

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for increase in rates by Progress
Energy Florida, Inc.

DOCKET NO. 090079-EI

FILED: AUGUST 24, 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF
RHONDA L. HICKS, on behalf of the Florida Public Service Commission, has been furnished to
the following, by electronic and U.S. Mail, on this 24th day of August, 2009:

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DOCKET NO. 090079-EI Petition for increase in rates by
Progress Energy Florida.

WITNESS: Direct Testimony of Rhonda L. Hicks, Florida Public
Service Commission; Appearing on Behalf of the Staff of the
Florida Public Service Commission.

DATE FILED: August 24, 2009

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1 DIRECT TESTIMONY OF RHONDA L. HICKS

2 Q. Please state your name and address.

3 A. My name is Rhonda L. Hicks. My address is 2540 Shumard Oak Boulevard;
4 Tallahassee, Florida; 32399-0850.

5 Q. By whom are you employed and in what capacity?

6 A. I am employed by the Florida Public Service Commission (FPSC or Commission) as
7 Chief of the Bureau of Consumer Assistance in the Division of Service, Safety, and
8 Consumer Assistance.

9 Q. Please give a brief description of your educational background and professional
10 experience.

11 A. I graduated from Florida A&M University in 1986 with a Bachelor of Science degree
12 in Accounting. I have worked for the FPSC for 23 years. I have varied experience in
13 the electric, gas, telephone, and water and wastewater industries. My work experience
14 includes rate cases, cost recovery clauses, depreciation studies, tax, audit, consumer
15 outreach and consumer complaints. I currently work in the Bureau of Consumer
16 Assistance within the Division of Service, Safety, and Consumer Assistance where I
17 manage consumer complaints and inquiries.

18 Q. What is the function of the Bureau of Consumer Assistance?

19 A. The bureau's function is to resolve disputes between regulated companies and their
20 customers as quickly, effectively, and inexpensively as possible.

21 Q. Do all consumers, who have disputes with their regulated company, contact the Bureau
22 of Consumer Assistance?

23 A. No. Consumers may initially file their complaint with the regulated company and
24 reach resolution without the bureau's intervention. In fact, consumers are encouraged
25 to allow the regulated company the opportunity to resolve the dispute prior to any

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Commission involvement.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to advise the Commission of the number of consumer complaints logged against Progress Energy Florida, Inc. (PEF) under Rule 25-22.032, Florida Administrative Code, Consumer Complaints, from July 1, 2007 through June 30, 2009. My testimony will also provide information on the type of complaints logged and those complaints that appear to be rule violations.

Q. What do your records indicate concerning the number of complaints logged against PEF?

A. From July 1, 1007, through June 30, 2009, the FPSC logged 5,611 complaints against PEF. Of those, 4,386 complaints were transferred directly to the company for resolution via the Commission's Transfer-Connect Program.

Q. What have been the most common types of complaints logged against PEF?

A. During the specified time period, approximately 63 percent or 3,559 of the complaints logged with the Commission concerned billing issues, while approximately 37 percent or 2,052 of the complaints involved quality of service issues.

Q. Do you have any exhibits attached to your testimony?

A. Yes. I am sponsoring Exhibits RLH-1 and RLH-2.

Q. Would you explain Exhibit RLH-1?

A. Yes. Exhibit RLH-1 is a summary listing of complaints logged against PEF under Rule 25-22.032, Florida Administrative Code. The complaints, received July 1, 2007, through June 30, 2009, were captured in the Commission's Consumer Activity Tracking System (CATS). The summary groups the complaints by Close Type and within each Close Type, the complaints are segregated by Pre-Close Type. The first grouping is Pre-Close types that are still pending. The remaining groupings are

1 categorized by Close Type codes such as EB-01, EB-02, EB-12, etc.

2 Q. What is a Pre-Close Type?

3 A. A Pre-Close Type is an internal categorization code that is applied to each complaint

4 upon receipt. A complaint is assigned a Pre-Close Type based solely on the initial

5 information provided by the consumer.

6 Q. What is a Close Type?

7 A. A Close Type is also an internal categorization code. It is assigned to each complaint

8 once staff completes its investigation and a proposed resolution is provided to the

9 consumer. In some instances, the Pre-Close Type will differ from the Close Type

10 because staff's investigation reveals facts that were not available upon receipt of the

11 complaint.

12 Q. A great majority of complaints were resolved as Close Type GI-02, Courtesy

13 Call/Warm Transfer. Can you explain this Close-Type?

14 A. Yes. PEF participates in the Commission's Transfer-Connect (Warm Transfer)

15 System. This system allows the Commission to directly transfer a customer to the

16 company's customer service personnel. Once the call is transferred to PEF, it provides the

17 customer with a proposed resolution. Customers who are not satisfied with the company's

18 proposed resolution have the option of recontacting the Commission. While the

19 Commission is able to assign a Pre-Close Type to each of the complaints in this category,

20 a specific Close-Type is not assigned because the proposed resolution is provided by

21 Progress Energy Florida. Consequently, the assigned Close-Type allows staff to monitor

22 the number of complaints resolved via the Commission's Transfer-Connect System.

23 Q. How many of the complaints summarized on your exhibit has staff determined may be

24 a violation of Commission rules?

25 A. Of PEF's 5,611 complaints, staff determined that 17 appear to be violations of

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Commission rules. The 17 complaints that appear to be violations of Commission rules are summarized on Exhibit RLH-2.

Q. Would you explain Exhibit RLH-2?

A. Exhibit RLH-2 is a summary chart of the 17 complaints that appear to violations of Commission rules. The chart provides the complaint number, close type and the nature of each apparent rule violation.

R. How does the Bureau of Consumer Assistance handle apparent rule violations?

A. Apparent rule violations are closely monitored by bureau management. If an apparent violation is habitual or if it appears that an apparent violation could impact the entire customer base, technical staff is notified and forwarded a copy of the complaint(s). Following its review, technical staff determines if Commission action is needed.

Q. Does this conclude your testimony?

A. Yes, it does.

**TYPE:**

Total Cases For PreClose Type: DELAY IN CONNECTION	1
Total Cases For PreClose Type: DEPOSIT	1
Total Cases For PreClose Type: IMPROPER BILLS	9
Total Cases For PreClose Type: OUTAGES	3
Total Cases For PreClose Type: QUALITY OF SERVICE	1
Total Cases For Type	15

TYPE: EB-01 IMPROPER RATES APPLIED

Total Cases For PreClose Type: IMPROPER BILLS	1
Total Cases For Type EB-01	1

TYPE: EB-02 IMPROPER READING ESTIMATES

Total Cases For PreClose Type: IMPROPER BILLS	3
Total Cases For Type EB-02	3

TYPE: EB-12 INACCURATE METER READINGS

Total Cases For PreClose Type: IMPROPER BILLS	1
Total Cases For Type EB-12	1

TYPE: EB-19 EXCESSIVE DISPOSIT REQUESTED

Total Cases For PreClose Type: DEPOSIT	1
Total Cases For Type EB-19	1

TYPE: EB-21 DEPOSIT NOT REFUNDED

Total Cases For PreClose Type: DEPOSIT	1
Total Cases For PreClose Type: IMPROPER BILLS	1
Total Cases For Type EB-21	2

TYPE:	EB-24	BILLING WRONG CUSTOMER	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For Type	EB-24		1
TYPE:	EB-49	FAILURE TO RESPOND TIMELY TO	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For Type	EB-49		1
TYPE:	EB-50	Failure to provide res to cust in 15 wd	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For Type	EB-50		1
TYPE:	ES-12	DELAY IN CONNECTING INITIAL SERVICE	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For Type	ES-12		1
TYPE:	ES-23	ERROR IN METER RECORD	
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For Type	ES-23		1
TYPE:	ES-49	FAILURE TO RESPOND TO COMMISSION	
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For PreClose Type:	SAFETY ISSUE		1
Total Cases For Type	ES-49		2
TYPE:	ES-51	Failure to respond in 7 wkdy to staff req	
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For Type	ES-51		2
TYPE:	GI-02	COURTESY CALL/WARM TRANSFER	
Total Cases For PreClose Type:	DELAY IN CONNECTION		159
Total Cases For PreClose Type:	DEPOSIT		225
Total Cases For PreClose Type:	FCC-OTHER (SVC)		1
Total Cases For PreClose Type:	IMPROPER BILLS		648
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		159
Total Cases For PreClose Type:	OUTAGES		94
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		2085
Total Cases For PreClose Type:	PREPAID CALLING CARDS		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		918

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Total Cases For PreClose Type: REPAIR 45

Total Cases For PreClose Type: SAFETY ISSUE 51

Total Cases For Type GI-02 4386

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TYPE: GI-03 PAYMENT ARRANGEMENTS

Total Cases For PreClose Type: IMPROPER BILLS 1

Total Cases For PreClose Type: PAYMENT ARRANGEMENT 1

Total Cases For PreClose Type: REPAIR 1

Total Cases For Type GI-03 3

TYPE: GI-05 HIGH BILL

Total Cases For PreClose Type: IMPROPER BILLS 76

Total Cases For PreClose Type: IMPROPER DISCONNECTS 1

Total Cases For PreClose Type: QUALITY OF SERVICE 7

Total Cases For PreClose Type: SAFETY ISSUE 1

Total Cases For Type GI-05 85

TYPE: GI-06 CURRENT DIVERSION

Total Cases For PreClose Type: DELAY IN CONNECTION 1

Total Cases For PreClose Type: IMPROPER BILLS 2

Total Cases For Type GI-06 3

TYPE: GI-08 RULES & TARIFFS

Total Cases For PreClose Type: DELAY IN CONNECTION 1

Total Cases For PreClose Type: DEPOSIT 3

Total Cases For PreClose Type: IMPROPER BILLS 8

Total Cases For PreClose Type: QUALITY OF SERVICE 3

Total Cases For PreClose Type: SAFETY ISSUE 1

Total Cases For Type GI-08 16

TYPE: GI-11 REPAIR SERVICE

Total Cases For PreClose Type: OUTAGES 3

Total Cases For PreClose Type: QUALITY OF SERVICE 2

Total Cases For PreClose Type: REPAIR 33

Total Cases For PreClose Type: SAFETY ISSUE 2

Total Cases For Type GI-11 40

TYPE:	GI-14	FILED FOR INFORMATION	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For Type	GI-14		2

TYPE:	GI-15	OUTAGES (All Industries)	
Total Cases For PreClose Type:	OUTAGES		142
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		3
Total Cases For PreClose Type:	REPAIR		7
Total Cases For PreClose Type:	SAFETY ISSUE		2
Total Cases For Type	GI-15		155

TYPE:	GI-17	SAFETY ISSUES	
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For PreClose Type:	REPAIR		1
Total Cases For PreClose Type:	SAFETY ISSUE		15
Total Cases For Type	GI-17		17

TYPE:	GI-18	TREE TRIMMING	
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		8
Total Cases For PreClose Type:	SAFETY ISSUE		1
Total Cases For Type	GI-18		10

TYPE:	GI-19	MOMENTARY ELECTRIC OUTAGES(LESS	
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For Type	GI-19		1

TYPE:	GI-25	IMPROPER BILLING (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For PreClose Type:	DEPOSIT		5
Total Cases For PreClose Type:	IMPROPER BILLS		247
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		10
Total Cases For PreClose Type:	QUALITY OF SERVICE		17
Total Cases For PreClose Type:	REPAIR		2
Total Cases For Type	GI-25		282

TYPE:	GI-26	BILLING WRONG CUSTOMER (ADDED 7/03)	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For Type	GI-26		1
TYPE:	GI-28	IMPROPER DISCONNECT (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		2
Total Cases For PreClose Type:	IMPROPER BILLS		2
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		26
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For Type	GI-28		31
TYPE:	GI-29	DELAY IN CONNECTION (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		32
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For Type	GI-29		34
TYPE:	GI-30	QUALITY OF SERVICE (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		2
Total Cases For PreClose Type:	DEPOSIT		1
Total Cases For PreClose Type:	IMPROPER BILLS		4
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		3
Total Cases For PreClose Type:	OUTAGES		3
Total Cases For PreClose Type:	QUALITY OF SERVICE		102
Total Cases For PreClose Type:	REPAIR		3
Total Cases For Type	GI-30		118
TYPE:	GI-31	ESTIMATED METER READINGS (ADDED 7/03)	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For Type	GI-31		1
TYPE:	GI-32	PROCESS REVIEW CASE	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For PreClose Type:	DEPOSIT		2
Total Cases For PreClose Type:	IMPROPER BILLS		16
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		6
Total Cases For PreClose Type:	REPAIR		1

Total Cases For Type GI-32 27

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TYPE: GI-72 72 HOUR RULE

Total Cases For PreClose Type: DELAY IN CONNECTION 23
Total Cases For PreClose Type: DEPOSIT 17
Total Cases For PreClose Type: IMPROPER BILLS 137
Total Cases For PreClose Type: IMPROPER DISCONNECTS 27
Total Cases For PreClose Type: OUTAGES 28
Total Cases For PreClose Type: PAYMENT ARRANGEMENT 3
Total Cases For PreClose Type: QUALITY OF SERVICE 58
Total Cases For PreClose Type: REPAIR 10
Total Cases For PreClose Type: SAFETY ISSUE 2
Total Cases For Type GI-72 305

TYPE: GI-99 OTHER

Total Cases For PreClose Type: DELAY IN CONNECTION 1
Total Cases For PreClose Type: IMPROPER BILLS 3
Total Cases For PreClose Type: IMPROPER DISCONNECTS 2
Total Cases For PreClose Type: QUALITY OF SERVICE 1
Total Cases For Type GI-99 7

TYPE: NJ-04 DAMAGE CLAIM

Total Cases For PreClose Type: IMPROPER BILLS 1
Total Cases For PreClose Type: OUTAGES 3
Total Cases For PreClose Type: QUALITY OF SERVICE 4
Total Cases For PreClose Type: REPAIR 2
Total Cases For PreClose Type: SAFETY ISSUE 2
Total Cases For Type NJ-04 12

TYPE: NJ-14 TAXES

Total Cases For PreClose Type: QUALITY OF SERVICE 1
Total Cases For Type NJ-14 1

TYPE:	NJ-99	OTHER
Total Cases For PreClose Type:	QUALITY OF SERVICE	1
Total Cases For Type	NJ-99	1

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TYPE:	PR-03	DEPOSITS
Total Cases For PreClose Type:	DEPOSIT	25
Total Cases For PreClose Type:	IMPROPER BILLS	6
Total Cases For PreClose Type:	QUALITY OF SERVICE	3
Total Cases For Type	PR-03	34

TYPE:	PR-05	BACKBILLING
Total Cases For PreClose Type:	IMPROPER BILLS	2
Total Cases For Type	PR-05	2

TYPE:	PR-06	RULES & TARIFFS
Total Cases For PreClose Type:	IMPROPER BILLS	2
Total Cases For PreClose Type:	QUALITY OF SERVICE	1
Total Cases For Type	PR-06	3

TYPE:	PR-24	FUEL ADJUSTMENT CHARGE
Total Cases For PreClose Type:	IMPROPER BILLS	2
Total Cases For Type	PR-24	2

Total Complaints Late Responding: 34
 Total Complaints Infraction: 17
 Grand Total: 5611

**Category
 *I = INFRACTION
 *C = NON-INFRACTION

Progress Energy Florida
 Summary of Apparent Rule Violations
 For the period July 1, 2007 through June 30, 2009

	Complaint No	Close Type	Nature of Apparent Rule Violation
1	0745168E	EB-50	Failure to provide resolution to the customer within 15 days 25-22.032
2	0749497E	EB-24	Billing wrong customer
3	0765021E	EB-49	Failure to respond timely to Commission
4	0770497E	ES-51	Failure to respond timely to Commission
5	0772860E	EB-02	Improper meter reading estimates
6	0774689E	ES-49	Failure to respond timely to Commission
7	0780855E	EB-02	Improper meter reading estimates
8	0784027E	EB-21	Deposit not refunded
9	0785159E	ES-49	Failure to respond timely to Commission
10	0787566E	EB-21	Deposit not refunded
11	0801371E	EB-19	Excessive deposit requested
12	0802701E	EB-01	Improper rates applied
13	0807666E	EB-12	Inaccurate meter readings
14	0815753E	ES-12	Delay in connecting initial service
15	0827697E	ES-51	Failure to respond timely to Commission
16	0833475E	EB-02	Improper meter reading estimates
17	0837635E	ES-23	Error in meter record