## FILED MAY 09, 2014 DOCUMENT NO. 02182-14 FPSC - COMMISSION CLERK

Commissioners: Art Graham, Chairman Lisa Polak Edgar Ronald A, Brisé Eduardo E, Balbis Julie I, Brown

# STATE OF FLORIDA



OFFICE OF COMMISSION CLERK CARLOTTA S. STAUFFER COMMISSION CLERK (850) 413-6770



Hublic Service Commission

May 9, 2014

Mr. Frederick Smallakoff 6651 Coronet Drive New Port Richey, Florida 34655

## Re: First District Court of Appeal Case No. 1D14-0197 – Frederick Smallakoff vs. Florida Public Service Commission, PSC Docket No. 120176-EI

Dear Mr. Smallakoff:

Enclosed is the Amended Index to the record on appeal, reflecting your written request dated April 15, 2014, to add the entire file and records regarding the above-referenced docket. When we receive your payment for preparation of these documents the Amended Index and Appeal Record will be filed with the First District Court of Appeal.

Should you have any questions regarding this Amended Index, please feel free to contact me.

Sincerely,

Cameta & Stauffer

Carlotta S. Stauffer Commission Clerk

CSS: mhm Enclosure

cc: Samantha Cibula, Commission Office of the General Counsel Rosanne Gervasi, Commission Office of the General Counsel Ken Hoffman, Florida Power & Light Company Kathryn Christian, Duke Energy

### AMENDED INDEX (BY DATE)

#### PSC DOCKET NO. 120176-EI

Pursuant to Rule 9.200(d)(1)(B), Florida Rule of Appellate Procedure (Fla.R.App.P.), each volume has a cover sheet containing the name of the lower tribunal and the style and number of the case.

#### Volume 1

## DATE BATES-STAMP PAGE NOS. 06/19/12 Letter dated June 15, 2012, from Frederick Smallakoff (Smallakoff) to the Clerk of the Public Service Commission (Commission), requesting to file a formal complaint against Progress Energy Florida, Inc. (Progress) concerning alleged improper bills, which includes a hand-written note, Informal Complaint No. 1059336-E..... 1-3 Letter dated June 15, 2012, from Smallakoff to the Commission Clerk, 06/20/12 requesting to file a formal complaint against Progress concerning alleged improper bills, which does not include a hand-written note, Commission's notice of complaint to Progress ......7 06/20/12 06/20/12 06/22/12 Return receipt card from Progress indicating delivery of notice of complaint, from Commission, by U.S. Post Office on June 21, 2012......28 06/22/12 Letter dated June 22, 2012, from Dianne M. Triplett, Progress, to Ann Cole, Commission, providing a response to Smallakoff's letter 07/19/12 Letter dated July 19, 2012, from Michael Lawson, Commission, to Smallakoff, forwarding a copy of Progress' response to complaint, 09/26/12 Letter dated September 26, 2012, from Michael Lawson, Commission, to Smallakoff, requesting by November 2, 2012, information or statements relevant to and supportive of complaint

11/20/12	Letter dated November 20, 2012, from Michael Lawson, Commission, to Smallakoff, requesting by December 31, 2012, information or statements relevant to and supportive of complaint or to address Progress' response, filed June 19, 2012
12/28/12	Docket correspondence of parties and interested persons
02/21/13	Memorandum dated February 21, 2013, from the Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, Division of Economics, and Division of Engineering to Commission Clerk, providing staff recommendation for the Commission conference, Item No. 2, to be held March 5, 2013
02/21/13	Letter dated February 21, 2013, from Michael Lawson, Commission, to Smallakoff, forwarding staff recommendation, advising the billing complaint against Progress will be considered at the March 5, 2013, Commission conference, and invitation to participate at the Commission conference
02/22/13	Letter dated February 22, 2013, from Michael Lawson, Commission, to Smallakoff, forwarding staff recommendation, advising the billing complaint against Progress will be considered at the March 5, 2013, Commission conference, and invitation to participate at the Commission conference
02/28/13	E-mail dated February 27, 2013, from Michael Lawson, Commission, to Braulio Baez, Curt Kiser, Mary Anne Helton, Jennifer Crawford, Rick Moses, Patti Daniel, Neal Forsman, Rhonda Hicks, Lisa Harvey, Jim Dean, and Chuck Hill, Commission, requesting approval to make an oral modification to Item No. 2, at the March 5, 2013, Commission conference, with February 28, 2013, approval by Braulio Baez, Commission
03/05/13	Vote sheet from March 5, 2013, Commission conference, Item No. 2 117-119
03/11/13	Transcript of March 5, 2013, Commission conference, Item No. 2 120-129
03/13/13	PAA Order PSC-13-0124-PAA-EI denying complaint of Smallakoff
03/18/13	Letter dated March 18, 2013, from Michael Lawson, Commission, to Smallakoff, forwarding copies of PAA orders denying complaints in Docket Nos. 060774-EI and 120176-EI

03/26/13	Letter dated March 21, 2013, from Smallakoff, to Ann Cole, Commission, with attached documents, which were faxed on March 20, 2013, and placed in the correspondence folder; requesting documents be officially filed and made part of the record for Docket Nos. 060774-EI and 120176-EI
04/03/13	Letter dated April 1, 2013, from Smallakoff, to Commission Clerk, protesting and disagreeing with the decision to dismiss issued by the Commission's Office of the General Counsel and Order PSC-13-0124-PAA-EI; and purporting to request a formal proceeding
04/30/13	Progress' notice of name change to Duke Energy Florida, Inc., d/b/a Duke Energy (Duke Energy)
04/30/13	Order PSC-13-0184-PCO-EI denying, without prejudice, Smallakoff's request for formal proceeding
05/21/13	Letter dated May 18, 2013, from Smallakoff, to Commission Clerk, addressing order denying request for formal proceeding
Volume 2	
09/12/13	Memorandum dated September 12, 2013, from the Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, Division of Economics, and Division of Engineering to Commission Clerk, providing staff recommendation for the Commission conference, Item No. 3, to be held September 25, 2013 201-205
09/25/13	
07/23/15	Vote sheet from September 25, 2013, Commission conference, Item No. 3
09/30/13	
	Item No. 3

12/05/13	Memorandum dated December 5, 2013, from the Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, Division of Economics, and Division of Engineering to Commission Clerk, providing staff recommendation for the Commission conference, Item No. 3, to be held December 17, 2013 232-236
12/17/13	Vote sheet from December 17, 2013, Commission conference, Item No. 3
12/19/13	Transcript of December 17, 2013, Commission conference, Item No. 3
12/20/13	Order PSC-13-0675-FOF-EI denying Smallakoff's motion for reconsideration of Order PSC-13-0468-FOF-EI; docket closed
01/15/14	Smallakoff's notice of appeal with attachment, Order No. PSC-13-0675-FOF-EI
01/15/14	Letter dated January 15, 2014, from Jon S. Wheeler, District Court of Appeal, First District, State of Florida (1st DCA), Clerk of the Court, to Carlotta S. Stauffer, Commission, acknowledging receipt of notice of appeal, Case No. 1D14-0197
01/15/14	1st DCA order stating that the appeal shall not proceed until the order of insolvency is filed, as required by Rule 9.430, Fla.R.App.P., or a \$300 fee is paid, as required by Section 35.22(3), F.S. (2011), Case No. 1D14-0197
01/15/14	Letter dated January 15, 2014, from Carlotta S. Stauffer, Commission, to Smallakoff, forwarding a copy of the notice of appeal, with attachment, Order No. PSC-13-0675-FOF-EI, and advising a certified copy of the notice of appeal and attachment is being electronically filed with the 1st DCA
02/20/14	Letter dated February 20, 2014, from Carlotta S. Stauffer, Commission, to Smallakoff, forwarding a copy of the index to record on appeal, Case No. 1D14-0197
04/23/14	Letter dated April 15, 2014, from Smallakoff to Carlotta S. Stauffer, Commission, requesting entire file and records be submitted to the 1st DCA, Case Nos. 1D14-0196 and 1D14-0197

05/09/14	Letter dated May 9, 2014, from Carlotta S. Stauffer,	
	Commission, to Smallakoff, forwarding a copy of the amended	
	index to record on appeal, Case No. 1D14-0197	. 265-270

# **Progress Docket**

Pursuant to Rule 9.200(d)(1)(A), Fla.R.App.P., the document filings index for
Docket No. 120176-EI has been incorporated into the record immediately
after the index