

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: October 5, 2015
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Kelley F. Corbari, Senior Attorney, Office of the General Counsel *KFC*
RE: **Docket No. 150185-EI** – Complaint by Erika Alvarez, Jerry Buechler, and Richard C. Silvestri against Florida Power & Light Company.

Attached please find a copy of Staff's correspondence to Petitioner, Mr. Buechler, regarding his request for mediation in this docket. Please file the attached comments in the correspondence tab of the docket file.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

KFC

RECEIVED-FPSC
15 OCT -5 PM 1:36
COMMISSION
CLERK

Kelley Corbari

From: Kelley Corbari
Sent: Monday, October 05, 2015 12:07 PM
To: 'Richard C Silvestri'; 'Jerry Buechler'; 'Erika Alvarez'
Cc: 'Jessica A. Cano - FPL'; 'J. R. Kelly - OPC'; Keino Young; Bianca Lherisson
Subject: RE: 150185-EI Staff Recommendation
Attachments: RE_ Sept. 23 Request for mediation for Docket No. 150185_.pdf

Mr. Buechler,

I received your voicemail from Friday afternoon stating your belief that your request for mediation stayed the Commission's decision on FPL's motion to dismiss until your mediation request was determined. As I stated during our previous discussions on the matter, the Commission cannot order the parties to mediate this matter. Rather, all the parties must voluntarily agree to participate in mediation.

At this time, the Commission Staff has not been informed of FPL's agreement to mediate this matter. *(see attached email dated 09/24/15)*

Until Commission staff is notified that all the parties are agreeable to mediation, the Commission will continue to process this docket as usual.

If FPL has agreed to mediate this matter, please have FPL contact me as soon as possible. Once I have confirmation that all the parties are agreeable to mediation, I can request that Staff's recommendation on FPL's motion to dismiss be deferred from the Commission's October 13th Agenda Conference.

If you have any additional questions, please do not hesitate to contact me.

Thank you,
Kelley Corbari

Kelley F. Corbari,

Senior Attorney – Regulatory Analysis Section
Office of the General Counsel
FLORIDA PUBLIC SERVICE COMMISSION
Email: KCorbari@psc.state.fl.us
Direct Phone: (850) 413-6234
Direct Fax: (850) 413-6235

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

From: Kelley Corbari
Sent: Thursday, October 01, 2015 1:26 PM
To: Richard C Silvestri; Jerry Buechler; Erika Alvarez
Cc: Jessica A. Cano - FPL; J. R. Kelly - OPC; Keino Young; Bianca Lherisson
Subject: 150185-EI Staff Recommendation

Good afternoon,

Attached is a copy of Staff's Recommendation on FPL's Motion to Dismiss that was filed today in your docket. As you know, FPL's motion is scheduled to be heard by the Commission at its Conference Agenda on Tuesday, October 13, 2015 at 9:30 a.m., in Tallahassee.

I wanted to check in with you to see if any of you would be attending the conference and/or whether you wanted to speak on the matter? If so, please let me know by Tuesday, October 6th so that I can inform the Commission Chairman.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Kelley Corbari

Kelley F. Corbari,

Senior Attorney – Regulatory Analysis Section
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From: [Cano, Jessica](#)
To: [Jerry Buechler](#)
Cc: [Kelley Corbari](#); [RICHARD C SILVESTRI](#); [Erika Álvarez](#)
Subject: RE: Sept. 23 Request for mediation for Docket No. 150185\
Date: Thursday, September 24, 2015 2:57:24 PM

Dear Mr. Buechler,

FPL is considering your request to participate in mediation. In the meantime, and regardless of whether mediation is pursued, please be assured that I am willing to meet with you, Mr. Silvestri, and Ms. Alvarez, either by phone or in person, to discuss your complaint.

Sincerely,

Jessica A. Cano
Senior Attorney
Florida Power & Light Company
(561) 304-5226

From: Jerry Buechler [mailto:thetruthbyjerryb@gmail.com]
Sent: Thursday, September 24, 2015 10:35 AM
To: Cano, Jessica
Cc: KCorbari@psc.state.fl.us; Jerry Buechler; [RICHARD C SILVESTRI](#); [Erika Álvarez](#)
Subject: Sept. 23 Request for mediation for Docket No. 150185\

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.

I was going to make this request yesterday but I found that my internet was out and today's paper reports that a major underground cable was cut affecting all service on the south end of Port St. Lucie. They say it could be days before service is restored. Thus I am having a coffee at a Burger King in north Port St. Luce.

I talked to the 2 other parties involved with this complaint and both Erika Alvarez and Richard C. Silvestri are in support of a request for mediation.

Due to the living addresses of all involved, including the attorney (mediator) coming from Tallahassee we think a Orlando location would be most central for everyone involved. If Erika cannot attend she would like to be involved by phone on final negotiations and agreements. We feel this is the most fair and human way to resolve this complaint against FPL. I am sure we can find common ground. My phone number if you need to contact me directly is 305-510-4927. This is the best way to contact me currently as I am involved in some construction deadlines and not attending everyday to my emails. Thanks!

Sincerely,
Jerry Buechler
305-510-4927