

Section Ten: Miscellaneous Charges

700. FRESH WATER (A)

Charges for fresh water delivered to vessels at piers or wharves shall be assessed as follows:

Per ton, 250 gallons _____ \$3.85
The minimum invoice for fresh water charged per vessel shall be _____ \$90.00
Hook-up fee, per vessel _____ \$55.70

701. FRESH WATER UNIT CONNECTION REPLACEMENT

When unit is not returned, a charge of \$500.00 per Unit Connection will be assessed to the corresponding agent.

705. ELECTRIC CURRENT FOR REFRIGERATED UNITS

When electricity is furnished to refrigerated containers and/or trailers by the Port, an additional utility charge per unit shall be assessed, at the rate per day of:

Per 20 foot unit\$65.00 per 24 hour period or any portion thereof
Per 40 foot unit\$75.00 per 24 hour period or any portion thereof

Such charge shall be assessed for each 24-hour period or fractional part thereof.

Except in the case of the Port's own negligence, the Port shall not be responsible for loss or damage caused by power failure, electrical surges, electrical or mechanical equipment failure or any other type of breakdown/failure.

Refrigerated containers shall be the only equipment connected to the reefer plugs. If any other equipment is connected, the Port user and leaseholder will each be subject to a fine as described below:

1st Offense _____ \$500.00
2nd Offense _____ \$1,000.00
3rd Offense _____ Permit will be revoked

707. HARBOR FEE (C)

The following Harbor fee shall be charged to each vessel on a per-call basis, excluding inaugural activities for homeport ships at the discretion of the Port Director, as and subject to Item 227 requirements and conditions:

0-20,000 Gross Registered Tons _____ \$275.00
20,001 GRT and over _____ \$525.00
Passenger vessels making 300 and more sailings per year _____ \$75.00

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In the event of multiple daily sailings for the same vessel, only one harbor fee per 24-hour period will be assessed.

Upon approval of the Port Director, with written application to the Port Director or designee, harbor fees may be waived when proper berthing space is available, for cruise vessels subject to the U.S. Centers for Disease Control and Prevention COVID-19 related No Sail Order dated April 9, 2020, as same may be extended, calling for the purpose of wet docking, for repair or lay up, bunkering, sludge/garbage disposal, water intake and provisioning (where no passengers or cargo are loaded or unloaded), subject to Ordinance 88-66 conditions and requirements.

710. VEHICLE PARKING AT THE PORT (A) (C) (I)

Facilities are available for the parking of vehicles for passengers boarding ships and for Port visitors and workers.

Rates at County-owned parking facilities are as follows :

- Short-term, per vehicle, per space, per day (no overnight), or fraction of _____ \$10.00
- Long-term (overnight or greater), per vehicle, per space, per day or fraction of _____ \$25.00
- Long-term (high density, overnight or greater), per vehicle, per space, per day or fraction of _____ \$25.00
- Special events, per vehicle, per space, no less than _____ \$15.00
- Lost ticket (equivalent to 11-day cruise), per vehicle, per space _____ \$275.00
- Crew Member Parking (Per Week) _____ \$50.00

All established parking rates will be posted at each facility and applied to the day a vehicle enters the parking lot and to each succeeding day it remains on the lot. Parking facilities that are privately owned, such as the Cruise Terminal A parking garage, may apply different rates.

Unattended ground parking areas, when properly posted as such, can be available to the general public at no charge for certain maritime industry-related events as designated by the Port Director.

For disabled Persons

Miami-Dade County Ordinance No. 13-104 requires all guests with a disabled parking permit or license tag to pay standard parking rates except as provided by Florida State Law. However, two hours of complimentary parking will be provided to vehicles displaying a disabled parking permit or license tag, provided the vehicle is transporting the person who has a disability and to whom the disabled parking permit or license was issued.

In accordance with Florida Statutes 316.1964, only vehicles with specialized equipment such as ramps, lifts, or foot or hand controls, for use by a person who has a disability, or any vehicle displaying a State of Florida license plate for disabled veterans issued under s. 320.084, s. 320.0842, or s.320.0845, or displaying

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the Florida Toll Exemption permit, are exempt from parking charges, but only if the vehicle is transporting the person who has a disability and to whom the disabled parking permit or license was issued.

Port's Partial Retention of Increased Parking Revenues

The Director may enter into written consents with each of the multi-day cruise lines that have contractual multi-day cruise parking revenue sharing incentive rights allowing the County the right to retain fifty percent (50%) of the difference between gross revenues generated by the previously established parking rate of \$22 per vehicle and the new parking rate of \$25 per vehicle.

Such written consents with the multi-date cruise lines with contractual multi-day cruise parking revenue sharing incentive rights, shall be entered on materially similar terms and limited to the sharing of parking revenues described above, and shall further provide that notwithstanding anything to the contrary in the preferential berthing rights agreements between the respective multi-day cruise line and the County, including any provisions limiting the County's right to impose new Port or County fees or increase Port or County fees, the aforementioned revenue sharing arrangement shall not trigger any rights adverse to the County relating to material adverse changes or granting the multi-day cruise line the right to adversely modify its business at the Port based on the imposition of a new or increased Port fee or charge. The written consent provided above shall be irrevocable during Fiscal Year 2024-25.

714. ANNUAL PERMIT FEES (C) (D)**Permit Requirements**

No one may engage in a business transaction or provide services at PortMiami without first obtaining a business permit, supplying evidence of insurance coverage, and complying with all other applicable provisions of the tariff and/or other pertinent regulations issued by the Port Director and the Miami-Dade County Code. Exempt from the business permit requirement are: 1) those entities whose sole function on the Port is to fulfill the requirements of U.S. government regulatory agencies; 2) County-approved and retained vendors, their sub-contractors, and suppliers, while performing the tasks called for under their contract with Miami-Dade; and 3) Governmental entities. Applications for a permit to conduct business as a Stevedore must be in accordance with Miami-Dade Code Chapter 28A-6 and/or as determined by the Port Director.

Obtaining a permit to do business at PortMiami does not entitle the holder of the permit to, including but not limited to, land, offices, other facilities, access to restricted areas, guaranteed business opportunities, etc. The permit only allows the holder to conduct business at PortMiami subject to the rules, conditions, limitations, and requirements of this Tariff.

Permit fees shall be applied on an annual basis, commencing on the date of issuance. Stevedore permit fees shall be applied on an annual basis, commencing in January of every year.

Permit renewals not received by the expiration date are subject to a late/reinstatement fee as stipulated in Section 714 of this Tariff.

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Permit holders and all persons and entities required to obtain Port Permits shall agree to comply with all applicable laws, including the Code of Miami-Dade County, PortMiami Terminal Tariff No. 010, all applicable county, state, and federal requirements and all regulations and directives, without limitation, issued by the Port Director or Seaport Department staff.

Issuance of a business permit does not imply permission to violate any existing regulatory laws of the State, County, Federal government or Municipalities, nor does it exempt the holder from obtaining any other licenses and/or permits required by local, state, or federal law. All applicants for motor carrier, freight forwarder, and broker authorities are responsible for having an active operating authority and complying with the insurance requirements and regulations set forth by the Federal Motor Carrier Safety Administration.

Permit Fees

Initial Processing Fee	\$350.00
Non-Refundable. Applicable to all categories, except shipping lines and cruise lines, not otherwise listed.	
Initiation Fee or Reinstatement Fee for Tug Services	\$6,000.00
Late / Reinstatement Fee (First 10 days after expiration)	\$100.00
Late / Reinstatement Fee (10+ days delinquent)	\$350.00
Company Name or Category Change	\$350.00

The following annual permit fees are applicable to the following business categories:

Liquefied Natural Gas (LNG) barge (per barge)	\$60,000.00
Non-LNG fuel or bunker vessels, 1 to 6 barges	\$260,000.00
Each additional non-LNG barge (per barge)	\$30,000.00
Cartage and Trucking Services	\$420.00
Crane Rentals, Heavy Lift & Hauling Services	\$420.00
Distribution of Merchandise	\$420.00
Equipment Leasing, Maintenance & Repairs	\$420.00
Ground Fueling Services	\$420.00
Car Rentals, Courtesy Shuttle Services	\$420.00
Maritime Consulting & General Services	\$420.00
Mobile Food Truck (Pre-Packaged Food Only) (Per Truck)	\$2,500.00
Mobile Food Truck (Cooking On Site) (Per Truck)	\$3,000.00
Pre-arranged Ground Transportation	\$350.00
Ship Chandlers/Suppliers	\$1,200.00
Ship's Agents	\$2,100.00
Ship Maintenance & Repair Services	\$420.00
Sightseeing/Tour Services	\$420.00
Shipping Lines and cruise lines	\$0.00

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Port Tenants	\$420.00
Stevedoring Firms	\$5,800.00
Tug Services, per tug	\$16,500.00
Portable Telecommunications Antenna	\$33,000.00
All other business categories	\$420.00
Tow Truck/Vehicle Delivery Service (No Initial Processing Fee)	\$150.00
Environmental & Waste Management Services	\$420.00
Security Systems, Services & Technology	\$420.00

Fees and time period for all other activities not listed above shall be determined by the Port Director.

Permit renewals are subject to compliance with all permit requirements and satisfaction of any outstanding balances due to the Port.

The Port has discretion in denying the issuance of a new permit and/or the renewal of a permit based on any circumstance and/or known fact that is not consistent with Port’s requirements and operating guidelines, such as, but not limited to; payment history, insurance discrepancies/inconsistencies, compliance with Port rules and regulations, outstanding claims, criminal records, convictions, location availability, and any operational constraints, etc.

Permit Violations

Companies engaging in business and/or providing services without first obtaining a business permit will, in addition to other administrative fees, penalties, fees, costs, and damages arising under the county code, this tariff, other applicable laws, or otherwise; be subject to the following fees, costs, and/or actions:

- 1st Time: Warning
- 2nd Time: \$250 Administrative Fee
- 3rd Time: \$1,000 Administrative Fee
- No Valid Permit: \$1,000 Administrative Fee

Companies with three (3) or more violations may be subject to denial of the permit for up to one (1) year from infraction(s).

Ground Transportation and Transportation Network Companies/Entities (TNC/TNE)

- Taxicabs, per pick-up _____ \$2.00
- Transportation Network Companies/Entities, per pick-up _____ \$2.00

In addition to the annual permit fee established above, Ground Transportation Companies shall be subject to the following per-trip fees for each vehicle:

Pre-paid accounts with permit and transponder: *

<i>Type Vehicle Rate</i>	<i>Passenger Capacity</i>	<i>Per Entry</i>
Luxury Limousine Sedans, Stretch & Super-Stretch Limousines, Vans, and Passenger Motor Carriers	14 passengers or less	\$4.50
Mini-Buses & Super-Stretch Limousines	15 – 32 passengers	\$9.00
Bus	33 or more passengers	\$18.00
Hop-On Hop-Off Bus	33 or more passengers	\$18.00

*On prepaid accounts with permits, when the account cannot be replenished, the rate charged will be applied as per the non-prepaid account with a permit.

Non Pre-paid accounts with permit and transponder:

<i>Type Vehicle Rate</i>	<i>Passenger Capacity</i>	<i>Per Entry</i>
Luxury Limousine Sedans, Stretch & Super-Stretch Limousines, Vans, and Passenger Motor Carriers	14 passengers or less	\$6.00
Mini-Buses & Super-Stretch Limousines	15 – 32 passengers	\$11.00
Bus	33 or more passengers	\$20.00
Hop-On Hop-Off Bus	33 or more passengers	\$20.00

The above-stated fees will be accessed whenever the ground transportation vehicle transverses the bridge/tunnel into the Port, whether dropping off or picking up passengers.

Ground Transportation Accounts

All ground transportation accounts delinquent by more than 60 days will be required to sign up for automatic replenishment. Accounts delinquent by more than 90 days will be automatically suspended. Companies will only be allowed to resume operations if the past-due balance is paid in full or a re-payment agreement is authorized. Ground Transportation permits suspended more than 3 times due to account delinquency will be automatically revoked. A new permit and deposit of \$500.00 will be required to resume operations. Ground Transportation permits may not be renewed until delinquent balances are paid in full. Late penalties will still apply for permits not renewed in a timely manner. Furthermore, ground transportation vehicles associated with a delinquent account may not be added and/or transferred to a new and/or different account unless outstanding trips have been paid.

Company Name or Category Change

Name or category changes will be treated as new applications and shall require the initial processing and annual permit fee. In the event of a name change, a new permit application must be submitted immediately to the Permits Section for processing and approval. Permit holders must advise the Port's

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Permit Section of any proposed material changes to their on-port operations. Proposed changes shall require the prior approval of the Port Director or his/her designee.

Ground Transportation – General Operations

Port staff is authorized to regularly inspect ground transportation fleets, other than TNCs/TNEs, and request that drivers furnish any legally required documentation to ensure compliance with permit and pre-arrangement regulations, including, but not limited to, those rules and regulations contained in this Tariff and the County Code.

All permitted prearranged ground transportation companies, as a condition of their permit, other than TNCs/TNEs, must be servicing cruise or cargo operations or tenant and staff needs. All other companies, other than TNCs/TNEs, are restricted from pick-up/drop-off staging for non-port-related activities.

Pre-arranged ground transportation company vehicles will await contact from their passengers for pick up. Any pre-arranged ground transportation company vehicles parked at a terminal but not actively loading shall be subject to administrative fees and penalties for improper staging. Pre-arranged ground transportation companies will have a staging lot available to wait for passenger instructions.

Prearranged ground transportation companies (other than TNC/TNEs, are required to register and install transponders in all vehicles working at PortMiami. Any and all changes made to such companies' respective fleets shall be reported immediately to the Permits Section. Failure of any such company to report fleet changes or properly install transponders in any vehicle operating at the Port shall result in the suspension and/or cancellation of the permit. Tampering with or in any way damaging the transponder will result in the automatic cancellation of such company's permit for a period determined by the Port Director or designee. The initial processing and annual permit fee shall be required for reinstatement.

The Port reserves the right, at any time, to inspect and/or validate the issued transponder, as applicable, to assure proper usage and compliance with all rules, regulations, and Port operating directives governing pre-arranged ground transportation companies doing business at the Port as outlined in this Tariff.

Transponder Cost:

1st transponder _____	\$12.50
Renewal transponder fee _____	\$2.50
2nd transponder or any additional transponder, each _____	\$25.00
Replacement (Lost/Damaged) _____	\$25.00
Non-Returned Transponder _____	\$25.00

Ground transportation companies, other than TNCs/TNEs, are required to register all drivers with the Cruise Operations Section. Any and all changes must be reported immediately. Failure to do so may result in the suspension of the Port permit. All employees for ground transportation companies entering the Port, including drivers, other than TNCs/TNEs and their drivers, are required to obtain a port identification card.

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Companies and all their employees are prohibited from using obscene, aggressive, or threatening language or being aggressive or threatening to passengers or enforcement personnel. The terms “obscene”, “aggressive”, and “threatening” shall be interpreted to mean language and/or behavior that a reasonable person would consider obscene, aggressive, or threatening under the circumstances, and would cause another person a reasonable and genuine fear of imminent harm, violence, or offensive contact, or would constitute an assault or other unlawful conduct and may include, without limitation:

- Yelling, screaming, and/or gesturing in an obscene, aggressive or threatening manner, and/or in a manner that would constitute an assault or other unlawful conduct;
- Using obscene, vulgar, profane, hostile, and/or aggressive language or threat against and/or physical contact with another person, which causes the recipient to be put in reasonable fear of imminent harm, violence, or an offensive contact or assault;
- Throwing objects at a passenger, other Port user, law enforcement officer, or Port employee.

Prohibition on Ground Transportation Greeters and Solicitation at Cruise Terminals

“Greeters” and other non-driver employees or agents of pre-arranged ground transportation companies are forbidden to loiter within 1,000 feet of any cruise terminal. Solicitation by employees or agents of pre-arranged ground transportation companies is forbidden within 1,000 feet of any cruise terminal. Violators are subject to all applicable penalties and fees, including the confiscation of Port Identification, administrative fees, and progressive disciplinary actions as set forth in this Tariff and the County Code.

Pre-arranged Ground Transportation, Taxis and TNC/TNE Vehicle Lot

Pre-arranged ground transportation vehicles identified as, but not limited to, vans, sedans, limousines, and minibuses, have available to them a Pre-arranged Ground Transportation Lot designated by PortMiami Operations or, as applicable, in the designated Pre-arranged Ground Transportation TNE Lot. Such non-TNE vehicles may remain inside the Pre-arranged Ground Transportation Lot until called by passengers to perform immediate pick up of their passengers with reservations. Pre-arranged Ground transportation vehicles are not to circle PortMiami as they wait for passengers to exit the terminal. The Ground Transportation, Taxis and TNC/TNE Vehicle Lots can be relocated (or even removed) by the Port depending on property/ground needs and availability.

Notwithstanding the foregoing, TNC/TNE vehicles may only use pre-arranged ground transportation lots designated by the Port for TNC/TNE use. Except as may be prohibited by law, neither TNC/TNEs nor their associated vehicles or drivers may use greeters in connection with any offered on-port pickup service. Violators are subject to all rules and regulations set forth in this Tariff.

All taxi cabs and TNE/TNCs are to wait in PortMiami designated open lots to receive fares to terminals. Taxi cabs must go to the open designated lot and pay \$2 before receiving terminal assignments. Taxi terminal assignments are contingent on operational needs.

Ground Transportation - Administrative Fees

Ground transportation companies that do not comply with the operational requirements of the Port,

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including but not limited to, failure to maintain valid insurance, failure to report any changes in the company’s vehicle fleet, failure to stage greeters in designated areas, or failing to pay applicable Port fees or charges as and when due, are subject to the following fees and/or actions:

Violation Type	Administrative Fees
Operating without Valid/Active Permit _____	\$1,000.00
Delinquent Balance _____	\$100.00
Failure to Report Fleet Changes _____	\$100.00
Improper Staging _____	\$100.00
Greeter Violations _____	\$100.00
Obscene, Aggressive or Threatening Conduct _____	\$100.00
Other Violations of Rules & Regulations _____	\$100.00

Companies with three (3) violations or more for the same infraction will be automatically subject to a fine of \$1,000. Individuals with more than three (3) violations for any infraction are subject to the removal, suspension, and/or cancelation of their Port identification cards.

Companies advised of any discrepancies or violations will have two (2) business days to bring their PortMiami accounts into full compliance. Failure to do so will result in a \$1,000 administrative fee and adversely affect the company’s ability to continue operating at the Port. The Port Director or designee has full discretion to suspend or revoke a company’s permit if found in violation of Port regulations and/or Port Tariff No. 010.

Anyone who engages in obscene, aggressive, or threatening conduct on Port will be subject to a \$100.00 fine. Three (3) violations or more will be automatically subject to the confiscation of their Port Identification pending a hearing with the revocation committee to address further disciplinary proceedings, which may include, at the discretion of the committee, the revocation of the repeat violator’s Business permit.

Notwithstanding the foregoing, certain Tariff restrictions may be deemed inapplicable, in whole or in part, to the limited extent such restrictions (as applied to certain persons or matters) are expressly preempted by prevailing federal or state law.

TNC/TNE – General Operations

All TNC/TNE vehicles entering PortMiami must comply with applicable state requirements.

Car Rental Courtesy Shuttle Companies

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Rental car companies conducting business activities at PortMiami but not operating under a non-exclusive license agreement with the Port shall be assessed a percentage of the gross revenues arising from such activities at an annual rate of 8%. Business activities for rental car companies include, but are not limited to, the pick-up of passengers via courtesy vehicles for transportation to rental car facilities off the Port. Payment and supporting documentation for these fees must be submitted to the Port’s Permit Section on a monthly basis.

Rental car companies, upon prior notice from PortMiami, shall allow inspections and audits by the County, through its employees and/or representatives, of all records and books of account, including such records as may be required by the County to be maintained by the rental car companies including, without limitation, any records needed to calculate or verify “gross revenue.” It is further understood and agreed that the car rental company shall make all the records, books of account, and other documentation available at a local location designated by the Port.

715. PORT IDENTIFICATION CARDS AND SPECIAL DOCK PARKING PERMIT (A) (C)

Port I.D.

In addition to permit requirements for companies, all individuals must comply with all applicable local, state, and federal requirements to obtain a Port Identification Card. Charges for Port Identification Cards for all non-Miami-Dade County employees are as follows:

Green Card (TWIC Compliant Identification, Valid up to 5 years)	New/Renewal-	\$0.00
Yellow Card (Escort Required in Secure Areas – Valid up to 2 years)	New/Renewal-	\$25.00
Red Card (No Access to Secure Areas – Valid up to 2 years)	New/Renewal-	\$25.00
Replacement for Lost or Stolen Cards (All Card Categories except Green)		\$25.00
Changes to Existing Yellow and Red Cards (Change of Name, Company, etc.)		\$15.00

All Port I.D.s must be displayed and provided upon request to Miami-Dade County Personnel, including Miami-Dade Police Department Personnel, Cruise Operations, and Safety and Security Personnel.

All Port I.D.s are property of Miami-Dade County and must be returned upon request. All employees and companies conducting business at PortMiami must have and display their Port Miami I.D. Failure to do so may result in disciplinary actions up to and including trespassing arrest by the Miami-Dade Police Department, Seaport Operations Bureau, per Florida State Statute 810.08 and 810.09.

Special Dock Parking Permit

All requests for a Special Dock Parking Permit must be in writing to the Seaport Director or his/her designee. Upon receipt, a recommendation will be made to the Seaport Director, who is the final approving authority. Each request must specify the specific reason the request is being made, as well as any other extenuating factors. Special Dock Parking Permits, valid for one year, will only be issued to those individuals who have a justified requirement to park their vehicle dockside in a secured area/restricted area on the Seaport. All individuals issued a Special Dock Parking Permit shall also have a valid Seaport identification card and Transportation Worker Identification Credential (TWIC) Card issued in compliance

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with Transportation Security Administration (TSA) Federal requirements in their possession pursuant to County Ordinance 28A, Seaport Security, and Operations.

Special Dock Parking Permit.....\$200.00, per year, for cargo and/or cruise parking permit
Replacement _____ \$25.00

716. LIQUEFIED NATURAL GAS (LNG) BUNKERING (I) (C)

All LNG bunkering companies holding a business permit with PortMiami are required to provide a copy of the Hazard Identification Risk Analysis (HAZARD), Emergency Response Plan, Operational and Safety plan, a Hurricane Plan, an Emergency contact list, and copies of the completed documents from their respective Safety and Security Hazard Identification Studies (HAZID) for each respective berth.

Both the above-required Emergency Response Plan and Operational and Safety Plan shall detail the ability of the LNG bunkering operator to immediately respond to any LNG fueled or related fire using fire-fighting equipment, materials, and trained personnel carried or stationed on the LNG vessel or barge.

PortMiami shall approve each site and/or berth where LNG bunkering is performed. Berthing of LNG vessels along the port may be permitted for a maximum of two days when a berth is available. Berthing location will be assigned by the port based on availability and vessels may be required to vacate berthing space if needed for other port operations. The permitted LNG bunkering company must provide an advance request to the port for all LNG bunkering operations and notifications for all LNG transit and bunkering operations. The final notification will include the quantity of LNG transferred from the barge to the vessel.

All permitted LNG bunkering companies must abide by all international, federal, state, and local laws and regulations, in addition to industry-dictated LNG policies, guides, standards, and regulations. All LNG bunker operations are subject to the approval of the Captain of the Port.

717. SHORE POWER (A) (C)

PortMiami will offer shore power at five cruise terminals: Cruise Terminal A, Cruise Terminal AA, Cruise Terminal B, Cruise Terminal F, and Cruise Terminal V during fiscal year 2023/24. Shore power allows ships, through high voltage electrical infrastructure and equipment, to plug into the electric grid while berthed and reduces emissions from these docked ships. Power is extended to the ships from a shore power substation through a mobile cable management system that provides the plugs to supply electricity to cruise ships.

Availability

The Port anticipates having enough electrical capacity for 3 ships to be plugged in at the same time across 5 cruise terminals. There will be a 'switch' for PortMiami to direct which terminal (or terminal berth) will receive power among the three pairs of terminals/berths listed below. Ships that are shore power ready must hook up to the shore power system when shore power is available at their assigned terminal. On an annual basis, PortMiami will update the preferential shore power berth allocation schedule amongst:

- Cruise Terminal F or V
- Cruise Terminal A or B
- Cruise Terminal AA – Berths 8 or 9

If the vessel assigned to a preferential terminal with shore power allocation is not going to use the shore power system, then the allocation will automatically be given to the other shore power terminal. Shore power will NOT be available to share simultaneously amongst two shore power-enabled vessels at any of the paired shore power terminals listed above. It is the cruise line's responsibility to verify shore power berthing allocation thirty days prior to arrival.

Connectivity

It shall be unlawful for any vessel to connect to, receive, or use any electrical current supplied at PortMiami without written permission from the Director or Director's Designee, and without having paid or agreeing to pay any and all charges, surcharges, fees, taxes, and assessments related thereto as set forth in this tariff.

Vessels that plan to call at PortMiami and intend to plug into shore power must be commissioned prior to plugging into the shore power system. Commissioning refers to the process of preparing a unique vessel to successfully plug into the shore power system at PortMiami. Only vessels commissioned by the Port's Commissioning Agent will be allowed to plug into the Port's shore power system. The Port's Commissioning Agent, through the Berthing Office, will maintain a list of approved shore power vessels that are able to plug in at PortMiami. Cruise lines should notify both their Port agents and the Port when a vessel is scheduled to arrive in port and needs to be commissioned. Commissioning must be repeated until the Port places the vessel on the list of approved shore power vessels.

In accordance with FPL's interconnection requirements, the vessel shall allow representatives from FPL to

observe the shore power connection point on the vessel, at reasonable hours and upon reasonable notice or at any time without notice in the event of an emergency or hazardous condition, for any reasonable purpose in connection with the performance of the power delivery or necessary to meet its legal obligation to provide service to its customers. FPL may require additional information, within reason, depending on the size of the ship's onboard generators. The cruise line must promptly provide the information prior to the vessel's arrival at PortMiami for shore power connection.

Shore Power Charges

Any vessel requesting or receiving shore power and/or shore power-related services at PortMiami shall be responsible for and shall pay the Port upon being invoiced for all Shore Power Charges. As used in this tariff, the term "Shore Power Charges" is defined as, and shall be deemed to mean and include the sum of all FPL, commissioning, operations and maintenance, and processing fees, charges, surcharges, costs, assessments, and taxes as set forth below:

- a. FPL costs: All charges, surcharges, fees, assessments, and taxes imposed, charged, or billed by or from FPL, including, without limitation, customer charges, energy charges, fuel and other surcharges, demand charges, capacity charges, franchise fees and taxes, environmental and hurricane charges or assessments, and any other power-related costs, fees, charges, assessments, and taxes imposed, charged, or billed by or on behalf of FPL in connection with or relating to the generation, transmission, or distribution of shore power to PortMiami, to any vessel berthed at PortMiami, or to any PortMiami customer. Electrical service for shore power is supplied by FPL and is subject to changes in rates without notification from PortMiami, changes or increases for which the PortMiami-berthed (shore power ready) cruise vessel shall be responsible. In addition, the landside electrical charge(s) by FPL for the shore power system will also be charged.
- b. Commissioning and Cost: Initial commissioning and registration of each shore power-enabled vessel; the Port charges \$3,600 per call, payable in advance.
- c. Operations and Maintenance costs (non-power):
 - i. Daily cost for the connection, disconnection, maintenance, and monitoring of shore power, including, among other things, operation of each terminal's cable management system. This cost covers the Port's cost to connect and disconnect a vessel from landside shore power via the Port's cable management system, monitor such connection, and maintain shore power related landside electrical infrastructure, structures, switchgear, transformers, feeders, circuits, breakers, equipment, cabling, cable management systems, and other shore power associated equipment. In addition, this will include the warranty cost to cover equipment cost and installation. The Port charges \$4,115 each day, or any fraction thereof, during which shore power is connected or provided to the vessel, payable monthly in advance, and subject to quarterly reconciliation by the Port as needed.

- ii. Processing Fee: In addition to the daily charges set forth in subsection (c)(i) above, PortMiami will charge a monthly processing fee of \$170.00 to each vessel connecting to shore power at any time during the preceding month or billing cycle, payable monthly in advance.

These charges may be adjusted on a yearly basis in accordance with actual Operations and Maintenance charges.

Allocation of FPL Cost Component of Shore Power Charges

By virtue of connecting to PortMiami's shore power system, a connecting vessel and its operator and owner agree to be responsible for, and to pay the County monthly upon demand, for all Shore Power Charges relating to or associated with the cruise berth pair(s) to which such vessel has connected or is on schedule to connect in any given month. Each shore power commissioned cruise vessel that connects to any one of the Port's three shore power-enabled terminal/berth pairs in a given month or billing cycle, shall, along with its operator and owner, be jointly and severally responsible for, and shall pay the Port upon demand, for such vessel's pro rata share of all FPL invoiced fees, charges, sur-charges, costs, and taxes as allocated by the Port based on such vessel's monthly aggregate consumption of shore power (in kWhs) as compared to the overall consumption of shore power at said terminal/berth pair during the same monthly billing cycle. For example, if in a given month shore power commissioned vessel X connects to a shore power enabled terminal four times and consumes 50,000 kWhs of shore power during that month, as compared to total terminal/berth pair shore power consumption in the same month of 100,000 kWhs, then cruise vessel X would be responsible to reimburse PortMiami upon demand for fifty percent (50%) ($50,000/100,000 = .50$) of the total monthly FPL bill associated with that cruise terminal/berth pair.

Payments for the FPL cost component of Shore Power Charges is due and payable to the Port on a monthly basis, in advance, and such payments must be received by the Port within thirty (30) calendar days of receipt of a Port invoice.. Monthly invoices for advance payment of FPL cost related shore Power Charges shall be estimated by the Port based on cruise vessel deployment schedules, the anticipated number of monthly (shore power ready) vessel calls at each of the Port's respective three shore power terminal pairs, and FPL estimates of, and/or prior FPL bills for, shore power electrical usage and/or costs at each of the Port's respective three shore power terminal pairs. Any Shore Power Charges not fully paid within thirty (30) calendar days of invoicing shall be deemed late and will be subject to Port late fees and finance charges in the amounts set forth in Port Tariff Item 218. Any disputes relating to or arising from any shore power-related invoice must be presented to the Port in writing within thirty (30) calendar days of receipt of said invoice or any potential disputes thereof shall be deemed waived. On a quarterly or more frequent basis, at the Port's election, the Port shall reconcile such shore power user advance payments of the FPL cost component of Shore Power Charges against such user's pro rata allocation of actual FPL shore power costs (as allocated by the Port based on such vessel's monthly aggregate consumption of shore power (in kWhs) at a particular Port shore power terminal pair as compared to the overall consumption of shore power (in kWhs) at said terminal/berth pair during the same monthly billing cycle). Based on such reconciliation, the Port shall issue appropriate credits for prior FPL cost-related Shore Power Charge

overpayments received (if any) and shall invoice users of shore power for any prior FPL cost-related Shore Power Charge underpayments, with payment of such invoiced underpayment amounts being due to the Port within thirty (30) calendar days of such user's receipt of a Port invoice therefor.

PortMiami may deny shore power service to any vessel, line, or vessel operator whose shore power account is delinquent, not up to date, or otherwise not in good standing. The Port reserves the right to require users and potential users of shore power at PortMiami to establish their own shore power electric accounts with FPL and to be billed directly by, and to pay, FPL for all FPL related Shore Power Charges at no cost to the County.

Notwithstanding and prevailing over any contrary term or implication set forth in any Preferential Berthing or Lease Agreement, the Shore Power Charges shall not, either individually or in aggregate, be deemed to constitute a material and/or adverse change event or give rise to any material and adverse change relief or remedy as may be set forth, referenced, or contemplated in any existing preferential cruise berthing or similar agreement between the County and any cruise line. Additionally, by requesting or connecting to the Port's shore power service system, cruise vessels and their respective lines, owners, and operators acknowledge and agree that neither passenger wharfage nor dockage fees imposed hereunder or otherwise include access to or provision of shore power or any other utilities to any vessel.