

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Michael A.) DOCKET NO. 950166-EI
Passaro against Florida Power &) ORDER NO. PSC-96-1056-AS-EI
Light Company regarding) ISSUED: August 16, 1996
backbilling charges.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER ACCEPTING SETTLEMENT AGREEMENT

BY THE COMMISSION:

On November 7, 1994, Mr. Michael Passaro filed a complaint with our Division of Consumer Affairs against Florida Power and Light Company (FPL). The complaint concerned backbilling of \$9,519.34 for electrical usage due to an unauthorized meter condition. On January 13, 1995, our staff informed Mr. Passaro in writing that his account was backbilled properly for the estimated usage.

On February 13, 1995, a formal complaint was filed on behalf of Mr. Passaro. On March 7, 1995, FPL filed a motion to dismiss the complaint without prejudice, requesting that the complaint be treated as a request for an informal conference pursuant to Rule 25-22.032, Florida Administrative Code.

On April 17, 1996, staff of the Division of Consumer Affairs held an informal teleconference with the parties. A settlement was reached (Attachment A). The settlement provides that Mr. Passaro will pay FPL \$5,000 over a period of 30 months, with no interest assessed if the payments are made in a timely fashion. We approve the parties' settlement, and we note that FPL's motion to dismiss is therefore moot.

DOCUMENT NUMBER-DATE

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FPSO-REGISTRATION REPORTING

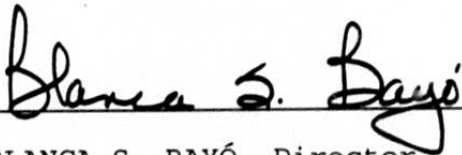
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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the settlement agreement between Michael A. Passaro and Florida Power and Light Company resolving Mr. Passaro's complaint regarding backbilling charges is approved. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 16th day of August, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

MCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of

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Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

Michael Passaro

VS
F.P.L.

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COMPLAINT # 39764P

4/17/96

IN THE CASE REFERENCED ABOVE, SETTLEMENT HAS BEEN REACHED. MR. PASSARO AGREES TO PAY \$5,000 (FIVE THOUSAND) OVER A 30 (THIRTY) MONTH PERIOD WITH NO LATE PAYMENT CHARGES APPLIED AS LONG AS THE CUSTOMER MAKES TIMELY PAYMENTS. THIS SETTLEMENT IS BINDING ON BOTH PARTIES AND THAT THE PARTIES WAIVE ANY RIGHTS TO FURTHER REVIEW OR ACTION BY THE COMMISSION.

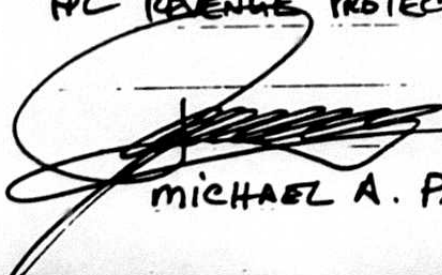
FPL:



4/17/96

FPL REVENUE PROTECTION SUPERVISOR

CUSTOMER:



4/17/96

MICHAEL A. PASSARO