

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date March 25, 1999

Docket No. 990385-EI

- 1. Division Name/Staff Name Division of Legal Services (Jaye, Collins)
- 2. OPR Division of Legal Services
- 3. OCR Division of Consumer Affairs (Stokes) and Division of Electric and Gas ()
- 4. Suggested Docket Title Complaint of C. John Coniglio against Florida Power Corporation regarding Account Classification and Backbilling
- 5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

<u>Florida Power Corporation</u>	<u>C. John Coniglio</u>
<u>James McGee, Esquire</u>	<u>Wayside RV Park</u>
<u>P.O. Box 14042</u>	<u>1201 S. Main Street</u>
<u>St. Petersburg, FL 33733</u>	<u>Wildwood, FL 34785</u>
<u>(727) 820-5184</u>	<u>(352) 748-1105</u>
<u>FAX - (727) 820-5519</u>	

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:
- Documentation is attached.
 - Documentation will be provided with the recommendation.

I:\PSC\RAR\WP\ESTDKT.
PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
03902 MAR 25 99
FPSC-RECORDS/REPORTING

CASE BACKGROUND

On January 12, 1998, the Florida Public Service Commission's (PSC) Division of Consumer Affairs (CAF) received correspondence from Mr. C. John Coniglio on behalf of his company, Wayside RV Park, regarding his complaint against Florida Power Corporation (FPC or company). Mr. Coniglio provided CAF with a copy of his January 8, 1998, letter to FPC stating his intention of filing his complaint with the County Court in Sumter County regarding a \$1,320.55 charge on his December 1997 bill statement. It shows \$1,266.55 as a transfer amount and a \$54 balance forward to his active account, 06544-26098. Mr. Coniglio stated that the company sent him a notice for payment, and he's disputing that amount.

In FPC's response to CAF on February 6, 1998, the company provided a copy of its January 12, 1998, letter to Mr. Coniglio. FPC stated that the transfer amount is for charges from Account Number 93641-75118 from September 1996 to October 1997. The report also stated that Mr. Coniglio agreed that the service at 4078 Northeast 120 Road, Gin Oaks, #6, Oxford, Florida, was established in his name with his permission. As a result, the outstanding balance for that address on the closed account was transferred to Mr. Coniglio's active account.

Based on the customer's legal document, CAF closed the file on October 22, 1998. On November 10, 1998, Mr. Coniglio notified CAF that the company was threatening to disconnect his service for nonpayment of the disputed amount. Additionally, Mr. Coniglio stated that the company told him that he had to go through the PSC's complaint handling process before he could pursue the billing issue in court. CAF received his request for an informal conference the same day. During telephone conversations with Mr. Coniglio, he notified CAF that FPC changed the disputed account from residential to commercial and stated that the complaint would be resolved if it was changed back to a residential account. However, FPC maintains that the account was established as a commercial account.

On January 25, 1999, FPC reported to CAF that the account was set up under the customer's personal name, d/b/a Wayside RV Park, and there was no way for the company to know if someone else used the service other than Mr. Coniglio. However, FPC reported that through its collection activities on December 11, 1997, the company was notified that Mr. Coniglio had a tenant/employee at the disputed bill address. FPC stated that Mr. Coniglio never requested service disconnection. Additionally, the company stated that a previous customer's service at the disputed service address was also established as a commercial account.

On February 24, 1999, an informal conference was held with the parties and a CAF staff member. Mr. Coniglio stated that he requested residential service under his name for one of his employees, Donald West, and Mr. West was an employee of another business service, not Wayside RV Park. He stated that it is "an absolute lie" that the account was established d/b/a Wayside RV Park. Although it's obvious that Mr. Coniglio was disputing how the account was established (residential/commercial), he stated that his main concern is with the amount of the bill. In other words, Mr. Coniglio stated that the company should have disconnected the service when the first bill was not paid, instead of disconnecting and reconnecting the service. Since he did not request service reconnection after the first disconnection for nonpayment, Mr. Coniglio is objecting to the amount of the outstanding balance for this reason. He stated that he is only responsible for payment after the first disconnection for nonpayment. (See Attachment 1 for billing history information.) However, Mr. Coniglio confirmed that he did not provide his mailing address to the company to receive bills or late payment notices.

FPC stated that someone called the company representing Mr. Coniglio and requested credit arrangements. Therefore, the service was reconnected based upon the payment arrangement requests. FPC stated that the last payment was received on July 28, 1997, for \$286.01, and the service was disconnected on October 7, 1997. After a year, Mr. Coniglio stated that the company transferred the outstanding balance to his Wayside RV Park account. Mr. Coniglio also stated that he fired Mr. West for the nonpayment problem.

FPC stated that its records showed the service was established under C. J. Coniglio, d/b/a Wayside RV Park, c/o Paula Porter, P.O. Box 422, Oxford, Florida 34484. Mr. Coniglio stated that he does not know Paula Porter and stated that the bills should have gone to the service address, 4078 Northeast 120 Road, Gin Oaks, #6, Oxford, Florida, not the P.O. Box address. He stated that the disputed account was established as a residential account in a residential mobile home park. Mr. Coniglio stated that FPC changed the account to a commercial account, so the disputed amount can be transferred to his commercial account. FPC maintains that the account was established as a commercial account.

To resolve the complaint, FPC offered to remove the September 1997 charges for \$326.97 (October 1 bill), \$60.92 billed on October 27, 1997, \$13.38 late payment charge for September 23, 1997, and \$27 disconnection fee for October 3, 1997 for a total of \$428.27. Mr. Coniglio did not accept the credit offer. He maintains that he is only responsible for the bill amount for the first service disconnection for nonpayment since he did not request service reconnection. However, Mr. Coniglio stated that he will accept the credit offer only if the company transferred the disputed amount to a residential account under his name. When CAF inquired if he had a residential account under his name, he said no. Additionally, FPC reported that the service classification cannot be changed since there is no way to prove that the service was used as a residential service. As requested, CAF has not received a copy of Mr. Coniglio's bills

that he stated that he retrieved from a party to prove that the disputed account was initially established as a residential account.

This is staff's recommendation regarding this dispute.

DISCUSSION OF ISSUES

ISSUE 1: Did FPC violate any of the PSC's rules and regulations when the customer's service at 4078 Northeast 120 Road, Gin Oaks, #6, Oxford, Florida, was restored after the company was contacted regarding payment arrangements?

RECOMMENDATION: No

STAFF ANALYSIS: Mr. Coniglio stated that he provided the service address to the company to send the bills and did not request the company to send bills or late notices to his mailing address. It appears that Mr. Coniglio authorized another party to handle the payments on his disputed account. Additionally, there are no PSC's rules and regulations regarding payment arrangements. That decision falls under the company management. In other words, FPC did not violate any of PSC's rules and regulations when the service was restored after payment arrangement requests. Further, it is the customer's responsibility to request service disconnection and is responsible for any bills until such request is made to the company as explained in FPC's tariff. (Attachment 2, Sheet IV, 8.05).

ISSUE 2: Was the \$1,320.55 outstanding balance for Account Number 93641-75118 transferred properly to Mr. C. J. Coniglio's d/b/a Wayside RV Park's account, 06544-26098?

RECOMMENDATION: Yes.

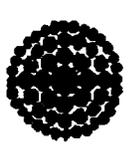
STAFF ANALYSIS: As of March 22, 1999, Mr. Coniglio has not provided the requested documents to prove that the account was initially established as a residential account in only his personal name. Since Mr. Coniglio established the service for another party and provided another mailing address to the company to send the bills, it appears that the other party did not notify Mr. Coniglio of any billing dispute regarding the commercial account. Thus, Mr. Coniglio did not notify the company of any billing dispute and did not request service disconnection before the outstanding amount was transferred to his Wayside RV Park account in December 1997. Based upon the available information, it appears that both accounts were set up as commercial accounts under the same name. Therefore, the company can interrupt the customer's commercial active service under Account Number 06544-26098 for nonpayment of \$1,320.55 from Account Number 93641-75118 for the same class of service.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes.

STAFF ANALYSIS: If a person whose substantial interests were affected does not file a timely request for a Section 120.57(1), Florida Statutes, hearing within 21 days of the order, no further action will be required and this docket should be closed.

Wayrec.sas



Florida Power and Light
Customer Service System
Account Activity

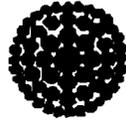
**** Account Information ****

Account Number: 93641-75118
Requested By: C J CONICALO
(352) 748-6007 Extension:
Mail To: C J CONICALO
C/O PAULA PORTER
P O BOX 422
OXFORD FL 34484

**** Current Account Status ****

Current Bill: \$0.00
Billed Prior: \$0.00
Balance Due: \$0.00
Excess Credit Amount: \$0.00
Unbilled Balance: \$0.00

DATE	RELATING TO	DEBIT AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DAYS USED	KWH	KV
12/06/97	Transfer to active account		\$1,320.55					
10/27/97	Regular Bill	\$60.92		\$1,320.55	\$1,259.63	21	0000660	
10/27/97	ELECTRIC SERVICES							
10/03/97	DAY COMP RECONNECT CHARGE	\$27.00						
10/01/97	Regular Bill	\$326.97		\$1,232.63	\$897.28	34	0003997	
10/01/97	ELECTRIC SERVICE							
09/23/97	Late Payment Charge	\$13.38						
08/28/97	Regular Bill	\$307.76		\$892.28	\$575.88	28	0003716	
08/28/97	ELECTRIC SERVICES							
07/31/97	Late Payment Charge	\$8.64						
07/31/97	Regular Bill	\$272.21		\$575.88	\$299.58	28	0003568	
07/31/97	ELECTRIC SERVICES							
07/30/97	Late Payment Charge	\$4.09						
07/30/97	Payment		\$286.01					
07/25/97	DAY COMP RECONNECT CHARGE	\$27.00						
07/25/97	Regular Bill	\$268.29		\$538.59	\$286.01	30	0003481	
07/03/97	ELECTRIC SERVICE							
06/27/97	Late Payment Charge	\$4.29						
06/27/97	Payment		\$181.84					
06/24/97	Regular Bill	\$283.28		\$467.85	\$181.84	32	0003303	
06/03/97	ELECTRIC SERVICES							
05/29/97	Late Payment Charge	\$2.73						
05/21/97	Payment		\$100.00					
05/12/97	Payment		\$110.78					



**Florida
Power**
CORPORATION

**Customer Service System
Account Activity**

Account Number: 93641-75118

Requested By: CJ CONIGLIO

Phone: (352) 748-6007

Extension:

DATE	RELATING TO	DEBIT AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DAYS USED	KWH	KV
05/02/97	Regular Bill			\$392.62	\$210.70	29	0002025	
05/02/97	ELECTRIC SERVICE	\$178.68						
04/29/97	Late Payment Charge	\$3.16						
04/14/97	Payment		\$164.54					
04/03/97	Regular Bill			\$375.32	\$164.54	31	0002387	
04/03/97	ELECTRIC SERVICE	\$208.31						
03/14/97	Late Payment Charge	\$2.47						
03/14/97	Payment		\$170.65					
03/03/97	Regular Bill			\$335.19	\$170.65	31	0001885	
03/03/97	ELECTRIC SERVICE	\$161.98						
02/26/97	Late Payment Charge	\$2.56						
02/19/97	Payment		\$212.00					
01/31/97	Regular Bill			\$382.65	\$241.53	25	0001621	
01/31/97	ELECTRIC SERVICE	\$141.12						
11/10/97	Late Payment Charge	\$3.17						
11/21/97	Payment		\$80.48					
11/21/97	DAY COMP RECONNECT CHARGE	\$27.00						
11/16/97	Payment		\$100.00					
11/16/97	Regular Bill			\$291.84	\$107.48	34	0002168	
11/16/97	ELECTRIC SERVICE	\$184.36						
2/13/96	Payment		\$124.99					
2/13/96	DAY COMP RECONNECT CHARGE	\$27.00						
2/03/96	Regular Bill			\$305.47	\$124.99	33	0002119	
2/03/96	ELECTRIC SERVICE	\$180.48						
0/31/96	Regular Bill			\$124.99		30	0001417	
0/31/96	ELECTRIC SERVICE	\$124.99						
0/02/96	Payment		\$68.01					
0/01/96	Regular Bill			\$68.01		12	0000000	
0/01/96	ELECTRIC SERVICE CHARGE	\$15.00						
10/01/96	ELECTRIC SERVICE	\$53.01						

ADMIN
 SVC
 CUST
 ELEC
 PERM
 211



ATTACHMENT 2

PART VIII

BILLING

8.01 Billing Period.

A bill for service will be rendered on a regular monthly cycle as scheduled by the Company. A normal billing period consists of service ranging between 25 and 35 days.

8.02 Prorated Monthly Bills.

A bill rendered for a period of less than 25 days or greater than 35 days shall have the specified charges of the applicable rate schedule, excluding those charges applied on a total KWH basis, prorated on the ratio of actual days of service to a 30 day billing period.

8.03 Measurement and Evidence of Consumption.

Power and energy shall be measured for each point of delivery by one meter for each type of service rendered; and the Company's readings and records thereof shall be accepted and received, at all times and places as prima facie evidence of the quantity of electricity used by the Customer at the point of delivery.

(1) **Conjunctive Billings:** The Company does not permit conjunctive billing. Each point of delivery to the same customer constitutes a separate service, and bills for two or more points of delivery to the same customer shall be calculated separately for each point of delivery; however, where more than one meter is used to measure the same type of service, although only one point of delivery is involved, each such meter shall be calculated and billed separately, as though it were a separate service, until such time as the Customer rearranges his facilities to take all of the same type of service through a single meter.

(2) **Unread Meters:** When the Company is unable to read a meter due to circumstances beyond the control of the Company, such as inaccessibility of meters because of flood or stormy conditions the Company may render a minimum or estimated bill.

8.04 Delinquent Bills.

Bills are due when rendered and become delinquent if not paid within 20 days after the date of mailing or delivery. Non-receipt of bills by customer shall not release or diminish the obligation of the Customer with respect to payment thereof on time.

8.05 Vacating or Change of Occupancy.

When a customer vacates a premise served by the Company, or when a change of occupancy therein takes place, the outgoing customer shall notify the nearest office of the Company not less than three days prior to the date of vacating or change, as the case may be; and the outgoing customer shall be held responsible for all electric service used on such premises until such notice is received and service is disconnected, or until application for service at said location has been made by a new customer and accepted by the Company, whichever first occurs.

8.06 Service Charges.

Service Charges shall be made for each establishment or re-establishment of service, and for each returned check, in accordance with the Company's Rate Schedule SC-1.

8.07 Adjustment of Bills.

Adjustment of bills shall be made in accordance with regulations of the Florida Public Service Commission.

ISSUED BY: T. W. Raines, Jr., Director, Rate Department

EFFECTIVE: JANUARY 24, 1990

Name WAYSIDE RV PARK

Company FLORIDA POWER CORPORATION

Request No. 200583I

Address _____

Attn. Carol Cornell, CW42

By JRD Time 10:24 AM Date 01/14/1998

1201 SOUTH MAIN STREET

Consumer's Telephone # (352)-748-1105

To CO Time FAX Date 01/15/1998

City/Zip WILDWOOD 34785-9405 County SUM

Can Be Reached (352)-748-6635

Type B Form FAX

Account Number 06544-26098

Note INF. CONF. REQ.

Category GI-08

Caller's Name JOHN CONIGLIO

Informal Conf. Outreach OTHER

Infraction _____

Closed by JRD Date 10/22/1998

Reply Received T

See attached correspondence concerning billing wrong customer.

2/6/98 Received copy of letter from FPC to customer.

02/16/98 Company response:

Actions Taken to Satisfy Customer: "Mr. Coniglio's complaint consisted of correspondence and legal suit dated 1/8/98 directed to Florida Power Corporation's Legal Department. J. Wesley Bailey, Associate Counsel, responded in a timely fashion to Mr. Coniglio's claim (see attached). In Mr. Bailey's letter of 1/12/98, he explained the transfer balance in question resulted from charges incurred on account #93641-75118 (4078 NE 120th Road, Gin Oaks #6; Oxford, FL 34484).

Mr. Bailey further indicated that the balance accurately represented charges furnished to a third party in Mr. Coniglio's name to which he conceded was established with his permission. A copy of the billing and payment history was also included with Mr. Bailey's letter (see attached).

When Mrs. Rogers was able to acknowledge receipt of Mr. Coniglio's inquiry filed with the Florida Public Service Commission on 2/6/98, Mr. Coniglio stated he did not wish to discuss the issue with her over the phone, and wanted to meet face to face. Mrs. Rogers explained that her office was in Clearwater, and that she was not able to meet

CONSUMER REQUEST

FLORIDA PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-0850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

DUE: 02/06/1998

PAGE: 2

with him as he resided in the Ocala area. Mr. Coniglio indicated that he may possibly be in the Tampa area the following week, and would call back to tentatively schedule an appointment.

On the advice of Legal Counsel, should Mr. Coniglio contact Mrs. Rogers to schedule an appointment, he will be referred to the company's Legal Department. If required, Mrs. Rogers has agreed to attend any meeting scheduled between Mr. Coniglio and Florida Power Corporation's Legal representative."

5/15/98 Left message for Carol Cornell to call me and let me know if they are holding an amount in abeyance.

10/22/98 Closed. Customer has filed suit against FPC.

11/10/98 Customer called and said that general Counsel, Mr. Bailey, advised him that he could not file suit against FPC until a hearing is held with the PSC. Customer says that FPC did not keep their appointment and called him today. According to customer FPC has threatened to disconnect service at noon today. EAA.

11/10/98 - Customer has filed a request for informal conference.paj

NOTE TO COMPANY: THIS CUSTOMER HAS REQUESTED AN INFORMAL CONFERENCE. PLEASE SUSTAIN ANY COLLECTION ACTIONS RELATED TO THIS DISPUTE UNTIL WE HAVE HAD A CHANCE TO REVIEW THIS REQUEST.lar

12/01/98 Received a letter from this customer stating that he did not believe that an informal conference will help this situation and wants to go straight to hearing with this matter. John Plescow will call Mr. Coniglio to make sure he understands the entire process.lar

12-03 - The customer is no longer at the number provided above. I have been given 2 CBRs for the customer (352)748-6635, and (352)748-3408. I left

PAGE: 3

message at both numbers requesting the customer call me./JFP

12-08 - Customer called./JFP

12-09 - I called the customer, and he said if the company removed the amount for residential service from his commercial account, the matter would be resolved./JFP

12-09 - I left the above information for Carol at FPC./JFPP

12-15 - I spoke to Carol about this matter. She said the trailer was a commercial account. I requested she say if the account was in the correct service class. She will followup./jFP

12-21 - I called Carol, and she still has not been given the information./JFP

01-05 - I spoke to the company, and it appears that the account was a commercial account. There no notes stating why the account was placed in the commercial class./JFP

01-12 - I spoke to the company, and Carol will see if the company will rerate the account in question, as a residential account, and grant payment arrangements./JFP

01-13 - I spoke to Carol, and she said to see if the customer would agree to to have his account switched to a residential account, and his bill rerated as a residential account./JFP

01-14 - I called the customer, and I requested he return my call./JFP

01-15 - I called the customer, and I left the above message again./JFP

01-19 - The customer returned my call. He got my voicemail. I returned his call, but he was not in./JFP

01-20 - He called, and he left a message on my voicemail./JFP

01-21- I returned his call, and I left a message on his ansering machine./JFP

01-22 - I called the customer, but he was not in./JFP

01-22 - The customer called, and he will not agree to FPC's offer. He said the account was not his account, and he should not have to pay for an account that

PAGE: 4

was not in his name. Additionally, he said that he had to go through our administrative process before he could take the company to court. The customer also claimed that the company switched the class of the service from residential to commercial, so his other commercial accounts could be placed in jeopardy. The customer said he will provide bills that show the company switched his service./JFP

01-22 - I called Carol at FPC, and I told her the customer did not accept the offer./JFP

01-22-99 I, SHIRLEY STOKES, received this case to handle the informal conference request.

01-25-99 At 8:45 a.m., I called Mr. Coniglio at telephone number 352/748-6635. I discussed a February 19, 1999, date for the conference. He agreed to a telephone informal conference at 10 a.m. He also mentioned a possibility of surgery and will let me know if he needs to change this date. Mr. Coniglio also told me that his new address is 5441 Northeast 81 Boulevard, Wildwood, FL 34785.

01-25-99 At 8:50 a.m., I notified Ms. Carol Cornell, company, of the telephone informal conference date and time. I also asked her to send me a report explaining if the company had any identification regarding the third-party who requested service in Mr. John Coniglio's name for the disputed account. Additionally, I also asked the company to provide me with information if it has written authorization from Mr. Coniglio stating that he authorized the third-party to established service in his name as stated in the report. I asked for a report by Thursday (January 28, 1999).

01-25-99 Letter to Mr. Coniglio with a copy to FPC regarding the informal telephone conference date and time.

01-25-99 Supplemental report received, stating the account was set up on September 19, 1996 in the name of C J. Coniglio, d/b/a Wayside RV Park. "At that time we were not aware that anyone other than Mr. Coniglio would benefit

PAGE: 5

from the service." During the collection activities on December 11, 1997, the company stated that it was advised Mr. Coniglio had a tenant at the disputed bill location. The report also stated that the account was previously rated as commercial.

02-03-99 Ms. Carol Cornell (company) called at 2:25 p.m. She wanted to know if I had heard from Mr. Coniglio since I talked with him concerning the February 19, 1999, conference date and since there was a possibility of him having surgery. I explained no. She wanted to know since she will be out of the office on February 11, 12, 15, & 16. If there is a change, she says that I can send her an E-Mail or leave a message with another representative.

02-09-99 Ms. Carol Cornell (co.) called at 9:05 a.m. to request a change in the telephone informal conference date due to a conflict. I explained that I will have to call the customer to see if he is willing to change the date. Around 9:10 a.m., I called Mr. Coniglio regarding this concern. He agreed to change the telephone informal conference to Wednesday, February 24, 1999, at 10 a.m.

02-09-99 I called the company and left a message with Lindy for Ms. Cornell, stating that the customer agreed to change the conference date to Feb. 24, 1999, at 10 a.m.

02-09-99 Letter to Mr. Coniglio regarding the conference date change with a copy to FPC.

02-19-99 I sent the company (Ms. Carol Cornell) an E-mail to verify if the account was rerated to the residential rates or not. If so, I asked her for total amount for the rate difference.

02-19-99 I received an autoreply stating that Ms. Cornell was out of the office until February 22 and provided Kimberly Berghoefer's name to contact for immediate assistance. (I decided to wait for Ms. Cornell's return on February 22.)

02-22-99 I resent the internet message note above on February 22 regarding

PAGE: 6

information concerning the rate difference. I also asked the company to let me know if the disputed account was in a residential or business zone.

02-22-99 Since I received Ms. Cornell's autoreply message again, I called the company at 9:40 a.m. and confirmed that she is in the office today. Lindy (co.) also confirmed that Ms. Cornell received a copy of the message. I also left Ms. Cornell a message on her voice mail stating that I sent her an E-mail requesting additional information as noted above.

02-22-99 Report received, stating that the account has not been changed from commercial to residential. "We have no knowledge that at the time the debt was incurred, that this was other than commercial."

02-23-99 At 4:20 p.m., I called the customer's telephone number 352-748-6635 to remind Mr. Coniglio of the teleconference tomorrow, February 24, at 10 a.m. I left a message regarding this concern on the answering device. The call was actually transferred to another number. When I called back at 4:27 p.m., a lady answered and said that the conference was noted on the calendar. She said that she was not Mrs. Coniglio.

02-24-99 At 10 a.m., the informal conference was held with Mr. Coniglio (I reached him at 352-748-3408 after trying 352-748-1105 about four times.) and Florida Power Corporation. The company has offered to issue credits for the October 27, 1997, bill for \$60.92, \$27 reconnection charge, October 1, 1997, bill for \$326.97, and \$13.38 late payment charge if the customer agrees to pay the bill. Due to the conflict about how the acct. was established as a residential or commercial account, I asked the co. to reconsider adjusting the rates based on residential rates. The co. will provide me with a report by March 4, 1999. However, Mr. Coniglio stated that he would like to see the company swear in court stating that he established the account as a commercial account. He referred to the co. as a liar. Near the end of the conference, Mr. Coniglio line was disconnected. I tried to reach him several times while FPC

6

PAGE: 7

was on line, but the line was busy. So, I ended the call with FPC since I was just getting ready to conclude the conference. Shortly thereafter, I reached Mr. Coniglio. He stated that he hung up since he couldn't hear. Apparently, he had disconnected the call. I asked him how the complaint can be resolved. He stated that he wants the company to transfer the charges to any residential account under his name, if the co. can find one. I asked him if he had a residential account under his name, and he said no. I thanked Mr. Coniglio for his time.

02-24-99 I received an E-Mail message from FPC requesting copies of the bills that Mr. Coniglio said he had during the conference showing that the service was initially established as a residential account.

03-02 At 8:30 a.m., I tried to reach Mr. Coniglio, but a lady who identified herself as Mrs. Coniglio stated he was unavailable. I left a message with her requesting that Mr. Coniglio send me a copy of the bills requested during the informal conference showing that the service was established as residential service.

03-03-99 Received report, stating that since FPC has no way to verify that the account was used for residential purposes during the time in question, it cannot change the account classification. Also, the company sent me a copy of the settlement offer outlining the credits noted on February 24. I called co. at 11:05 a.m. and spoke with Ms. Carol Cornell to make sure that a copy of the settlement form with the company's signature is sent to Mr. Coniglio. Co. will send a letter to customer with the settlement outlined on the form with company's signature.

03-04-99 Received Settlement Form from FPC with its signature and a copy of its letter to Mr. Coniglio. END OF PAGE 7--SEE WP(I)waycats:sas

WAYSIDE RV PARK—FLORIDA POWER CORPORATION—200583I (Cont'd.)

03-08-99 Since Mr. Coniglio stated that he had not received a copy of FPC's billing summary information during the informal conference, I mailed him a copy.

03-09-99 At 11:50 p.m., I called Mr. Coniglio and informed him that I have not received the bills requested during the informal conference. He stated that he put the bills in the mail last week. I told him that I will check with the people who handle the mail for receipt.

03-16-99 The billing history information mailed to Mr. Coniglio on March 8, 1999, was returned marked no mail receptacle.

03-16-99 At 3 p.m., I called Mr. Coniglio to verify his mailing address. Mrs. Coniglio stated that they do not get mail at the 5441 address. The mailing address is P.O. Box 1119, Wildwood, FL 34785. I explained that I had sent Mr. Coniglio some billing history information that he had requested during the informal conference, but it was returned to me stamp no mail receptacle at the 5441 address. I explained that I was remailing it to the post office address. I also left a message with Mrs. Coniglio to let Mr. Coniglio know that I did not receive the billing information showing that the service was initially established as a residential account, and I need to receive it by March 22, 1999. I also explained that information is to be sent to my attention and address information was provided to her.

03-17-99 I called the company around 9:05 a.m. and spoke with Ms. Kimberly Berghoefer. I explained that I received return mail as noted above. I asked if the settlement agreement form was returned to the company for the mailing problem since it was sent to the 1201 address. At present, the company said that the mail had not been returned to them. I asked the co. to let me know if the mail is returned and I provided the post office address. Additionally, I notified the company that I had extended the response date to March 22, 1999, due to my returned mail.

03-23-99 FPC sent an E-mail inquiring if Mr. Coniglio had sent the requested bills and inquiring about the status of this case.

03-23-99 In response to my March 17, 1999 call to the company, FPC sent a response stating that someone by the name of Margie Von Bergen signed the returned receipt card on March 8, 1999, for the settlement agreement form that was mailed to Mr. Coniglio at 1201 South Main Street, Wildwood, Florida 34785.

03-23-99 At 1 p.m. and before I pulled up the two E-mail responses that the company sent today, I called the company and spoke with Ms. Carol Cornell. I asked her if she had received a response from Mr. Coniglio since I had not received the requested bill statements. She notified me of the above E-mails. I told her that I was getting ready to send a draft rec to our Legal Division. Based on 20 days from today, it appears that the next regular agenda conference is May 4, 1999.

03-23-99 As of 1:45 p.m., I have not received any mail or a telephone call from Mr. Coniglio regarding my March 17, 1999, message that I left with Mrs. Coniglio as noted above on March 17, 1999.

9

Waycats.sas

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Re: Wayside

====NOTE=====3/23/99-11:34am=====

CC: BERGHOEF @ SMTP {Berghoefer_Kimberly_J/nsc@sv003.fpc.com}

Return-Path: <Carol.C.Cornell@fpc.com>

Received: from fpc.com (199.184.211.2)

by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)

for <sstokes@psc.state.fl.us>; Tue, 23 Mar 1999 11:33:18 -0500

Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)

id AA13869; Tue, 23 Mar 99 11:25:49 EST

Received: from localhost (root@localhost)

by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA02386

for sstokes@psc.state.fl.us; Tue, 23 Mar 1999 11:23:31 -0500 (EST)

From: Carol.C.Cornell@fpc.com

X-Openmail-Hops: 2

Date: Tue, 23 Mar 1999 11:34:41 -0500

Message-Id: <H000029300ed8b9a@MHS>

In-Reply-To: <H00000c600ea988d@MHS>

Subject: Re: Wayside

Mime-Version: 1.0

To: sstokes@psc.state.fl.us

Cc: Berghoefer_Kimberly_J/nsc@sv003.fpc.com

Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"

Content-Disposition: inline; filename="cc:Mail"

Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----

Shirley

I mailed the Settlement Agreement to

1201 South Main Street

Wildwood, FL 34785

A Margie Von Bergen signed the return receipt card.

.

----- Reply Separator -----

Subject: Wayside

Author: Kimberly J. Berghoefer at nsc

Date: 3/17/99 9:16 AM

Shirley called this morning. She wanted to know if we received any return mail. She had sent mail to 5441 NE 81st Blvd and it was returned. She would like us to notify her if our mail comes back. She said she'll extend the date to 3/22 due to the problem.

Mrs. Coniglio gave her a mailing address of:

P O Box 1119

Winter Garden, FL 34785

Thanks,

Kim

11

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Wayside..

12

-----NOTE-----3/23/99=11:29am-----
CC:
BERGHOEF @ SMTP {Berghoefer_Kimberly_J/nsc@sv003.fpc.com}, TOMLINSON @ SMTP
{Tomlinson_David_W/nsc@sv003.fpc.com}

.....
Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@psc.state.fl.us>; Tue, 23 Mar 1999 11:27:52 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA13693; Tue, 23 Mar 99 11:20:23 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA01774
for sstokes@psc.state.fl.us; Tue, 23 Mar 1999 11:18:05 -0500 (EST)
From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Tue, 23 Mar 1999 11:29:22 -0500
Message-Id: <H000029300ed831f@MHS>
Subject: Wayside..
Mime-Version: 1.0
To: sstokes@psc.state.fl.us
Cc: Tomlinson_David_W/nsc@sv003.fpc.com,
Berghoefer_Kimberly_J/nsc@sv003.fpc.com
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----

Shirley

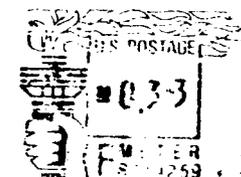
Have you received the bill statements from the customer? What is the status of this one? Has it been scheduled yet? Is the recommendation complete?

Thanks for your help.

Carol

State of Florida
Public Service Commission

2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Mr. John Coniglio
5441 Northeast 81 Boulevard
Wildwood, FL 34785

- INSUFFICIENT ADDRESS
- NO SUCH NUMBER
- UNCLAIMED
- ATTEMPTED DELIVERY
- NO SUCH STREET
- VACANT
- NO RECEIPT
- NO ADDRESSEE
- TO POST OFFICE
- ROUTE NO. 3
- CARRIAGE 3M

34785-8000/6850



14

 From: Shirley Stokes
 To:
 Dick Durbin, Jennifer
 Erdman-Bridges, John Plescow, Leroy
 Rasberry, Pamela Johnson
 Subject:
 fwd: Wayside RV PARK, JOHN
 CONIGLIO, 200583I

===URGENT=NOTE=====3/09/99=12:20pm==
 CC: Shirley Stokes

Today, Mr. Coniglio informed me that he sent me some bills last week based on my request during an informal conference. At present, I have not received them. PLEASE CHECK YOUR DESK/MAIL TO SEE IF YOU HAVE THEM. I'm in the process of drafting a recommendation. Thanks.

Fwd=by:=Dick=Durbin===3/09/99=12:21pm==
 Fwd to: Shirley Stokes

I have not received anything.

From: Shirley Stokes
To:
Dick Durbin, Jennifer
Erdman-Bridges, John Plescow, Leroy
Rasberry, Pamela Johnson
Subject:
Wayside RV PARK, JOHN CONIGLIO,
200583I

15

===URGENT=NOTE=====3/09/99=12:20pm==
CC: Shirley Stokes
.....

Today, Mr. Coniglio informed me that he sent me some bills last week based on my request during an informal conference. At present, I have not received them. PLEASE CHECK YOUR DESK/MAIL TO SEE IF YOU HAVE THEM. I'm in the process of drafting a recommendation. Thanks.

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: fwd: Wayside

====NOTE=====3/09/99=11:15am=====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@psc.state.fl.us>; Tue, 9 Mar 1999 11:09:37 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA07059; Tue, 9 Mar 99 11:06:46 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA16702
for sstokes@psc.state.fl.us; Tue, 9 Mar 1999 11:04:32 -0500 (EST)
From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Tue, 9 Mar 1999 11:15:10 -0500
Message-Id: <H000029300e672f4@MHS>
Subject: Wayside
Mime-Version: 1.0
To: sstokes@psc.state.fl.us
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

91

-----[Content-type: text/plain; name=cc:Mail]-----
Shirley

Where are we on Wayside? Has a recommendation been done? Have you received the bills from the customer?

I know, way too many questions. Sorry.

Carol

Fwd-by:=Shirley=Stoke=3/09/99=12:15pm=====

Fwd to: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
CC: Shirley Stokes

.....
I called the customer again today regarding the bills. He informed me today that he sent the bills out last week. At present, I have not received them. However, I'm doing some back tracking to see if the original analyst received them by mistake or on someone else's desk.

Yes, I have started drafting a recommendation. However, I may have to request another copy of the bills from the customer.



CONSUMER AFFAIRS DEPARTMENT
1/888/634-4354
fax: 727/562-3877

Date: 3/4/99

To: Shiley Stokes
Fax: 1-850-413-6126

From: Carol Cornell
Phone: 727/562-3884 Fax # 727/562-3877

3 Pages Including Cover

Comments:

GENERAL OFFICE: 3201 Thirty-fourth Street South • P.O. Box 14042 • St. Petersburg • Florida 33733 • (813) 866-5151
A Florida Progress Company

81



March 4, 1999

Mr. John Coniglio
Wayside RV Park
1201 South Main Street
Wildwood, Florida 34785

Dear Mr. Coniglio:

As requested by the Florida Public Service Commission, I have attached the proposed Settlement Agreement offered at the Informal Conference on February 24, 1999. Should you accept this offer, please sign and return in the self addressed envelope to the Florida Public Service Commission no later than March 15, 1999.

Please feel free to contact me directly at 727/562-3884 if I can be of any further assistance.

Sincerely,

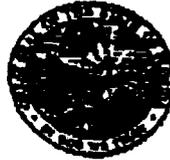
A handwritten signature in black ink, appearing to read "Carol Cornell", is written over a faint, larger version of the same signature.

Carol Cornell
Consumer Affairs Supervisor

19

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
I. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLY DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

SETTLEMENT AGREEMENT

Customer: Mr. John Coniglio

Request Number: 2005831

By signing the following statement, the parties agree that a satisfactory resolution of the complaint has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action by the Commission.

Florida Power Corporation agrees to the removal of the following charges:

September, 1997 Bill	\$328.97
October, 1997 Bill	\$ 60.92
Late Fee	\$ 13.38
Disconnect Fee	\$ 27.00
Total Amount:	\$428.27

Mr. John Coniglio, agrees to pay the balance of \$892.28.

Customer

Date

David W. Sulman
Company

3/3/99
Date

CAPITAL CIRCLE OFFICE CENTER • 2540 STUMARD OAK BOULEVARD • TALLAHASSEE, FL 32319-6850
An Affirmative Action/Equal Opportunity Employer

PSC Website: www.psc.state.fl.us

Internet E-mail: contact@psc.state.fl.us

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Wayside

11:05 20
Carol

====NOTE=====3/03/99=10:41am=====
CC: BERGHOF @ SMTP {Berghoefer_Kimberly_J/nsc@sv003.fpc.com}

.....
Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@psc.state.fl.us>; Wed, 3 Mar 1999 10:35:34 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA19712; Wed, 3 Mar 99 10:32:53 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id KAA01585
for sstokes@psc.state.fl.us; Wed, 3 Mar 1999 10:30:41 -0500 (EST)

From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Wed, 3 Mar 1999 10:41:06 -0500
Message-Id: <H000029300e3bb23@MHS>
Subject: Wayside
Mime-Version: 1.0
To: sstokes@psc.state.fl.us
Cc: Berghoefer_Kimberly_J/nsc@sv003.fpc.com
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----
Shirley

I faxed a copy of the proposed settlement agreement. In reviewing the Commercial/Residential status of the account, Florida Power will not be able to change the classification of Mr. Coniglio's account as FPC has no way to verify that the account was used for residential purposes during the time in question.

If any other information is needed, please feel free to give me a call.-

Carol

21



CONSUMER AFFAIRS DEPARTMENT
1/888/634-4354
fax: 727/562-3877

Date: 3/4/99

To: Shirley Stokes
Fax: 850-413-6126

From: Carol Cornell
Phone: 727/562-3884 Fax # 727/562-3877

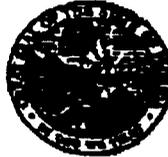
2 Pages Including Cover

Comments:

22

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLY DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

SETTLEMENT AGREEMENT

Customer: Mr. John Coniglio

Request Number: 2005831

By signing the following statement, the parties agree that a satisfactory resolution of the complaint has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action by the Commission.

Florida Power Corporation agrees to the removal of the following charges:

September, 1997 Bill	\$326.97
October, 1997 Bill	\$ 60.92
Late Fee	\$ 13.38
Disconnect Fee	\$ 27.00
Total Amount:	\$428.27

Mr. John Coniglio, agrees to pay the balance of \$892.28.

Customer Date

Company Date

CAPITAL CIRCLE OFFICE CENTER • 2540 STUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

FSC Website: www.scr1.com/fla

Internet E-mail: custack@psc.state.fl.us

From: Shirley Stokes
To: Jennifer Erdman-Bridges
Subject:
fwd: Wayside's Informal
Conference, 200583I

23

====NOTE=====2/24/99==1:03pm==
CC: Shirley Stokes
.....

This case is pending post-conference
filing by March 4, 1999. However, I don't
believe that the customer will agree to
settlement since he wants to take the
company to court.

Fwd=by:=Jennifer=Erdm=2/24/99==2:09pm==
Fwd to: Shirley Stokes
CC:
Jennifer Erdman-Bridges, Leroy
Rasberry
.....

Thanks for the update.

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Re: Wayside Informal Conference

24

====NOTE=====2/24/99=11:44am=====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@mail.psc.state.fl.us>; Wed, 24 Feb 1999 11:39:53 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA19596; Wed, 24 Feb 99 11:36:38 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA21126
for sstokes@mail.psc.state.fl.us; Wed, 24 Feb 1999 11:34:25 -0500 (EST)
From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Wed, 24 Feb 1999 11:44:42 -0500
Message-Id: <H000029300e039a3@MHS>
In-Reply-To: <6CE1D3360175B9D1@mail.psc.state.fl.us>
Subject: Re: Wayside Informal Conference
Mime-Version: 1.0
To: sstokes@mail.psc.state.fl.us
Content-Type: text/plain; charset="US-ASCII"
Content-Disposition: inline; filename="Wayside"
Content-Transfer-Encoding: 7bit

i hear you...good luck

----- Reply Separator -----

Subject: Wayside Informal Conference
Author: sstokes (sstokes@mail.psc.state.fl.us) at internet
Date: 2/24/99 11:33 AM

===== Original Message =====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@psc.state.fl.us>; Wed, 24 Feb 1999 11:25:42 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA19279; Wed, 24 Feb 99 11:22:27 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA19828
for sstokes@psc.state.fl.us; Wed, 24 Feb 1999 11:20:18 -0500 (EST)
From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Wed, 24 Feb 1999 11:30:27 -0500
Message-Id: <H000029300e035c8@MHS>
Subject: Wayside Informal Conference
Mime-Version: 1.0
To: sstokes@psc.state.fl.us
Cc: Berghoefner_Kimberly_J/nsc@sv003.fpc.com
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----

Shirley

Florida Power would like to request copies of the bills Mr. Coniglio was referencing during the Informal Conference. We would also like a copy of any other information provided by the customer.

25

Thank you.

Carol

==== Fwd by: Shirley Stoke =====
If I receive them, I will send you a copy.

26

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: fwd: Wayside Informal Conference

====NOTE=====2/24/99=11:30am=====

CC: BERGHOEF @ SMTP {Berghoefer_Kimberly_J/nsc@sv003.fpc.com}

.....
Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@psc.state.fl.us>; Wed, 24 Feb 1999 11:25:42 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA19279; Wed, 24 Feb 99 11:22:27 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id LAA19828
for sstokes@psc.state.fl.us; Wed, 24 Feb 1999 11:20:18 -0500 (EST)

From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Wed, 24 Feb 1999 11:30:27 -0500
Message-Id: <H000029300e035c8@MHS>
Subject: Wayside Informal Conference
Mime-Version: 1.0
To: sstokes@psc.state.fl.us
Cc: Berghoefer_Kimberly_J/nsc@sv003.fpc.com
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----

Shirley

Florida Power would like to request copies of the bills Mr. Coniglio was referencing during the Informal Conference. We would also like a copy of any other information provided by the customer.

Thank you.

Carol

Fwd-by:=Shirley=Stoke=2/24/99=11:32am=====

Fwd to: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
CC: Shirley Stokes

.....
If I receive them, I will send you a copy.

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Re: Wayside RV Park, Informal

27

====NOTE=====2/23/99=12:44pm=====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@mail.psc.state.fl.us>; Tue, 23 Feb 1999 12:39:32 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA00283; Tue, 23 Feb 99 12:36:21 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id MAA14833
for sstokes@mail.psc.state.fl.us; Tue, 23 Feb 1999 12:34:13 -0500 (EST)
From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 2
Date: Tue, 23 Feb 1999 12:44:13 -0500
Message-Id: <H000029300df9566@MHS>
In-Reply-To: <CD94D2368175B9D1@mail.psc.state.fl.us>
Subject: Re: Wayside RV Park, Informal
Mime-Version: 1.0
To: sstokes@mail.psc.state.fl.us
Content-Type: text/plain; charset="US-ASCII"
Content-Disposition: inline; filename="Wayside"
Content-Transfer-Encoding: 7bit

Shauna Burkes - FPC Legal Dept
Elaine Rogers - FPC Credit Dept
Carol Cornell - FPC Consumer Affairs
Kim Berghoefer

----- Reply Separator -----

Subject: Wayside RV Park, Informal
Author: sstokes (sstokes@mail.psc.state.fl.us) at internet
Date: 2/23/99 11:48 AM

Please E-Mail me a list of the
representatives who will participate in
the informal conference tomorrow, Feb.
24.

At present, I'm the only one who will
participate in the conference.
However, some of the Division of
Consumer Affairs' analysts may listen
to the conference.

I understand that you are going to call
me shortly (about two minutes) before
10 a.m. and then I will connect Mr.
Coniglio on the line.

If you have any questions, please let
me know.

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Re: Wayside RV Park, 200583I (Inf.)

====NOTE=====2/22/99==4:27pm=====

CC:

BURKES\$\$ @ SMTP {Burkes_Shauna_T/goc_openmail@sv003.fpc.com}, ROGERS\$E @ SMTP
{ROGERS_ELAINA_A/nsc@sv003.fpc.com}, TOMLINSON @ SMTP
{Tomlinson_David_W/nsc@sv003.fpc.com}

.....
Return-Path: <Carol.C.Cornell@fpc.com>

Received: from fpc.com (199.184.211.2)

by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)

for <sstokes@mail.psc.state.fl.us>; Mon, 22 Feb 1999 16:22:32 -0500

Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)

id AA14420; Mon, 22 Feb 99 16:19:27 EST

Received: from localhost (root@localhost)

by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id QAA23031

for sstokes@mail.psc.state.fl.us; Mon, 22 Feb 1999 16:17:19 -0500 (EST)

From: Carol.C.Cornell@fpc.com

X-Openmail-Hops: 2

Date: Mon, 22 Feb 1999 16:27:36 -0500

Message-Id: <H000029300df1126@MHS>

In-Reply-To: <B576CD368175B9D1@mail.psc.state.fl.us>

Subject: Re: Wayside RV Park, 200583I (Inf.)

Mime-Version: 1.0

To: sstokes@mail.psc.state.fl.us

Cc: Burkes_Shauna_T/goc_openmail@sv003.fpc.com,

ROGERS_ELAINA_A/nsc@sv003.fpc.com, Tomlinson_David_W/nsc@sv003.fpc.com

Content-Type: text/plain; charset="US-ASCII"

Content-Disposition: inline; filename="Wayside"

Content-Transfer-Encoding: 7bit

Shirley,

No, we have not changed the account from Commercial to Residential.
It was established as a Doing Business As and the account was
commercial prior to Wayside. We have no knowledge that at the time
the debt was incurred, that this was other than commercial.

Carol

----- Reply Separator -----

Subject: Wayside RV Park, 200583I (Inf.)

Author: sstokes (sstokes@mail.psc.state.fl.us) at internet

Date: 2/19/99 2:34 PM

FPC's January 25, 1999, report stated
that the account was previously rated
as a commercial account. So, my
assumption is that the disputed account
has been rerated for residential
service. Is my assumption correct or
not? If so, please provide me with the
total amount for the rate difference
before the conference on February 24.
Thanks.

29

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Autoreply Message

====NOTE=====2/22/99==9:35am=====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@mail.psc.state.fl.us>; Mon, 22 Feb 1999 09:30:25 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA04242; Mon, 22 Feb 99 09:27:23 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id JAA14861
for sstokes@mail.psc.state.fl.us; Mon, 22 Feb 1999 09:25:15 -0500 (EST)

From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 4
X-Openmail-Autoreplied: TRUE
Date: Mon, 22 Feb 1999 09:35:32 -0500
Message-Id: <"AUTOANS-03c1c9cc*"@MHS>
In-Reply-To: <F922D1368175B9D1@mail.psc.state.fl.us>
Subject: Autoreply Message
Mime-Version: 1.0
To: sstokes@mail.psc.state.fl.us
Content-Type: text/plain; charset=ISO-8859-1; name="Auto"
Content-Disposition: inline; filename="Auto"
Content-Transfer-Encoding: quoted-printable

-----[Content-type: text/plain; name=Auto]-----
I will be out of the office the afternoon of February 10th
through February 19th returning on February 22nd.
Please contact Kimberly Berghoefer at 220 3886
for immediate assistance.

Thank You.
Carol

30

From: Shirley Stokes CONFIRMED
To:
MAIL @ SMTP
 {Carol.C.Cornell@fpc.com}
Subject:
Wayside RV Park, 200583I (Inf.
 Conf. on February 24, 1999, at 10
 a.m.) Additional Information
 Request

===NOTE=====2/22/99==9:27am==
CC: Shirley Stokes
.....

FPC's January 25, 1999, report stated that the account was previously rated as a commercial account. So, my assumption is that the disputed account has been rerated for residential service. Is my assumption correct or not? If so, please provide me with the total amount for the rate difference before the conference on February 24.

Also, please let me know if the old account was located in a residential or business zone.

Thanks.

31

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Autoreply Message

===NOTE=====2/19/99==2:41pm=====

Return-Path: <Carol.C.Cornell@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <sstokes@mail.psc.state.fl.us>; Fri, 19 Feb 1999 14:35:49 -0500
Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)
id AA03075; Fri, 19 Feb 99 14:32:55 EST
Received: from localhost (root@localhost)
by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id OAA24172
for sstokes@mail.psc.state.fl.us; Fri, 19 Feb 1999 14:30:51 -0500 (EST)

From: Carol.C.Cornell@fpc.com
X-Openmail-Hops: 4
X-Openmail-Autoreplied: TRUE
Date: Fri, 19 Feb 1999 14:41:01 -0500
Message-Id: <"AUTOANS-03c0579e*"@MHS>
In-Reply-To: <B576CD368175B9D1@mail.psc.state.fl.us>
Subject: Autoreply Message
Mime-Version: 1.0
To: sstokes@mail.psc.state.fl.us
Content-Type: text/plain; charset=ISO-8859-1; name="Auto"
Content-Disposition: inline; filename="Auto"
Content-Transfer-Encoding: quoted-printable

-----[Content-type: text/plain; name=Auto]-----

I will be out of the office the afternoon of February 10th
through February 19th returning on February 22nd.
Please contact Kimberly Berghoefer at 220 3886
for immediate assistance.

Thank You.
Carol

32

From: Shirley Stokes

To:

MAIL @ SMTP

{Carol.C.Cornell@fpc.com}

Subject:

Wayside RV Park, 200583I (Inf.
Conf. on February 24, 1999, at 10
a.m.) Additional Information
Request

==NOTE=====2/19/99==2:33pm==

CC: Shirley Stokes
.....

FPC's January 25, 1999, report stated that the account was previously rated as a commercial account. So, my assumption is that the disputed account has been rerated for residential service. Is my assumption correct or not? If so, please provide me with the total amount for the rate difference before the conference on February 24. Thanks.

Feb-09-99 12:17 PM

<u>Identification</u>	<u>Result</u>	<u>Pages</u>	<u>Type</u>	<u>Date</u>	<u>Time</u>	<u>Duration</u>	<u>Diagnostic</u>
617275623877	OK	02	Sent	Feb-09	12:16P	00:00:39	002582030022

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

34

Public Service Commission

FACSIMILE TRANSMITTAL COVER SHEET

DATE: February 9, 1999

TO: Carol Cornell

OFFICE/BUSINESS: Florida Power Corporation

FAX NUMBER: (727) 562-3877

FROM: DIVISION OF CONSUMER AFFAIRS

FAX NUMBER: (850) 413-6362

TELEPHONE NUMBER: (850) 413-6100 OR 1-800-342-3552

COMMENTS: 200.5831

NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 2

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

35

Public Service Commission

February 9, 1999

Mr. John Coniglio
Wayside RV Park
5441 Northeast 81 Boulevard
Wildwood, FL 34785

Dear Mr. Coniglio:

This is a follow-up to our telephone conversation today regarding Florida Power Corporation's (FPC) request for a change in the informal conference date.

As you agreed, I have rescheduled the telephone informal conference to February 24, 1999, at 10 a.m. I have notified FPC of this date and time.

If you have any questions, please give me a call at our toll-free telephone number 1-800-342-3552 or at my direct line 1-850-413-6125.

Sincerely,


Shirley Ann Stokes
Regulatory Supervisor/Consultant

SAS:sas

c: Florida Power Corporation (Request No. 2005831)

36

From: CAROL @ SMTP {Carol.C.Cornell@fpc.com}
To: Shirley Stokes
Subject: Wayside Information

===NOTE=====1/25/99==4:16pm=====

CC: BERGHOEF @ SMTP {Berghoefer_Kimberly_J/nsc@sv003.fpc.com}

Return-Path: <Carol.C.Cornell@fpc.com>

Received: from fpc.com (199.184.211.2)

by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)

for <sstokes@psc.state.fl.us>; Mon, 25 Jan 1999 16:10:33 -0500

Received: from sv003.fpc.com ([148.152.8.60]) by fpc.com (4.1/SMI-4.1)

id AA09460; Mon, 25 Jan 99 16:09:46 EST

Received: from localhost (root@localhost)

by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id QAA22152

for sstokes@psc.state.fl.us; Mon, 25 Jan 1999 16:07:51 -0500 (EST)

From: Carol.C.Cornell@fpc.com

X-Openmail-Hops: 2

Date: Mon, 25 Jan 1999 16:16:38 -0500

Message-Id: <H000029300d26ca2@MHS>

Subject: Wayside Information

Mime-Version: 1.0

To: sstokes@psc.state.fl.us

Cc: Berghoefer_Kimberly_J/nsc@sv003.fpc.com

Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"

Content-Disposition: inline; filename="cc:Mail"

Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----
Documentation/Identification of who third party is....

The account was opened 9/19/96 in the name of C J. Coniglio, DBA Wayside RV Park. At that time, we were not aware that anyone other than Mr. Coniglio would benefit from the service. Through collection activities on 12/11/97, we were advised that Mr. Coniglio had a tenant (employee) at this location. At that time, Mr. Coniglio offered to pay \$50 a month toward the balance but this agreement was unacceptable to FPC. Our records indicate that Mr. Coniglio never called to place a disconnect because he assumed we would disconnect once the bill was behind (collection arrangements delayed disconnect, once defaulted, account was disconnected).

Why Commercial - Account was established in the name of C J. Coniglio, DBA as Wayside RV Park which implies this is a business. In addition, the account was previously rated as commercial.

Please feel free to call me with any additional information required.

Carol
FPC

Jan-25-99 01:08 PM

37

<u>Identification</u>	<u>Result</u>	<u>Pages</u>	<u>Type</u>	<u>Date</u>	<u>Time</u>	<u>Duration</u>	<u>Diagnostic</u>
617275623877	OK	03	Sent	Jan-25	01:07P	00:00:55	002582030022

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

38

Public Service Commission

FACSIMILE TRANSMITTAL COVER SHEET

DATE: January 25, 1999

TO: Carol Cornell

OFFICE/BUSINESS: Florida Power Corporation

FAX NUMBER: (727) 562-3877

FROM: **DIVISION OF CONSUMER AFFAIRS**

FAX NUMBER: **(850) 413-6362**

TELEPHONE NUMBER: **(850) 413-6100 OR 1-800-342-3552**

COMMENTS: _____

NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 3

STATE OF FLORIDA

39

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

January 25, 1999

Mr. John Coniglio
Wayside RV Park
5441 Northeast 81 Boulevard
Wildwood, FL 34785

Dear Mr. Coniglio:

This is a follow-up to our telephone conversation today regarding your informal conference request concerning your complaint against Florida Power Corporation (FPC).

As you agreed, I have scheduled the telephone informal conference on Friday, February 19, 1999, at 10 a.m. I have notified FPC of this date and time. However, there isn't anything in the Florida Public Service Commission's rules and regulations that would prohibit settlement of the complaint prior to the conference date. Therefore, I have provided the company with a Settlement Agreement Form. I have also enclosed a copy of it for your review.

If you have any questions, please give me a call at our toll-free telephone number 1-800-342-3552 or at my direct line 1-850-413-6125.

Sincerely,


Shirley Ann Stokes
Regulatory Supervisor/Consultant

SAS:sas

Enclosure

c: Florida Power Corporation (Request No. 200583I) ✓

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

SETTLEMENT AGREEMENT

Customer: Mr. John Coniglio

Request Number: 200583I

By signing the following statement, the parties agree that a satisfactory resolution of the complaint has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action by the Commission.

Customer

Date

Company

Date

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

41

Public Service Commission

January 25, 1999

Mr. John Coniglio
Wayside RV Park
5441 Northeast 81 Boulevard
Wildwood, FL 34785

Dear Mr. Coniglio:

This is a follow-up to our telephone conversation today regarding your informal conference request concerning your complaint against Florida Power Corporation (FPC).

As you agreed, I have scheduled the telephone informal conference on Friday, February 19, 1999, at 10 a.m. I have notified FPC of this date and time. However, there isn't anything in the Florida Public Service Commission's rules and regulations that would prohibit settlement of the complaint prior to the conference date. Therefore, I have provided the company with a Settlement Agreement Form. I have also enclosed a copy of it for your review.

If you have any questions, please give me a call at our toll-free telephone number 1-800-342-3552 or at my direct line 1-850-413-6125.

Sincerely,

A handwritten signature in cursive script that reads "Shirley Ann Stokes".

Shirley Ann Stokes
Regulatory Supervisor/Consultant

SAS:sas

Enclosure

c: Florida Power Corporation (Request No. 200583I)

From: John Plescow
To: Jennifer Erdman-Bridges, John Plescow, Leroy Rasberry, Shirley Stokes
Subject:

ch

====NOTE=====1/22/99=10:32am=====

I have 2 inquiries that need to be scheduled for informal conference.

The first is for Michael Pacheco 219003I. The customer agreed to sign a settlement agreement, but his sister said she was responsible for the bill. She said she would agree to pay it, and she would sign the agreement too. The company made multiple appointments to meet with the customer's to sign the settlement agreement. The customer's consistently failed to keep the appointments.

The second inquiry for Wayside RV Park 200583I, also needs to be scheduled for informal conference. I got the company to agree to what the customer said he wanted, but he will not agree to settle. He said he must go through our administrative process before he can take the company to court.

*

I will have Chris make copies of both cases for Shirlie.

43

Nov-17-98 03:11 PM

<u>Identification</u>	<u>Result</u>	<u>Pages</u>	<u>Type</u>	<u>Date</u>	<u>Time</u>	<u>Duration</u>	<u>Diagnostic</u>
617275623877	OK	03	Sent	Nov-17	03:11P	00:00:49	002582030022

STATE OF FLORIDA

44

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCLA
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

FACSIMILE TRANSMITTAL COVER SHEET

DATE: November 16, 1998

TO: Carol Cornell

OFFICE/BUSINESS: Florida Power Corporation

FAX NUMBER: (727) 562-3877

FROM: **DIVISION OF CONSUMER AFFAIRS**

FAX NUMBER: **(850) 413-6362**

TELEPHONE NUMBER: **(850) 413-6100 OR 1-800-342-3552**

COMMENTS: _____

NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 3

STATE OF FLORIDA

45

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

November 16, 1998

Mr. John Coniglio
Wayside RV Park
1201 South Main Street
Wildwood, FL 34785-9405

Dear Mr. Coniglio:

This is to inform you that the Florida Public Service Commission (PSC) received your fax requesting an informal conference against Florida Power Corporation. Your request has been assigned to Mr. John Plescow, who will be contacting you in the near future to discuss your concerns.

If you have any questions, please contact him at 1-800-342-3552, or if you wish, at his direct line 1-850-413-6115.

Sincerely,

A handwritten signature in black ink, appearing to read "Leroy A. Rasberry".

Leroy A. Rasberry, Chief
Bureau of Complaint Resolution
Division of Consumer Affairs

LAR:ewe

c: Florida Power Corporation



Public Service Commission

46

State of Florida

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

DATE: November 16, 1998
TO: John Plescow - Regulatory/Supervisor Consultant^{KA}
FROM: Leroy A. Rasberry - Bureau Chief of Complaint Resolutions - Division of Consumer Affairs ^{LR}
RE: Informal Conference Request

You have been assigned the informal conference request of Wayside RV Park against Florida Power Corporation. If at all possible, please handle this request as a video teleconference.

200583I - Wayside RV Park

46A

AUTOMATIC COVER SHEET

DATE : NOV-10-98 10:17 PM

TO :

FAX # : 18005110809

FROM : C.JOHN.CONIGLIO.SR..

FAX # : 1 352 748 5227

2 PAGES WERE SENT

(INCLUDING THIS COVER SHEET)

47

C. JOHN CONIGLIO

Telephone 352-748-3408
Fax 352-748-5227

P. O. BOX 1119
719 INDUSTRIAL DRIVE
WILDWOOD, FL 34785

November 10, 1998

The Florida Public Service Commission
Attn: Dick Durbin
VIA FAX 1-800-511-0809

Re: C. John Coniglio - Wayside RV Park
Case No. 1-200 583 I

Dear Mr. Durbin:

I hereby request an informal conference on the complaint I filed last December, and assigned the above case number.

To date I have had no satisfaction from Florida Power Corporation, and they have again began threatening to cut off the power.

Very truly yours,

C. John Coniglio
CJC/kih

P. S. PLEASE CALL 352-748-3408 AND VERIFY RECEIPT OF THIS FAX. THANK YOU.

48

From: KIMBERLY @ SMTP {Kimberly.M.Brown@fpc.com}
To: Dick Durbin
Subject: FPSC Response for Coniglio, DBA Wayside RV Park 200583I

====NOTE=====2/06/98=12:55pm=====

CC:
BJERKSET @ SMTP
{Bjerksett_Rita_E/nsc/FLORIDA#b#POWER/US/MCI/FLPROG@msgoc01.fpc.com}, KELLER\$M
@ SMTP {Keller_Melissa_L/nsc/FLORIDA#b#POWER/US/MCI/FLPROG@msgoc01.fpc.com}

Return-Path: <Kimberly.M.Brown@fpc.com>
Received: from fpc.com (199.184.211.2)
by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)
for <ddurbin@psc.state.fl.us>; Fri, 6 Feb 1998 12:41:39 -0500
Received: from msgoc01.fpc.com ([148.152.29.50]) by fpc.com (4.1/SMI-4.1)
id AA19778; Fri, 6 Feb 98 12:32:05 EST
Received: from localhost (root@localhost)
by msgoc01.fpc.com (8.8.6/8.8.6) with SMTP id MAA02722
for ddurbin@psc.state.fl.us; Fri, 6 Feb 1998 12:46:04 -0500 (EST)
From: Kimberly.M.Brown@fpc.com
X-Openmail-Hops: 2
Date: Fri, 6 Feb 98 12:55:11 -0500
Message-Id:
<"H0000292004ef6f1*Brown_Kimberly_M/nsc/FLORIDA#b#POWER/US/MCI/FLPROG"@MHS>
Subject: FPSC Response for Coniglio, DBA Wayside RV Park 200583I
Mime-Version: 1.0
To: ddurbin@psc.state.fl.us
Cc: Keller_Melissa_L/nsc/FLORIDA#b#POWER/US/MCI/FLPROG@msgoc01.fpc.com,
Bjerksett_Rita_E/nsc/FLORIDA#b#POWER/US/MCI/FLPROG@msgoc01.fpc.com
Content-Type: text/plain; charset=US-ASCII; name="cc:Mail"
Content-Disposition: inline; filename="cc:Mail"
Content-Transfer-Encoding: 7bit

-----[Content-type: text/plain; name=cc:Mail]-----

Dick,

Below is the response for Coniglio, DBA Wayside RV Park - 200583I. I
have faxed the attachments. If you have any questions, please give me
a call.

Thanks,

Kimberly
813/562-3885

FPSC LIMITED RESPONSE INQUIRY FORM

FPSC Analyst's Name: Dick Durbin Inquiry Number: 200583I

Complainant's Name: C J CONIGLIO , DBA WAYSIDE RV PARK

Customer of Record's Name: SAME AS ABOVE

67
49

FAX COVER LETTER

**FLORIDA POWER CORPORATION
CONSUMER AFFAIRS DEPARTMENT
Mail Code CW42**

DATE: 2/6/98

TO: Dick Durbin Phone (407) 413-6101

FROM: Kimberly M. Brown Phone (813) 562-3885

4 PAGES, INCLUDING COVER LETTER

FAX NUMBER OF RECEIVING COMPANY: (904) 413-6362

FAX NUMBER OF SENDING COMPANY: (813) 562-3877

COMMENTS:

Service Address: 1201 S IN ST

FPC Account Number: 06544-26098

Telephone Number(s): 352/748-1105

Names of Prior FPC Contacts: UNKNOWN

Date/Time Received by FPSC: 1/15/98 6:08 PM

Restate Customer's Concern: See attached correspondence concerning billing wrong customer.

Date and Time of Initial Contact by FPC: 2/6/98 by Elaine Rogers. (Mrs. Rogers left messages with 'Annette' of Mr. Coniglio's office on 1/27/98, 1/28/98, 2/2/98, and 2/5/98. Mr. Coniglio returned Mrs. Rogers call on 1/28/98, but was not available when she called him back later that day. Mrs. Rogers was finally able to reach him on 2/6/98).

Customer Contacted By: Elaine Rogers

Actions Taken to Satisfy Customer: Mr. Coniglio's complaint consisted of correspondence and legal suit dated 1/8/98 directed to Florida Power Corporation's Legal Department. J. Wesley Bailey, Associate Counsel, responded in a timely fashion to Mr. Coniglio's claim (see attached). In Mr. Bailey's letter of 1/12/98, he explained the transfer balance in question resulted from charges incurred on account #93641-75118 (4078 NE 120th Road, Gin Oaks #6; Oxford, FL 34484). Mr. Bailey further indicated that the balance accurately represented charges furnished to a third party in Mr. Coniglio's name to which he conceded was established with his permission. A copy of the billing and payment history was also included with Mr. Bailey's letter (see attached).

When Mrs. Rogers was able to acknowledge receipt of Mr. Coniglio's inquiry filed with the Florida Public Service Commission on 2/6/98, Mr. Coniglio stated he did not wish to discuss the issue with her over the phone, and wanted to meet face to face. Mrs. Rogers explained that her office was in Clearwater, and that she was not able to meet with him as he resided in the Ocala area. Mr. Coniglio indicated that he may possibly be in the Tampa area the following week, and would call back to tentatively schedule an appointment.

On the advice of Legal Counsel, should Mr. Coniglio contact Mrs. Rogers to schedule an appointment, he will be referred to the company's Legal Department. If required, Mrs. Rogers has agreed to attend any meeting scheduled between Mr. Coniglio and Florida Power Corporation's Legal representative.

Customer Satisfied: No

If "NO", explain why: Mr. Coniglio does not want to pay for electricity consumed in his name with his permission for a third party.

Date Submitted: 2/6/98

Total Savings to Customer as a Result of this Inquiry (if applicable):

50

Attachments: Letter dated 1/12/98 from J. Wesley Briley and
Bill/Payment Activity Statement for account #93641-75118. 75118 (4078
NE 120th Road, Gin Oaks #6; Oxford, FL 34484).

51

T.P. - Home - Govt. Law.



J. WESLEY BAILEY
ASSOCIATE COUNSEL

52

January 12, 1998
Via Facsimile

Mr. C. John Coniglio
104 N. Webster Street
Post Office Box 1119
Wildwood, Florida 34785

Dear Mr. Coniglio:

As you requested, I have investigated your claim and enclose a copy of the Account Activity report for closed account 93641-75118. Please note that the \$1,266.55 transferred to your active account 06544-26098 is primarily for past-due electric service. Only \$108 of that amount reflects reconnect charges.

The transfer amount accurately represents charges for electric service furnished to account 93641-75118 from September, 1996 to October, 1997, which you concede was established in your name with your permission. At your recent request, the Customer Service department closed the old account, reestablished service under your active account 06544-26098 and correctly transferred unpaid amounts to your active account. Therefore, I see no basis for me to intervene with Customer Service as you had requested.

Please be aware that your active account is eligible for disconnect and will be cut unless payment is received by the end of business today. As I mentioned to you in our conversation on Friday, you may contact the Florida Public Service Commission Division of Consumer Affairs ("Commission") at (800) 342-3552 to file a complaint. The Commission, and not the county court, has exclusive jurisdiction to regulate public utilities and investigate customer service issues. I would also remind you that pursuant to Commission rules and Florida Power Corporation's Tariff, Florida Power Corporation will not deny service to a customer with a poor credit history as long as the customer posts a deposit for service. Consequently, I would discourage you from authorizing third parties to establish service in your name as it often leads to unfortunate results.

Please feel free to call me if you have any questions.

Very truly yours,

J. Wesley Bailey
J. Wesley Bailey

GENERAL OFFICE: 3201 Thirty-fourth Street South • 1
A Plant

Fast-It® Fax Note	7571	Date	3/12/98	# of pages	3
To	Tom (Blower)	From	Wesley Bailey		
Co./Dept.		Ca.			
Phone #		Phone #			
Fax #	220-3677	Fax #	866-4931		



**Customer Service System
Account Activity**

Account Number: 93641-75118 Requested By: C J CONIGLIO

Phone: (352) 748-6007 Extension:

DATE	RELATING TO	DEBIT AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DAYS USED	KWH	KV
05/02/97	Regular Bill			\$392.62	\$210.70	29	0002025	
05/02/97	ELECTRIC SERVICE	\$178.68						
04/29/97	Late Payment Charge	\$3.16						
04/14/97	Payment		\$164.54					
04/03/97	Regular Bill			\$375.32	\$164.54	31	0002387	
04/03/97	ELECTRIC SERVICE	\$208.31						
03/27/97	Late Payment Charge	\$2.47						
03/14/97	Payment		\$170.65					
03/03/97	Regular Bill			\$335.19	\$170.65	31	0001885	
03/03/97	ELECTRIC SERVICE	\$161.98						
02/26/97	Late Payment Charge	\$2.56						
02/19/97	Payment		\$212.00					
01/31/97	Regular Bill			\$382.65	\$241.53	25	0001621	
01/31/97	ELECTRIC SERVICE	\$141.12						
11/30/97	Late Payment Charge	\$3.17						
11/21/97	Payment		\$80.48					
11/21/97	DAY COMP RECONNECT CHARGE	\$27.00						
11/06/97	Payment		\$100.00					
11/06/97	Regular Bill			\$291.84	\$107.48	34	0002168	
11/06/97	ELECTRIC SERVICE	\$184.36						
2/13/96	Payment		\$124.99					
2/13/96	DAY COMP RECONNECT CHARGE	\$27.00						
2/03/96	Regular Bill			\$305.47	\$124.99	33	0002119	
2/03/96	ELECTRIC SERVICE	\$180.48						
0/31/96	Regular Bill			\$124.99		30	0001417	
0/31/96	ELECTRIC SERVICE	\$124.99						
0/28/96	Payment		\$68.01					
0/01/96	Regular Bill			\$68.01		12	0000000	
0/01/96	ELECTRIC SERVICE CHARGE	\$15.00						
10/01/96	ELECTRIC SERVICE	\$53.01						

01:15PM FIC CUST SVC ADMIN
 00:00:00

53



**Customer Service System
Account Activity**

**** Account Information ****

***** Current Account Status *****

Account Number: 93641-75118
Requested By: C J CONIGLIO
(352) 748-6007 Extension:

Mail To: C J CONIGLIO
C/O PAULA PORTER
P O BOX 422
OXFORD FL 34484

Current Bill: \$0.00
Billed Prior: \$0.00
Balance Due: \$0.00

Excess Credit Amount: \$0.00
Unbilled Balance: \$0.00

DATE	RELATING TO	DEBIT AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DAYS USED	KWH	KW
12/03/97	Transfer to active account		\$1,320.55					
10/27/97	Regular Bill			\$1,320.55	\$1,259.63	21	0000660	
10/27/97	ELECTRIC SERVICE	\$60.92						
10/03/97	DAY CONP RECONNECT CHARGE	\$27.00						
10/01/97	Regular Bill			\$1,232.63	\$892.28	34	0003997	
10/01/97	ELECTRIC SERVICE	\$326.97						
09/23/97	Late Payment Charge	\$13.38						
08/28/97	Regular Bill			\$892.28	\$575.88	28	0003716	
8/28/97	ELECTRIC SERVICE	\$307.76						
8/26/97	Late Payment Charge	\$8.64						
7/31/97	Regular Bill			\$575.88	\$299.58	28	0003268	
7/31/97	ELECTRIC SERVICE	\$272.21						
7/30/97	Late Payment Charge	\$4.09						
7/28/97	Payment		\$286.01					
7/25/97	DAY CONP RECONNECT CHARGE	\$27.00						
7/03/97	Regular Bill			\$558.59	\$286.01	30	0003481	
7/03/97	ELECTRIC SERVICE	\$268.29						
6/27/97	Late Payment Charge	\$4.29						
6/24/97	Payment		\$181.84					
6/03/97	Regular Bill			\$467.85	\$181.84	32	0003303	
6/03/97	ELECTRIC SERVICE	\$283.28						
5/29/97	Late Payment Charge	\$2.73						
05/21/97	Payment		\$100.00					
05/12/97	Payment		\$110.78					

54

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

55

Public Service Commission

January 21, 1998

Mr. John Coniglo
Wayside 'RV' Park
1201 South Main Street
Wildwood, FL 34785-9405

Dear Mr. Coniglo:

Thank you for your recent letter concerning Florida Power Corporation.

We will look into the matter you outlined, advise the company to contact you to resolve the problem, and require the company to provide the Florida Public Service Commission with a letter outlining its resolution of the matter.

If you have any questions, I can be reached at 1-800-342-3552.

Sincerely,

A handwritten signature in cursive script that reads "Dick Durbin".

Dick Durbin
Regulatory Supervisor/Consultant
Division of Consumer Affairs

DD:ewe

**** Transmit Conf. Report ****

Jan 15 '98 18:07

56

FL PUBLIC SERVICE COMM---> 618135623877	
No.	0020
Mode	NORMAL
Time	3'18"
Pages	8 Page(s)
Result	OK

200585

57

C. JOHN CONIGLIO, P. A.
Attorney at Law
P. O. Box 1119
104 N. Webster Street
Wildwood, Florida 34785

PHONE (352) 748-1105
FAX (352) 748-3026

FAX TRANSMITTAL COVER SHEET

DATE: 1-12-98
TO: Rick Burbin
FROM: John Coniglio
PAGES: 6 (INCLUDING COVER SHEET)
YOUR FAX#: 1-800-511-0809
REFERENCE: _____

COMMENTS: _____

NOTE: Please call if you do not receive all pages. Thank You.

(804) 748-1108
FAX 748-3026

C. JOHN CONIGLIO, P.A.
ATTORNEY AT LAW

104 N. WEBSTER STREET
POST OFFICE BOX 1119
WILDWOOD, FLORIDA 34785

58

January 8, 1998
VIA FAX 813-866-4931

Florida Power Corporation
Legal Department
3201 34th Street South
St. Petersburg, FL 33705

Re: Coniglio d/b/a Wayside RV Park vs. Florida Power
Corporation

Gentlemen:

Attached hereto is copy of Complaint I plan to file with the
court today.

If you prefer, I will make the deposit of \$1,320.55 directly
to Florida Power instead of the Registry of the Court.

Please advise.

Very truly yours,



C. John Coniglio, P. A.
CJC/klh

59

IN THE COUNTY COURT IN AND FOR SUMTER COUNTY, FLORIDA

CASE NO. _____

C. JOHN CONIGLIO, d/b/a
WAYSIDE RV PARK
1201 S. Main Street
Wildwood, FL 34785,

Plaintiff,

vs.

FLORIDA POWER CORPORATION
St. Petersburg, FL 33733-8199,

Defendant.

_____ /

COMPLAINT

COMES NOW, C. JOHN CONIGLIO, d/b/a WAYSIDE RV PARK, and files this complaint against Florida Power Corporation, and says:

1. That the plaintiff is a customer of the defendant under account number 06544-26098, and has been a customer under that account number since 1990.

2. That at all times prior thereto, the defendant has provided services, rendered a statement, and all statements have been paid. That in December, of 1997, the defendant issued its statement to the Plaintiff with an additional charge designated "transfer amount" of \$1,266.55, and also a balance forward amount of \$54.00, which the plaintiff denies owing, and has refused to pay.

3. Plaintiff paid the December statement for the amount due, and excluded the charges enumerated "transfer amount" and "balance forward", as evidenced on exhibit "A" attached hereto and made a part hereof as if set out in full.

60

Thereafter, on December 26, 1997, Florida Power Corporation, the defendant herein, issues its notice that there was a balance due and notified plaintiff that they intended to discontinue service unless the \$1,320.55 was paid. Plaintiff denies owing said amount.

4. Plaintiff does hereby deposit to the Registry of the Court, the amount of \$1,320.55.

WHEREFORE, the Plaintiff requests the court to issue its injunction against the defendant, without notice, from ceasing service at this location for the failure to pay the amount which is deposited into the Registry of the Court, and for a judicial determination as to whether or not the plaintiff is indebted as alleged on the December, 1997 statement, which is attached hereto and made a part hereof.


C. JOHN CONIGLIO, d/b/a WAYSIDE
RV PARK
1201 S. Main Street
Wildwood, Fl 34785
(352) 748-1105



STATEMENT OF ELECTRIC SERVICE

DECEMBER 1997

ACCOUNT NUMBER

06544 26098

PAGE 1 OF 2

INQUIRIES TO: 800-8744
STATEMENT FOR NEAREST YOU

C J CONIGLIO
DBA WAYSIDE RV PARK
1201 S MAIN ST
WILDWOOD FL 34785
SERVICE ADDRESS
1201 S MAIN ST
PRIMARY METER

DUE DATE DEC 26 1997
TOTAL AMOUNT DUE 2,906.88
NEXT READ DATE ON OR ABOUT JAN 06 1998
DEPOSIT AMOUNT ON ACCOUNT NONE

READINGS
002160015
(ACTUAL) 001163
(ACTUAL) 001099
CE 000064
APPLIED 300
H 19200
KW (ACTUAL) 0000.13 45
TOR 59.3%

PAYMENTS RECEIVED AS OF NOV 18 1997 1,411.22CR
EQRNT 115 Equipment Rental
BILLING PERIOD 11-03-97 TO 12-03-97 30 DAYS
SEE EQUIPMENT CHARGES BELOW
GSD-1 072 General Service - Demand Primary
BILLING PERIOD 11-03-97 TO 12-03-97 30 DAYS
CUSTOMER CHARGE 148.00
ENERGY CHARGE 19200 KWH @ 2.68300* 516.29
FUEL CHARGE 19200 KWH @ 1.80700* 346.94
DEMAND CHARGE 45 KW @ \$3.80000 171.00
BILLING DEMAND CREDIT 45 KW @ \$0.30000 13.50CR
METERING VOLTAGE ADJUSTMENT CREDIT 1% 4.75CR
TOTAL ELECTRIC COST 1,163.98
EQUIPMENT RENTAL FOR:
1 EQUIPMENT RENTAL
EQUIPMENT RENTAL 196.56

Payment of your bill prior to the above due date will avoid a late payment charge of 1.5%. Your previous unpaid balance is shown above. Please disregard if paid.

ENERGY USE
USE - 640 KWH/DAY
YEAR AGO - 538 KWH/DAY
G. ELECTRIC COST - \$45.35



TO CHANGE MAILING ADDRESS, CHECK BOX BELOW AND ENTER ON THE BACK DETACH AND RETURN THIS SECTION ZPO5 51471

PAGE 1 OF 2

DELINQUENT
4:30 PM THIS DATE
DEC 26 1997

ACCOUNT NUMBER - 06544 26098

FLORIDA POWER CORP
P.O. BOX 33199
ST. PETERSBURG, FL 33733-8199

TOTAL DUE
2,906.88

C J CONIGLIO
DBA WAYSIDE RV PARK
1201 S MAIN ST
WILDWOOD FL 34785-9405

PLEASE ENTER AMOUNT PAID

065442609890000029068810000000540070000028528870100000000009



STATEMENT OF ELECTRIC SERVICE

DECEMBER 1997

ACCOUNT NUMBER

06544 26098

PAGE 2 OF 2

DIRECT INQUIRIES TO:
1-800-700-8744

SEE BACK OF STATEMENT FOR
LOCATION NEAREST YOU

C U CONIGLIO
DBA WAYSIDE RV PARK
1201 S MAIN ST
WILDWOOD FL 34785

SERVICE ADDRESS

1201 S MAIN ST
PRIMARY METER

DUE DATE
DEC 26 1997

TOTAL AMOUNT DUE
2,906.88

NEXT READ
DATE ON OR
ABOUT
JAN 06 1998

DEPOSIT AMOUNT
ON ACCOUNT
NONE

GROSS RECEIPTS TAX	29.85
MUNICIPAL FRANCHISE FEE	57.09
MUNICIPAL UTILITY TAX	25.00
SALES TAX ON ELECTRIC	100.08
SALES TAX ON EQUIPMENT RENTAL	13.77
TRANSFER AMOUNT	1,266.55
TOTAL CURRENT BILL	2,852.88
BALANCE FORWARD	54.00
TOTAL DUE THIS STATEMENT	\$2,906.88