HEARING OFFICER TRACY: Thank you. At this point the Department's presented its case. You've presented your response and your description of what's happened. The Board will review the information it has before it, the transcript and the evidentiary materials. They'll make a recommendation to the Commissioner of Labor, and she will issue an Order either finding that you should continue to be a crane operator, continue to have your certificate, or that some other thing should happen, whether it's suspension, revocation or something else. It will depend upon the recommendation of what the Commissioner decides and that will be done in relatively short order.

At this point, if there's nothing further, then we'll go off the record.

(Discussion off the record.)

HEARING OFFICER TRACY: The Board members have had an opportunity to review the testimony and the evidence of the parties. Based upon the testimony of Mr. Parker, whom the Board members find credible, it's their understanding that it's reasonable to accept the fact that Mr. Parker believed that the power was off in the lines at the time he was operating the crane and, therefore, that
he was not negligent and did not act improperly in lifting the load that he was lifting and that, therefore, he remains a person of competence -- he remains a person of proper competence, judgment and ability to operate a crane. Is that a fair restatement of the Board's findings?

MR. RUPERT: Yes.

MR. ALGER: Yes.

HEARING OFFICER TRACY: Very well. Thank you, gentlemen. That will be put together in a report and recommendation to the Commissioner. That's all.

* * * 2:04 p.m. * * *