



Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

DATE: October 1, 1999
TO: Mary A. Bane, Deputy Executive Director/Tech.
FROM: David A. Ging, Division of Electric & Gas
RE: Docket No. 990913-EI Complaint by Regina Walsh against Florida Power Corporation regarding backbilling

RVE
JDJ

On August 27, 1999, Mr. Edward Boncek, "attorney" for Ms. Regina Walsh, requested that Item Seven, Docket No. 990913-EI, Complaint by Regina Walsh against Florida Power Corporation regarding backbilling, be deferred until the October 5, 1999, Agenda Conference to allow time for a possible settlement. While Mr. Edward Boncek requested a deferral he said he was not representing Ms. Walsh as her attorney but he would call her to suggest she settle. He mentioned that he had previously represented her on another matter. The deferral request was granted by the Chairman's office. Numerous attempts to contact Ms. Walsh by Staff and FPC were unsuccessful. On September 30, 1999, Ms. Walsh contacted Staff and asked for a deferral because her "attorney" Mr. Edward Boncek would not be able to attend the October 5, 1999, Agenda Conference. Staff was unsuccessful in its attempts to contact Mr. Boncek.

Although on August 27, 1999, Mr. Boncek said he would call Ms. Walsh and suggest she accept FPC's settlement offer, he made it clear to staff that he had no intentions of participating in an Agenda Conference or formally represent Ms. Walsh. FPC's settlement offer was rescinded on September 23, 1999, because the company was unable to contact Ms. Walsh. Because FPC has rescinded its settlement offer and Mr. Boncek previously stated that he does not formally represent her and he has no intentions of participating in an agenda conference, staff recommends denial of Ms. Walsh's request for a deferral.

- AFA
APP
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OPC
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SEC
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cc: Carmen Pena
Tiffany R. Collins

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FPSC-RECORDS/REPORTING

Recommend denial of Ms Walsh's request for deferral. We've already deferred the item once for the customer's need to move forward. MAB

OCT 1 1999
DEPUTY EXECUTIVE DIRECTOR