

Diamond Williams

090551-GU

From: Ansley Watson, JR. [AW@macfar.com]
Sent: Friday, June 18, 2010 10:03 AM
To: Filings@psc.state.fl.us
Cc: usconstruction@aol.com; Ralph Jaeger; Floyd, Kandi M.; Lewis, Velma A.; Brown, Paula K.
Subject: Docket No. 090551-GU
Attachments: 090551 - PGS Answers to Staff 1st Data Requests.pdf

- a. Ansley Watson, Jr.
 Macfarlane Ferguson & McMullen
 P. O. Box 1531
 Tampa, Florida 33601
 Phone: (813) 273-4321
 Fax: (813) 273-4396
 E-mail: aw@macfar.com
- b. Docket No. 090551-GU – Complaint by Gregory L. Spatz against Peoples Gas System for allegedly turning off service without notice
- c. Peoples Gas System
- d. Total of 12 pages
- e. The attached document is Peoples' Answers to Staff's First Data Requests (Nos. 1-10).

Ansley Watson, Jr.
 Macfarlane Ferguson & McMullen
 One Tampa City Center
 P.O. Box 1531 Tampa, FL 33601
 201 N. Franklin Street Suite 2000
 Tampa, FL 33602
 Main: (813)273-4200
 Direct: (813)273-4321
 Mobile: (813)695-5900
 Fax: (813)273-4396
aw@macfar.com
 V Card ♦ Bio

Please visit www.mfmlegal.com for more information about our Firm



This electronic message transmission contains information from the law firm of Macfarlane Ferguson & McMullen and is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone at (813) 273-4200 or electronic mail (info@mfmlegal.com). Thank you

IRS Circular 230 Disclosure: Any tax advice in this communication is not intended or written by Macfarlane Ferguson & McMullen to be used, and cannot be used, by a client or any other person or entity for the purpose of (I) avoiding penalties that may be imposed under the Internal Revenue Code or (II) promoting, marketing or recommending to another party any transaction or other matter addressed herein.

DOCUMENT NUMBER DATE

05084 JUN 18 2010

FPSC-COMPARISON SECTION CLERK

6/18/2010

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Gregory L. Spatz)
against Peoples Gas System for)
allegedly turning off service without)
notice.)
_____)

Docket No. 090551-GU

Submitted for filing:
6-18-10

**ANSWERS TO STAFF'S
FIRST DATA REQUESTS TO
PEOPLES GAS SYSTEM (Nos. 1-10)**

COMMUNICATIONS SECTION

5084 JUN 18 2010

FPSC-COMMISSION CLERK

1. In regards to this complaint, when did Peoples shut off service to Mr. Gregory L. Spatz' account (US Construction)?
 - A. Peoples' records indicate that gas service for Mr. Spatz's premise was shut off for Account A at 9:37 a.m. on 6/30/09.

For purposes of responding to these data requests, Peoples will refer to the customer's prior account as Account A and the new (current) account as Account B.

2. Why did Peoples terminate service to this account?
 - A. Peoples terminated service to Account A for failure to pay May 2009 billing in the amount of \$58.07.

3. When, and to whom, did Peoples provide notice concerning the termination of service for this account?
- A. The required Final Notice for Account A was mailed to Mr. Spatz on 6/15/09 specifying a termination date for natural gas service on 6/23/09. Additionally, the company left a door hanger at the customer's premise on 6/24/09 providing Mr. Spatz an additional 48 hours to make payment.

On 6/26/09 Mr. Spatz contacted the company by telephone making arrangement to make payment on that day. No payment was received on the promised date (6/26/09). Therefore, service was disconnected at the premise the following working day (6/30/09).

4. If notice was not provided, why did Peoples think notice was not required?
 - A. Notice was provided. See response to Data Request No. 3.

5. When was service restored to this account?
- A. The company did not receive a request to restore service for Account A. Gas service was reinstated at the location on 9/24/09 as a result of a call from Mr. Spatz on 9/23/09 in which he requested reestablishment of gas service at the address. However Account A was already in "final" status. In these instances, Peoples issues a new account number (Account B).

6. Based on this discontinuance of service, what charges did Mr. Spatz or his construction company incur to have services restored?
 - A. On 9/23/09, Mr. Spatz contacted Peoples to request gas service resulting in the establishment of Account B. Therefore, a charge of \$50 was initiated (residential turn on fee) to the new account (Account B).

PEOPLES GAS SYSTEM
DOCKET NO. 090551-GU
STAFF'S FIRST DATA REQUEST
REQUEST NO. 7
PAGE 1 OF 1
FILED: JUNE 18, 2010

7. Was there an existing deposit on file for this account? Was a new or additional deposit required for reconnection?

A. There was no deposit on record for the prior account (Account A). This account was established in 1997 with an initial deposit requirement of \$65. Due to established good pay history the deposit was applied as a credit to the account in 1999 in accordance with Peoples' tariff 5.301-2 (f)(1).

When Mr. Spatz reestablished the new account (Account B) on 9/23/09, the deposit requirement was calculated in the amount of \$295. This calculation is based on securing two times the average actual charges for Gas Service at the premise per Peoples' tariff Section 5.301-1(c).

8. Was a reconnect fee assessed?
- A. See response to Data Request No. 6.

9. If charges were assessed, how were they computed? What tariffs were used?
- A. When Account B was established at Mr. Spatz' request, a turn-on charge of \$50 was charged according to Peoples tariff Section 5.101(D). In addition, a deposit of \$295 was also required. The deposit calculation is based on securing two times the average actual charges for Gas Service at the premise according to Peoples' tariff Section 5.301-1(c).

10. Was the reconnection charge (\$50) credited back to Mr. Spatz' account?
- A. A reconnection charge was not issued to Account A; however a \$50 turn-on charge was assessed to Mr. Spatz's new account (Account B) as described in response to Data Request No. 9. Peoples issued a credit in the amount of \$50 for the turn-on charge to Account B on 6/8/10.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Peoples Gas System's Answers to Staff's First Data Requests to Peoples Gas System (Nos. 1-10) has been furnished this 18th day of June, 2010, electronically and by regular mail to Ralph R. Jaeger, Esquire, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and Gregory L. Spatz, 2785 SE 11th Street, Pompano Beach, Florida 33062.



Ansley Watson, Jr.
Macfarlane Ferguson & McMullen
P. O. Box 1531
Tampa, Florida 33601-1531
(813) 273-4321
aw@macfar.com

Attorneys for Peoples Gas System