

In a message dated 8/12/2008 3:15:56 PM Eastern Daylight Time, rallen@xhale.com writes:

Dear Pegeen:

I am considering sending the letter below to the Gainesville Sun. But before I did, I wanted to touch base with you. I am curious if the City's discussions of red-light cameras have included the studies demonstrating that they are not effective, in the least, in reducing auto accidents?

Thanks,

Richard Allen

Dear Editor:

I am embarrassed to see our City buying into the business scam/scheme of "red-light cameras". Across the country, the data shows that these systems do not decrease auto accidents one bit. They generate huge revenue for the companies that make, operate and promote the systems. The companies running these scams "split the proceeds" with the cities that install them, generating a new source of revenue for revenue-starved municipalities, and hug profits for the companies that operate them. But the entire industry is based on a central fiction that the systems reduce auto accidents. They do not. Not at all.

The Arizona Department of Transportation did a study late last year in anticipation of Scottsdale's plan to set up speed cameras on a local freeway. A part of the study asked 13 other photo-enforcing cities around the world about results. Most cities claimed improved safety, but when Scottsdale drilled down on the reports they found that the local police compiled and reported on the safety benefits, and they were wrong. The only city that did its own audit on the results was Winnipeg, Manitoba. Its auditor found the following: The police had claimed that right-angle collisions had dropped at 12 camera intersections, from 37 in 2003 to 15 in 2004 and 12 in 2005. The auditor did an end run around police numbers by checking insurance claims for the same intersections. The findings: Collisions increased 58 percent after camera installation. Injuries rose 64 percent, property damage claims jumped 60 percent in the under-\$5000 category and 113 percent in the \$10,000-to-\$15,000 bracket. Moreover, camera sites worsened at a rate greater than in the rest of the city, which saw a seven-percent increase in crashes during the same time.

It's not just Winnipeg that has now demonstrated that red-light cameras have no meaningful impact on traffic accidents or injuries. In Charlotte, North Carolina, station WBTV reported that "Three years, 125,000 tickets, and \$6 million in fines later, the number of accidents at intersections in Charlotte has gone down less than one percent. And the number of rear-end accidents, which are much more common, has gone up 15 percent."

In Greensboro, the News & Record reported, "There has not been a drop in the number of accidents caused by red-light violations citywide since the first cameras were installed in February 2001. There were 95 such accidents in Greensboro in 2001, the same number as in 2000. And at the 18 intersections with +cameras, **the number of wrecks caused by red-light running has doubled.**"

The biggest study, covering a 10-year period, was done for the Australian Road Research Board in 1995. Photo enforcement "did not provide any reduction in accidents, **rather there has been increases in rear end and [cross-street] accidents,**" wrote author David Andreassen in their summary.

Very specifically and (I believe) indisputably, the fact is this: Red-light cameras do not reduce accidents but actually increase rear-end crashes.

But the systems are highly effective at revenue generation: In Winnipeg, which had an increase in accidents after the installation, citizens were issued 317,385 tickets worth \$17,661,636 Canadian. Motorists in Washington, D.C., alone pay a half-million dollars a month in fines. Redflex, one of the leading companies in the field, is telling its investors the red-light-camera business is now only two percent of where it will be, with a potential market of 70,000 systems in "3,000-plus" U.S. cities. Redflex alone sees potential annual revenues of \$1 billion to \$3 billion. Potential profits that high will generate a lot of "data" to prove their merit. But the data simply doesn't stand up to scrutiny.

Redflex hails its "BOOM" business model in which it Builds, Owns, Operates and Manages camera systems under contract to cities. It runs the cameras, processes the data, and sends out the tickets. No police involvement. Redflex takes a cut of the fine, \$42.48 from the \$157 basic photo ticket on Scottsdale's Highway 101.

Mayor Pegeen Hanrahan was quoted in the Gainesville Sun as saying that "'If there's a single life saved out of this, it is well worth whatever negatives are associated with this.'" Statements like this serve only to distort the issue, because they are not based on actionable logic. If "saving a single life" were worth any cost, we would lower the speed limit to 20 MPH everywhere. "Saving a life" – even one life – is not what the red-light systems are about. They do not decrease auto accidents. They often lead to increases in rear-end collisions. They are, instead, excellent means of raising revenue, both for the companies that operate them and for the cities that allow them to be installed.

If we are going to install red-light cameras, let's be truthful about it and admit that they are there for revenue generation. Perhaps generating additional revenue off scofflaws who run lights is a reasonable way to generate revenue. But let's admit it is revenue generation and not be disingenuous about it.

Meaningful traffic-law enforcement is good. We all want road safety. Revenue generation is needed. But disguising the latter as the former does a disservice to our citizenry.

Yours truly,

Richard R. Allen

1110 NE 3rd Street

Gainesville, FL 32601

From: PegeenHanrahan@aol.com [mailto:PegeenHanrahan@aol.com]
Sent: Wednesday, August 13, 2008 9:49 AM
To: rallen@xhale.com
Cc: Harris, Helen J.; citycomm
Subject: Re: Your input on red-light cameras

Dear Richard - First, thanks so much for forwarding me your concerns before sending your letter to the Sun. Oftentimes people communicate first through the editorial pages rather than to the elected officials they are seeking to influence, which always strikes me as unnecessarily confrontational.

We were presented a fair amount of data that is in conflict with the information you provided. In particular I recall a graph that showed that the red light running, angle collisions and injuries have decreased markedly in New York City since cameras were installed a number of years ago. There were other cities cited as well, though I can't immediately recall where they were. It was acknowledged by Captain Ed Posey of GPD that rear end collisions do in fact increase as a result of cameras at red lights, but that the angle collisions that decrease are generally far more dangerous.

This item was discussed at least three times (twice in a committee I don't serve on, and then on Monday at the full commission), but the information you've presented is new to me and worthy of review by all city commissioners and the GPD staff evaluating the data. I am forwarding your email to the rest of the city commission and, through my assistant Devonia Harris Andrew to Captain Ed Posey of GPD, who can evaluate the information you've sent and determine whether we should reconsider our actions to date. I will rely on Captain Posey to provide you the data we saw, and evaluate the information you've provided.

One other thing to note is that police departments can set their own criteria for when a citation should be issued, even with the red light cameras installed. Prior to issuing any citation a sworn officer will review the video and make a determination as to whether circumstances were such that a citation is not warranted (for example, when it was necessary to run the light in order to AVOID a rear end collision or get out of the way of a public safety vehicle, or when the time on red was miniscule). There will still be judgement exercised by a GPD officer regarding whether a citation is appropriate, based on criteria set by commission policy.

I realize that the financial aspects of this program are favorable to the city, but for me, and I believe the rest of the commission, this is not the motivating factor. Red light running is out of control in Gainesville, and this was presented as an effective way of addressing the problem. If the data you present is accurate, and therefore in conflict with the other data we've seen, then we should re-evaluate whether we should move forward with this program at this time.

Again, Richard, thanks so much for contacting me. I appreciate your good intent.


Pegeen




POLICE DEPARTMENT
Inter-Office Communication

To: Honorable Mayor and
Members of the City Commission

Date: September 11, 2008

Via: Russ Blackburn 
City Manager

From: Norman Botsford 
Chief of Police

09-17-2008 A08:51

Subject: Red Light Camera Complaint Response – Richard Allen

On August 12, 2008, Richard Allen sent Mayor Hanrahan a draft letter that he was considering sending to the Gainesville Sun, regarding red-light camera enforcement.

In his draft letter, Mr. Allen appears to have confused a number of issues. The first sentence of the second paragraph of the draft letter discusses a study of “speed cameras” that was conducted in Scottsdale, Arizona. The Gainesville Police Department has not suggested or even considered the installation or use of “speed cameras.”

As indicated during our presentation by Captain Posey, the Gainesville Police Department has relied upon a number of studies that have been provided to us. One study published by the Federal Highway Administration, titled *Safety Evaluation of Red-Light Cameras*, concluded, “Even though the positive effects on angle crashes of RLC (Red light Camera Systems) is partially offset by negative effects related to increases in rear end crashes, there is still a modest to moderate economic benefit of between \$39,000 and \$50,000 per treated site year, depending on consideration of only injury crashes or including PDO (property damage only) crashes....”

A February 2007 article in USA today by Larry Copeland addresses several very interesting points on this topic. He writes: “Surveillance cameras at major intersections dramatically reduce the number of drivers who barrel through red lights, two new research reports say.” Copeland then quotes Richard Retting, the senior transportation safety engineer for the Insurance Institute for Highway Safety: “There’s a dramatic change in driver behavior when red light cameras are used...The jury is in on that question.” Lastly, the article cited a Minnesota attorney who said, “Ultimately, this is an issue that may have to be decided in the court of public opinion rather than courts of law. It’s a policy issue of how much surveillance creep we will tolerate in the 21st century.”

According to an article on azcentral.com, the number of highway-related deaths in Arizona declined in 2006 by 18%. The National Highway Traffic Safety Administration released a report that indicated there were 1,293 deaths in 2006, as compared to 1,066 deaths in 2007, in the State of

Arizona. Later in the article: "Michael Hegarty, deputy director of the Office of Highway Safety, credited a combination of factors, such as stiffer penalties for DUI and photo enforcement, for a safer driving enforcement."

A report by the National Cooperative Highway Research Program, titled, *Impact of Red Light Camera Enforcement on Crash Experience, A Synthesis of Highway Practice*, published by the Transportation Research Board of the National Academies in 2003, concluded: "Based on the information that has been acquired and reviewed, it appears that RLR (Red Light Running) automated enforcement can be an effective safety countermeasure."

Mr. Allen made several specific points in his draft letter to the editor. Quotes from Mr. Allen's draft letter appear below in bold print:

"Across the country, the data shows that these systems do not decrease auto accidents on bit."
There have been numerous studies conducted on the use of Red Light Cameras. Almost every report that we have read states that the information available is inconclusive. Depending on how you read the reports, you can use wording from each report to support or to oppose the use of the cameras.

"But the entire industry is based on a central fiction that the systems reduce auto accidents. They do not. Not at all."

This appears to be Mr. Allen's personal opinion. There are several reports that show a reduction of crashes at certain intersections. The reports make suggestions on how to choose the proper intersections, and they contain several recommendations. Mr. Allen's statement does not appear to be true, at least not in every situation.

"The Arizona Department of Transportation did a study late last year in anticipation of Scottsdale's plan to set up speed cameras on a local freeway. A part of the study asked 13 other photo-enforcing cities around the world about the results. Most cities claimed improved safety, but when Scottsdale drilled down on the reports they found that the local police compiled and reported on the safety benefits, and they were wrong. The only city that did its own audit on the results was Winnipeg, Manitoba."... "The auditor did an end run around police numbers by checking insurance claims for the same intersections. The findings: Collisions increased 58 percent after camera installation. Injuries rose 64 percent, property damage claims jumped 60 percent in the under - \$5,000 category and 113 percent in the \$10,000-to-\$15,000 bracket. Moreover, camera sites worsened at a rate greater than in the rest of the city, which saw a seven-percent increase in crashes during the same time."

Corporal Robert Fanelli was able to find the complete study performed by Winnipeg, Manitoba. The report, which studied 12 intersections, began on January 7, 2003, and concluded in February of 2006. By the end of 2007 Manitoba expects to have 30 Intersection Safety Cameras rotating among 60 site locations. Red Light citations rose, with 4,066 issued in 2003 as opposed to 6,812 issued in 2004. This rise was despite the rate of re-offenders dropping from 22% in 2003 to 9% in 2004. The revenue did not meet the city expectations, with a 12 million dollar short-fall.

Mr. Allen's quotes from the original report regarding the increase in collisions, injuries, and property damage are correct. But the study concludes with the inherent flaws of the research:

“To demonstrate overall program effectiveness, comparative performance data must be gathered on sites which are not now subject to photo enforcement. It is too early to expect to be able to conclude that the Photo Enforcement Program has been effective in reducing injuries and collisions associated with high risk driving behaviors throughout the City. More information is required on the history of collisions and injuries and their severity, both at monitored and unmonitored locations.”

Corporal Fanelli also found the study performed by the Arizona Department of Transportation performed in June of 2005 by Dr. Simon Washington and Mr. Kangwon Shin. This study was designed to estimate the safety impacts of Red Light Cameras on traffic crashes at signalized intersections in the state of Arizona and identify which factors are associated with successful installation. This study examined Red Light Cameras that were installed in Phoenix and Scottsdale, Arizona. Given that the study Mr. Allen cites was completed late last year, and in anticipation of the installation of Speed Cameras, the Arizona study, completed in June 2005 utilizing Red Light Cameras already in use, is the more relevant study. Corporal Fanelli telephoned the Scottsdale Police Department who confirmed that they do have Red Light Cameras installed. The study completed by Dr. Washington and Mr. Shin concluded that crash frequencies alone are not sufficient to understand the impact of Red Light Cameras. The study indicated that the severity of accidents is a key issue and needs consideration. Red Light Cameras in Scottsdale and Phoenix reduced the frequency of angle and left turn crashes, as a result of fewer drivers entering the intersection on an indicated red light. The frequency of rear end collisions increased as a result of drivers braking suddenly to avoid a possible violation and fine due to the cameras. The increase in rear end crashes resulted in an increase in property damage crashes only. It is noted that the severity of accidents decreased. Rear end collisions due to sudden braking are less significant than angle crashes (“T-Bones”) which often result in greater injury. The success of the camera is not in its installation alone; other factors must be considered. Components for successful intersections or ones that reduced accident and/or accident severity were: Installation in an intersection that is prone to red light running and the placement of a warning sign indicating the intersection is monitored by camera placed well before the intersection. The drawbacks to this study are the limited amount of intersections observed and the relatively short time period for which they were observed.

“In Charlotte, North Carolina, station WBTV reported that “Three years, 125,000 tickets, and \$6 million in fines later, the number of accidents at intersections in Charlotte has gone down less than one percent. And the number of rear-end accidents, which are more common, has gone up 15 percent.”

In January 2007, *newspaper.com*, a journal of the politics of driving, reported the following:

“Charlotte, North Carolina Cameras to be Removed

Charlotte, North Carolina pays nearly \$500,000 to get out of its photo enforcement contract.

The red light camera and speed camera program in Charlotte, North Carolina has come to an official end. The city agreed this week to pay \$490,090 to get out of its contract with ticket vendor Traffipax.

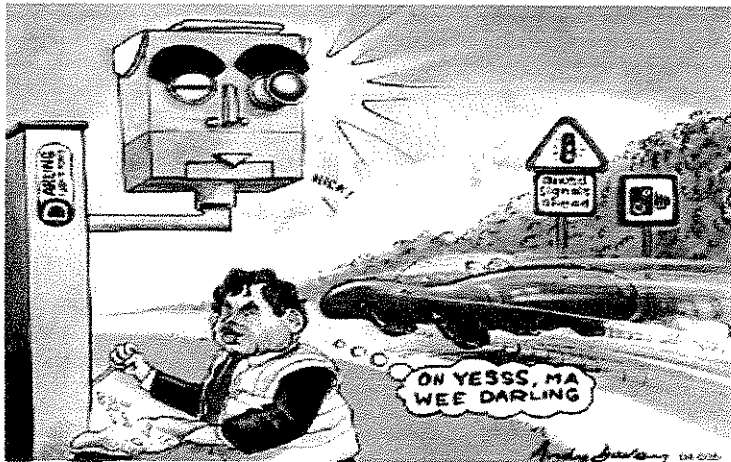
The city had suspended issuing tickets from its camera program last May after the state Court of Appeals ruled that photo enforcement fines must be paid to the public school system under a state constitutional provision. Charlotte officials have lost hope that the state Supreme Court would save the program. Under the contract, Charlotte continued to pay \$10,000 a month to the vendor.

"Rather than the city pay money for a suspended program, we decided to terminate the contract," Assistant City Manager Keith Parker told the Charlotte News Channel.

The city still owes \$4.6 million to Charlotte-Mecklenburg Schools because of the court ruling."

Source: Future of traffic cameras looks bleak (Charlotte News Channel (NC), 1/19/2007)"

Another article regarding Charlotte turning off their red light and speed camera units:



"Authorities in Charlotte, North Carolina have switched off their red light and speed camera units. The move stems from a May 16 decision by the NC state appeals court directing some 90 percent of proceeds to state schools, not to the city or the company that operates the cameras.

Peek Traffic Inc., the firm responsible for operating and monitoring the cameras had been receiving a whopping \$35 out of every \$50 for every ticket for blowing a red light, or \$39 for those snapped speeding. The new ruling means that the city would have to shell out \$30-\$34 per ticket, something they obviously aren't keen to do. By this ruling, Charlotte now owes the school system \$4.6 million dollars.

City council members are set to convene June 5 to figure out a way to get out of its contract with Peek Traffic, as well as figure out how to pay the \$4.6 million dollars, provided officials don't take up the ruling with North Carolina's Supreme Court.

[Sources: TheNewspaper.com; Art by Andy Davey]"

We were unable to verify the claim regarding the number of crashes in Charlotte, North Carolina, or whether the number was rising or falling. However, it appears that the North Carolina Supreme Court affectively ended the program when they directed the funds to be moved to the school system, instead of to the entities that installed and paid for the cameras.

"In Greensboro, the News & Record reported: "There has not been a drop in the number of accidents caused by red-light violations citywide since the first cameras were installed in February 2001. There were 95 such accidents in Greensboro in 2001, the same number as in

2000. And at the 18 intersections with cameras, the number of wrecks caused by red-light running has doubled.”

A report titled *Review of A Detailed Investigation of Crash Risk Reduction Resulting from Red Light Cameras in Small Urban Areas* by M. Burkey and K. Obeng was conducted in November 2004 for the Insurance Institute for Highway Safety by Sergey Y. Kyrychenko and Richard A. Retting. It refutes the original findings and states, “Major Flaws in the Study – The methods used by Burkey and Obeng (2004) contain major flaws that account for the contrary findings and that invalidate the study’s conclusions.” Regardless of which study is correct, the cameras in Greensboro have been shut down, as of the result of the Supreme Court order to have the proceeds move to the schools.

“The biggest study, covering a 10-year period, was done for the Australian Road Research Board in 1995. Photo enforcement “did not provide any reduction in accidents, rather there has been increases in rear end and [cross-street] accidents,” wrote author David Andreassen in their summary.”

The research conducted by the Australian Road Research can be purchased for approximately \$50.00. GPD personnel could not find the entire study for viewing on-line. Many studies, both for the camera system and against the camera system, do reference this material. This 13 year old study appears to be outdated and the results in Australia may be different then the results in the US with current technology.

“Very specifically and (I believe) indisputably, the fact is this: Red-light cameras do not reduce accidents but actually increase rear-end crashes.”

This statement is Mr. Allen’s personal opinion and appears to be at least partially correct. Every report that we have read, does indicate that the number of rear-end crashes at intersections with Red Light Cameras do increase.

“But the systems are highly effective at revenue generation.” Mr. Allen reports that some jurisdictions do make a significant amount of revenue from the camera systems. **“Motorist in Washington, D.C., alone pay a half-million dollars a month in fines.”**

While this is probably true in some jurisdictions, other jurisdictions have lost consequential amounts of money. Agencies in North Carolina lost considerable amounts of money when the Supreme Court rendered its decision. The Manitoba study indicated that the jurisdiction had a 12 million dollar short-fall in the revenue that they had expected from the cameras. The State of Florida is currently considering legislation which may impact where the revenue from Red Light Camera systems will ultimately end up. Last year’s proposed legislation also had some provisions for removing cameras if certain factors existed. It is possible that the City of Gainesville, like the cities in North Carolina, might end up paying money in the future to end a contract or remove the cameras. There is no certainty that a Red Light Camera system will generate any money over the life of the project. There will certainly be the need for police department personnel to oversee the project and review every possible violation.

“Redflex hails its “BOOM” business model in which it Builds, Owns and Manages cameras systems under contract to cities. It runs the cameras, processes the data, and sends out the tickets. No police involvement. Redflex takes a cut of the fine, \$42.48 from the \$157 basic photo ticket on Scottsdale’s Highway 101.”

All the companies that we have spoken to, including Redflex, require a member of the police department to review the possible violation and decide whether or not a citation is sent to the registered owner of the vehicle. The companies do perform the remaining processes of the system and they do take a cut on the revenue to pay for the cameras, installation, back-hall connectivity, websites, customer support, etc.

“Meaningful traffic-law enforcement is good. We all want road safety. Revenue generation is needed. But disguising the latter as the former does a disservice to our citizenry.”

Mr. Allen’s draft letter points to the probability that the red light camera system, if initiated by the City of Gainesville, will continue to be a controversial issue for at least some portion of the citizenry. Any of the studies that have been conducted on red light cameras can be used to argue for or against their use. Almost everyone would agree that meaningful traffic-law enforcement is good and that we all want road safety. There will undoubtedly always be discussions and differences on how best to achieve that goal.

Most of the information in Mr. Allen’s response appears to come from a report issued by an associate professor at the University of South Florida purporting to “prove” that the use of red-light cameras increases collisions. This is the complete opposite of what chiefs of police around the country, and numerous credible studies, have reported. The report’s findings are also the exact opposite of what agencies nationally have experienced.

According to Greg Parks, the regional vice president of American Traffic Solutions, Inc., the report was authored by the professor

“who filed a federal lawsuit over a ticket she received for rear-ending another vehicle and lost ... for the second time ... upon appeal. The report itself reads as though it were taken directly from the web site of the National Motorist Association’s (NMA) web site. NMA is an anti-government, anti-road safety political advocacy for-profit company. The NMA opposes every mainstream safety measure in use today including airbags, seat belts, motorcycle helmets, traffic calming measures, toll roads, red-light safety programs, speed safety cameras, sobriety checkpoints and DUI blood alcohol limits. A list of their positions on “issues” can be reviewed at www.motorists.org/issues/. Clearly, the NMA is not a mainstream group, yet the report holds them in the highest esteem.

It appears that all the author did was study a handful of negative research reports and determine she liked their research methodology while attacking the IIHS and Federal Highway Administration research methodology. No original research was conducted.

Therefore, we place no credibility in this obviously biased study. We have more faith in the chiefs of police and traffic professionals than a disgruntled academician who clearly has some ax to grind.

We were amazed and dismayed that the study attacked the credibility of the highly-respected Insurance Institute of Highway Safety (IIHS). The author accuses the IIHS of supporting red-light cameras because insurance companies can make more money if collisions increase and they can raise rates. That’s ludicrous. In some communities, such as Springfield, MO., red-light cameras are credited with rates

being lowered due to increased safety. Ironically, the author rejects the validity of the Institute's red light camera research, when in fact the study she criticizes was subject to rigorous peer review and published in the premier scientific journal in her own field – the American Journal of Public Health. This stands in contrast to her article, which was self-published online by the institution with which she is affiliated.

The article focused on old data. It failed to take into consideration that in most communities using red-light cameras, the timing of yellow lights is required by the governing body to meet all federal standards. It ignored all the studies that credit red-light cameras with decreasing collisions, serious injuries and red-light running overall.

Most surprising, the study only referenced the 100 fatalities per year caused by red-light runners in Florida. It failed to mention the 13,000 injuries that occur. The study also didn't appear to discuss the number of violations or how a reduction in violations correlates to a reduction in crashes and thus, a reduction in injuries.

For those who choose to consider this report, we urge that they review the dozens of other studies and the testimony of scores of chiefs of police whose experience prove that photo enforcement safety programs are having a positive impact across North America and other parts of the world.”

The June 2005 study prepared for the Arizona Department of Transportation titled *The Impact of Red Light Cameras (Automated Enforcement) on Safety in Arizona* makes the following recommendations:

“...to maximize the impacts of RLCs and to address red light running and related crashes...In general, the RLC is not a panacea to address red light running problems. However, the RLC may be a promising countermeasure given the following considerations.

- It is necessary to examine whether an intersection is truly hazardous in terms of red light running violations and the severity of resulting crashes. An “ideal” site will have relatively high red light violation rates and will suffer from relatively severe angle and left-turn crashes.
- Given that conditions above are satisfied, candidate sites with high approach speeds are more likely to benefit than sites with relatively lower approach speeds, particularly for left turn crashes.
- The severity of left-turn and angle crashes at candidate sites should be examined. Left-turn related crashes are more likely to be reduced (as a result of RLCs) in the lagging phase condition, whereas angle crashes are more likely to be reduced in the leading left-turn phase condition.
- Engineering countermeasures (excluding RLCs) may be considered to deal with red light running problems (see Table 1) at candidate sites. It may be prudent to exhaust simpler and/or less costly engineering countermeasures to combat a red light running problem prior

to adopting a RLC program, particularly when some of the previous “ideal” conditions do not exist.

- The RLC is just one possible countermeasure that may be used to reduce red light running related crashes. Comprehensive guidance on the selection of an appropriate countermeasure is needed. The *Red-Light-Running Handbook: An Engineer’s Guide to Reducing Red-Light-Related Crashes* (Bonneson and Zimmerman, 2—4b), *Guidance for Using Red Light Cameras* (FHWA/NHTSA, 2003), and *Red Light Camera Systems Operational Guidelines* (FHWA/NHTSA, 2005) are useful resources for jurisdictions wishing to examine current knowledge on alternative countermeasures.
- Further study is needed to improve sample sizes, increase the number of crashes in the sample (through increased RLC intersections or longer histories), and sort out some of the confounding variables analyzed in this study.”

From the information that GPD personnel have been able to find, it would appear that Red Light Camera enforcement, can be one tool in attempting to reduce the number of people running red lights at some intersections. As indicated in a number of publications and in Mr. Allen’s draft letter, some citizens believe that Red Light Camera initiatives are being considered because they are a revenue generating tool. We hope that Red Light Cameras will be an effective tool to reduce the number injuries and deaths caused by people running red lights in intersections. The use of Red Light Cameras in Gainesville may become a controversial topic which may or may not prove in the long run to save lives or reduce injuries.

NB/EP/ro
attachments

**DUE TO BULK AND SIZE, ADDITIONAL
BACKUP IS ON FILE WITH THE OFFICE OF
THE CLERK OF THE COMMISSION**