

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 20210136-EI

COMPLAINT BY RICHARD L.
DAVIS AGAINST FLORIDA POWER
& LIGHT COMPANY.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 4

COMMISSIONERS
PARTICIPATING: CHAIRMAN GARY F. CLARK
COMMISSIONER ART GRAHAM
COMMISSIONER ANDREW GILES FAY
COMMISSIONER MIKE LA ROSA
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Wednesday, September 8, 2021

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: ANDREA KOMARIDIS WRAY
Court Reporter and
Notary Public in and for
the State of Florida at Large

PREMIER REPORTING
112 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Next, Item No. 4, complaint
3 by Mr. Richard L. Davis. Ms. Stefanie-Jo Osborn
4 will introduce the item.

5 Ms. Osborn.

6 MS. OSBORN: Good morning, Commissioners.
7 Stefanie-Jo Osborn for staff.

8 Item 4 is staff's recommendation regarding
9 Mr. Davis' request for hearing on his complaint
10 against FPL. Staff recommends that the request for
11 hearing should be denied without prejudice because
12 it does not follow the requirements of a formal
13 complaint per Rule 25-22.036, Florida
14 Administrative Code.

15 Mr. Davis and a representative for the utility
16 are on the telephone and are available for
17 questions. Mr. Davis would also like to address
18 the Commission. Staff is available to answer
19 questions.

20 CHAIRMAN CLARK: Thank you very much,
21 Ms. Osborn.

22 Mr. Davis, are you on the line this morning?

23 MR. DAVIS: Yes, sir, I'm here.

24 CHAIRMAN CLARK: All right. Please -- could
25 you explain the problem for us, please.

1 MR. DAVIS: All right. Hi, guys. I -- I'm
2 coming to you guys as brothers and sisters to let
3 you know that I made a big mistake. I went by what
4 other people were showing me to apply for services.
5 And, by me turning on my utilities, due to the
6 Social Security number, it placed me as doing
7 interstate commerce, like, an ITN number.

8 And I'm -- I'm just a private man living
9 and -- and I've been hurting myself doing -- not
10 following up with this process. And I -- I notice
11 that, through my education, that FP&L had already
12 did receive payment through the public law and
13 through the commerce clause. And private people
14 not supposed to pay for power.

15 And I've just been trying -- trying my best to
16 get the notice to be heard because I know that
17 the -- the caseloads of the Commission -- they
18 rarely can expect [sic] 1 percent of the -- the
19 cases that come their way for the -- the accounts.
20 And we all going by Social Security numbers, so
21 they can't really see who -- who we are.

22 So, I be trying to let them know that I'm a
23 private person. I'm not doing interstate commerce.
24 I'm not on a federal -- federal employee, on
25 federal land. And I'm -- and I'm discovering that

1 these Federal Reserve notes are illegal for a
2 private man to the point where I couldn't get no
3 one to put in -- in writing that they want Federal
4 Reserve notes from me.

5 And it puts me in the position to where, if I
6 run out of those Federal Reserve notes, that I
7 could get punished as a -- because I'm -- I'm
8 classified as a federal employee for services that
9 I already paid for, through God and through faith,
10 through -- because 31- -- USC 30- -- 3123, we
11 all -- we all paid by faith, through Congress, as
12 legal tender. And UCC-1 -- I already paid for the
13 FP&L, already (unintelligible) to. Even if nobody
14 else does anything, they already paid.

15 So, I wasn't asking any questions. And the
16 basic thing is I'm just a private person on -- I'm
17 not doing interstate commerce, not on federal
18 lands. And I made a mistake using my Social
19 Security number to apply for services.

20 CHAIRMAN CLARK: All right. Thank you very
21 much, Mr. Davis.

22 Anyone on the line from FPL care to respond?

23 MR. LEE: Good morning, Commissioners. This
24 is David Lee for FP&L.

25 I think staff has succinctly summed it up in

1 their recommendation. Mr. Davis hasn't cited to
2 any Florida Statute, Florida Administrative Code,
3 or order of the Commission that the utility has
4 violated.

5 Like all of our customers, he has to pay his
6 bill. We ask that they pay their bill in American
7 U.S. dollars. We are under no obligation to go
8 chase those dollars down from the federal
9 government. It's his obligation to pay his bill
10 for the service that he's received.

11 And I'll answer any other questions, if the
12 Commission has any.

13 CHAIRMAN CLARK: All right. Thank you very
14 much, Mr. Lee.

15 Commissioners, do you have any questions of
16 any of the parties?

17 All right. I'll entertain a motion.

18 COMMISSIONER GRAHAM: Mr. Chairman, I move
19 staff recommendation on this issue -- on this item
20 and all issues.

21 COMMISSIONER FAY: Second.

22 CHAIRMAN CLARK: Motion and second to approve
23 staff recommendation on this item, all issues. Any
24 discussion?

25 On the motion, all in favor, say aye.

1 (Chorus of ayes.)

2 CHAIRMAN CLARK: Opposed?

3 Motion carries.

4 Thank you very much.

5 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS WRAY, Court Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 8th day of September, 2021.



ANDREA KOMARIDIS WRAY
NOTARY PUBLIC
COMMISSION #HH 089181
EXPIRES February 9, 2025