

858<sup>th</sup> BUSINESS MEETING OF THE BOARD OF EXAMINERS  
OF ELECTRICAL CONTRACTORS (PUBLIC SESSION)  
SEPTEMBER 7, 2011

The Board Minutes of September 7, 2011, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of October 5, 2011, or soon thereafter as it may be considered. All requirements of the "Open Public Meetings Act" have been complied with according to N.J.S.A. 10:4-6.

The notice of the meeting has been mailed to the Newark Star Ledger, Camden Courier Post, and the Trenton Times, and also notice has been posted on the Bulletin Board at the office of the Secretary of State, Trenton, New Jersey.

Board meeting of September 7, 2011, was called to order at 9:00 A.M.  
The following members were present:

Mr. Joseph P. Schooley, Chairman  
Mr. Joseph F. Cantalupo  
Mr. Constantinos Papademas  
Mr. Mitchell R. Malec  
Mr. James H. Flaherty

Mr. Richard T. Aicher, Jr. and Ms. Susan C. Michielli were absent.

Marian Fiore, Sr. Management Assistant, was present from 9:00 A.M. until the close of the meeting.

Kathleen Moran, Administrative Assistant, III, was present from 9:00 A.M. until the close of the meeting.

Joseph Donofrio, Deputy Attorney General, Division of Law, was present from 9:00 A.M. until the close of the meeting.

Also in attendance was Robert Jules, Central Jersey Electrical League and Joseph McMullen, Electrical Contractors Association of New Jersey.

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The Board saluted the Flag.

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Mr. Schooley requested a moment of silence for the victims of the September 11, 2001 terrorist attacks and for those who are battling illnesses.

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Motion made by Mr. James H. Flaherty and seconded by Mr. Mitchell R. Malec, and unanimously passed, to approve the Minutes of the 855<sup>th</sup> Open Session Business Meeting held May 4, 2011.

Motion made by Mr. James H. Flaherty and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the Minutes of the 856<sup>th</sup> Open Session Business Meeting held June 1, 2011.

Motion made by Mr. James H. Flaherty and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the Minutes of the 857<sup>th</sup> Open Session Business Meeting held July 6, 2011.

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Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to approve thirteen (13) Initial Licenses effective September 7, 2011 to March 31, 2012.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Mitchell R. Malec, and unanimously passed, to approve fourteen (14) Initial Business Permits effective September 7, 2011 to March 31, 2012.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to approve five (5) Initial Business Permits Previously Expired effective September 7, 2011 to March 31, 2012.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to approve ten (10) Changes in Business Permits effective September 7, 2011 to March 31, 2012.

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Three Postal Money Orders in the amount of \$100.00 each were received from William Passione, License #11485, t/a B. Passione Electric, as the seventeenth, eighteenth, and nineteenth installment of a civil penalty in the amount of \$3,500.00 for violation of N.J.S.A. 45:5A-9, N.J.S.A. 56:8-1 et seq., and N.J.A.C. 13:45C-1.2. Payments started February 4, 2010 and the balance due is \$1,595.00.

The Board accepted the payments.

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Check in the amount of \$25.00 received from Frank D'Arpa, License #8778 (Inactive) as the fifty-sixth installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:5A-9 and N.J.S.A. 56:8-1 et seq. Payments started September 25, 2002 and the balance due is \$1,100.00.

The Board accepted the payment.

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Check in the amount of \$1,000.00 received from Thomas Chen, Unlicensed, t/a Aston Solar, LLC, as the first and final payment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9 and N.J.S.A. 56:8-1 et seq.

The Board accepted the payment.

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Check in the amount of \$250.00 received from James Evans, License #14498, t/a James Evans Electrical Contractor, LLC, as the third and final installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.A.C. 13:31-3.2(b).

The Board accepted the payment.

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The sub-committee reviewed an application for Continuing Education Course/Seminar Approval received from Thomas J. McNulty, Penn-Del-Jersey.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and passed, to approve (9) new courses and instructors. The courses entitled "Surviving the Changes to the Crane Standard" and "OSHA ET&D 10 Hour Train the Trainer Course" are not approved as they do not meet the criteria of Continuing Education.

Mr. James H. Flaherty opposed the motion as he does not feel that the course entitled "Surviving the Changes to the Crane Standard" should be disapproved.

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Letter dated August 11, 2011, received from Eric DeGesero, Executive Director, New Jersey Independent Electrical Contractors, requesting that previously approved one and one half hour courses be approved as two hour courses.

Office files reflect that at its August 4, 2010 meeting, the Board approved thirty new courses. Eugene Mini was advised that the courses listed for 1.5 hours were approved as one hour courses unless he could substantiate a two hour course.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. DeGesero advising him that his courses are approved as one hour courses. Should Mr. DeGesero wish to lengthen the courses to two hours, he must provide an outline substantiating same.

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Letter dated August 16, 2011, received from Marcel Renson providing a more detailed description/outline regarding the subject matter to be taught.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Renson advising him that his request is being held in abeyance pending a more detailed description of the courses to be taught.

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The sub-committee reviewed an application for Continuing Education/Course Seminar Approval received from John A. Drebitko.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve two (2) new courses and instructors.

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The sub-committee reviewed an application for Continuing Education/Course Seminar Approval received from Tom Pernal, Tom Pernal Electrical Seminars, LLC.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve forty-one (41) new courses and instructor.

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The sub-committee reviewed an application for Continuing Education/Course Seminar Approval received from John M. DeBouter, Local Union #164 IBEW.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. DeBouter advising him that his request is being held in abeyance pending a more detailed description/outline of the courses to be taught.

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Letter dated August 30, 2011, received from Veronica M. Tusi, Corporate Secretary, Tusi Brothers, Inc., requesting a six-month continuance of business under Permit #9963 according to N.J.S.A. 45:5A-14. The licensee, Benedetto P. Tusi, died on July 18, 2011.

Ms. Tusi stated that Fran Tusi will be responsible for the work performed during the continuance of business and will submit an application to take the electrical contractor's examination. Ms. Tusi also stated that Fran has held a Delaware Master Electrician's license since 1977 and has been a co-owner of Tusi Brother's Inc. since 1974.

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Motion made by Mr. Mitchell R. Malec and seconded by Mr. James H. Flaherty, and unanimously passed, that a letter be sent to Fran Tusi advising him that pursuant to N.J.S.A. 45:5A-14 the firm of Tusi Brother's Inc. has been granted a six-month continuance of business under permit #9963.

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Maryann Sheehan, Regulatory Analyst, appeared before the Board to discuss with it a draft of N.J.A.C. 13:31-5.1 registration as qualified journeyman electrician - N.J.S.A. 45:5A-18(k) exemption; supervising of electrical work.

Mrs. Sheehan stated that the Board requested language be drafted to clarify N.J.S.A. 45:5A-18(l) based on a request received from Suzanne Borek, Code Specialist, Division of Codes and Standards, who was concerned that N.J.S.A. 45:5A-18(l) is not included in N.J.A.C. 13:31-5.1(a).

Mrs. Sheehan stated that this draft clarifies N.J.A.C. 13:31-5.1A registration as a qualified journeyman electrician; N.J.A.C. 45:5A-18(l) exemption.

(a) A person employed by the State or by a municipality, county, or school district, who performs electrical work on the premises or property owned or occupied by the State, municipality, county, or school district, pursuant to N.J.S.A. 45:5A-18(l), shall register with the Board as a qualified journeyman electrician, except as provided below.

1. An employee who holds a civil service title with a job description that includes electrical work under the Civil Service Act, N.J.S.11A:1-1 et seq., and regulations promulgated by the Civil Service Commission, N.J.A.C. 4A-1 et seq., shall not be required to register as a qualified journeyman electrician.

2. An employee of a State authority who has completed an apprenticeship training program approved by the United States Department of Labor, Bureau of Apprenticeship Training, that deals specifically with electrical work, which is a minimum of three years in duration, shall not be required to register as a qualified journeyman electrician.

(b) A person applying for registration as a qualified journeyman electrician under this section shall meet the eligibility requirements for registration set forth in N.J.A.C. 13:31-5.1(a).

(c) A person applying for registration under this section shall be permitted to continue to perform all electrical work authorized under N.J.S.A. 45:5A-18(l) until such time as the Board acts upon the application.

(d) A person whose application for registration under this section is granted shall comply with all requirements set forth in the subchapter.

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(e) A person whose registration under this section is not approved by the Board shall no longer be permitted to perform electrical work authorized under N.J.S.A. 45:5A-18(l).

Mr. Malec requested that the word "regular employee" be included in the above language.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that the Board approves the proposed language for N.J.A.C. 13:31-5.1A with the changes as indicated.

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Maryann Sheehan, Regulatory Analyst, advised the Board that Assembly Bill No. 3120 was introduced on July 1, 2010. The bill exempts employees of municipal and county utility authorities who have completed an apprenticeship training program approved by the United States Department of Labor, Employment and Training Administration, that deals specifically with electrical work, from the electrical contracting permit requirements contained in section 45:5A-18. The Bill also changes a reference in this section of law, from Bureau of Apprenticeship Training to the correct reference, Employment and Training Administration.

Mrs. Sheehan stated that the bill exempts employees of municipal and county authorities from registering as a qualified journeyman electrician. The bill was drafted because employees of a municipal authority were not included in the original language.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, should Assembly Bill No. 3120 move forward, the Board would be in favor of same.

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The Board discussed telecommunication companies that have applied for, and been issued, a Telecommunications Wiring Exemption with "Electric" in the business name.

Mr. Schooley stated that the Board is concerned that it has issued Telecommunication Wiring Exemptions to businesses that have the word "electric" in their company name. These companies advertise their company name on their trucks and it is confusing to consumers who think that these telecommunications companies can perform all types of electrical installation; not just telephone or data cabling.

Mr. Schooley also stated that the language in the exemption does not preclude them from having the word electric in their name. Therefore, the Board requests that language be drafted which would stipulate that a telecommunications wiring exemption certificate will not be issued to those companies that have the word "electric" in their business name.

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Mr. Schooley stated that this language would not apply to those companies that have already been issued a telecommunications wiring exemption certificate as it would be a hardship on the business if they had to change the name of their company.

Mrs. Sheehan stated that she will draft language regarding same for the Board's review.

Mr. Schooley stated that the Board is also concerned about the person who qualifies the telecommunications wiring exemption, but then leaves the company and does not inform the Board. The Board is further concerned that the regulations do not prohibit an individual from qualifying more than one business with their telecommunications wiring exemption number.

Mrs. Sheehan stated that she will draft language to address the Board's concerns.

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Signed cease and desist agreements were received from Omar Dominguez, West New York, New Jersey and Bruce Roman, Landing, New Jersey.

The Board accepted the signed cease and desist agreements.

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Documentation received from Robert C. Izzo, Jr., License #15541, as reflected in the Consent Order filed January 5, 2011.

DAG Donofrio stated that Mr. Izzo has been compliant with the filed Consent Order.

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Letter dated July 16, 2011, received from Patrick L. Porzio, III, License #10375, requesting fifteen hours of credit towards the renewal of his License #10375 pursuant to N.J.A.C. 13:31-1.7. Mr. Porzio stated that he has prepared for and taught 15 hours of continuing education courses.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Porzio advising him that before credit is given to licensees for having taught a course, the Board first needs to evaluate the courses given. Therefore, Mr. Porzio will be requested to provide a detailed description/outline of the courses that he taught.

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Mr. Jules stated that he has just been made aware of an individual of a telecommunications wiring company installing data cabling in a medical office building. Mr. Jules also stated that this individual informed a nurse of the medical building that he could also install the recessed lighting.

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Mr. Jules stated that he will follow up with the township as he was originally contracted to install the lighting and he had obtained an Electrical Subcode Technical Section application to perform this work.

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Mr. Schooley stated that he attended the July 2011 electrical contractor's examination. Mr. Schooley also stated that the lighting was definitely an issue and the room was not at all clean. Mr. Schooley further stated that there was a smaller room next door and he could understand how noise would have been a distraction for those taking the electrical contractor's examination.

Mr. Schooley further stated that the code books that were handed out were tabbed. Mr. Schooley stated that he asked the proctor why the books were tabbed and the proctor advised him that the applicants who arrived early tabbed the books themselves.

The Board agreed that the Code Books should not be tabbed.

Mr. Schooley asked that a request be made to ascertain how the Board can solicit a new provider to administer the electrical contractor's examination. Mr. Schooley also stated that PSI, a testing agency, was recommended to him.

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The Board reviewed a Letter Brief dated June 10, 2011, addressed to the Honorable Judge of the Superior Court, stating that this action is being brought because the New Jersey Department of Law and Public Safety has begun denying Plaintiffs access to information that has been provided to them for years. Such information included the names, addresses, and e-mail addresses of electricians and plumbers who have been authorized by their respective licensing board to sit for their licensing examination.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to accept the Settlement Offer and pay a penalty in the amount of \$1,000.00.

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The Board reviewed applications for the written examination to be administered by Prometric. Nine (9) applications were approved.

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Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to go into Executive Closed Session to consider and to review consumer complaints, investigative reports and other information received pursuant to the Board's investigative authority in order to determine whether violations of the law, including Board regulations have occurred. The results of the deliberations will be made known when and if the Board determines to initiate disciplinary action or other law enforcement action.

Meeting adjourned at 2:00 P.M.

An Appointment and Business is scheduled for Wednesday, October 5, 2011, at 9:00 A.M.

Respectfully submitted,

Joseph P. Schooley  
Chairman

INITIAL LICENSEE APPROVED BY THE BOARD ON SEPTEMBER 7, 2011  
EFFECTIVE SEPTEMBER 7, 2011 TO MARCH 31, 2012

1. Mark Birchmeier
2. Kemonte Howard
3. Luis Roman
4. Edward Rios
5. Besnik Skenderal
6. Evan R Morley
7. Conrad Palka
8. Robert D Cioffi
9. Angela M Di Palma
10. Serhiy Paniculych
11. Mark J Penner
12. Andre Ebanks
13. Steven P. Slattery

INITIAL BUSINESS PERMITS APPROVED BY THE BOARD ON SEPTEMBER 7, 2011  
EFFECTIVE SEPTEMBER 7, 2011 TO MARCH 31, 2012

1. XL Electrical Contractors LLC - (Kemonte Howard) - (Limited Liability Company) - 300 Monmouth Road - Elizabeth, NJ 07208
2. Roman & Son Electric LLC - (Luis P Roman) - (Limited Liability Company) - 179 Ames Street - Hackensack, NJ 07601
3. Custom Designed Controls LLC - (Edward Rios) - (Limited Liability Company) - 55 Gateway Drive - Lavonia, GA 30553
4. Green Way Electric LLC - (Besnik Skenderaj) - (Limited Liability Company) - 13 Marcy Street - Bloomfield, NJ 07003
5. Morley Electric LLC - (Evan Morley) - (Limited Liability Company) - 7 Palm Place - South River, NJ 08882
6. Justin R Haynes t/a - J. R Haynes Electrical Contracting - (Individual) - 1116 Fathom Avenue - Manahawkin, NJ 08050 - License #17153
7. K2 Electric LLC - (Patrick Todd Sherlock) - (Limited Liability Company) - 339 Stonetown Road - Ringwood, NJ 07456 - License #16995
8. Nuno F Silva - t/a Multi - Phase Electrical Contractors - (Individual) - 73 Forest Street - Kearny, NJ 07032 - License #16762
9. Professional Electrical Solutions LLC - (Joseph J Buchmuller) - (Limited Liability Company) - 1407 Arthur Street - Toms River, NJ 08755 - License #17046
10. Corbin Solar Solutions, LLC - (Adam Corbin) - (Limited Liability Company) - 710 Tennent Road, Suite 202 - Manalapan, NJ 07726 - License #14371
11. AJT Electric LLC - (Damian Fulcher) - (Limited Liability Company) - 171 Fern Avenue - Lyndhurst, NJ 07071 - License #14097
12. Rosendin Electric Inc. - (Mark J Penner) - (Corporation) - 880 Mabury Road - San Jose, CA 95133
13. Andre Ebanks - t/a Ebanks Electrical Services - (Individual) - 404 Union Avenue Apt. #306 Irvington, NJ 07111
14. Skyward Electric Company Inc - (Steven Slattery) - (Corporation) - 36 Wes Warren Drive - Middletown, NY 10941

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED APPROVED BY THE BOARD  
SEPTEMBER 7, 2011  
EFFECTIVE SEPTEMBER 7, 2011 TO MARCH 31, 2012

1. Julio Ramirez - t/a -Julio Ramirez Electrical Contractor - (Individual) - 69 Kossuth Street - Wallington, NJ 07057 - License #14566E
2. Mercuro Electric LLC - (Randy Mercuro) - (Limited Liability Company) - 15 Brox Road - Edison, NJ 08817 - License #14178A
3. Consolidated Electric LLC - (Eli Florence) - (Limited Liability Company) - 120 Hillside Street - Milton, MA 02186 - License #10980B
4. CSR Electric LLP - (Hector R Colella) - Limited Liability Partnership) - 23 Chestnut Street Apt. 3- B - Wallington, NJ 07057 - License #9862A
5. Dyno Electric LLC - (Manuel Rosa) - (Limited Liability Company) - 100 Drake Avenue - Roselle, NJ 07203 - License #13382B

CHANGES IN BUSINESS PERMITS APPROVED BY THE BOARD SEPTEMBER 7, 2011  
EFFECTIVE SEPTEMBER 7, 2011 TO MARCH 31, 2012

1. Abco Electric LLC - (Robert E Duva) - (Limited Liability Company) - Formerly - Dobco Solar & Electric LLC - (Limited Liability Company) - 15 Corporate Drive Suite 7 - Wayne, NJ 07470 - License #14833B
2. Adams Electrical Services LLC - (Michael S. Jorda) - (Limited Liability Company) - Formerly - Trans Atlantic Technologies & Electrical Services, LLC - (Limited Liability Company) - 45 South Park Place # 235 Morristown, NJ 07960 - License #10299B
3. A C Electric Group LLC - (Timothy Turanick) - (Limited Liability Company) - Formerly - Adam Christopher Electric LLC - (Limited Liability Company) - 4 Vom Elgen Drive - Morristown, NJ 07960 - License 16775A
4. MJL Electrical Contractors LLC - (George Grandville) - (Limited Liability Company) - Formerly - Kanda Electric LLC - (Limited Liability Company) - 518-7 Old Post Road - Edison, NJ 08817 - License #16693A
5. Tom McGrath Electrical Contracting LLC - (Thomas F McGrath) - (Limited Liability Company) - Formerly - Tom McGrath Electrical Contracting Inc. - (Corporation) - 16 Rockridge Road - Haskell, NJ 07420 - License #14658A
6. ASAP Electric Capa Group LLC - (Rui Oliveira) - (Limited Liability Company) - Formerly - ASAP Electric - (Individual) - 69 Canterbury Avenue - North Arlington, NJ 07031 - License #16248A
7. Suntuity Electric LLC - ( Peter Marky) - (Limited Liability Company) - Formerly Electric LLC - (Limited Liability Company) - 2139 Route 23 North - Holmdel, NJ 07733 - License #15489A
8. Roof Diagnostics Solar & Electric LLC - (Joseph Doherty) - (Limited Liability Company) - Formerly - Hi Power Electric LLC - (Limited Liability Company) - 608 Brighton Avenue - Spring Lake, NJ 07762 - License #16378A
9. Dynamic Solar LLC - (Michael M Mooney) - (Limited Liability Company) - Formerly - M & D Electrical Associates, Inc - (Corporation) - 1550 Liberty Ridge Drive; Suite 310, Wayne, PA 19087 - License #10798A
10. Bloomfield Cooling, Heating & Electric Inc. - (Michael A DeJoseph) - (Corporation) - Formerly - Nutley Electric Corp - (Corporation) - 127 Paterson Avenue - Little Falls, NJ 07424 - License #11850B