

Dorothy Menasco

From: sallijo freeman [sallijo@gmail.com]
Sent: Monday, March 17, 2008 4:02 PM
To: Filings@psc.state.fl.us
Subject: filing-Freeman vs Florida Power and Light
Attachments: FPL-Psc filing-motion.doc

hope that this is the correction that is needed for the filing.

Thank you

--
Ms. S. Freeman

3/17/2008

DOCUMENT NUMBER-DATE

01979 MAR 17 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of)
Sallijo A. freeman Against)
Florida Power & Light Company)
For Violation of Rule 25-6.105)

Docket No. 080039-E1

Filed: February 20, 2008

Filed: March 17, 2008

AMENDED OPPOSITION TO MOTION TO DISMISS
AMENDED MOTION TO BE PRESENT AT HEARING SET FOR APRIL 8, 2008
AMENDED MOTION TO PRESENT EVIDENCE AT THE
HEARING OF APRIL 8, 2006

Pursuant to Rule 28-106.103, The computation of time allows the complainant to respond to the Motion to Dismiss filed by the Defendant, Florida Power & Light. According to the rule, the Complainant, Ms. Freeman is complainant with the rule to file a response in opposition to the motion for dismissal by FPL.

Ms. Freeman is executing her right according to the Administrative Rules.

1. The violation of the rule 25-6.105 is based on facts as outlined by the document prepared and executed by the Florida Public Service Commission agreed to by both parties, Florida Power & Light and Ms. Sallijo A. Freeman.
2. The Plaintiff, Ms. Freeman question of law is based on facts that will be presented at the hearing April 8, 2008, to the Commission.
3. Ms. Freeman has the telephone log, dates of the conversations with FPL and The Public Service Commission stating the any disconnection could not occur without a five day written notice.
4. The telephone conversations that were referred to in the Motion of the Defendant, FPL were taken out of context. Ms. Freeman has the notes of conversations with FPL. Ms. Freeman will file a separate motion for production of the notes/conversations and the names of the persons that FPL has outlined in their motion to dismiss. FPL took the words that were useful for the purpose of the motion without any basis on facts and actual dates of the supposed conversations. The acknowledgement of the notices admission to staff by Ms. Freeman is heresy and has not been validated. No signed sworn affidavits were attached to the motion. No statements of dates and times regarding the five day notice prior to the cut off on October 25, 2007.
5. The fact was that "no notice" was given, by mail, telephone, email, or fax by FPL five days prior to the disconnection.

The agreement made by both parties was a five day notice if the amount was over

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FLORIDA PUBLIC SERVICE COMMISSION

- 1600.00. The fact is the amount was below the threshold set by the PSC.
6. FPL refused the payment offered by the Plaintiff, Ms. Freeman, FPL has refused to negotiate or discuss the bill with the Plaintiff, Ms. Freeman. The response was and is FPL is right and that is it.
 7. The violation of rule 25-6.105 can be proved and substantiated by the facts, which can be presented at the hearing of April 8, 2008.
 8. The Administrative rule did not stipulate that the evidence had to be attached to the initial filing in December, 2007.
 9. Ms. Freeman has been without power since October 25, 2007. As of February 25, 2008. It has been five months without the ability to cook, refrigeration, heat, hot water to maintain cleanliness, the infestation of mold and mildew has made the house uninhabitable, Ms. Freeman does not have anywhere to go. Ms. Freeman has had to tolerate the deplorable unsafe conditions due to the loss of power. Ms. Freeman will present the letter sent by FPL that states that the "run away bills were due to the faulty air conditioner and installation." Ms. Freeman has a photographic diary of the damages caused by the air conditioner and a study done by a licensed lab regarding the unsafe air quality and mold.
 10. Ms. Freeman has the notes from 2005, 2006, 2007 regarding the phone calls made to FPL after receipt of the first bill and the person that FPL had sent out to investigate.
 11. Ms. Freeman did not receive the notice in compliance with the rules of the Florida Rules of Administration.

CONCLUSION

The complaint filed by Ms. Freeman is based on facts, not supposition. Ms. Freeman has been victimized repeatedly by the retaliatory methods of Florida Power & Light Corporation.

Florida Power and light is a corporation and should be treated as a viable profit oriented business. Being a utility does not make it immune from the standard business practices and the laws that govern them. A utility corporation should be held to a higher standard especially when a persons life is at stake.

Ms. Freeman will present evidence regarding the practices of FPL that resulted in the deaths of one man that was on an oxygen machine and the latest event regarding a mother and her two children that were just trying to keep warm during a unseasonable cold snap. Ms Freeman will search for evidence that FPL listing of substandard contractors on their web site and as part of the rebate programs. The use of subcontractors in certain areas for cut off notices and for other miscellaneous jobs that affect the general public-customers of FPL.

Wherefore, the Complainant/Plaintiff, Ms. Freeman respectfully requests that the Commission allows Ms. Freeman is to present her evidence at the hearing scheduled for

the 8th of April 2008.

Wherefore, Ms. Freeman hereby requests that the hearing continues as scheduled for the 8th of April 2008.

Wherefore, Ms. Freeman hereby requests that an investigation is ordered by the Commission regarding the practices of Florida Power & Light to commence immediately according to the Florida Administrative Rules.

Ms. Freeman is positive that the information, documentation will prove the violations committed by Florida Power and Light and that Ms. Freeman will prevail.

Thank you

s/ Ms. Sallijo A. Freeman

1830 S. Park Ave
Titusville, Fl 32780

Date: February 25, 2008

CERTIFICATE OF SERVICE

I, Sallijo A. Freeman do hereby certify that a true and current copy of the foregoing has been furnished electronically this day of February 25, 2008 and by fax on the 26th of February, 2008.

s/ Ms. Sallijo A. Freeman
1830 S. Park Ave.
Titusville, Fl 32780

Date: February 25, 2008

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