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	e assigned the senior Com	missione	er is Pa	nel Chaiı	rman:		<u></u>		J	
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<u>Secti</u>	on	1	-	Bureau	of	Records	<u>Completes</u>	

Docket No. 050891-EI Date Docketed: 11/21/2005 Title: Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Company: Florida Power & Light Company **Kmart Corporation**

Official Filing	Date:		E	xpiratio	n:							
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			2.	Agenda						NONE	0	2/28/2006
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

BD/m Approved: Date: 12/16/2005

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			1.	Testimon						NONE		04/02/2007
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COMMISSIONERS: LISA POLAK EDGAR, CHAIRMAN J. TERRY DEASON ISILIO ARRIAGA MATTHEW M. CARTER II KATRINA J. TEW

STATE OF FLORIDA



GENERAL COUNSEL RICHARD D. MELSON RECEIVED-FPSC (850) 413-6248

06 APR -6 PM 1:30

COMMISSION CLERK

Huhlic Service Commission

April 6, 2006

Rodger A. Kershner, Esquire Howard & Howard Law Firm 39400 Woodward Avenue, Suite 101 Bloomfield Hills, MI 48304

Re: DOCKET NO. 050890-EI - Complaint of Sears, Roebuck and Company against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

DOCKET NO. 050891-EI - Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Dear Mr. Kershner:

Enclosed is a copy of the Staff Recommendation filed in this matter on April 6, 2006. The Commission is expected to consider this Recommendation at its April 18, 2006, 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) 413-6228.

Sincerely. Imbal

-Jennifer S. Brubaker Staff Attorney

JSB/pz

Enclosure

cc: Division of the Commission Clerk and Administrative (w/o enclosure)

~

Commissioners: Lisa Polak Edgar, Chairman J. Terry Deason Isilio Arriaga Matthew M. Carter II Katrina J. Tew STATE OF FLORIDA



GENERAL COUNSEL RICHARD D. MELSON/EL)-FPSC (850) 413-6248

CAPR-6 PM 1:30

CLERK

Hublic Service Commission

April 6, 2006

Ms. Lori K. Miller, Esquire Sears, Roebuck and Company Kmart Corporation 3333 Beverly Road, B6-333A Hoffman Estates, Illinois 60179

Re: DOCKET NO. 050890-EI - Complaint of Sears, Roebuck and Company against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

DOCKET NO. 050891-EI - Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Dear Ms. Miller:

Enclosed is a copy of the Staff Recommendation filed in this matter on April 6, 2006. The Commission is expected to consider this Recommendation at its April 18, 2006, 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) 413-6228.

Sincerely,

Jennifer S. Brubaker Staff Attorney

JSB/pz

Enclosure

cc: Division of the Commission Clerk and Administrative (w/o enclosure)

COMMISSIONERS: LISA POLAK EDGAR, CHAIRMAN J. TERRY DEASON ISILIO ARRIAGA MATTHEW M. CARTER II KATRINA J. TEW

STATE OF FLORIDA



GENERAL COUNSEL RICHARD D. MELSON ECEWED FIPSC (850) 413-6248

SEAPR-6 PM 1:30

COMMISSION CLERK

Hublic Service Commission

April 6, 2006

Natalie F. Smith, Esquire Florida Power & Light 700 Universe Blvd. Juno Beach, FL 33408-2657

Re: DOCKET NO. 050890-EI - Complaint of Sears, Roebuck and Company against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

DOCKET NO. 050891-EI - Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Dear Ms. Smith:

Enclosed is a copy of the Staff Recommendation filed in this matter on April 6, 2006. The Commission is expected to consider this Recommendation at its April 18, 2006, 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) 413-6228.

Sincerely,

Jennifer S. Brubaker Staff Attorney

JSB/pz

Enclosure

cc: Division of the Commission Clerk and Administrative (w/o enclosure)

COMMISSIONERS: LISA POLAK EDGAR, CHAIRMAN J. TERRY DEASON **ISILIO ARRIAGA** MATTHEW M. CARTER II KATRINA J. TEW

STATE OF FLORIDA



RECEIVED-FPSC GENERAL COUNSEL RICHARD POMELSONPM 1: 30 (850) 413-6248

> COMMISSION CLERK

Hublic Service Commission

April 6, 2006

Mr. William Walker Florida Power & Light Company 215 South Monroe Street, Suite 810 Tallahassee, Florida 32301-1859

Re: DOCKET NO. 050890-EI - Complaint of Sears, Roebuck and Company against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

DOCKET NO. 050891-EI - Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Dear Mr. Walker:

Enclosed is a copy of the Staff Recommendation filed in this matter on April 6, 2006. The Commission is expected to consider this Recommendation at its April 18, 2006, 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) 413-6228.

Sincerely.

Jennifer S. Brubaker Staff Attorney

JSB/pz

Enclosure

cc: Division of the Commission Clerk and Administrative (w/o enclosure)

CCA Official Filing ***5/9/2006 2:00 PM***

PSC-06-0387-PAA-EI

From: Sent: To: Subject:

Matilda Sanders

Patti Zellner Tuesday, May 09, 2006 2:00 PM CCA - Orders / Notices Order / Notice Submitted

Date and Time: Docket Number: Filename / Path: 5/9/2006 1:59:00 PM 050891-El 050891-Order.April.18.jsb.doc

NOTICE OF PROPOSED AGENCY ACTION ORDER DENYING MOTION TO COMPEL, DENYING MOTION TO DISMISS, AND DENYING COMPLAINT OF KMART CORPORATION AGAINST FLORIDA POWER & LIGHT COMPANY

**1



Commissioners: Braulio L. Baez, Chairman J. Terry Deason Rudolph "Rudy" Bradley Lisa Polak Edgar Isilio Arriaga STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

Hublic Service Commission

November 22, 2005

ADMINISTRATIVE

Rodger A. Kershner, Esquire Howard & Howard, P.C. 39400 Woodward Avenue, Suite 101 Bloomfield Hills, Michigan 48304

Re: Docket No. 050891-EI

Dear Mr. Kershner:

This will acknowledge receipt of a complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint, was filed in this office on November 21, 2005, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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FPSC-COMMISSION CLERK