

VOTE SHEET

OCTOBER 6, 1998

RE: DOCKET NO. 980730-EI - Complaint by Leonardo Ramos against Florida Power & Light Company regarding backbilling for current diversion.

Issue 1: Should the Commission find that an unauthorized meter was found and that meter tampering and current diversion occurred at Mr. Leonardo Ramos' address, 16251 North West 129th Avenue, Miami, Florida?

Recommendation: Yes. FPL's report provides sufficient evidence of an unauthorized meter and meter tampering at Mr. Ramos' address. Pursuant to Rule 25-6.104, Florida Administrative Code, as the customer of record, Mr. Ramos is responsible for a reasonable amount of backbilling.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*  
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Susan L Clark  
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*[Handwritten signature in dissenting column]*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

TT260-OCT 12 88

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(Continued from previous page)

Issue 2: What is the appropriate amount of backbilling?

Recommendation: The underbilled amount of \$17,825.81 was correctly derived using standard methodology for diversion cases. However, because of the particular circumstances of this case, staff believes that the fair and reasonable amount of backbilling is \$1,386.82. FPL has indicated that it agrees with staff.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed if no person whose substantial interests are affected by the proposed action files a protest within the 21-day protest period.

**APPROVED**