

State of Florida



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



DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (904) 413-6770

Public Gervice Commission

April 14, 1997

Sharyn Smith, Director Division of Administrative Hearings 1230 Apalachee Parkway DeSoto Building Tallahassee FL 32301

> Re: Docket No. 970047-EI - Complaint of Thomas W. Hart against Florida Power & Light Company regarding backbilling.

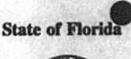
Dear Ms. Smith:

Commission staff have recommended, and the Chairman has approved, the referral of the above-referenced docket to your Division for hearing. I am forwarding copies of material from our docket file for your examiner's use in preparation of the case.

When the case is set for hearing, please furnish my office with a copy of the notice so that it may be included in the docket file. Also, note that I am enclosing a copy of this transmittal letter. As soon as a case number is assigned, please complete the blanks and return the copy to me.

You may contact our staff counsel, Cochran Keating, at 413-6193, if you have any questions regarding the case.

| ACK | | Sincerely, | |
|-------|-------------------------------|--|--|
| AFA | | 4 1. | |
| APP | | Kay yeize | |
| CAF | | Kay Flynn, Chief | |
| CMU | | Bureau of Records | |
| CTRe: | Commission Chairman Julia L. | Johnson | |
| EAG | Cochran Keating | | |
| LEG | All Parties of Record | | |
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| WAS | | | 8-14-97 |
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| | APITAL CIRCLE OFFICE CENTER · | 2540 SHUMARD OAK BLVD • TALLAHA Internet E | SSEE, FL 32399-0850 mail: CONTACT@PSC.STATE.FL.US |





Public Service Commission

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

| DATE: | April 8, 1997 | | |
|-------|--|--|--|
| TO: | COMMISSIONERS | | |
| FROM: | NANETTE FISHER, SCHEDULING COORDINATOR | | |
| RE: | DOCKET TO BE ASSIGNED TO DOAH | | |

The following docket was tentatively assigned to DOAH by the Chairman. Unless you have objection, a transmittal letter will be prepared by Records and Reporting for the docket to be transferred on Monday, April 14, 1997.

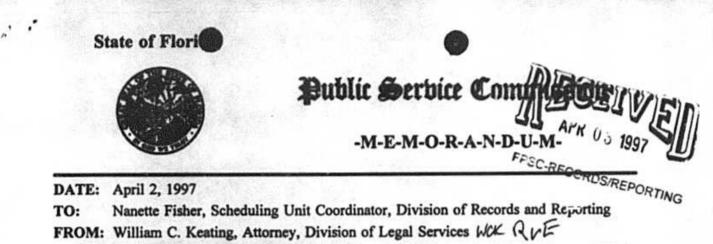
Docket 970047-EI -- Complaint of Thomas W. Hart against Florida Power & Light Company regarding backbilling.

If you wish to see a copy of the transmittal letter before it is sent to DOAH, please let me know and I will get a copy to you for your additional review.

ACK _____ AFA _____ APP ____ CAF -ce: Blanca Bayo Norene Davis CMU ____ Bev DeMello CTR _ Bob Elias EAG ___ -William C. Keating LEG ____Reese Goad Kay Flynn LIN -Joy Kelly OPC -Sandy Simmons RCH __ SEC _____ WAS _____ OTH _____

Don add sharm Smith boch to Docket.

03756 APR 14 5



RE: Docket No. 970047-EI - Complaint of Thomas W. Hart against Florida Power & Light Company regarding backbilling.

On August 14, 1996, Thomas W. Hart registered a complaint against Florida Power & Light with the Division of Consumer Affairs. Mr. Hart felt that he was unjustifiably charged with current diversion, and he disputes the amount rebilled to his account. On February 24, 1997, the Commission issued Order No. PSC-97-0215-FOF-EI, Notice of Proposed Agency Action Order Denying Complaint. Mr. Hart timely filed a Petition on Proposed Agency Action to protest the Order.

Based on the foregoing, Staff recommends that this matter be set for hearing. Because the issues will be primarily factual, Staff recommends that this case be referred to the Division of Administrative Hearings.

WCK/js

cc: Division of Electric and Gas (Goad) Division of Consumer Affairs (DeMello) I:\970047.WCK



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



State of Florida

DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (904) 4134i770

Public Service Commission

April 14, 1997

Sharyn Smith, Director Division of Administrative Hearings 1230 Apalachee Parkway DeSoto Building Tallahassee FL 32301 DOAN 92-18-50-5/REPORTING

Re: Docket No. 970047-EI - Complaint of Thomas W. Hart against Florida Power & Light Company regarding backbilling.

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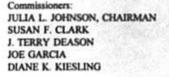
Sincerely,

Kay Flynn, Chief Bureau of Records

cc: Commission Chairman Julia L. Johnson Cochran Keating All Parties of Record



State of Florida





DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (904) 413-6770

Public Service Commission CERVIFI

April 14, 1997

Sharyn Smith, Director Division of Administrative Hearings 1230 Apalachee Parkway DeSoto Building Tallahassee FL 32301 FPSC-RECORDS/REPORTING

Re: Docket No. 970047-EI - Complaint of Thomas W. Hart against Florida Power & Light Company regarding backbilling.

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Sincerely,

Kay Flynn, Chief Bureau of Records

cc: Commission Chairman Julia L. Johnson Cochran Keating All Parties of Record

| DATE RECEIVED | BOURDAN CASE NO. | |
|---------------|---------------------------|--|
| KSRB | LG. NJ 60 E HALL CASE NO. | |

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