

Karen DeCola Kostantis
George Hatzikostantis
In care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida [34685]
(727) 415-9720

9 June 2026

Adam J. Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2026 JUN 12 PM 3:49
COMMISSION
CLERK

Sent by U.S. Certified Mail, Return Receipt Requested

Re: Docket No. 20260078-EI - Complaint of Karen DeCola Kostantis and George Hatzikostantis against Duke Energy Florida, LLC - Filing of Complainants' Emergency Motion (service / response-period / preliminary opposition to Motion to Dismiss)

Dear Mr. Teitzman:

Enclosed for filing in the above-referenced docket is *Complainants' Emergency Motion to Require Service by U.S. Mail and to Correct the Service Designation; Motion for Leave to Respond and for Enlargement and Equitable Tolling of the Response Period; and Preliminary Opposition to Duke Energy Florida, LLC's Motion to Dismiss*, together with Exhibits A through I.

This Motion is filed by United States mail. The Commission's Office of General Counsel confirmed in writing, by e-mail dated May 21, 2026, that **documents sent to the Commission Clerk by U.S. mail are accepted as filings**. Complainants file by mail in reliance on that confirmation and consistent with their repeated written directive that all service and correspondence in this matter be made by United States mail.

As set out in the enclosed Motion, Complainants were not served Duke Energy Florida, LLC's Motion to Dismiss by United States mail as they had demanded; the docket reflects that Duke was served the complaint by certified U.S. mail while Complainants' service contact was set to e-mail. Complainants respectfully ask that the Clerk docket the enclosed Motion and bring it to the attention of the appropriate staff and presiding officer without delay, as it concerns service and a potential dispositive ruling.

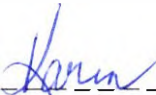
As a matter of preference, please address correspondence to the complainant as **"Karen DeCola Kostantis," without an honorific** (e.g., not "Ms."), and to the mailing address as set out above.

Please direct all filings, notices, and orders in this docket to Complainants **by United States mail** at the address above, and please correct the docket service designation accordingly, as

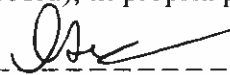
requested in the Motion. Kindly date-stamp the enclosed copy and acknowledge receipt by U.S. mail.

Thank you for your assistance.

Respectfully,

By: 
_____ **Karen DeCola Kostantis**

Complainant (account holder of record), in propria persona

By: 
_____ **George Hatzikostantis**

Joining Complainant (Counts VI and VII), in propria persona

Enclosures: Emergency Motion with Exhibits A-I
cc (by U.S. mail): Office of General Counsel (Attn: Jennifer Crawford); Duke Energy Florida, LLC, c/o Matthew R. Bernier / Stephanie A. Cuello

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Formal Complaint of Karen DeCola Kostantis
and George Hatzikostantis against Duke Energy Florida, LLC

Docket No. 20260078-EI

**COMPLAINANTS' EMERGENCY MOTION TO REQUIRE SERVICE BY U.S. MAIL
AND TO CORRECT THE SERVICE DESIGNATION; MOTION FOR LEAVE TO
RESPOND AND FOR ENLARGEMENT AND EQUITABLE TOLLING OF THE
RESPONSE PERIOD; AND PRELIMINARY OPPOSITION TO DUKE ENERGY
FLORIDA, LLC'S MOTION TO DISMISS**

Complainants, Karen DeCola Kostantis (account holder of record) and George Hatzikostantis (joining as to Counts VI and VII), appearing in propria persona (pro per), respectfully move the Commission and the presiding officer for an order (1) requiring that Complainants be served, by United States mail at their address of record, with Duke Energy Florida, LLC's ("DEF") Motion to Dismiss and all future filings, notices, and orders; (2) correcting the docket service designation to reflect Complainants' United States mailing address of record; (3) holding that the seven-day response period of Rule 28-106.204(1), F.A.C., has not begun to run, or alternatively enlarging and equitably tolling that period; (4) declining to treat DEF's Motion to Dismiss as unopposed or to resolve it upon any presumption of service; and (5) deferring any ruling on the Motion to Dismiss until proper service is made and Complainants are afforded a fair opportunity to respond. In support, Complainants state:

I. BACKGROUND

1. This formal complaint was filed under Rule 25-22.036, F.A.C., on or about April 28 and May 1, 2026, following the Office of General Counsel's March 24, 2026 letter closing the informal process under Rule 25-22.032 and directing formal proceedings. It concerns electric service at

4425 Rutledge Drive, Palm Harbor, Florida (account 910193682470, prior account 910192115339).

2. By letter dated May 8, 2026, sent by *both Regular U.S. Mail and e-mail*, Jennifer Crawford, Attorney Supervisor, Office of General Counsel, confirmed that Docket No. 20260078-EI was opened to process the complaint, that the Clerk would notice DEF, and that DEF would have an opportunity to respond. (Exhibit A.) The Commission has had Complainants' United States mailing address of record at all material times.

3. The docket reflects that the Commission served the formal complaint on DEF **by certified United States mail** (to DEF c/o Matthew Bernier / Stephanie Cuello, 106 E. College Avenue, Suite 800, Tallahassee), and that DEF's agent signed the return receipt on May 15, 2026. (Exhibit B, Document No. 03044-2026; certified article 7020 2450 0001 8211 0243.) DEF thus received service by United States mail.

4. By contrast, internal docket correspondence dated May 11, 2026 (Exhibit C, Document No. 02764-2026) reflects that, **at the instruction of Attorney Supervisor Crawford, Complainant Karen Kostantis's e-mail address was added to the "Parties and Interested Persons" list as her service contact.** The Commission Clerk's acknowledgment letter dated May 11, 2026 (Exhibit D) was likewise addressed to her e-mail address only and was transmitted by electronic service (Exhibit E, Document No. 02775-2026), notwithstanding the Commission's possession of her mailing address.

5. Since September 12, 2025, and repeatedly thereafter, Complainants have advised the Commission and DEF, in writing, that all correspondence, filings, notices, motions, responses, and orders **must be served by United States mail** at their address of record, and that e-mail may serve

only as a courtesy copy. In their written follow-up dated May 26, 2026 (Exhibit F), Complainants expressly directed the Office of General Counsel to discontinue e-mail communication entirely and to send everything exclusively by regular mail. Complainants do not consent to electronic-only service of operative pleadings and deadline-triggering filings, and the formal complaint itself requested that all proceedings be conducted by written submission.

6. The Commission's consumer-assistance materials accept complaints by e-mail, online form, telephone, and mail. As set out in Exhibit F, the FPSC Consumer Assistance portal and the Commission's consumer brochure ("If You Have a Problem with Utility Service or Rates") provide the address contact@psc.state.fl.us as an accepted method of complaint submission. Complainants' complaint materials were submitted electronically on April 28 and May 1, 2026, a method necessitated in part by a supporting audio recording that cannot be transmitted by mail, and **the Commission accepted those materials and opened this docket upon them**, as confirmed by the May 8, 2026 letter (Exhibit A). The complaint is therefore properly before the Commission regardless of the channel of submission. The Office of General Counsel further confirmed in writing on May 21, 2026 that documents sent to the Clerk **by United States mail are accepted as filings** (Exhibit H); this Motion is filed by United States mail accordingly. Complainants' submission of the complaint through an accepted intake channel does not waive their right to be served by U.S. mail on operative pleadings and deadline-triggering filings, and a party may use an accepted intake channel while designating mail as its service address.

7. The communications Complainants received were confusing and, in material respects, internally inconsistent and never reconciled. **First**, the May 21, 2026 e-mail from Attorney Supervisor Jennifer Crawford (Exhibit H) both confirmed that documents sent to the Clerk **by U.S. mail are accepted as filings** and, in the same message, stated that the Commission Clerk does not accept

docket filings by e-mail and that Complainants would need to e-file, leaving Complainants without a clear, single answer as to the required method of filing. **Second**, after Complainants submitted the formal complaint, the Clerk (Adam Teitzman) stated to Complainant Karen Kostantis that he could not yet assign a docket number because he was awaiting direction from the attorneys, a statement difficult to reconcile with the written representation, in the May 8, 2026 letter (Exhibit A), that Docket No. 20260078-EI had already been opened. **Third**, and most significantly, the source of the asserted e-filing requirement was itself stated inconsistently: the Clerk attributed the delay to the attorneys (the Office of General Counsel), while the Office of General Counsel's correspondence and the Clerk's own internal message attributed the e-filing requirement to the Clerk's office, stating that the Commission Clerk does not accept docket filings by e-mail. Each office thus pointed to the other, and Complainants were left unable to obtain a consistent answer as to what was required or who had determined it. These unreconciled communications deprived Complainants of fair, consistent notice and reinforce that no presumption of valid service or of a running response deadline should be applied against them.

8. Complainants did not let these inconsistencies rest; they pursued written clarification repeatedly and were met with silence. On May 26, 2026, Complainants sent a written letter to the Office of General Counsel and the Clerk, by United States mail, specifically identifying the contradiction between the Clerk's statements and the attorneys' correspondence and requesting clarification of the docket and filing status. (Exhibit F.) No response was received. Complainants followed up by e-mail on June 5, 2026, and again on June 8, 2026 (Exhibit G); no substantive response was received to either. Only after these unanswered written follow-ups did Complainant telephone the Clerk on June 8, 2026, at which point the Clerk, without resolving or appearing to fully grasp the inconsistency Complainants had identified, proposed that the parties "agree to disagree." It was

during that same June 8, 2026 contact that Complainants first learned the filing of DEF's Motion to Dismiss had been confirmed. Complainants' repeated, dated written efforts to obtain clarification, and the absence of any substantive response, demonstrate diligence and further support tolling and the denial of any presumption against them.

9. On or about May 21, 2026, Complainants received an electronic message indicating that a motion to dismiss may have been filed. Consistent with their standing written demand for service by United States mail, Complainants did not treat that electronic message as valid service and left it unopened while awaiting the mailed copy they had demanded. **No copy of DEF's Motion to Dismiss was ever served on Complainants by United States mail.** On June 8, 2026, the Clerk's office confirmed to Complainants that the motion had been filed, at which point Complainants obtained and reviewed it and prepared this Motion. Complainants address the motion herein without waiving their objection that it was not properly served by United States mail.

II. COMPLAINANTS WERE DENIED THE U.S. MAIL SERVICE AFFORDED DEF, OVER THEIR EXPRESS WRITTEN DEMAND

10. A proceeding affecting substantial interests must afford each affected party reasonable notice and a fair opportunity to be heard. §§ 120.569 and 120.57(1), Fla. Stat.; Art. I, § 9, Fla. Const.; U.S. Const. amend. XIV. Due process requires notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and to afford them an opportunity to present their objections. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950).

11. Rule 28-106.110, F.A.C., governs service of papers; Rule 28-106.103, F.A.C., governs computation of time and adds five days to a response period when service is made by regular

United States mail; and Rule 28-106.204(1), F.A.C., allows a response to a written motion within seven days of service.

12. The record discloses a material disparity. The Commission served DEF **by certified U.S. mail with a signed return receipt** (Exhibit B), while designating **electronic-only service for Complainants** (Exhibits C–E), notwithstanding their known mailing address and their repeated written demand for mailed service and objection to electronic-only service (Exhibits F–G). A party who has demanded mailed service, and whose mailing address is known to the tribunal, should not be relegated to a less protective form of service than her adversary while that demand stands unaddressed.

III. THE COMMISSION SHOULD NOT PRESUME VALID SERVICE OR A RUNNING RESPONSE DEADLINE

13. Because Complainants demanded mailed service, were denied it while DEF received it, and were never served DEF's Motion to Dismiss by United States mail, having received only an electronic indication on or about May 21, 2026 that they did not treat as valid service while awaiting the mailed copy, with the motion's filing confirmed to them by the Clerk on June 8, 2026 - no presumption of valid service upon Complainants, and no presumption that any response deadline has begun or run, may properly be indulged on this record. Due process forbids resting a dispositive ruling on a presumption of proper service and timely notice that the documented record does not support. The burden to establish valid service on Complainants rests on the party asserting it, and on this record that burden is not met.

14. Accordingly, the seven-day response period of Rule 28-106.204(1) did not begin to run as to Complainants, and the Motion to Dismiss is neither ripe nor unopposed. Treating it otherwise

would deny Complainants the notice and opportunity to be heard guaranteed by §§ 120.569 and 120.57(1), Fla. Stat., Article I, § 9 of the Florida Constitution, and the Fourteenth Amendment.

IV. IN THE ALTERNATIVE, THE RESPONSE PERIOD SHOULD BE ENLARGED AND EQUITABLY TOLLED

15. To the extent any response period is deemed to have begun, Complainants request enlargement and equitable tolling. Florida recognizes equitable tolling of administrative deadlines where a party, through no fault of her own, has been misled or lulled into inaction, has been prevented in some extraordinary way from asserting her rights, or has been induced to allow a deadline to pass. *Machules v. Dep't of Admin.*, 523 So. 2d 1132 (Fla. 1988).

16. Each ground is present: Complainants were relegated to electronic-only service over their express written demand for mail while DEF was served by certified mail; the Commission's communications regarding filing method and docket status were confusing and left unresolved when the Clerk proposed to “agree to disagree”; Complainants were never served the motion by the mail they demanded, having received only an electronic indication that they did not treat as valid service while awaiting the mailed copy, and did not obtain and review the motion until after the Clerk confirmed its filing on June 8, 2026; and Complainants then acted diligently, preparing and filing this Motion promptly. Rule 28-106.204(4), F.A.C., permits enlargement for good cause, which fundamental fairness amply supports. Equity regards as inequitable the denial to one party of the very mode of service afforded the other; a party who held to her stated demand for mailed service, and who acted promptly once the filing was confirmed, should be heard on the merits.

17. DEF suffers no prejudice. The matter is at the pleading stage and no hearing has occurred; the public interest favors resolution on the merits. Dismissal on a procedural footing, without mailed

service and without any opportunity to be heard, would cause Complainants severe and irreparable prejudice, including as to ongoing electric service and documented medical concerns.

V. PRELIMINARY OPPOSITION TO DEF'S MOTION TO DISMISS

18. On a motion to dismiss, the allegations of the complaint are taken as true and viewed in the light most favorable to the complainant; dismissal is improper if the complaint states any cognizable basis for relief within the Commission's jurisdiction. DEF is a regulated public utility subject to this Commission's jurisdiction under Chapter 366, Florida Statutes. The complaint, properly initiated under Rule 25-22.036, F.A.C. after closure of the informal process under Rule 25-22.032, states multiple claims squarely within that jurisdiction.

19. Among other things, taken as true, the complaint alleges: **(a)** that on January 30, 2026 DEF discontinued service over a disputed amount, four days after Commission staff issued a January 26, 2026 written directive not to disconnect for non-payment of the disputed amount, implicating Rule 25-6.105, F.A.C., including its notice requirements, its treatment of disputed amounts, and its medically-essential-service provisions (Rule 25-6.105(11)); **(b)** that a Florida-licensed medical provider certified on December 29, 2025 that the communicating AMI meter at the service location is causing injury, and that DEF, in receipt of the certification, has refused to remove the device or honor the opt-out and fee waiver under its own tariff (Special Provisions, Tariff Sheet No. 6.400); **(c)** that DEF refused for more than 179 days to produce the written service application and terms of service that Commission staff confirmed on March 4, 2026 exist and are required; **(d)** that DEF installed the AMI meter on November 19, 2025 after written non-consent; and **(e)** related billing, unapplied-funds, and collection-referral claims. Each is a matter the Commission is empowered to address.

20. DEF's motion rests on a single ground: that the Complaint fails to satisfy Rule 25-22.036(3)(b), F.A.C., by purportedly not identifying the rule, order, or statute violated or the actions constituting the violation. That ground fails on the face of the record. **First**, DEF's own motion concedes the Complaint identifies specific conduct: at paragraphs 2, 7, and 10 of its motion, DEF acknowledges the Complaint alleges DEF "installed the Smart/AMI meter improperly and without authorization and improperly billed for the AMI Opt-Out meter." A complaint whose specific allegations the movant is able to restate is not one that fails to state them.

21. Second, the Complaint expressly identifies the governing authority and the violative acts. It pleads, among other things: DEF's own tariff (Special Provisions, Tariff Sheet No. 6.400, governing the Non-Standard / AMI Opt-Out Meter) and DEF's misapplication of it; misclassification of service under the RS-1 versus General Service tariff provisions; the unauthorized November 19, 2025 installation of a communicating AMI meter after written non-consent; Rule 25-6.105, F.A.C., governing refusal and discontinuance of service, including the January 26, 2026 Commission staff process-review directive prohibiting disconnection, followed by disconnection on January 30, 2026; and improper billing, misapplication of a tendered payment, and a collection referral. These are specific rules, tariff provisions, orders, and acts, satisfying Rule 25-22.036(3)(b).

22. Third, DEF's motion contradicts the very standard it invokes. DEF correctly states (citing *Meyers v. City of Jacksonville*, 754 So. 2d 198 (Fla. 1st DCA 2000), and *Varnes v. Dawkins*, 624 So. 2d 349 (Fla. 1st DCA 1993)) that a motion to dismiss is confined to the four corners of the petition, that all allegations must be taken as true, and that all inferences must be drawn in the complainant's favor, with no consideration of evidence or affirmative defenses. DEF then departs from that standard, attaching outside materials (its Exhibits A and B) and reciting a contested

factual narrative (account closures, a \$96.34 refund, past-due balances) that a motion to dismiss may not consider. Measured by the standard DEF itself cites, the Complaint's well-pleaded allegations must be accepted as true, and they state claims within the Commission's jurisdiction under Chapter 366, Florida Statutes.

23. Moreover, the harms alleged are continuing and remain unresolved, and on a motion to dismiss each well-pleaded allegation must be taken as true. **(a)** The communicating AMI meter remains installed at the service location to this day and continues to be associated with the adverse health effects documented by two licensed providers (Kara Anthony, APRN, December 29, 2025, and Nikolaos Lontos, MD, April 29, 2026); the harm compounds daily. **(b)** Although DEF's motion asserts that a \$96.34 refund check was mailed on February 27, 2026, Complainants never received those funds, and DEF's unproven assertion of a mailed refund cannot be accepted as fact on a motion to dismiss. **(c)** Despite demand, DEF provided no itemized billing statement for the period from October 30, 2025 through the January 2026 bill. **(d)** To date, DEF has not disclosed the account's tax identification or the basis on which the account was established and classified. Each is a specific, ongoing matter within the Commission's jurisdiction under Chapter 366, Florida Statutes, and confirms that the Complaint states cognizable claims.

24. Because DEF's motion was not served on Complainants by the United States mail they demanded, and Complainants obtained and reviewed it only after the Clerk confirmed its filing on June 8, 2026, Complainants reserve the right to supplement this opposition upon proper mailed service and a full response period. To the extent any count or item of relief is contended to lie outside the Commission's jurisdiction (for example, federal telephone-contact claims joined by George Hatzikostantis under Counts VI and VII), that is not a basis to dismiss the counts and relief that lie squarely within Chapter 366 and the Commission's rules; at most it would limit certain

relief, not defeat the Complaint. If the Commission finds any pleading deficiency under Rule 25-22.036(3)(b), the appropriate remedy is leave to amend, not dismissal with prejudice.

VI. THE MOTION SHOULD NOT BE TREATED AS UNOPPOSED

25. Complainants object to any treatment of DEF's Motion to Dismiss as unopposed. They did not receive the motion by United States mail and have repeatedly advised the Commission and DEF that they do not accept electronic-only service as a substitute for mailed service of operative pleadings and deadline-triggering filings. To the extent DEF or staff contend service occurred electronically, Complainants dispute that such service provided fair and adequate notice under the circumstances and assert prejudice from the denial of mailed service and from the absence of any clear notice that a response deadline was running.

VII. DESIGNATION OF ADDRESS OF RECORD AND DEMAND FOR SERVICE BY U.S. MAIL

26. Complainants hereby designate, and demand that the docket reflect, the following as their proper mailing location of record for service of all papers in this docket, and request that all filings, notices, and orders be served upon them **by United States mail** at that address:

Karen DeCola Kostantis and George Hatzikostantis
In Care of: 3438 East Lake Road, Suite 14, Palm Harbor, Florida

27. Any e-mail address shown on the docket for Complainants is requested to be removed as a service contact or marked "courtesy copy only," consistent with Complainants' repeated written directives, including the May 26, 2026 directive to discontinue e-mail communication entirely.

VIII. RELIEF REQUESTED

WHEREFORE, Complainants respectfully request that the Commission and presiding officer enter an order:

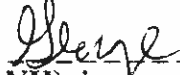
- A. requiring that Complainants be served by United States mail, at their address of record, with DEF's Motion to Dismiss and all future filings, notices, and orders;
- B. correcting the docket service designation to reflect Complainants' United States mailing address of record as their service contact, and removing or marking "courtesy copy only" any e-mail designation;
- C. holding that the seven-day response period of Rule 28-106.204(1) has not begun to run, and that no presumption of valid service or of a running deadline may be applied against Complainants on this record;
- D. in the alternative, enlarging and equitably tolling the response period until at least seven days (plus five days for mailed service under Rule 28-106.103) after Complainants are properly served DEF's motion by U.S. mail;
- E. declining to treat DEF's Motion to Dismiss as unopposed, and deferring any ruling on it until proper service is made and Complainants have had a fair opportunity to respond;
- F. directing the Commission Clerk and Office of General Counsel to furnish Complainants, by U.S. mail, the current status of the docket, a copy of any notice sent to DEF, and a copy of any filing DEF has made; and
- G. granting such other relief as is just and necessary to prevent prejudice and to permit resolution of the complaint on its merits.

Respectfully submitted this 9th day of June, 2026,

All right strictly reserved and unalienable; Without prejudice

By: 

Karen DeCola Kostantis, Complainant (account holder of record), in propria persona
In Care of: 3438 East Lake Road, Suite 14, Palm Harbor, Florida

By:  _____

George Hatzikostantis, Joining Complainant (Counts VI and VII), in propria persona

INDEX OF EXHIBITS

A — Office of General Counsel letter dated May 8, 2026 (Regular U.S. Mail and e-mail), confirming Docket No. 20260078-EI opened.

B — Certified-mail return receipt / docket service record (Document No. 03044-2026, filed May 20, 2026) showing the Notice of Complaint served on DEF, signed May 15, 2026; certified article 7020 2450 0001 8211 0243.

C — Docket correspondence dated May 11, 2026 (Document No. 02764-2026) reflecting that, at Attorney Supervisor Crawford's instruction, Complainant's e-mail was added to the "Parties and Interested Persons" list as her service contact.

D — Commission Clerk acknowledgment letter dated May 11, 2026, addressed to Complainant's e-mail address only.

E — Commission Clerk electronic-service transmittal of the acknowledgment (Document No. 02775-2026, May 11, 2026).

F — Complainants' written follow-up dated May 26, 2026, demanding U.S. mail service, directing discontinuance of e-mail, and citing the Commission's published materials.

G — Complainants' written follow-up dated June 8, 2026, again demanding U.S. mail service and clarification of docket status.

H — Office of General Counsel e-mail dated May 21, 2026 confirming documents sent to the Clerk by U.S. mail are accepted as filings.

CERTIFICATE OF SERVICE

I CERTIFY that the original of the foregoing, with exhibits, was filed with the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by United States mail, and that a true copy was served by United States mail on this 9th day of June, 2026, on:

Office of General Counsel (Attn: Jennifer Crawford, Attorney Supervisor), Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850; and Duke Energy Florida, LLC, c/o Matthew Bernier / Stephanie Cuello, 106 East College Avenue, Suite 800, Tallahassee, FL 32301
(or such counsel/service address as shown on the docket for DEF).

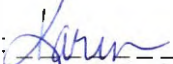
By: -----
Karen DeCola Kostantis

EXHIBIT A

Office of General Counsel Letter — May 8, 2026

Confirming Docket No. 20260078-EI opened; sent by Regular U.S. Mail and e-mail.

COMMISSIONERS:
GABRIELLA PASSIDOMO SMITH, CHAIRMAN
GARY F. CLARK
MIKE LA ROSA
BOBBY PAYNE
ANA ORTEGA

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
ADRIA E. HARPER
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

May 8, 2026

Regular U.S. Mail and E-Mail

Ms. Karen Kostantis
3438 East Lake Road, Suite 14
Palm Harbor, Florida 34685
KarenDeColaKostantisTrust@proton.me

Re: Docket No. 20260078-EI, *Complaint by Karen Kostantis against Duke Energy Florida, LLC*

Dear Ms. Kostantis:

Please be advised that I have filed a request that the Commission Clerk open a docket to process your formal complaint against Duke Energy Florida, LLC. The assigned docket number is 20260078-EI, and all subsequent documents or correspondence filed with the Clerk relating to the complaint should refer to that docket number. I have attached to the request to open the docket all of the materials you provided by email on April 28 and May 1, 2026.

The Commission Clerk will provide notice to the utility that a formal complaint has been filed, and the utility will have an opportunity to respond to your complaint. Commission staff will file a written memorandum regarding staff's recommended disposition of your complaint, to be heard and voted upon by the Commission at a public Agenda Conference in Tallahassee, Florida. A copy of staff's recommendation will be sent to you once it has been filed. You may attend and participate in the Agenda Conference at which your item will be heard. You may review all filings and correspondence that are placed in your complaint docket, as well as any controlling dates that are scheduled for hearing your complaint, at <https://www.psc.state.fl.us/dockets>.

As explained in my letter to you dated March 24, 2026, in making its ruling, the Commission will consider whether your complaint meets the requirements of Rule 25-30.036(3)(b), Florida Administrative Code, and whether the Commission is able to grant your requested relief. If your formal complaint does not meet the requirements specified in the rule, or if the Commission is unable to grant the relief you are seeking, your complaint may be dismissed.

Ms. Karen Kostantis
May 8, 2026
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If you have questions about your complaint docket or the proceedings I've described herein, I can be reached at (850) 413-6228 or jennifer.crawford@psc.state.fl.us.

Sincerely,

/s/ Jennifer Crawford
Jennifer Crawford
Attorney Supervisor

EXHIBIT B

Certified-Mail Return Receipt — Notice of Complaint Served on Duke

Document No. 03044-2026; served on Duke Energy Florida, LLC by certified U.S. mail; signed by Duke's agent May 15, 2026; certified article 7020 2450 0001 8211 0243.

2026 Fri 2 25

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY													
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee													
1. Article Addressed to: Dkt: 20260078-E1 <i>Notice of Complaint</i> Duke Energy Florida, LLC d/b/a Duke Energy ATTN: Matthew Bernier/Stephanie Cuella 100 E. College Avenue, Suite 800, Tallahassee FL 32301		B. Received by (Printed Name) <i>Pickens</i>	C. Date of Delivery <i>5/15/26</i>												
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No													
9590 9402 8295 3094 8513 81		3. Service Type <table border="0"><tr><td>☐ Adult Signature</td><td>☐ Priority Mail Express®</td></tr><tr><td>☐ Adult Signature Restricted Delivery</td><td>☐ Registered Mail™</td></tr><tr><td>☒ Certified Mail®</td><td>☐ Registered Mail Restricted Delivery</td></tr><tr><td>☐ Certified Mail Restricted Delivery</td><td>☐ Signature Confirmation™</td></tr><tr><td>☐ Collect on Delivery</td><td>☐ Signature Confirmation Restricted Delivery</td></tr><tr><td>☐ Collect on Delivery Restricted Delivery</td><td></td></tr></table>		☐ Adult Signature	☐ Priority Mail Express®	☐ Adult Signature Restricted Delivery	☐ Registered Mail™	☒ Certified Mail®	☐ Registered Mail Restricted Delivery	☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™	☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery	☐ Collect on Delivery Restricted Delivery	
☐ Adult Signature	☐ Priority Mail Express®														
☐ Adult Signature Restricted Delivery	☐ Registered Mail™														
☒ Certified Mail®	☐ Registered Mail Restricted Delivery														
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™														
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery														
☐ Collect on Delivery Restricted Delivery															
Article Number (Transfer from outside label) 7020 2450 0001 8211 0243		all Restricted Delivery													
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt													

EXHIBIT C

Docket Correspondence — May 11, 2026

Document No. 02764-2026; at Attorney Supervisor Crawford's instruction, Complainant's e-mail address was added to the Parties and Interested Persons list as her service contact.

Hong Wang

From: Hong Wang
Sent: Monday, May 11, 2026 9:37 AM
To: Jennifer Crawford
Subject: RE: Docket 20260078-EI - Complaint by Karen Kostantis against Duke Energy Florida, LLC

Tracking:	Recipient	Delivery	Read
	Jennifer Crawford	Delivered: 5/11/2026 9:37 AM	Read: 5/11/2026 9:37 AM
	Nickalus Holmes	Delivered: 5/11/2026 9:37 AM	

Jennifer,

Per your instruction below, Ms. Kostantis' email address has been added to the Parties and Interested Persons list for Docket 20260078.

Thanks!

Hong

From: Jennifer Crawford <jcrawfor@psc.state.fl.us>
Sent: Monday, May 11, 2026 9:29 AM
To: Hong Wang <HWang@PSC.STATE.FL.US>
Subject: Docket 20260078-EI - Complaint by Karen Kostantis against Duke Energy Florida, LLC

Pursuant to our discussion, please use this email address for Ms. Kostantis: KarenDeColaKostantisTrust@proton.me

EXHIBIT D

Commission Clerk Acknowledgment Letter — May 11, 2026

Acknowledging receipt of the complaint; addressed to Complainant's e-mail address only.

COMMISSIONERS:
GABRIELLA PASSIDOMO SMITH, CHAIRMAN
GARY F. CLARK
MIKE LA ROSA
BOBBY PAYNE
ANA ORTEGA

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ADAM J. TEITZMAN
COMMISSION CLERK
(850) 413-6770

Public Service Commission

May 11, 2026

Karen Kostantis
KarenDeColaKostantisTrust@proton.me

Re: Docket No. 20260078-EI

Dear Karen Kostantis

This will acknowledge receipt of the Complaint by Karen Kostantis against Duke Energy Florida, LLC, which was filed in this office on May 8, 2026, 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) 413-6199.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam J. Teitzman", written over a horizontal line.

Adam J. Teitzman
Office of Commission Clerk

/ajt

EXHIBIT E

Commission Clerk Electronic-Service Transmittal — May 11, 2026

Document No. 02775-2026; e-service of the docket acknowledgment.

Commission Clerk

From: Commission Clerk
Sent: Monday, May 11, 2026 12:53 PM
Subject: FPSC E - service of Docket Acknowledgement of Docket 20260078-EI
Attachments: 20260078-EI Ack Ltr.pdf

Please find the acknowledgement for Docket No. 20260078-EI attached to this message.

NOTICE: E-mail replies from this address are not monitored or read. Should you have any problems accessing these documents, please forward this e-mail to Clerk@psc.state.fl.us explaining the problem and a Deputy Clerk will assist you. Please do not alter the subject line, as it is used for processing.

EXHIBIT F

Complainants' Written Follow-Up — May 26, 2026

Demanding U.S. mail service, directing discontinuance of e-mail, identifying the contradictory communications, and citing the Commission's published materials.

SPECIAL - PRIVATE - PRIORITY
CONFIDENTIAL - RESTRICTED - NON ASSUMPSIT

Karen :DeCola Kostantis
In Care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida. ZIP Code Exempt
Non-Domestic

26 May 2026

Office of General Counsel, Adria E Harper, and
Attention: Jennifer Crawford
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Formal Complaint Against Duke Energy Florida LLC
Docket Number 20260078-EI

Dear Adria and Jennifer,

As a preliminary matter, please address all future correspondence to me simply as Karen. I do not use titles or surnames in my communications and respectfully request the Commission honor that preference going forward.

I received your letter dated May 8, 2026, and another by email on May 21, 2026 that I have not yet received by United States mail. Please be advised that I do not consent to service or communication by email alone. All correspondence, filings, notices, and documents of any kind must be sent to me via United States mail at my address of record. Going forward, please discontinue email communication entirely and send everything exclusively by regular mail.

I now turn to a significant concern. Your letter states that all documents must be e-filed through the clerk and that the clerk does not accept submissions by email. I must respectfully challenge that characterization on two independent grounds.

First, the Commission's own publicly available materials say otherwise. The FPSC Consumer Assistance portal at psc.state.fl.us states: "If you want to file an on-line utility complaint, use our on-line complaint form or you can email, contact@psc.state.fl.us." The Commission's published consumer brochure, titled "If You Have a Problem with Utility Service or Rates," likewise provides the email address contact@psc.state.fl.us as an accepted method of contact and complaint submission, alongside telephone, fax, online form, and mail. In addition, for e-filing assistance, the clerk's office itself provides its own email at clerk@psc.state.fl.us. If email were a prohibited submission method, the Commission would not be publishing email addresses and inviting anyone to use them for exactly that purpose. I am aware of no FPSC rule that prohibits a formal complaint from being initiated or submitted via email.

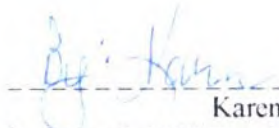
Second, and more importantly, after I submitted my formal complaint materials, I personally spoke with Adam of the clerk's office to inquire about the status of my docket. At no point did the clerk advise me that my submission was procedurally deficient or that email was an unacceptable filing method. To the contrary, the clerk informed me directly that he could not yet assign a docket number because he was

waiting on direction from the attorneys. The hold was on the attorney side, not a procedural rejection by the clerk. To now represent that the clerk does not accept email submissions is inconsistent with what the clerk himself communicated to me. If the decision to require e-filing was made by the attorneys, then it should be attributed to the attorneys, not mischaracterized as a limitation imposed by the clerk.

Finally, I understand from your letter that the Commission clerk will provide notice to Duke Energy Florida LLC and that the utility will have an opportunity to respond. I have since received an indication that Duke Energy may have already responded or been notified. However, if no docket was officially opened at the time of that notification, I would appreciate clarification as to what exactly Duke Energy was responding to, and under what procedural authority notice was issued before a docket existed. Please provide me with copies of any notice sent to the utility and any response received, forwarded to me by United States mail.

Thank you for your attention to these matters. I look forward to your written response at my mailing address.

Respectfully,



Karen DeCola Kostantis
In Care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida. ZIP Code Exempt
Non domestic

SPECIAL - PRIVATE - PRIORITY
CONFIDENTIAL - RESTRICTED - NON ASSUMPSIT

EXHIBIT G

Complainants' Written Follow-Up — June 8, 2026

Third follow-up requesting immediate written clarification of docket status, by U.S. mail.

SPECIAL - PRIVATE - PRIORITY

Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent

Karen DeCola Kostantis
In Care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida near [34685]
Non-Domestic

8 June, A.D. 2026

Adam Teitzman, Commission Clerk,
Adria E. Harper, Office of General Counsel, and
Jennifer Crawford
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Third Follow-Up Regarding Unknown Status of Formal Complaint No. 2026-0078-EI - Request for Immediate Written Status Clarification by U.S. Mail

Dear Adam, Adria and Jennifer:

This is my third follow-up regarding the unresolved status of my formal complaint against Duke Energy Florida LLC, identified as Formal Complaint No. 20260078-EI

I need immediate written clarification today as to the actual status of this matter. I remain without a clear answer as to whether my formal complaint has been accepted, docketed, rejected, deemed deficient, or is still awaiting review.

After I submitted my formal complaint materials, I spoke directly with Adam in the Clerk's office regarding the status. I was told that a docket number could not yet be assigned because the Clerk was waiting on the attorneys. That is materially different from the later position stated in correspondence from the Office of General Counsel.

The May 8, 2026 letter from Jennifer Crawford, and the additional May 21, 2026 email, stated or implied that the complaint could not be docketed because the Clerk said it had to be e-filed. That directly conflicts with what I was told by the Clerk himself and with the Commission's own publicly available materials, which state that utility complaints may be submitted through the online complaint form and/or by email.

I sent a written follow-up by United States mail on May 26, 2026. I then followed up again by email on June 5, 2026 because I had received no response. I also left a message today, June 8, 2026, with Adria Harper's office. I still have no clear answer.

Please immediately confirm, in writing:

1. Whether Formal Complaint No. 20260078-EI is formally docketed and active;
2. If it is not docketed or active, the exact reason it is not being processed;
3. Whether the Commission is taking the position that e-filing is mandatory despite the Commission's public materials stating that complaints may be submitted by online complaint form and/or email;
4. Whether Duke Energy Florida LLC has properly submitted any response, filing, or communication in this matter;
5. Whether any response from Duke has been accepted or considered without proper service by United States mail to me; and
6. What specific action, if any, is required from me to have this complaint processed immediately.

I have not received any proper mailed response from Duke Energy Florida LLC, nor have I received a clear mailed status determination from the Commission. I am left not knowing what is going on, while time-sensitive rights and remedies continue to be affected.

I have not received any proper mailed response from Duke Energy Florida LLC, nor have I received a clear mailed status determination from the Commission. I am left not knowing what is going on, while time-sensitive rights and remedies continue to be affected.

All correspondence, notices, filings, responses, and decisions must be sent to me by United States mail at my address of record. Email may be used only as a courtesy copy and does not replace mailed notice.

Please treat this as an urgent request for immediate status clarification. I reserve all rights, remedies, objections, claims, and defenses, waive none, and proceed without prejudice.

Respectfully,

Karen from the family Kostantis
In Care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida

EXHIBIT H

Office of General Counsel E-mail — May 21, 2026

Confirming that documents sent to the Commission Clerk by U.S. mail are accepted as filings;
includes the internal e-mail thread.

6/8/26, 3:29 PM

(36) Inbox | KarenDeColaKostantisTrust@proton.me | Proton Mail

RE: NOTICE for the Record: LAWFUL TENDER OF PAYMENT UNDER DURES

From Jennifer Crawford <jcrawfor@psc.state.fl.us>
To karendecolakostantistrust@proton.me <KarenDeColaKostantisTrust@proton.me>
CC Adam Teitzman <ATEITZMA@psc.state.fl.us>, Corey Hampson <champson@psc.state.fl.us>
Date Thursday, May 21st, 2026 at 9:22 AM

Just a quick follow up, the Clerk has clarified that documents sent to the Commission Clerk via U.S. mail can also be accepted as filings.

Thank you

Dear Ms. Kostantis:

As provided in my letter to you dated May 8, 2026, Commission Docket No. 20260078-EI has been opened to process your formal complaint against Duke Energy Florida, LLC.

If it is your intention that the attached pdf be placed in that docket file, please note that the Commission Clerk does not accept docket filings via email.

You will need to file the document electronically, with a reference to Docket No. 20260078-EI.

Information on how to file documents electronically with the Commission Clerk can be found at <https://www.psc.state.fl.us/filing-documents-electronically>.

If it was not your intention that the attached pdf be placed in the docket file, you may disregard this email.

Sincerely,

Jennifer Crawford, Attorney Supervisor

Office of the General Counsel

Florida Public Service Commission

2540 Shumard Oak Blvd.

Tallahassee, FL 32399-0850

https://mail.proton.me/u/23/inbox/7j8bkfA28AQUB8Qj8bicRK0Pb_WGdLOZ88PXBn6FL7PBo5LqH2IEcXTDqj04TO_A7AJEx_GFBD-utkkQYmebw

1/2

6/8/26, 3:29 PM

(36) Inbox | KarenDeColaKostantisTrust@proton.me | Proton Mail

(850) 413-6228

jennifer.crawford@psc.state.fl.us

From: Adam Teitzman <ATEITZMA@psc.state.fl.us>
Sent: Thursday, May 21, 2026 9:02 AM
To: Jennifer Crawford <jcrawfor@psc.state.fl.us>; Corey Hampson <champson@psc.state.fl.us>
Subject: FW: NOTICE for the Record: LAWFUL TENDER OF PAYMENT UNDER DURESS

I received the below email w/ attachment from Ms. Kostantis last night. It was not e-filed and the Commission does not accept docket filings via email.

From: KarenDeColaKostantisTrust@proton.me <KarenDeColaKostantisTrust@proton.me>
Sent: Wednesday, May 20, 2026 8:52 PM
To: Adam Teitzman <ATEITZMA@psc.state.fl.us>; fpsc@duke-energy.com
Subject: NOTICE for the Record: LAWFUL TENDER OF PAYMENT UNDER DURESS

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

See attached Notice, to be added to the record of Official Complaint, pertaining to Duke's Account ending 2470.

Sent with [Proton Mail](#) secure email.

From: Jennifer Crawford
Sent: Thursday, May 21, 2026 9:15 AM
To: 'KarenDeColaKostantisTrust@proton.me' <KarenDeColaKostantisTrust@proton.me>
Cc: Adam Teitzman <ATEITZMA@psc.state.fl.us>; Corey Hampson <champson@psc.state.fl.us>
Subject: FW: NOTICE for the Record: LAWFUL TENDER OF PAYMENT UNDER DURESS

EXHIBIT I

Docket Parties of Record — retrieved June 9, 2026

Florida PSC docket page for Docket No. 20260078-EI showing Complainant's United States mailing address on record together with an e-mail service contact, while Duke is served at its mailing address.

The Public Service Commission has been made aware of an issue with viewing PDFs from our website using the Apple Safari browser that impacts page numbering. We are currently working to address the issue; in the meantime, downloading the document and viewing it with applications like Acrobat Reader addresses this issue. If you still continue to have issues viewing documents from applications other than Safari, contact - Email: Clerk@psc.state.fl.us or Telephone: (850) 413-6770.

This information displays the latest update to records on file with the Office of Commission Clerk.
Docket : 20260078 (open) - Complaint by Karen Kostantis against Duke Energy Florida, LLC.

- CASR Time Schedule Utilities Involved Parties of Record and Interested Persons Staff Assigned Document Filings Index

Parties of Record (2) ↕	Interested Persons (0) ↕
-------------------------	--------------------------

No Interested Persons Found

Ms. Karen Kostantis
3438 East Lake Road, Suite 14
Palm Harbor FL 34685
KarenDeColaKostantisTrust@proton.me

Duke Energy (26b Tail)
Matthew R. Bernier/Stephanie Cuello
106 E. College Avenue, Suite 800
Tallahassee FL 32301
(850) 521-1428
(850) 521-1437
FLRegulatoryLegal@duke-energy.com
matthew.bernier@duke-energy.com
stephanie.cuello@duke-energy.com



CERTIFIED MAIL



9589 0710 5270 3662 9391 35

Retail



RDC 99



32399

U.S. POSTAGE PAID
FCM LG ENV
CLEARWATER, FL 33765
JUN 09, 2026

\$8.58

S2324A502486-01

Karen DeCola Kostantis
George Hatzikostantis
In care of: 3438 East Lake Road, Suite 14
Palm Harbor, Florida ZIP EXEMPT

Adam J. Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

DIVISION OF
ADMINISTRATIVE & IT
SERVICES

2026 JUN 12 AM 6:55

RECEIVED