

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

RECEIVED-FPSC

Date of Request: 8/2/2004 Date of Agenda Conference: 8/3/2004 Item No. 4

Docket No.: 040543-EI Brief Title: Complaint by Michael Hedrick Against FPL

04 AUG -2 AM 10:35

Requested by: Staff Other Michael Hedrick
(Name)

COMMISSION
CLERK

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: 9/21/2004
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1

Concise explanation, justification or comments (attach additional sheet if necessary):

In the attached letter, Mr. Hedrick states that he did not receive the recommendation until July 29th, and that it would be impossible for him to make arrangements to be at the Agenda Conference on such short notice.

Signature (Technical Staff): John Peterson

Signature (Legal Staff): Adrienne J.

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Initials: MAS

Comments:

Initials (Division Director or Designee): John Peterson
Initials (General Counsel or Designee): DES

Approve Request Deny Request

Date: 8/2/04

CHAIRMAN's OFFICE:

Initials: BB

Approve Request Deny Request

Date: 8/2/04

Executive Suite will send the original to the Division of Commission Clerk & Administrative Services and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

08355 AUG-2 3

Fax

To: Adrienne Vining, Esq.

From: Michael R. Hedrick

Fax: 850-413-7180

Pages: 3 Including Cover

Phone: 850-413-6183

Date: 7/30/04

Re: Docket No. 040543-EI

CC: File

2 Page letter attached.

Michael R. Hedrick
2011 N. 57th Terrace
Hollywood, FL 33021

July 30, 2004

Adrienne Vining
Senior Attorney
Office of the General Counsel
State of Florida – PSC
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

**RE: Hedrick/Florida Power & Light Co.
Docket No. 040543-EI**

Dear Ms. Vining:

On July 29, 2004 I received via U.S. Mail, a copy of a memorandum issued in the above referenced matter.

First, please be advised that this is the first and only time I have ever received any type of documentation from the Commission, other than correspondence, that contained any details regarding this matter, as provided to the Commission by Florida Power & Light Co. ("FPL")

I note with great concern that the report is severely lacking in detail. Most importantly, none of the information that was requested by, and provided to the Commission's assigned investigator (Ms. Raspberry?) was included in this report. In fact, FPL notified me that they had made a request to the Commission for a copy of the extensive documentation that I sent to your investigator, and was told that it did not exist. I know your investigator did indeed receive the documentation, because she called me to discuss it upon receipt more than ten months ago.

Also of concern is that the crux of this report, is based solely on the information that was provided to the commission by FPL. Much of the information provided is erroneous and in fact, incorrect. FPL has misstated the actual consumption figures to the Commission. Either that, or FPL sent an entirely different set of figures to me. Since the commission never provided me with any type of reports received from FPL as promised by the commission, I was unable to raise the issue of incorrect data sooner.

Also missing in this report, is the fact that FPL was challenged on the accuracy of their meter testing, in that I made requests to have the meters independently tested which was my right, requests that were denied by FPL. I made repeated demands to FPL to re-perform their double meter testing which they also refused. Then, in late March or early April of this year, FPL again placed a secondary monitoring meter on my home to record consumption. This test lasted three and one half months. The data from that testing was also never provided to me, nor, I assume, was it provided to the commission as if it were provided, it would have called into serious question FPL's assertions made after their first test.

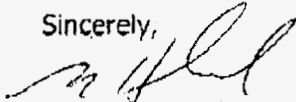
I still assert that FPL's testing was flawed, that mistakes were made which FPL does not want to admit since even though flawed, the testing is in their favor.

For the reasons stated herein, the fact that data reported to the commission in order to persuade it to generate a finding in favor of FPL, and the fact that FPL has withheld data from a second testing not only from the commission but from me as well, *I request that the Commission hold it's August 3, 2004 Proposed Agency Action meeting regarding this docket in abeyance until all documentation can be requested by the commission and evaluated on it's merit and relevance to this matter.*

It is regretful that the commission has given me but 2 business/4 calendar days to re-arrange my highly sensitive work schedule to make attempts to attend this meeting. It would be impossible for me to make arrangements on such short notice, and I take exception to the fact that the commission waited until the last possible moment to inform me of this meeting.

Your prompt response to my request will be greatly appreciated.

Sincerely,



Michael R. Hedrick

CC: File