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Docket No. 040927-EI Date Docketed: 04/30/2004 Title: Complaint by John Assere against Florida Power & Light Company regarding backbilling for alleged meter tampering. Company: Florida Power & Light Company regarding backbilling for alleged meter tampering. Company: Florida Power & Light Company regarding backbilling for alleged meter tampering. Company: Florida Power & Light Company regarding backbilling for alleged meter tampering. Dofficial Filing Date:	Section	<u>1 - B</u>	urea	u of R	lecord	ls Comp	letes												
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STATE OF FLORIDA

Commissioners: Braulio L. Baez, Chairman J. Terry Deason Lila A. Jaber Rudolph "Rudy" Bradley Charles M. Davidson



OFFICE OF THE GENERAL COUNSEL RICHARD D. MELSON GENERAL COUNSEL (850) 413-6199

Hublic Service Commission

November 24, 2004

Mr. John Aseere 3939 N. W. 18th Avenue Ft. Lauderdale, FL 33309

Re: Docket No. 040977-EI – Complaint by John Aseere against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Dear Mr. Aseere:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 23, 2004. The Commission is expected to consider this Recommendation at its December 7, 2004, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6189.

Sincerely,

miler A. Roden

Jennifer A. Rodan Attorney

JAR:jb

cc: Division of Regulatory Compliance & Consumer Assistance (Plescow) Division of the Commission Clerk and Administrative Services (Docket File)

I:040977recltr.jar.doc

DOCUMENT NO

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850 An Affirmative Action / Equal Opportunity Employer

PSC Website: http://www.floridapsc.com

Internet E-mail: contact@psc.state.fl.us

12/7/2004 8:37 AM

8:37 AM

040977 - EI

Kay Flynn

То:	Michael Staden; Hong Wang; Kim Griffin; Rose Thompson
Cc:	Blanca Bayo; Carol Purvis
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Thanks!

From:	Michael Staden
Sent:	Tuesday, December 07, 2004 8:26 AM
To:	Kay Flynn; Hong Wang; Kim Griffin; Rose Thompson
Cc:	Blanca Bayo; Carol Purvis
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Yes. A request was done by Jennifer Rodan and approved by Manuel from the Chairman's office. I was going to send this out this morning, but I had a problem with the cameras that I needed to resolve. Now that's taken care of and I am sending you this notification.

The person that will be participating telephonically will be Mr. John Aseere.

From:	Kay Flynn
Sent:	Tuesday, December 07, 2004 7:29 AM
To:	Michael Staden; Hong Wang; Kim Griffin; Rose Thompson
Cc:	Blanca Bayo; Carol Purvis
Subject:	FW: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

FYI all ...

Mike, did you know about the telephone participation?

Rose, this change would be in the staff analysis portion of the rec, not issue/rec portion.

Kay

From:	Mary Anne Helton
Sent:	Monday, December 06, 2004 5:16 PM
To:	Mary Bane
Cc:	Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton;
	Katrina Tew; Larry Harris; Kay Flynn
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

Dr. Bane,

I am requesting permission to make an oral modification at tomorrow's agenda conference for item number 4. This afternoon, FPL called to

point out that the paragraph on page 4, immediately after the table, should be changed as follows:

"The meter that was replaced (#5C25097), which was tested on October 28, 2003, tested in an upside-down reading with a Full Load at 83.38%, a Light Load at 0%, and a Weighted Average Registration of 67.07%."

It is our understanding that this change clarifies that meter tampering occurred. FPL will be available at the agenda tomorrow to answer any questions about the clarification.

Also, as a side note, the customer intends to participate by telephone.

Sorry for the last minute notice, but we just found out about it.

CCA Official Document . . .

-

Thanks, Mary Anne ALC: NO.

12/7/2004 8:54 AM

- 4

8:54 AM

040977

Kay Flynn

From: Sent: To: Cc:	Mary Bane Tuesday, December 07, 2004 8:51 AM Mary Anne Helton Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashbur Manuel Ariana; Cauca Hinton; Katrina Towr Larry Harris; Kay Elvan
Subject:	Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Approved.

From:	Mary Anne Helton
Sent:	Monday, December 06, 2004 5:16 PM
То:	Mary Bane
Cc:	Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton;
	Katrina Tew; Larry Harris; Kay Flynn
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

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Sorry for the last minute notice, but we just found out about it.

Thanks, Mary Anne 12/7/2004 9:20 AM

9:20 AM

040977 .

Kay Flynn

	· · · · · · · · · · · · · · · · · · ·
From:	Jennifer Rodan
Sent:	Tuesday, December 07, 2004 9:17 AM
То:	Mary Bane
Cc:	Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty
	Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

The Rec stated 83.38% and the requested modification changes that number to 83.83%. The number was inverted.

From:	Mary Bane
Sent:	Tuesday, December 07, 2004 9:15 AM
To:	Jennifer Rodan
Cc:	Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton;
	Katrina Tew; Larry Harris; Kay Flynn
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

I'm assuming that this change replaces the one sent earlier, but I'm not sure why you would underscore 83.39 since that was already in the rec.

From:	Jennifer Rodan
Sent:	Tuesday, December 07, 2004 8:56 AM
То:	Mary Bane
Cc:	Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton;
	Katrina Tew; Larry Harris; Kay Flynn
Subject:	FW: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

FPL just called with another modification this morning. The oral modification should be:

"The meter that was replaced (#5C25097), which was tested on October 28, 2003, tested in an upside-down position with a Full Load at 83.83%, a Light Load at 0%, and a Weighted Average Registration of 67.07%."

Thank you, Jennifer Rodan

From:	Mary Anne Heiton
Sent:	Monday, December 06, 2004 5:16 PM
To:	Mary Bane
Cc:	Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton;
	Katrina Tew; Larry Harris; Kay Flynn
Subject:	RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint
Importance:	High

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CCA Official Document . . .

Also, as a side note, the customer intends to participate by telephone.

Sorry for the last minute notice, but we just found out about it.

Thanks, Mary Anne

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CCA Official Filing 12/10/2004 9:41 AM*******

Matilda Sanders*1

Matilda Sanders

1221-PAA

From: Sent: To: Subject: Janice Banka Friday, December 10, 2004 9:41 AM CCA - Orders / Notices Order / Notice Submitted

 Date and Time:
 12/10/2004 9:40:00 AM

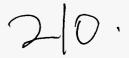
 Docket Number:
 040977-EI

 Filename / Path:
 2004/040977or.jar.doc

Notice of Proposed Agency Action Order Approving Billing Due to Meter Tampering.

Number of pages in order - 5.

Thanks "J"



CCA Official Filing 1/4/2005 9:57 AM*******



0014 - CO

2

Matilda Sanders

From: Sent: To: Subject: Janice Banka Tuesday, January 04, 2005 9:55 AM Kay Flynn; Matilda Sanders; Ruth Nettles Consummating Order to be issued.

Sorry, my GCOrders is not working this morning. Please file the following order: Docket No. 040977-EI File Name: 2004/040977co.jar.doc CONSUMMATING ORDER Number of pages in order - 2.

Thanks "J"

1/1

Janice R. Banka Deputy Clerk Florida Public Service Commission Office of the General Counsel Economic Regulation Section 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 850-413-6210 (voice) 850-413-6211 (fax) jbanka@psc.state.fl.us