October 12,2012

## Edward MeDonald

7203 N. 41st St. Tampa, FL 33604
(813) 374-3837

COMPLAINANT
-and-

Tampa Electric Company
P.O. Box 111

Tampa, FL 33601
(813) 223-0800.

COMPANY

## rutice of filing complaint

November 13, 2012

## TO: ANN COLE COMMISSION CLERK

THE ATTACHED COMPLAINT IS TO BE ASSIGNED A COMPLAINT NUMBER WITHIN 24 HOURS OF RECEIPT BY THE FPSC.
IT IS NOT TO BE FILED IN DOCKET 110305 . EI.THAT DOCKET IS CLOSED. The issues in this complaint occurred AFTER DOCKET \#110305-EI was closed. There are no pending motions for leave to reopen the cited Docket.

THIS COMPLAINT SHOULD BE ASSIGNED TO THE OFFICE OF CONSUMER ASSISTANCE AND OUTREACH and Tampa Electric Co required to respond pursuant to Consumer Complaint Rule 25-22.032

Edward McDonald
7203 N. 41st St.
Tampa, F1 33604-2425
(813) 374-3837

A COMPLAINT
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
October 12,2012
Certified Mail Receipt \#7011 $2970000194976876 \mid$;
Edward MeDonald
7203 N. 41 st St.
Tampa, FL 33604
(813) 374-3837

COMPLAINANT

Tampa Electric Company
P.O. Box 111

Tampa, FL. 33601
(813) 223-0800,

COMPANY


FINAL NÖTICE

02610231564<br>MCDONALD EOWARD<br>720341 STN TAMPA FL 33604-2425

402492
Total Amoumt Due $\mathbf{\$ 1 , 4 9 9 . 6 1}$

## Statement Date

Sep 27, 2012

To avoid having your electric service interrupted, full payment of $\mathbf{\$ 1 , 4 9 9 . 6 1}$ is due by October 08, 2012. This balance is not eligible for a payment arrangement to extend the due date you have aiready paid this balance, thank you.

If payment is not received, your service will be scheduled for interruption. A reconnect fee of $\$ 50.00$ or $\$ 140.00$ will be billed to your account depending on which method was used to interrupt your service.

You can pay your final notice bill online at tampaelectric.com. If you pay at a payment agent, please allow three business days for the payment to post.

Payments received may be applied to any unpaid deposit billing due on this account. Please note, the due date on any new bill you receive will not extend this final notice amount or due date.

DISCONTINUANCE AND INTERRUPTION OF SERVICE BY UTILITY (F.A.C. RULE 25-6.005)
RHE FOLLOWING FLORIDA ADMINISTRATIVE CODE RULES WERE VIOLATED BY THE COMPANY'S ACTIONS THAT FOLLOW EACH CITATION. THE COMPLAINANT IS PROVIDING THE COMPANY WITH A COPY.

ON OCTOBER 10, 2012 MY SERVICE NAS INTERRUPTED FOR NON-PAYMENT.
I WAS NOT GIVEN 5 WORKING DAYS WRITTEN NOTICE AS REQUIRED BY: F.A.C. 25-6.105; This complaint is filed pursuant to that rule.
F.A.C. 25-6. 100 The bill he was given (top of page) does not meet the standards in (2) \& (9) of the cited rule
F.A.C. 25-6.094 was ignored by the company in not responding to exhibit $1 /$ Bill of Sep 06, 2012
F.A.C. 25-6.100 was violated by the company's inter ruption of service without a bill that complies with (9) of the rule because the amount listed for restoration of service is INACCURATH(see $b$ at top of page.) $c^{\circ} d \operatorname{lin} \operatorname{losit}-10$



## Fuel sources we

 use to serve you For the 12 month period ending June 2012, the percentage of fuel type used by Tampa Electric to provide electricity to its customers was:Oil 8 Gas. $\qquad$ $.39 \%$
Coal...........................55\%
Purchased Power.....6\% Tampa Electric provides this information to our customers on a quarterly basis.

## August Billing Information:

| MCDONALD EDWARD | Account Number | Statement Date |
| :--- | :--- | :--- |
| 720341 ST N | 02610231564 | Aug 03, 2012 |
| TAMPA FL 33604-2425 |  |  |


| Meter Number | Current Reading | Previous Reading |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: |
| B73904 | 62103 | 60213 | 1890 | 1 | Multi. |
|  | 62 day period |  |  |  |  |



Via certified Mail \# 701204700002 1606•2235-8/23/12
TRANSFER FUND 3 TO PAY CURRENT MONTHLY CHARGES
TRANSFER $\$ 239,92$ INCORRECTLY USED TO PAY CHARGES IN A COLLECTION ACCOUNT \#5919-021103-1 TO PAY CURRENT MONTHLY CHARGES OF $\$ 239.92$ on the account above.
(1) Transfer of deposit funds to pay $\therefore$ before FPSC at the time the transfer was made is a violation of FPSC Rules and the Florida Administrative code.
(2) It is unlawful to charge a consumer for the costs of a criminal investigation of allegations that were determined by a court of Law to be UNEOUNDED. (attached)
(3) Provide a copy of "TEC Case \# 05-0176".


Mail Payment To:
P.O. Box 31318

Tampa, FL 33631-3318

1071-11507 11507-1C47

MCDONALD EDWARD
7203 N 41ST ST
TAMPA FL 33604-2425


On June 6, 2011 I received a 3 page summary of Acct. \#1501-0000-3 \& 4 . Excerpted below is page 3. 7 credit amounts of $\$ 500.00$ are 1 isted and 7 Returned Payment Fees of $\$ 40.00$ are 1 isted. I HAVE A COPY OF BANK RECORD SHONING THERE WERE ADEQUATE FUNDS TO COVER EACH OF THE 7 PAYMENTS! My authority to access funds of Lillie McDonald is PUBLIC RECORD. (Lillie McDonald is OWNER of 4010 Pocahontas in Joint Tenancy with Edward McDonal. EKPLAIN AND DOCUAENT TECO ${ }^{\circ}$ S ACTION BELOH.

## Edward McDonald



Edward G. McDonald
4010 Pocahontas Av E., Tampa, FI. 33610
26-May-11

1501-000031-3 and 4 F.A.C. RULE 25-6.105(6)(g) prohibits the $7 \$ 40$ charges. CUSTOMER OWED-\$280.00

| $\begin{aligned} & \text { Date } \\ & 12120 / 04 \end{aligned}$ | Readina | - kWh | Billed Amount | Fees | Credit Amount | $\frac{T_{n+91}}{(\$ 3,089.45)}$ | Comments correcting 11/177040iling |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 12/20/04 | 5869 | 956 | \$123.31 |  |  | (\$2,966.14) |  |
| 12/20/04 |  |  | \$111.60 |  |  | (\$2,854.54) | Adjusted bill 11/17/04 |
| 01/19/05 | 6847 | 978 | \$124.31 |  |  | (\$2,730.24) |  |
| 01/20/05 |  |  |  |  | \$500.00 | (\$2,230.23) | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | (\$2,190.23) | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | (\$1,690.23) | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | (\$1,650.23) | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | (\$1,150.23) | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | (\$1,110.23) | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | (\$610.23) | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | (\$570.23) | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | (\$70.23) | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | (\$30.23) | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | \$469.77 | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | \$509.77 | Returned Payment Fee |
| 01/20/05 |  |  |  |  | \$500.00 | \$1,009.77 | Returned Payment |
| 01/20/05 |  |  |  | \$40.00 |  | \$1,049.77 | Returned Payment Fee |
| 01/24/05 |  |  |  | \$8.26 |  | \$1,058.03 | Late fee |
| 02/04/05 |  |  |  |  | (\$225.00) | \$833.03 | Payment |
| 02/08/05 |  |  |  |  | \$225.00 | \$1,058.03 | Returned Payment |
| 02/08/05 |  |  |  | \$30.00 |  | \$1,088.03 | Returned Payment Fee |
| $02101 / 05$ |  |  | \$717 |  |  | \$1,095.20 | Acct Closed disconnection of servic |
|  |  |  |  |  |  | - |  |
|  |  |  | ACCOUNTS | CLOSIN | D DATES ${ }^{\text {bala }}$ |  |  |
|  |  |  | 1501-000031-4 | July 27, | 04 $\$ 9.15 .9$ |  |  |
|  |  |  | 1501-000031-5 | February 1, 2005 |  |  |  |

As seen above, the $\$ 1,095.20$ represents the balance on a separate account, and this is the amount that was paid by Mr. McDonald.

1. Provide a DETAILED BILLING for $\$ 915.94$ \& $\$ 307.49$.
:2. Bankruptcy Court Records show TECO never filed a

## TECO.

 claim as a creditor. Service at 4010 E. Pocahont disconnected on January 21, 2005 (FPSC Complaint \#648071E) $=90$ days before a bankruptcy filing and AFTER all bills from Pocahontas were transfered to 7203 N . 40th St. and PAID! TECO'S PROFFER OF DELAYED BILLING FOR 6-7 YEARS DUE TO BANKRUPTCY COURT PROCEEDINGS IS DISINGENUOUS! (Emphasis).
May 25, 2011
3. TPD Case \# 05-900246 is a COMPLAINT! NONE OF THE ALLEGATIONS WERE SUBSTANTIATED and NO CHARGES WERE

Mr. Edward McDonald 720341 St N
Tampa, FL 33604
Dear Mr. McDonald,
4. The "current diversion was dismissed. TECO OWES ME $\$ 5,000.00$ FOR THE COST OF DEFENDING MYSELF AGAINST TECO'S FALSE ALLEGATIONS OF CRIMINAL ACTS AGAINST THE COMPANY.

## Re: 4010 Pocahontas $\mathbf{A} \dot{v} E$

We are writing you today, in an effort to provide clarification regarding the above mentioned account, as per your request. In reviewing our records, we have determined the following:

- The disputed bill of $\$ 915.94$ represents usage solely from 4010 Pocahontas AvE.
- Records indicate TEC received several bankruptcy filings for yourself:

Case\# 05-7483 filed 4/19/2005 was dismissed 5/5/05
Case\# 05-11534 filed 6/8/2005 was dismissed 6/27/05
Case\# 05-15311 filed 8/3/05 was dismissed 12/7/05

- Records reflect you were charged with current diversion TEC Case\# 05-0176 in 2005 maybe, this is why you feel you were previously made payment?
- The payment amount of $\$ 3,500$ mentioned in faxed documentation, you provided, in your current complaint was returned as Bank of America reversed payment due to funds being accessed fraudulently (TPD Case\#05-900246).

Tampa Electric delayed approaching you with the debt due to the bankruptcy filings. We have since verified all the above bankruptcy cases have now been dismissed. Please let us know if your records reflect otherwise. Additionally, our records reflect an outstanding balance of $\$ 307.49$ from the current diversion court case in 2005. A copy of the disputed bill is enclosed. We hope that this information, clarifies why Tampa Electric is holding you responsible for this debt. We are willing to make payment arrangements on the outstanding amounts. Please do not hesitate to contact me, should you have any additional questions regarding this debt or payment arrangements. I can be reached at 813-275-3952.

Sincerely,


Ms. Drummond
Corporate Credit

Mr. Edward McDonald
Complaint Number 10067675
July 25,2011
Page 5 of 7

- The charges for the current diversion found on February 1, 2005 , included $\$ 27.05$ in usage charges and $\$ 280.44$ in investigation/tampering charges, for a total amount of $\$ 307.49$. This amount was placed in account number 5919-021103-1, created for collection, and was billed separately. The first billing statement of this account was issued on March 1, 2005.

Note: Upon research of this complaint, a deposit in the amount of $\$ 215.00$ that was paid on July 9, 2004, was discovered under your name. TECO calculated the deposit's annual interest earnings at $\$ 12.90$ ( $\$ 215.00$ deposit $\times 6$ percent annual interest $=\$ 12.90$ annual deposit interest). For the seven year period of July 2004 to July 2011, the $\$ 215.00$ deposit yielded interest eamings totaling $\$ 90.30$ ( 7 years $\mathrm{x} \$ 12.90$ annual interest earnings $=\$ 90.30$ ). The

Mr . Edward McDonald
Complaint Number 1006767E
July 26, 2011
Page 6 of 7
$\$ 215.00$ deposit and the $\$ 90.30$ seven-year interest earnings were applied towards the $\$ 307.49$ debt, which yielded a remaining balance of $\$ 2.19(\$ 307.49 \mathrm{debt}-\$ 215.00$ deposit $-\$ 90.30$ interest earnings $=\$ 2.19$ remaining balance). TECO issued a credit adjustment for the remaining $\$ 2.19$ balance on July 6,2011 , which reflected a zero balance for account number 5919-021103-1.

PORT: Charg

| Full Name: MCDONALD, EDWARD G | Case Id: $05-$ CM-002945 | UCN: 292005MM002945D001TA |  |
| :--- | :--- | :--- | :--- |
| ID: 000122988 |  | Case Created: 02/01/2005 | Case Status: Closed - 05/12/2005 |
| SOID No: 00327095 | Party: D001 | C |  |
|  | Party Status: Closed $-05 / 12 / 2005$ | Case Type Misdemeanor |  |

## Arrest Information



## No Active Bonds

## Current Charges

Offense Date Count Charge Code GOC 01/27/2005

181214 2B -THEF6000
Plea Date Plea 03/07/2005 NOT GUILTY PLEA

Charge Description TRESPASS AND LARCENY WITH RELATION TO UTILITY

Disposition Date Disposition 05/12/2005 NOLLE PROSSED

Level/Degree
MISDEMEANOR FIRST DEGREE


To ensure prompt credit, please return stub portion of this bill with your payment. Make check payable to Tampa Electnc

TECP

Account No 02610231564

Past due Amount $\$ 1,518.85$
Paynow to avoid disconnection

Now Charges $\$ 227.82$
Payable by Oct 25
Total Bill Amount $\$ 1,746.67$

Mail Payment To:
P.O. Box 31318

Tampa, FL 33631-3318

5271-11493 11493-1843


Edward McDonald
7203 N. 41 st St.
Tampa, FL 33604
(813) 374-3837

PETITITIONER
-and-
DOCKET NO. 110305-E1

Tampa Electric Company P.O. Box 111

Tampa, FL 33601
(813) 223-0800.

REPLY TO OCTOBER 22, 2012 RESPONSE EY TECO TO OCTOBER 12, 2012 COMPLAINT

1. The October 12, 2012 complaint recorded on October 16, 2012, SHOULD BE SEVERED FROM DOCKET \# 110305-E1 and treated as a NEW CONSUMER COMPLAINT filed pursuant to F.A.C. Rule 25-6.105 and assigned a complaint \# for investigation by the Office of Consumer Assistance and outreach. TECO HAS BEEN ASSIGNED/PROVIDED A COPY OF THE COMPLAINT.

Docket \# 110305-E1 involves billing/refund disputes from 2004-2005. The October 12, 2012 complaint alleges impermissible conduct by TECO in October 2012. THE PROBATIVE FACTS IN THE DOCKET CITED AND THE COMPLAINT FILED ARE NOT MUTUALLY EXCLUSIVE! (emphasis)
2. TECO should provide a copy of "written notification at least 5 business days prior to termination". Note: the service was disconnected BEFORE I was provided a peculiar verbal explanation! I asked that the service remain on because I am a diabetic. THEY REFUSED!!
3. At the time of disconnection, complainant should have had $\$ 111.58$ credited to his account; with current charges of $\$ 227.82-\$ 116.24$ is due on October 25, 2012, which complainant will pay. Billings for September 6, 2012 and October 4, 2012 are appended for reference.

GERTIFICATE OF SERVICE
Copies by U.S. Mail 10/25/12 to: J.D. Beasley, P.O. Box 391, Tallahassee, FL 32302 \& Pauline Robinson, Staff Counsel, 2540 Shumard Oak Blvd.
Tallahassee, FL32399-0840.

RETURN CHECK NOTICE

02610231564
MCDONALD EDWARD
720341 ST N
TAMPA FL 33604-2425

050080
Statement Date
Nov 6, 2012

Return Check Ant. $\$ 583.67$
Return Check Fee $\$ 40.00$
Reason given by financial institution: SIGNATURE.
Please submit payment in the form of cash, money order, certified check or credit card by November 15, 2012 to avoid interruption of service. If you pay at a payment agent, please allow three business days for the payment to post.

If payment is not received, your service will be scheduled for interruption. A reconnect fee of $\$ 50.00$ or $\$ 140.00$ will be billed to your account depending on which method was used to interrupt your service.

Should your bank return another check to Tampa Electric unpaid, we will no longer accept checks on this account.

Please note, the due date on this notice does not change or extend any other Tampa Electric bill or notice due date.


Postage Required.
Post Office will not deliver without proper postage.

$$
\begin{aligned}
& \text { Received } \\
& 11-9-12
\end{aligned}
$$

$$
11-13-1.5
$$

provide a copy of the Bill t notice of
Interruption That comply with F.A.C, 25-6.105 and F.A.c, 25-6.100, payment was not returned but stopped because (1) I didn't owe $\$ 1583.67$ and (8) I don't

# Stop Payment Order v 1.02 

For Check and ACH Debits ONLY
NOT ELGIBLE FOR STOP PAYMENTS: CHECK CARD, CREDIT CARD OR POS CHECK TRANSACTIONS. (DO NOT ALTER THS FORM: YOU MUST CONTACT THE CREDIT UNON WITH ANY CHANGES MADE TO THIS FORM.) ********************t***************************************************************************************)

| Name: MCDONALDEDWARD G | Acct. Number- Suffix. |  |  |
| :---: | :---: | :---: | :---: |
| Please Now: $\$ 29.00$ Senice Fee will be Charged $\mp$ | System Tracer: | 145242 | (System Generated) |
| Submitted from MCC $\quad \square$ | Teiephone Number : | 8133743837 | (Daytime) |

Draft Number: 1836 thru 1836 (ff Consecutive)

Amount of Draft: $\$ 583.67$
(ForACH dabils, all amounts uill be stopped intess nated otherkise belowi)

Made Payable To (Company): tampe electric company
Member: Handed check to company
Reasons for placing stop payment order on Recurring ACH Debits (check box that applies):
$\Gamma$ Never Authorized
$\Gamma$ Authorzation Revoked*
*The account holder must also contact the Company named above to revoke the authorization in the matter specified in the original authorization. This stop payment order does not act as a revocation.

Flease stop payment on the draftdebit described above, unless you have already paid, certified, or accepted it. I unders tand that this stop payment order will remain in effect for a) sbx months from the date show in betow; b) until w riften notice is received from me to cancel the stop payment order; or, c) until payment of the entry has been stopped, whichever occurs first. For Recurring ACH Debits, this stop payment order is effective for a one-tme stop payment only, unlass reason "Never Authorized" or "Authorization Revoked" is marked; then the stop payment $w$ ill remain in effect for sbx months from the date show $n$ below. I understand to delete this stop payment I must contact the Credit Union for a detetion formw hich requires my signature.

I undarstand that it is necessary to provide the correct information (such as draft number, amount and company name). The Credth Union will not be held liable for payment of a draftdebit contrary to this request. If payment is caused by Credit Union's negligence and causes loss to me. the Credit Union's liablity shall not exceed the amount of the draft/debit. I agree to reimburse the Credit Union for any loss it sustans in honoring this stop payment request.

I understand that the Stop Payment Order must be received in time 10 give the Credit Union reasonabie time to act upon It. I understand and agree that the Credit Union will in no w ay be liable if the dralt/debit referred to hereon is paid on the sarre date as this request

$11-13-14$
Please
provide
a copy
of billings
That comply
with:
F.A.C. 25-6. 105

FA.C.25-6.100
\& duad intoned


Do not mail your payment.
We have left your service on as a courtesy today. To avoid disconnection, your payment must be received by one of our payment agents by:
$\qquad$

A service charge of $\$ 20$ has been billed to your account.

Electric bill
Deposit
Arrangement
Return check
Other

\$ $\qquad$
$\$$ $\qquad$
$\$$ $\qquad$
\$ $\qquad$

Total amount due


Payment must be cash only.
You may pay by phone with a check or creditdebit card using Just Pay $1 t^{*}$. Please call 1-866-300-3069 (toll-free) or visit tampaelectric.com.
There is a $\$ 4.95$ convenience fee per $\$ 500$ transaction for this service

THC'
TAMPA ELECTRIC
Account No. 02610231564

Past due Amount $\mathbf{\$ 1 , 5 1 8 . 8 5}$ Pay now to avoid disconnection

New Charges \$227.82
Payable by Oct 25
Total Bill Amount $\$ 1,746.67$

Mail Payment To:
P.O. Box 31318

Tampa, FL 33631-3318

5271-11493 11493-1843

MCDONALD EDWARD
7203 N 41ST ST
TAMPA FL 33604-2425
$12990 \quad 0102610235640001746.67$

Edward G. McDonald
1837
7203 N. 41 st St.
Tampa, FL 33604
-oct 25,2012
$\xrightarrow{\text { and }}$ TE NO


TO: Laurie Evans, Supervisor Quality Assurance
TACO

## RE: Incorrect Billing

Insufficient Notice

By Telephone call RE: LAURIE EVANS, *eco acknowledges the BILLING IS INACCURATE and the FINAL NOTICE does not comply with F.A.C. Rule 25-6.105.

Ms Evans indicated she would provide CORRECTIONS IN WRITINEG


Edward McDonald
(813) $374=3837$
*

* 11/6/12:::3:57 p.m.

Copy
Pauline Robinson, STAFF COUNSEL FPSC
James Beastly, Esq.

Reference imposed hereon

## FINAL NOTICE

02610234564
MCDONALD EDWARD
720341 ST N
TAMPA FL $33604-2425$

402554
Total Amount Due \$1,193.00
Statement Date
Oct 26, 2012

To avoid having your electric service interrupted, full payment of $\$ 1,193.00$ is due by
November 06, 2012. This balance is not eligible for a payment arrangement to extend the due da If you have already paid this balance. thank you.

If payment is not received, your service will be scheduled for interruption. A reconnect fee of $\$ 50.1$ or $\$ 140.00$ will be billed to your account depending on which method was used to interrupt your service.

You can pay your final notice bill online at tampaelectric.com. If you pay at a payment agent, pl allow three business days for the payment to post.

Payments received may be applied to any unpaid deposit billing due on this account. Please note due date on any new bill you receive will not extend this final notice amount or due date.

TO: Laurie Evans, Supervisor
Quality Assurance
TECO
RE: Incorrect Billing
Insufficient Notice

By Telephone call RE: LAURIE EVANS, *Teco acknowledges the BILLING IS INACCURATE and the FINAL NOTICE does not comply with F.A.C. Rule 25-6.105.

Ms Evans indicated she would provide CORRECTIONS IN WRITINEG

(813) $374=3837$
*
11/6/12:::3:57 p.m.

Copy
Pauline Robinson, STAFF COUNSEL FPSC James Beasely, Esq.
 (toll-free) or visit tampaelectric.com.





ADDENDUM 11/7/12 (see on site NOTICE/Below/

1. Provide a billing that complies with F.A.C. RULE 25-6. 100
2 F.A.C. Rule 25-6.105(g) requires non-payment as a basis for interruption of service. TECO OWES ME \$3500)) PLUS INTEREST FROM 2004 Statementsalleging the $\$ 3500$ was recalled by the bank are FRAUDULENT! CHARGES OF $\$ 280$ for returned payments are FRAUDULENT. I HAVE BANK RECORDS FOR PROOF? CHARGES: OF $\$ 307$ current conversion are FRAUDULEN7 CIRCUIT COURT DISMISSED TECO ALLEGATIONS 3. COMPLAINT OF $10 / 12 / 12$ CANNOT BE PLACED ON DOCKET 110305 because that. Docket was CLOSED when the $10 / 12 / 12$ was filed!
