

# **Table of Contents**

<b>1</b>	<b>Approval of Minutes of the Business Meeting of July 16, 2018</b>
<b>2</b>	<b>Self-Insurance</b>
<b>3</b>	<b>Human Resources</b>
<b>4</b>	<b>Information Services</b>
<b>5</b>	<b>Insurance and Medical Services</b>
<b>6</b>	<b>Claims</b>
<b>7</b>	<b>Judicial</b>
<b>8</b>	<b>Vocational Rehabilitation</b>
<b>9</b>	<b>Executive Director's Report</b>
<b>10</b>	<b>Financial Report</b>

## **A G E N D A**

### **SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION**

1333 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201

**August 27, 2018 – 10:30 a.m.**

Commission Hearing Room A

*This meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act.*

1. CALL TO ORDER *CHAIRMAN BECK*
2. APPROVAL OF AGENDA OF BUSINESS MEETING *CHAIRMAN BECK*  
OF August 27, 2018
3. APPROVAL OF MINUTES OF THE BUSINESS MEETING *CHAIRMAN BECK*  
OF July 16, 2018 (Tab 1)
4. GENERAL ANNOUNCEMENTS *MR. CANNON*
5. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2) *MR. BERTHELETTE*
6. DEPARTMENT DIRECTORS' REPORTS *MS. STUART*  
Human Resources (Tab 3) *MS. SPRANG*  
Information Services (Tab 4) *MR. DUCOTE*  
Insurance and Medical Services (Tab 5) *MS. SPANN*  
Claims (Tab 6) *MS. BRACY*  
Judicial (Tab 7)
7. Vocational Rehabilitation (Tab 8) *MS. DRAWDY*
8. EXECUTIVE DIRECTOR'S REPORT (Tab9) *MR. CANNON*  
Administration – Financial Report (Tab 10) *Mr. Cannon*
9. OLD BUSINESS *CHAIRMAN BECK*
10. NEW BUSINESS *CHAIRMAN BECK*  
A. Approval of 2019 Commission Calendar (Tab 11)
11. ADJOURNMENT *CHAIRMAN BECK*

THE  
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
BUSINESS MEETING  
**July 16, 2018**

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, June 18 at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act. The following Commissioners were present:

T. SCOTT BECK, CHAIRMAN  
SUSAN S. BARDEN, VICE CHAIR  
R. MICHAEL CAMPBELL, II, COMMISSIONER  
MELODY L. JAMES, COMMISSIONER  
GENE MCCASKILL, COMMISSIONER  
AISHA TAYLOR, COMMISSIONER  
AVERY B. WILKERSON, JR., COMMISSIONER

Present also were: Gary Cannon, Executive Director; Bryan Berthelette, Self-Insurance Director; Amy Bracy, Judicial Director; Keith Roberts, General Counsel Kim Falls, Business Analyst; Sonji Spann, Claims Director; Sandee Sprang, IT Director; Alexa Stuart, HR Manager. Ivey Drawdy, Vocational Rehabilitation was also present.

Chairman Beck called the meeting to order at 10:32 a.m.

**AGENDA**

Commissioner Barden moved that the agenda be approved. Commissioner McCaskill seconded the motion, and the motion was approved.

**APPROVAL OF MINUTES – BUSINESS MEETING OF June 18, 2018**

Commissioner Barden moved that the minutes of the Business Meeting of June 18, 2018, be approved. Commissioner James seconded the motion, and the motion was approved.

**GENERAL ANNOUNCEMENTS**

There were no general announcements.

**APPLICATIONS FOR APPROVAL TO SELF-INSURE**

Self-insurance applications were presented by Bryan Berthelette, Self-Insurance Director. **Twenty-three (23)** prospective members of **four (4)** funds was presented to the Commission for approval. The applications were:

**Palmetto Timber Fund**  
A.S. Harris & Son Inc.

**S.C. Municipal Trust Fund**  
City of Lake City

**McDonald's SIF**  
Kenli Enterprise, LLC d/b/a McDonald's Restaurants

**S.C. Homebuilder SIF**

19-2 Enterprises LLC  
All Quality Masonry LLC  
Custom Architectural Solutions LLC  
Eclipse Contracting LLC  
Essential Homes & Development LLC  
Freedom Property Services LLC  
Javier Neri Montiel Electric  
J Moro Construction & Platinum Custom Homes Inc.  
JR Garcia Rebar LLC  
Kelley Grounds Maintenance Inc.  
Larry King Carpentry Inc.  
Lumos Group LLC  
Mazs Concrete LLC  
McKinnon Construction  
Palmetto Renovations  
Phifer Contracting Services LLC  
RBK Enterprises LLC  
Southern Peak Energy LLC  
The Brickmaster LLC  
Wysong Glass of Charleston

After examination of the applications, it was determined that each complied with the Commission's requirements and each was recommended for approval. Commissioner Wilkerson made the motion to approve the applications to self-insure, and Commissioner Barden seconded the motion. The motion was unanimously approved.

**DEPARTMENT DIRECTORS' REPORTS**

The Department Directors presented their reports which were also submitted to the Commission in written form.

**Human Resources**

Alexa Stuart presented the Human Resources report. Ms. Stuart pointed out the following highlights from the report:

- In June, there was one new hire.
- Two employees retired.
- Analyst position- 47 candidates, and we have offered position and new employee will begin on July 17, 2018.
- There were 6 transactions for benefits, 10 SCEIS time transaction issues and 2 Payroll related inquiries.
- Met with Executive Director and managers about various employee related issues.
- Early Independence Day festivities with red, white and blue contest and provided an appropriately decorated treat to all employees.
- 5 CRBE issues
- Construction on offices in complete, however, CBRE still need to have their electrician finish rewiring the offices.

**Information Technology Department**

Sandee Sprang presented the Information Services Department's report. Ms. Sprang pointed out the following highlights from the report.

- EDI- No issues this month.
- The IT team continues to work on the data transmission and processing of DEW data. Liz completed the x-file programming. Kim completed the year-end reporting.

- Jason worked with DTO to deploy all new configuration files for OnBase. He also upgraded all laptops with the most current version of the Endpoint Security application.
- Time to update the Information Security and Data Collection survey and IT management data collection.
- The conversion of all cartridges is complete, and Kim is working with DTO to build an import process for the images.
- The Statement of Work for the development project was submitted and approved through the Materials Management Office and it has been published through the Small Application Development contract.

Chairman Beck inquired about the bidding process.

### **Insurance and Medical Services Department**

Mr. Ducote' presented the Insurance and Medical Services Department's report. Mr. Ducote pointed out the following highlights from the report:

- In June, the Compliance Division compelled 43 employers to come into compliance with the Act, and collected over \$115,350 in non-compliance penalties. Fiscal year ended with a little over 1,500,000.00 in fines collected.
- Additionally, 17 carries resolved their issues, resulting in \$7,200 in fine resolutions.
- Fiscal year ended at a little over 109,373.00.
- Coverage collected over \$15,750, in fines. 2,081 new claims were established.
- The Self- Insurance Division collected over \$51,874 in self-insurance tax.
- Mr. Ducote and Mr. Cannon continue to work on their outreach program. Met with Margaret Wallace of the SC Broadcasting Association to discuss option to do Public Service Announcements for the Commission.

### **Claims Department**

Sonji Spann presented the Claims Department's report. She reported the following for the month of June:

- Claims processed 15,393 items during the month of June. This reflects a 1% decrease compared to the previous month.
- Claims closed 2,429 files and reviewed 3,393 files, which was an increase of 61 and number of cases reviewed decrease by 98.
- Fine Revenue collected during the month of June was \$39,200, an increase of \$4,500 in comparison to last month.
- Claims Department assessed 295 fines, an increase of 25 from the previous month.
- Of the fines assessed, 219 were for the Form 18.
- Received 1,796 Form 18s via SROI/EDI.
- Received 1,630 Form 18s via email.
- Received 481 Form 18s via USP.
- Received 837 Form 61s; approved 835 Form 61s.
- Received 2 Third Party Settlements and approved 2.

## **Judicial Department**

Amy Bracy presented the Judicial Department's report. Ms. Bracy reported the following for the month of June 2018:

### Judicial Department

- 1012 requests for Hearings
- 127 Motions
- 145 Clincher Conference requests sent to Jurisdictional Commissioners

### Commissioners

- 84 Single Commissioner Hearings conducted
- 28 pre-hearing conferences held
- 6 Full Commission Hearings conducted
- 55 Orders served at single Commissioner level; 68 of those were Decision and Orders that resulted from hearings that went on record; 184 of those were Motion Orders ruled upon by Commissioners

### Informal Conference

- 255 informal conferences conducted

### Mediation

- 57 regulatory mediations scheduled
- 56 requested mediations
- 58 matters resolved in mediation with the receipt of Forms 70

### Appeals to SC Court of Appeals

- In June the Judicial Department received 7 Notice of Intent to Appeal.

Ms. Bracy wanted to note that the new analyst would be starting on July 17, 2018. Ms. Bracy gave kudos to Tracy Riddle and Amanda Young for all of their effort and extra work to cover the work flow during the time while the department was not fully staffed.

## **VOCATIONAL REHABILITATION**

Gary Cannon presented the Vocation Rehabilitation report in Ms. Drawdy's absence. Mr. Cannon pointed out the following highlights from the report:

- 42 letters mailed
  - 5 responses
  - 1 application taken
  - 2 emailed for appointment requests
  - 1 meeting-not approved for services
  - 9 letters returned

## **EXECUTIVE DIRECTOR'S REPORT**

Gary Cannon, Executive Director, presented his report which was also submitted to the Commission in written form. He pointed out the following highlights from the report:

- The Commission's FY18-19 budget was approved by the General Assembly. Included in that approval was increase the filing fee from \$25 to \$50 for settlements, motions and hearings. We anticipate this will increase our revenue by \$600,000 a year. \$600,000 was also approved in earmark funds specifically for the IT Legacy Modernization Project.
- Noticed will go out today (July 16, 2018) that the increase will take effect on August 1, 2018.
- Governor, Henry McMaster has signed the SC Pregnancy Accommodation Act. It requires the Agency to notify employees of their rights to be free of discrimination on the basis of pregnancy, childbirth or related medical conditions. We have amended our Administrative Policy and Procedures to include the language.
- We transferred \$2,359,447 to the General Fund from the Self-Insurance Taxes, Pursuant to §42-5-190.
- Completion of the Security System will be completed on Friday, July 19, 2018, panic buttons and strobe lights will be installed.

Commissioner McCaskill inquired about signs being installed once the new tenant takes occupancy on the 5<sup>th</sup> floor.

## **ADMINISTRATION – FINANCIAL REPORT**

Mr. Cannon reported the benchmark for period ending July 31, 2018 is 100%. The General Fund expenditure to date is 88%. The Earmarked Fund expenditure to date is 74%. The budgeted operating revenues received is 121% and the budgeted Self-Insurance Tax funds received is 98%. The Earmarked Fund Balance has a net income/expenditures of \$1,198,388.

## **OLD BUSINESS**

No old business

## **NEW BUSINESS**

No new business

## **ADJOURNMENT**

Commissioner Barden made the motion to adjourn. Commissioner McCaskill seconded the motion, and the motion was approved.

The July 16, 2018, meeting of the South Carolina Workers' Compensation Commission adjourned at 10:49 a.m.

Reported August 22, 2018  
Amy Proveaux  
Office of the Executive Director

<p style="text-align: center;"><b>SCWCC Human Resources Monthly Report</b> <b>July 2018</b></p>
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**STAFFING**

In July, the Commission had 53 FTEs, 1 part-time employee and 1 part-time temporary employee.

- **New Hires:** One
- **Separations:** None
- **Retirements:** None
- **Leaves:** One

**Recruitment:**

- No open positions.

**BENEFITS**

- Performed seven (7) transactions related to benefits.
- Had onsite visit from representatives of Washington National Insurance.
- Followed up with PEBA on an outstanding refund issue.

**EMPLOYEE RELATIONS**

- Met with Executive Director and managers about various employee related issues.
- Responded to three (3) employees about EPMS policy.

**MEETINGS**

- Attended the State HR Quarterly Advisory Meeting.

**ADMINISTRATIVE**

- Sent twenty-one (21) "All Agency" emails out on various topics such as SCEIS, benefits, safety, security, and other miscellaneous items.
- Performed nine (9) SCEIS time related transactions and six (6) payroll related transactions.
- Began updating EPMS templates for all employees so that reviews can be completed by mid-October.
- Updated EEOC policy to include the new provisions under the Pregnancy Accommodations Act. Posted and distributed the information to all employees.
- Arranged for free Excel training for one (1) employee.

### **FISCAL RESPONSIBILITIES**

- Processed/approved five (5) travel expense reports.

### **FACILITIES**

- Notified CBRE of eleven (11) building issues.
- Handled four (4) parking transactions with ParkSimple.

### **TRAINING**

- Hosted a SCEIS My SC Central meeting providing employees with a look at the upcoming SCEIS website. My SC Central will replace My SC Employee.

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## Workers' Compensation Commission

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To: Gary Cannon  
SCWCC Executive Director  
From: Sandee Sprang, IT Director  
Date: August 22, 2018  
Subject: IT Department July 2018 Full Commission Report

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This report summarizes the activities and accomplishments of departmental projects and initiatives for the IT department during July 2018.

### **I. Systems Operations, Maintenance and Support**

#### EDI

The IT department continues support for EDI trading partners to research and resolve EDI transaction data and image processing errors. We also continue our work with the IAIABC EDI Claims Workgroup, reviewing and recommending standards changes.

#### Progress

Several modifications were required to implement filing fee increase. These were completed and moved into production the first of August. Also, IT provided support to assist with invoice issues, attorney representation changes and new status code requests.

#### Reporting and Standardization

The IT team continues to work on the data transmission and processing of DEW data. Liz completed the testing of x-file program, deployed the updates and verified it was working successfully. Kim analyzed the slight discrepancies the year-end reporting and provided documentation to assist with the development of the metrics for the new system. Additionally several new report requests were received and completed.

#### Systems Support

Jason continues to roll out the Office 2016 updates throughout the agency. He is also introducing the Windows 10 operating to laptops which require servicing or re-imaging.

#### OnBase

Kim continues to work with DTO on refining Groups to simplify security and rights. During July, all iPads were upgraded to the version 17 client.

#### Security System

The security system is fully implemented and all functions are working. Please let us know if you encounter any issues.

## **II. Projects, Enhancements and Development**

### Hardware Upgrades

Jason is gathering the specifications and costs of a number of equipment items to purchase. These include 2 new projectors, some additional memory for Windows 10 testing, new ipads/cases and desktop scanners. In the next several months we will also have to purchase the latest version of Adobe because our current version is no longer supported.

### Microfilm Conversion

The conversion of all cartridges is complete, and Kim is working with DTO to build an import process for the images.

### Legacy Modernization

The contract to develop our new Claims Management System was awarded to Intellectual Capital per the Small Applications Development contract. The project officially began on July 30<sup>th</sup> and is expected to be completed in October of 2019. The team consists of 7 ICap staff, including a well-known former employee, Amanda Underhill. An internal stakeholder team was established consisting of 8 WCC employees who will be responsible for bi-weekly review meetings and keeping their respective departments informed of all the project developments. Liz is serving as the primary business analyst on the team and she will be dedicated exclusively to the project for its entirety. Kim is handling some of the administrative scheduling tasks and research for the project team. Teams of external stakeholders are being formed and will be assembled for focus groups to provide input on the project design. The team will be presenting system features and concepts at the CAME conference and at the SCWCEA conference.

### HelpDesk Software

Jason and Kim began the evaluation of HelpDesk software applications. The system will provide many benefits. It will allow the IT team to build some standardization for end users in the reporting of problems. This, in turn, will allow us to streamline support operations, build a knowledgebase of issues and resolutions as well as provide metrics on the number, type and time required for support calls. All of which will be increasingly more important as we move toward the implementation of a new claims management system.

## **III. Trainings and Meetings**

Sandee attended several Department of Administration meetings. Kim attended the new website training meetings. Liz continues her Capella University IT courses.

# State of South Carolina



## Workers' Compensation Commission

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**To:** Mr. Gary Cannon  
SCWCC Executive Director

**From:** Wayne Ducote, Jr.  
IMS Director

**Date:** 23-Aug-18

**Subj:** Insurance and Medical Services Department  
June 2018 Full Commission Report

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Please find attached information provided to summarize the status and workflow of initiatives currently underway within the Insurance and Medical Services (IMS) Department.

In addition to the statistical data provided, please be advised of the following:

- |                     |   |
|---------------------|---|
| Compliance Division | <ol style="list-style-type: none"><li>1. Reviewing revenue metrics / projections.</li><li>2. Working with staff to review workflow processes and additional training opportunities.</li><li>3. Continuing outreach opportunities with stakeholders.</li></ol> |
| Coverage Division   | <ol style="list-style-type: none"><li>1. Working with staff to review workflow processes and explore opportunities to enhance service provision.</li><li>2. Lapse in Coverage: 58 new registrants; 0 notifications sent.</li></ol>                            |
| Medical Services    | <ol style="list-style-type: none"><li>1. Working with Medical Bill Reviewers on certification renewals.</li></ol>   |

While this summary is in no way all-inclusive, it may serve to assist you and our Commissioners in understanding the key initiatives underway in the IMS Department and provide measures by which the Department's effectiveness can be gauged. IMS welcomes any guidance that you and/or our Commissioners can provide concerning our performance and direction.

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## Workers' Compensation Commission

### MEMORANDUM

To: Gary Cannon, Executive Director

From: Sonji Spann, Claims Director

Date: August 6, 2018

Re: Claims Department – August 2018 Full Commission Report

Attached is Claims Department activity for the period ending July 31, 2018. The format of the Claims Department report highlights the key workflow benchmarks and compare to same month last fiscal year.

During the month of July, Claims processed 15,424 items. This reflects 32 more items compared to the previous month. This includes 2,282 closed files and reviewed 3,451 files. When compared to the previous month, the number of Claims closed decreased 147 and the number cases reviewed increased by 58. When compared to the same period in FY 16/17, the department closed 156 more cases and reviewed 934 less cases.

In our efforts to reduce the number of carriers' open files, we reviewed 385 open files of 17 carriers. This resulted in 46 cases being closed, assessing fines on 42 cases, and made 0 requests for additional information.

The Claims Department collected \$44,000 in fine revenue, an increase of \$4,800 compared to the previous month. When compared to the same period in FY 16/17, the department collected \$35,400 in fine revenue, an increase of \$8,600.

The Claims Department assessed 254 fines, a decrease of 41 compared to the previous month. Two-hundred one of the number of fines assessed were for the Form 18, a decrease of 36 compared to the previous month. When compared to the same period in FY 16/17, the department assessed 239 fines of which 230 were for the Form 18.

The Claims Department encourages the stakeholders to submit the forms electronically and/or by email. During the month of July, the department received 2,089 Form 18s via SROI/EDI, 1702 via email, and 481 via USPS. When compared to the same period in FY 16/17, the number of Form 18s submitted via SROI/EDI increased 742, or 55%; the number of Form 18s submitted via email decreased 273, or 16%, and the number of Form 18s mailed via USPS decreased 317, or 54%.

The Claims Department received 698 Form 61s and approved 619. When compared to the same period in FY 16/17, the department received 739 Form 61s, a decrease of 41, and approved 700,

an increase of 81. The department received 2 Third Party Settlements and approved 0. Compared to the same period in FY 16/17, the department received 32 Third Party Settlements and approved 36.

**Key Performances: FY 16/17 compared FY 17/18**

Closed claims increased 1,903  
Reviewed claims increased 5997  
Fine revenue collected increased \$71,800

<b>Key Performances</b>	<b>FY 16/17</b>	<b>FY 17/18</b>
Individual Case Files Closed	26,428	28,331
# of individual case files reviewed by examiners	35,905	41,902
Fine Revenue Collected	\$462,650	\$534,450

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**Workers' Compensation Commission**

August 22, 2018

**To:** Gary M. Cannon  
Executive Director

**From:** Amy A. Bracy  
Judicial Director

**RE: Monthly Judicial Report for July 2018**

During the month of July, the Judicial Department processed eight hundred forty-eight (848) requests for hearings, one hundred thirty-two (132) Motions and one hundred forty-four (144) clincher conference requests that were sent to the Jurisdictional Commissioners.

There were seventy-two (72) Single Commissioner Hearings conducted during the past month, twenty-six (26) pre-hearing conferences held and seven (7) Full Commission hearings held. A total of four hundred seventy-four (474) Orders were served at the single Commissioner level, forty-six (46) of those were Decision and Orders that resulted from hearings that went on the record and one hundred fifty-six (156) were Motion Orders that were a result of Motions ruled upon by Commissioners.

The Informal Conference system conducted two hundred sixty (260) hearings during the last month.

There were sixty-one (61) regulatory mediations scheduled and thirty-one (31) requested mediations. The Judicial Department was notified of sixty-four (64) matters resolved in mediation, with the receipt of Forms 70.

In the month of July, Judicial received eight (8) Notices of Intent to Appeal to the Court of Appeals and zero (0) to the Circuit Court.

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## *Workers' Compensation Commission*

### **Executive Director's Report Gary M. Cannon**

**August 27, 2018**

#### **Security Access Control System**

The panic buttons and strobe lights have been installed. The installation of the new security system is complete.

#### **Office Construction**

The new offices have been completed. The new furniture has been ordered.

#### **Meetings/Activities**

The Executive Director participated in the following meetings/activities:

- July 19 – CAME workshop planning meeting with staff
- July 23-27 Attend the SAWCA Annual Meeting in Virginia
- July 30- Attended SCEIS New System Roadshow
- August 1- Opening Remarks at the Legacy Project Kickoff Meeting
- August 8- Meeting with Wayne Ducote to discuss Full Commission Report
- August 8- Met with staff and ICap to discuss handling of fines and fees
- August 9- Attended Accountability Report training
- August 10- Presentation to the SC BarWorkers' Compensation Essentials seminar
- August 14- ICap meeting to discuss fines and fees
- August 16- Met with staff in regards to upcoming CAME workshop
- August 17- Met with Sandee, Sonji and Wayne to discuss Accident Reporting Process
- August 17- Met with staff and representatives from ICap and SC.GOV to discuss electronic payments
- August 19-22 Attend the SAWCA Regulators Meeting in Orlando, FL

#### **Constituent /Public Information Services**

For the period July 11, 2018 to August 20, 2018, the Executive Director's Office and the General Counsel's office had 939 contacts with various system constituents and stakeholders. The contacts included telephone communications; electronic and personal contacts with claimants or constituents, state agencies, federal agencies, attorneys, service providers, business partners; and letters with congressional offices. Please note this is a substantial increase is due to the release of the new website and registration for the upcoming CAME workshop.

**Financial Transactions Activity**

The Executive Director's office has assumed the direct responsibility for budget, financial and purchasing transactions. Even though the Commission has a Memorandum of Understanding with the Department of Administration for assistance with procurement services and accounting and budgetary support, the following activities occurred in the Executive Director's office for the period July 14, 2018 through August 13, 2018: approved and processed 15 travel expense reimbursement payment related activities, 58 invoices, and 29 deposits. Procurement and purchasing activities included the entries of 24 goods received.

**SCWCC Stakeholder Electronic Distribution List**

For the period July 11, 2018 through August 20, 2018, we added twenty (20) individuals to the distribution list. A total of 786 individuals currently receive notifications from the Commission.