outreach
20 is working, and the response from the public is
21 fantastic. We feel that's very strong, and that
22 third person will help so much with all of that --
23 all of those -- all that responsibility, because
24 it's not just reference -- referencing the -- or
25 referring them. It's also explaining and teaching

1 them. Answering questions. So the paperwork, the
2 processing, all of that information that that
3 person has to do. So it's just not a simple phone
4 call and your done. For every -- there is several
5 things -- things that have to be done for each
6 transaction.

7 CHAIRMAN FAY: Great. Thank you.

8 I have got one question for staff, and I want
9 to make sure my colleagues have the opportunity to
10 ask anything that they may want to.

11 The recommendation talks about the different
12 budget calculations in Issue 1 and some of the
13 things we talked about with these positions. Issue
14 2 talks about the rate, the proposed rate change,
15 which essentially comes from the Board, from what I
16 understand, that sends that forward.

17 Based on that, it looks like -- so part of the
18 evaluation is due to a potential surplus that we
19 had last year. Is that -- is that abnormal? Is
20 that -- is that range of surplus normal, or is that
21 more of a product of the pandemic and not having
22 localized resources being used?

23 MR. WILLIAMS: I think it's more of an issue
24 of the pandemic. In most recent years, we have not
25 seen a surplus. It's been shortfall.

1 CHAIRMAN FAY: Okay. Great. Thank you.

2 And Mr. Bradley talked a little bit about some
3 of the things that they need, and I know he hasn't
4 been on the job long, and I am fully confident he
5 is going to do amazing job and make improvements
6 where needed. I want to make sure that from a
7 Commission perspective approving this budget, that
8 we are giving him the time and the ability to do
9 that. I am not sure, based on the recommendation,
10 we have all the information we may need solely
11 because some of the RDCs haven't responded to
12 certain things. We have some pending thoughts
13 about how the program should look, or if changes
14 should be made in statutes, or just in general
15 operationally. And so I have -- I have serious
16 concerns about adjusting that fee downward. I know
17 the statute has a cap on it. It can't exceed 25
18 cents.

19 Historically, are we -- is that number
20 considered low? High? Like, do you know where we
21 are, maybe in the past 20 years, kind of in that
22 range?

23 MR. WILLIAMS: We are currently at 10 cents,
24 it's about in the middle. The -- you know, we --
25 staff -- we looked at various scenarios as far as

1 reducing the surcharge, and FTRI, they proposed the
2 three-cent reduction. So that's kind of -- kind of
3 midpoint.

4 CHAIRMAN FAY: Okay. If the fee remains what
5 it is today, at that 10-cent level, a we, as a
6 commission, review the budget based on the proposed
7 expenses and that fee remaining where it is -- this
8 is just hypothetically -- would we do a
9 continuation for a year and say we want to give Mr.
10 Bradley time to evaluate these things, come back to
11 us with a budget with maybe programs or changes
12 that he thinks are legitimate, would we still be
13 potentially in the red for this fiscal year if --
14 if we capped it at that number, or would there be a
15 surplus?

16 MR. WILLIAMS: No, we would not. If the rate
17 remained where it is now, at 10 cents, it would
18 basically have a very minimal effect on their
19 budget. It would basically be break even.

20 Staff did some analysis, and it -- it
21 approximately maybe an additional \$100,000 surplus.
22 For example, you know, based on their proposed
23 budget, if -- if we look at the proposed surcharge
24 at seven cents, reducing it by three cents, that
25 has an effect on their revenue where they would

1 have a shortfall of about \$1 million.

2 CHAIRMAN FAY: Okay. And last question for
3 you. I know historically the Commission has talked
4 about the process of setting the budget limits, and
5 then certain categories of where the money can go
6 in and not go in. And it's my understanding if,
7 for example, we did a continuation and kept the fee
8 where it was, if Mr. Bradley wanted to come back
9 into the Commission for something that he, at this
10 time, has just not thought of in the budget, does
11 he have to wait the full year before we approve
12 that budget, or is there a change potentially in a
13 category range that he could bring forward to us?

14 MR. WILLIAMS: No, he does not. FTRI would
15 not need to wait. They -- they have some
16 flexibility within your approved budget, the
17 approved budget amount, to move funds from category
18 to category. So they have some flexibility there,
19 and -- but at any time, if they were in a stressed
20 financial situation, they could come back to the
21 Commission for relief. But they do have some
22 flexibility during the fiscal year to make some
23 adjustments within the approved budget.

24 CHAIRMAN FAY: Okay. Great. Thank you.

25 I mean, Commissioners, my opinion on this,

1 just one Commissioner, but I think Mr. Bradley has
2 not necessarily had the time to do a full
3 evaluation of what would be appropriate going
4 forward, and I have -- I have concerns about
5 reducing that fee based on the recommendation,
6 knowing that that would be a significant reduction
7 of funds. Although, the trust fund sits with some
8 funds in it, it would start to draw down that trust
9 fund fairly quickly on an annual basis. And so I
10 hope that we would give consideration to a
11 continued budget for purposes of the fee. And I
12 trust that Mr. Bradley will bring us back things
13 that he believes will improve this scenario.

14 And some of those are those lawyers that are
15 creating limitations for you, Mr. Bradley, and we
16 know you -- it's fair for you to be annoyed with
17 lawyers. It's an appropriate position to be, but
18 we really do want you to be able to do what you
19 need do to fulfill the obligations. And when I
20 looked at the statute again last night, I just have
21 a lot of heartburn when we start talking about
22 advancements in technology and efficient use of
23 these funds, and I am just not sure in the current
24 status we are really fulfilling those obligations
25 that are in the statute, and so I want to give you

1 the opportunity to do that.

2 So with that, Commissioners, I would be happy,
3 if you have any questions for either Mr. Bradley or
4 staff.

5 Commissioner Clark, you are recognized.

6 COMMISSIONER CLARK: Yeah. One question, Mr.
7 Chairman, and I am going to withhold my lawyer
8 comments just out much respect.

9 I wanted to just ask a question about the
10 trust fund. I mean, we basically have a five-year
11 operating budget in the trust fund. We can operate
12 for five years with no revenues.

13 Is there a minimum amount that we are required
14 to hold in the trust fund, or can that be taken
15 down to a lower level?

16 MR. WILLIAMS: Commissioner Clark, no, there
17 is -- there is not a minimum amount that we are
18 required to hold.

19 COMMISSIONER CLARK: Is there any foreseeable
20 reason that we need to be holding a trust fund
21 balance this large? I mean, I think I may be off
22 base, but five years of operating revenue seems to
23 be a very healthy trust fund. If we can lower the
24 fees and still maintain the margins and reserves
25 that we need to operate in, I think -- and I am

1 certainly in favor of funding more programs,
2 especially when it comes to maybe some more of the
3 digital solutions. I would love to see an expanded
4 program, or expanded budget that included new
5 services and new opportunities, but to me, it just
6 appears that we are sitting on a lot of funds, and
7 if we can reduce expenses, or reduce expenses to
8 consumers at any point in time, that would
9 certainly be a plus with me, Mr. Chairman.

10 CHAIRMAN FAY: Great. Thank you.

11 Other questions?

12 Commissioner Passidomo, you are recognized.

13 COMMISSIONER PASSIDOMO: Thank you, Mr.
14 Chairman.

15 Thank you, Mr. Bradley, for being here. I
16 really appreciate hearing your perspective and the
17 challenges that you are facing, which is, you know,
18 hamstrung by budgetary constraints and things.

19 So I do have a quick question. I am just
20 curious whether FTRI does have an adopted
21 investment policy for that, you know, 15 million
22 reserve, in the reserve, and how you, you know,
23 what kind of financial institutions hold those,
24 that money and, you know, making investments to
25 make more.

1 MR. BRADLEY: Thank you, Commissioner, for
2 that question.

3 It's my understanding that the funding and the
4 allocations, whatever that's called, it's a way for
5 the banks to classify PSC's -- the public funds.
6 It's like a savings account actually. We don't
7 have good -- a good investment policy, because a
8 long time ago, we asked that question, I believe to
9 staff, if I remember correctly, the Board had a lot
10 of discussion about it. That was, gosh, probably
11 10 years ago. And it was not clarified how to
12 allocate the funding. There was just a very slight
13 little interest rate, not much at all. I think
14 it's pretty pitiful, I have got to tell you.

15 So we've got to decide how to work on some of
16 these issues that the bank has with the funding,
17 and the challenges, so we decided to put that to
18 the side for the time to figure out and how the
19 direction the funding needed to go in with the
20 bank.

21 And it really -- they really are public fund,
22 the peoples' money, and we have an obligation to
23 increase that investment. But right now, we are
24 not -- the increase is not clarified. It is not
25 understood how that investment is happening, and

1 it's not happening yet.

2 COMMISSIONER PASSIDOMO: Well, thank you.

3 And I agree with the Chairman. I know that,
4 you know, you haven't had much time to work
5 through, and there is a lot of challenges, so I am
6 sure we'll get to that.

7 I do have one, also a follow-up question for
8 staff. Just, you know, at first blush, it sort of
9 appears that staff's recommendation is higher than
10 what FTRI proposed for their budget, and so -- and
11 just for, you know, those tuning in, and all of
12 that, I just wanted you to have the opportunity to
13 explain why staff's recommendation is higher than
14 the original proposed budget.

15 MR. WILLIAMS: Yes, Commissioner, I can
16 respond. The -- I think you are referring to the
17 \$208,042 of additional expense that staff
18 recommended be included in the budget.

19 That amount is basically, when FTRI calculated
20 the relay service expense, they did not use the
21 current surcharge rates approved by the Commission
22 last year. There was a calculation error that
23 resulted in a -- it was basically a computational
24 error of the \$208,042 using the old surcharge
25 rates.

1 Staff discovered that our analysis, so we just
2 added that amount to their current budget. But
3 their proposed expenses were lower before we --
4 before we included it, and they continue to be
5 lower when compared to the 2021-2022 fiscal year
6 budget.

7 COMMISSIONER PASSIDOMO: Thank you.

8 CHAIRMAN FAY: Great. Thank you, Commissioner
9 Passidomo.

10 Commissioner La Rosa, you are recognized.

11 COMMISSIONER LA ROSA: Thank you, Chairman.
12 And this question is going to be related -- or is
13 going to be to staff.

14 Talking about the technology discussion, my
15 concern is that we advanced technologies it can be
16 a slippery slope, meaning that it's hard to catch
17 up and it's hard to integrate as new technologies
18 are evolved and created every day.

19 Looking at the way their budget is structured
20 in the different categories, is there any
21 prohibition or limitations that FTRI would have in
22 either testing or advancing new technology
23 recommendations back to us with the way their
24 current budget is structured?

25 MR. WILLIAMS: The equipment that FTRI can

1 distribute is established by statute. So the
2 equipment that they currently provide, they have
3 special approval for that equipment. Outside of
4 that, what is allowed through the statute would not
5 -- would not be covered under -- under legislative
6 authority.

7 COMMISSIONER LA ROSA: So I guess my more --
8 my direct question is could they test technology
9 and recommend either a change in statute or a
10 recommendation to us, which would be more
11 beneficial to them to advance their product and
12 reaching out to help more people?

13 MR. WILLIAMS: I believe that it would require
14 -- it would need to be an interpretation of the
15 statute. I am not an attorney, so I can't exactly
16 say what that interpretation would be. But to
17 permanently distribute equipment that's not
18 currently covered by statute would require
19 statutory change.

20 COMMISSIONER LA ROSA: Thank you.

21 CHAIRMAN FAY: Great. Thank you, Commissioner
22 La Rosa.

23 And I just -- I do have a follow-up question
24 for staff based on some of the questions we've had.

25 So that limitation that has been -- it's been

1 in previous recommendations, but the Commission has
2 discussed the telecommunication device definition,
3 and what can and can't be included in that. And I
4 believe in previous, maybe two or three years going
5 back, but there were discussions in our budget
6 recommendation that included by definition a smart
7 device, some device that performed a number of
8 different services.

9 I think, Mr. Williams, you said that like a
10 great lawyer, even though you are not one, it's up
11 for interpretation. And so I think looking at that
12 definition, there are ways to read that to be
13 inclusive of devices, and some may agree with that
14 interpretation and some may not. But I would
15 presume if Mr. Bradley came back to us with some
16 form of a pilot program, or maybe as Commissioner
17 La Rosa stated it, just maybe some research and
18 some better understanding as to if those are used
19 in other states, or if they are effective and maybe
20 present it back to us at that time, then the
21 Commission could make a determination if we felt
22 that fell within the statute -- within statutory
23 limitations or not, but he would at least have the
24 opportunity to do that.

25 Is -- are you aware, are there -- are there

1 other states that have considered this stuff and
2 implemented smart devices in a way that's
3 effective? And I am not asking you to speak for
4 the commissions, but I mean, are those programs
5 being adopted?

6 MR. WILLIAMS: Yes, some states are providing
7 more advanced equipment.

8 And I will add also that even with FTRI -- and
9 Mr. Bradley can follow up if he would like -- but
10 they do offer some equipment that is borderline,
11 but it is -- it does, in our -- in staff's
12 interpretation, it falls -- it's consistent with
13 the statute. But there is newer equipment that can
14 be used in combination with, for example, a smart
15 phone. It's a -- it's a landline technology, but
16 it can be adapted to be used for both, so there --
17 there are some creative ways to look at it.

18 CHAIRMAN FAY: Great. Yeah, thank you.

19 And I want to give Mr. Bradley an opportunity
20 to comment, if you would like, Mr. Bradley.

21 MR. BRADLEY: Thank you, Curtis. I would like
22 to follow up.

23 I want to clarify my understanding of the
24 statute, and I appreciate the legal interpretation
25 and all. However, what's amazing to me is the law

1 is so vague, so unclear. For example, if you look
2 at TASA, there is one line that says -- okay,
3 nowhere in the law does it say you must use a
4 landline. However, that one -- there is a sentence
5 that says, quote -- for example, I think it's a TTY
6 use a -- they use landlines. That's one example.
7 But all of the other equipment, it doesn't say
8 anything about a landline.

9 So that being said, I am sorry, I mean, that
10 -- that -- that really limits the interpretation.
11 So that's one thing that has me greatly concerned.

12 Another is the law allows for exploration of
13 new technology. There is a statement in the law
14 for those two things.

15 And I hope I am not wrong, the State of
16 Georgia, I spoke with one of the administrators
17 with the relay service program in Georgia last
18 week. I was in Orlando for -- or New Orleans for a
19 national conference, and I asked if they succeeded
20 in getting wireless tablets -- the tablets and
21 iPads, for example. I asked him how do we get
22 that? Is the surcharge part of that? We can't do
23 that.

24 But they responded, they said that they still
25 require landlines and landline equipment, however,

1 some chances for the public -- their public
2 commissioner -- public commission agreed to set up
3 a tablet program that's income-based.

4 Also, all the -- they all provide
5 communication apps, and that seems to be working
6 well for Georgia. And make we can ask staff here
7 to check with Georgia, but I see a lot of
8 possibilities. Again, I am following what you tell
9 us to do.

10 CHAIRMAN FAY: Great. Thank you, Mr. Bradley.

11 Commissioners, I don't see any other questions
12 or comments. I think, obviously, I have made my
13 position clear, though I will say, in honor of my
14 colleague Commissioner Clark over here, I think he
15 may be the best I know at working on compromise,
16 and so there might be a position that the
17 Commission holistically could support, so then we
18 give Mr. Bradley some time to look at some of these
19 things, to maybe look at Georgia. We certainly
20 don't want Georgia to do anything parties than us.
21 So we want the opportunity probably to look at that
22 and make a decision, but I think you made some fair
23 points, Commissioner Clark.

24 COMMISSIONER CLARK: Mr. Chairman, I would
25 like also just to reiterate. I think we kind of --

1 kudos to Commissioner Passidomo for her evaluation
2 of the interest rate. I assumed that trust fund
3 was in Florida, was in the state of Florida
4 accounts, but apparently you hold those trust funds
5 in your bank, is that correct?

6 MR. BRADLEY: Yes, that's correct.

7 COMMISSIONER CLARK: And that is earning an
8 interest rate of about .1 percent. You have got
9 \$22 million that can be generating a whole lot more
10 money than that. You could fund your entire
11 category two equipment budget with a descent
12 interest rate.

13 So I would certainly encourage us to look at
14 what the constraints are, and the requirements are
15 for that money, look at some ways that money could
16 be invested and get us a little better return on as
17 well --

18 CHAIRMAN FAY: Great.

19 COMMISSIONER CLARK: -- make up your other
20 three cents, Mr. Chairman.

21 CHAIRMAN FAY: I appreciate that, Commissioner
22 Clark. I think having Mr. Bradley come back to us
23 both about some of the new technologies that we
24 discussed, potentially what some of the other
25 states are doing, to your point about the

1 investment component, I think that would
2 potentially generate additional revenue on an
3 annual basis, and to your point, might, over time,
4 allow us to reduce that fee even more
5 significantly.

6 And one of the reasons I think it's been
7 reduced in the past, and the Board has recommended
8 this approval here is appropriate, but some states
9 have different structures. As Mr. Bradley
10 mentioned, some -- some of the fees are tied to all
11 cellular lines, or all landlines, or all forms of
12 communication. And under our structure, they are
13 just tied to landlines at this point, and so I
14 think that does reduce his options of incoming
15 revenue. But what might be the appropriate way to
16 do this, as we give technology time to advance and
17 maybe find some solutions for these individuals
18 that, by the Americans with Disabilities Act, are
19 entitled to these communications services.

20 And so with that I would be happy to entertain
21 a motion on this item from any Commissioners, or I
22 am also happy to pass the gavel if I need to.

23 Mr. Futrell, you have a comment.

24 MR. FUTRELL: Chairman, just a reminder. Ms.
25 Brown is on the phone if you care to hear from her.

1 CHAIRMAN FAY: Good point, Mr. Futrell.

2 Ms. Brown, we didn't want to leave you out. I
3 know you were available for questions, but we will
4 make sure if you have anything to add.

5 MS. BROWN: No. No. I am good. I am here if
6 you guys have any questions for me.

7 CHAIRMAN FAY: Okay. Thank you, Ms. Brown.
8 Commissioners with that, do I have a motion?

9 COMMISSIONER CLARK: Mr. Chairman, I am more
10 than happy to help out here. I am not sure what
11 your preference was and which direction you wanted
12 us to take this.

13 CHAIRMAN FAY: Yeah. Commissioner Clark, my
14 thought was -- I think there is a pretty good
15 consensus on Issue 1 related to the budget itself,
16 and what's proposed.

17 And so Issue 2, I think we could discuss kind
18 of what number would be appropriate for that
19 reduction. But my thought is based on your
20 comments, which were very appropriate, is under
21 that Issue 2, to just create a continuation of that
22 revenue at the 10-cent fee, and have Mr. Bradley
23 come back to us. That gives us a good perspective
24 of the long-term plan and how we could continue to
25 reduce that, maybe on an annual bases, or however

1 it would be set up to do so. Because I do think
2 that the technology advancements are going to
3 provide services at significantly lower cost, and
4 at times, sometimes just reducing the cost to the
5 State itself. And so I want to make sure we gave
6 him the time to be able to do that. And so that
7 was my proposal on Issue 2, was to keep a
8 continuation of that fee, and then Issue 3 is just
9 to close the docket.

10 COMMISSIONER CLARK: Basically, staff rec,
11 just change the seven cents back to 10 cents and
12 give them time to come back with a budget?

13 CHAIRMAN FAY: Correct. And I think, to your
14 point, Commissioner Clark, we are -- as Mr. Bradley
15 said, he would like direction from us.

16 Mr. Bradley, I think the comments that you
17 have heard from us today is we would like you to
18 look at those things that we mentioned and come
19 back with us with your thoughts and ideas,
20 understanding that there may be some legal
21 limitations that are present, but we still want you
22 bring those forward, so the Commission can have the
23 opportunity to decide what would be appropriate,
24 and maybe the best way to provide these services in
25 a way that's consistent with the statute that

1 requires incorporation of technology and efficient
2 use of those funds. And so if you could do that on
3 your part, that would be give the Commission a
4 better opportunity to make a decision in the
5 future.

6 COMMISSIONER CLARK: I will move staff
7 recommendation on Items 1 and 3. And on Item 2,
8 changing the seven-cent per month back to the
9 currently charged 10 cents per month.

10 CHAIRMAN FAY: So with that, we have a motion.
11 Do we have a second?

12 COMMISSIONER PASSIDOMO: Second.

13 CHAIRMAN FAY: We have a motion and a second
14 on that item.

15 All that support say aye.

16 (Chorus of ayes.)

17 CHAIRMAN FAY: Any opposed?

18 (No response.)

19 CHAIRMAN FAY: With that, show that item
20 passing.

21 Thank you, Mr. Bradley, for all your time. We
22 appreciate you being here today, and to Ms. Brown
23 for being on the phone. Thank you.

24 With that, Commissioners, that will conclude
25 our Agenda meeting. We will allow about 15 minutes

1 for staff and parties to set up here. And so let
2 me look at the clock to give you -- I would say at
3 10:35 we will start back for the hearing. Thank
4 you.

5 (Agenda item concluded.)

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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA)
3 COUNTY OF LEON)
45 I, DEBRA KRICK, Court Reporter, do hereby
6 certify that the foregoing proceeding was heard at the
7 time and place herein stated.8 IT IS FURTHER CERTIFIED that I
9 stenographically reported the said proceedings; that the
10 same has been transcribed under my direct supervision;
11 and that this transcript constitutes a true
12 transcription of my notes of said proceedings.13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the action.18 DATED this 22nd day of July, 2022.
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24 DEBRA R. KRICK
25 NOTARY PUBLIC
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