

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for a rate increase by Florida Power Corporation.) DOCKET NO. 910890-EI)
In Re: Complaint by Roy A. Day against GTE Florida Incorporated regarding alleged short ringing and other service problems.) DOCKET NO. 921249-TL)
In Re: Petition for order authorized a return on equity for investment in the SunShine Intrastate and the SunShine Interstate Pipelines by Florida Power Corporation.) DOCKET NO. 930281-EI) ORDER NO. PSC-93-0996-FOF-PU) ISSUED: 7/8/93)

ORDER DENYING AUTHORIZATION TO PROCEED WITH FILING AND IMPOSING FURTHER SANCTIONS

On December 17, 1992, the Commission issued Order No. PSC-92-1469-FOF-TL in Docket Nos. 920188-TL and 920939-TL, resolving motions filed by Roy A. Day. In that order, the Commission imposed several sanctions on Mr. Day, ordering Mr. Day to obtain permission from the Chairman prior to filing any pleading with the Commission:

GTEFL has asked the Commission to impose various sanctions on Mr. Day pursuant to Section 120.57(1)(b)5, Florida Statutes. In this regard, GTEFL asks that Mr. Day not be allowed to file pleadings without the prior authorization of the Commission. This is similar to the method which various courts have employed to deal with Mr. Day.

Upon review, we shall impose this sanction and require Mr. Day to obtain written authorization from the Chairman prior to filing any pleading with the Commission. To this end, when Mr. Day's filings are received, the Chairman will issue a procedural order either granting or denying authorization to Mr. Day to proceed with the pleading.

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Order No. PSC-92-1469-FOF-TL at 9. The order also states at page 10:

It is further . . . ORDERED that as a further sanction, Mr. Day shall be allowed to file no pleading with this Commission without the written authorization of the Chairman as set forth in the body of this Order.

We imposed sanctions on Mr. Day because his pleadings were consistently "filed for an improper purpose which is manifested by excessive persistence and obdurate resistance out of proportion with the issues before the Commission", and that they were "abusive and frivolous harangues which are intended solely to harass and which comport with virtually none of our procedural rules". Further, we determined that Mr. Day should be required to comply with the Commission's rules:

the normal latitude which we afford to individuals filing pro se is inappropriate in the context of Mr. Day's propensity for baseless and repetitious pleadings. Thus, all future filings by Mr. Day shall be required to comport with our rules and shall be served on all parties of the docket in which they are filed. Failure to comply with applicable Commission rules and orders shall result in summary denial of the pleadings.

Order No. PSC-92-1469-FOF-TL at 3.

Mr. Day was also warned that, should he persist in filing improper pleadings, a monetary sanction would be imposed pursuant to Section 120.57(1)(b)5, Florida Statutes. In the order, we struck Mr. Day's pleadings; ordered him to comply with applicable Commission rules and orders and to serve his pleadings on all parties to the applicable docket; and ordered that pleadings which do not comport with applicable Commission rules and orders would be denied on that basis.

Since we issued Order No. PSC-92-1469-FOF-TL, Mr. Day has attempted to file 16 motions, 2 affidavits, 1 petition and 1 supplemental pleading with the Commission. See Orders No. PSC-93-0242-PCO-EI, PSC-93-0242A-PCO-EI, PSC-93-0682-PCO-EI, PSC-93-0837-FOF-TL and PSC-93-0910-PCO-EI, which dispose of those filings, as well as Order No. PSC-93-0892-FOF-TL, in which the Commission

adopted a Recommended Order of Dismissal from a Division of Administrative Hearings hearing officer. Mr. Day has also frivolously appealed seven Commission orders to the Supreme Court of Florida, all of which were summarily dismissed.

Most recently, Mr. Day has attempted to file the following:

June 7, 1993 (by letter dated June 1, 1993)

No docket number:

Motion for the Legal Party to Intervene
Motion for a Full En Banc Commission Hearing
Motion for Emergency Ruling on June 4, 1993

June 14, 1993 (by letters dated June 7 and June 14, 1993)

Docket No. 910890-EI or undocketed case:

Petition and
Motion to Disqualify the Florida Public Service Commission
Motion to Intervene on Behalf of the Legal party

Docket No. 930281-EI:

Petition and
Motion to Disqualify the Florida Public Service Commission
Motion for Emergency Ruling on June 16, 1993
2nd Motion to Disqualify the Florida Public Service Commission
Motion to Hold action in Abeyance and Stay Proceedings
Motion to Reschedule the August 10, 1993 and August 26, 1993
Conferences
Motion For a Change of Venue for the Commission's Conference
Motion to Intervene on Behalf of the Legal Party

June 21, 1993 (by letter dated June 18, 1993)

Docket No. 921249-TL:

Motion to Disqualify the Florida Public Service Commission;
Motion to Vacate Order Number PSC-93-0892-FOF-TL;
Motion for Leave to Proceed on Appeal in Forma Pauperis;
Affidavit in Support of Motion to Proceed Forma Pauperis;
Second Affidavit (Affidavit Under Penalty of Perjury, Since
Appellant is a Pauper and Cannot Afford to Pay Another Notary)

June 28 and 30, 1993 (by letters dated June 25 and 30, 1993)

Letters demanding an emergency ruling on the above-mentioned documents and claiming the letters to be a quasi-contract that

will entitle Mr. Day to sanctions against the Commission in the amount of \$100,000 per day.

Copies of these pleadings are attached. These pleadings are just as objectionable as the others. They contain the same vituperative and libelous statements as the earlier pleadings, do not comport with the Commission's rules on practice and procedure, are libelous, and they are utterly without merit. I deny Mr. Day permission to file these documents in Docket Nos. 910890-EI, 921249-TL and 930281-EI.

Mr. Day has consistently ignored the terms of Order No. PSC-92-1469-FOF-TL. He has been repeatedly warned that the Florida Public Service Commission will not permit abusive, meritless pleadings to be filed in its administrative proceedings, and that further attempts to derail and delay the administrative process will not be tolerated. Nevertheless, Mr. Day has failed to moderate his behavior.

I intend to terminate Mr. Day's abuse of the administrative process. This Commission has spent an enormous amount of time and effort handling Mr. Day's pleadings, which are consistently abusive and meritless. I cannot justify wasting public resources by continuing to give serious review to Mr. Day's meritless filings. However, I do not wish to foreclose all opportunities for administrative review of a genuine grievance. Like the boy who cried "Wolf!", Mr. Day may someday have a valid complaint that merits our attention. With this in mind, I now impose the following sanctions upon Roy A. Day:

1. Effective immediately, the Commission will take no action in response to any communication received from Mr. Day. Any communications received from Mr. Day, either on his own behalf or on behalf of The Legal Party or any other person or group, will be maintained in accordance with our statutory record-keeping obligation only.
2. The Commission will respond only to communications on Mr. Day's behalf that are prepared and signed by a qualified Class A or Class B practitioner as defined by Rule 25-22.008, Florida Administrative Code. Such communications must comply with Chapter 25, Florida Administrative Code, as well as the Florida Rules of Civil Procedure.

These sanctions are consistent with the action taken in the recent case of Bierman v. Cook, ___ So.2d ___, (Fla. 2nd DCA, Case No. 92-03235, June 4, 1993). There, Bierman inundated the circuit and appellate court with numerous frivolous documents "replete with wide ranging conspiracy theories involving appellees and their attorney, the organized Bar, international bankers, and others". On appeal the court found that "no court is obligated to permit a litigant to take advantage of the court as the forum to express his personal criticism and castigation not only of his adversary but of opposing counsel, court staff, and judiciary". The court of appeal approved the circuit court's order which declined to hear any other matters in the case and held that in the event Bierman persisted in his abuses of the judicial system, the circuit court could consider additional sanctions. The court stated:

The majority of pro se litigants conduct themselves, if not always with the expertise of trained attorneys, respectfully, candidly, and with honest effort to abide by rules of procedure. Most, that is, but not all. If ill-advised, vexatious appeals were only a minor annoyance, we would accept them as an unavoidable aspect of a court system that must remain open to all citizens. However, as we stated in Eichelberger v. Brueckheimer, 613 So.2d 1372, 1373 (Fla. 2d DCA 1993):

This court, like all others in this country, operates with a finite number of judges and support staff, and under a finite amount of time. Each case competes with all others for a fair division of judicial resources. The simplest case exhausts taxpayer funds; such costs are seldom offset by filing fees which, in any event, are not assessed against indigents.

The court further held that legal and constitutional considerations should not inhibit a court from stepping in to prevent abusive nuisance litigation:

While pro se litigants may be given a certain amount of latitude in their proceedings, they may not proceed in such a fashion as to abuse

the judicial process, prejudicing the opposing party's interests as well as other litigants' access to the judicial system.

We note that Mr. Day has professed to be indigent. The Bierman court pointed out that assessment of attorney's fees may be meaningless when litigating with an indigent. Although Mr. Day's claim is dubious, I will not assess attorney's fees against him at this time. While attorney's fees may properly be assessed against an indigent filing a frivolous complaint (see, Sander v. Webb, 198 Ga. App. 419, 401 S.E. 2d 630 (1991)) I hope that the requirement that Mr. Day's communications be prepared and signed by a qualified Class A or Class B practitioner will make assessment of attorney's fees unnecessary.

This Commission is always ready and willing to give serious attention to any complaint regarding matters within our jurisdiction. We exercise great care and patience in reviewing complaints and pleadings, including those filed by Mr. Day, to ensure that legitimate claims are not obscured by inartful drafting. However, it is time to transfer the burden created by Mr. Day's recalcitrant behavior directly to Mr. Day by requiring him to obtain the aid of a qualified practitioner. Not only will he have to satisfy a knowledgeable person of the validity of his complaint before he can command this agency's resources, but that person will undoubtedly edit the libelous invective from his pleadings.

It is therefore

ORDERED by the Chairman of the Florida Public Service Commission that Mr. Roy A. Day is denied authorization to proceed with the filing of the attached pleadings. It is further

¹Mr. Day has been in the habit of filing many of his pleadings via Federal Express, yet states that he has no money with which to pay a notary to verify his signature on his affidavit of indigence. He also claims in his pauper's affidavit that he has "millions and millions" of dependents, in that "90% of the United States citizens are now dependent on me, in connection to "THE LEGAL PARTY" to return the judicial branch of government back to the people, and out of the hands of the 'corrupt, illegal licensed attorneys' ".

ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
PAGE 7


ORDERED that the Director of the Division of Records and Reporting shall retain a copy of this Order and the attached pleadings, but shall not file the pleadings in any Commission docket. It is further

ORDERED that no party in any docket shall be required to respond to the attached pleadings. It is further

ORDERED that, effective immediately, the Florida Public Service Commission will take no action in response to any communication received from Mr. Day. Any communications received from Mr. Day, either on his own behalf or on behalf of The Legal Party or any other person or group, will be maintained in accordance with the Commission's statutory record-keeping obligation only. It is further

ORDERED that the Florida Public Service Commission will respond only to communications on Mr. Day's behalf that are prepared and signed by a qualified Class A or Class B practitioner as defined by Rule 25-22.008, Florida Administrative Code. Such communications must comply with Chapter 25, Florida Administrative Code, as well as the Florida Rules of Civil Procedure.

By ORDER of Chairman J. Terry Deason this 8th day of July,
1993.


J. PERRY DEASON, Chairman

(S E A L)

MAP/MER

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that

is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

June 1, 1993

ORIGINAL
FILE COPY

PERSONAL for
Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

RE: New "Motion" - Request for relief
No Docket Number Assigned
THIS PLEADING NEEDS AN EMERGENCY RULING

Dear Tribble:

IF AN AGENT AND SERVANT OF MR. STEVE TRIBBLE IS READING THE INSTANT LETTER, YOU ARE TO CEASE AND DESIST READING THE INSTANT LETTER, AND GIVE TO MR. STEVE TRIBBLE, AND MR. STEVE TRIBBLE, ONLY. THANK YOU.

The motion is not filed for any particular action before the Public Service Commission. The said motion is filed for a "ruling" only from the Public Service Commission. Accordingly, please present the enclosed motion to the "full" commission for a "ruling" on the issues as stated on the said motion on June 4, 1993.

Please find enclosed Motion For "The Legal Party" To Intervene, Motion For A Full En Banc Commission Hearing, Motion For Emergency Ruling On June 4, 1993, in the above-entitled and numbered action. Kindly upon your filing of these pleadings, please send a letter indicating the "docket number" assigned to the aforesaid motion, and state the date when the said motion will be entertained.

The above-entitled and numbered action is proceeding in a forma pauperis proceeding. Accordingly, I can only afford to provide one copy of the aforesaid pleading.

Thank you for your cooperation and assistance in this matter.

Very truly yours,


Roy A. Day

RAD/rr

SEARCHED INDEXED

35034 001-78

JUN 1 1993

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

IN RE: "THE LEGAL PARTY"

DOCKET NO. _____

- I. MOTION FOR "THE LEGAL PARTY" TO INTERVENE
- II. MOTION FOR A FULL EN BANC COMMISSION HEARING
- III. MOTION FOR EMERGENCY RULING ON JUNE 4, 1993

The Legal Party, files this motion, and would respectfully show unto this commission the following in support thereof:

1. On behalf of "The Legal Party", Roy A. Day has sent letters dated March 9, 1993 and March 26, 1993 and April 27, 1993 to Mr. Steven Tribble requesting a ruling on "The Legal Party" intervening on behalf of a "class of citizens" at the Florida Public Service Commission when GTE of Florida, Inc. or Florida Power Corporation files a petition for any type of rate increase, or any other type of request for relief. I have not received a response from Mr. Tribble on the aforesaid letters. Accordingly, the instant motion is filed so a full commission hearing can be heard on this instant motion and issue. The issue is repeated, infra.

2. As reflected in Roy A. Day's letters, on behalf of The Legal Party, dated March 9, 1993 and March 26, 1993 and April 27, 1993 sent to Mr. Steve Tribble, The Legal Party represents: (1) each and all citizens in the State of Florida who are "held accountable to the law whether the said citizen knows the law or not", and subsequently, the said citizens have the "right to be taught the law", with the overlay that the aforesaid citizens have been denied the "right to be taught the law" (primary and secondary legal research and open court

litigation skills); (2) each and all citizens who cannot afford to hire a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay of having the said citizens' rights and property adversely affected; (3) each and all citizens who are "paupers", or who only make \$5000.00 per year, or \$10,000.00 per year, or \$15,000.00 per year, or \$20,000.00 per year, or \$25,000.00 per year, and cannot afford to hire a so-called "licensed attorney" at artificial-monopolistic legal fees of \$300.00 per hour. The said citizens in the aforesaid items "1" and "2" and "3", are hereafter designated as "class of citizens".

3. The so-called "public counsels", who are so-called "licensed attorneys", do NOT honestly, ethically, truly and correctly represent the "class of citizens". The so-called "public counsels" ONLY represent the citizens who can afford a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay that the so-called "public counsels" are "co-conspirators" with the "licensed attorneys" of the "public utilities", to ensure that "fraudulent" rate increases are granted against the "class of citizens" based on documents replete with "fraud, half-truths and falsehoods" pursuant to "prior agreement and personal motivation" ("exparte communications"). Accordingly, the so-called "public counsels" have a "conflict of interest as a so-called "licensed attorney", and do NOT represent the "class of citizens". Such a course renders The Legal Party as the only "true and correct" representative of ninety percent (90%) of the citizens in the State of Florida before the Florida Public Service Commission.

4. The Legal Party moves the Florida Public Service Commission to enter an order stating that "The Legal Party" is to be placed on each and all "mailing list" to inform "The Legal Party" of each and all petitions filed by GTE of Florida, Inc., or Florida Power Corporation, requesting a rate increase, or a request for relief of any type from the Florida Public Service Commission, and that "The Legal Party" be permitted to "intervene" on behalf of the "class of citizens", supra, at the Florida Public Service Commission.

WHEREFORE, PREMISES CONSIDERED, The Legal Party request that the following relief be granted:

a. That the Motion For "The Legal Party" To Intervene is GRANTED; that The Legal Party will be placed on each and all mailing list to inform The Legal Party of each and all rate increase request, or any type of request for relief, by GTE of Florida, Inc. or Florida Power Corporation; that The Legal Party be permitted to intervene for the "class of citizens" at the Florida Public Service Commission for each and all rate increase request, or any type of request for relief, by GTE of Florida, Inc. or Florida Power Corporation; declare that the entity known as the "public counsel" has a conflict of interest at the Florida Public Service Commission as a so-called "licensed attorney", and does not "truly, correctly, honestly and ethically" represent the "class of citizens"; that The Legal Party will be placed on each and all mailing list at the Florida Public Service Commission: mailing address,

THE LEGAL PARTY

P.O. BOX 33

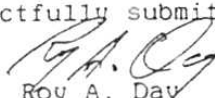
TARPON SPRINGS, FLORIDA 34688-0033

b. That the Motion For A Full En Banc Commission Hearing is GRANTED; that the issues in the instant motion will be entertained by a full commission hearing.

c. That the Motion For Emergency Ruling On June 4, 1993 is GRANTED; that the instant motion will be entertained on June 4, 1993 to prevent the citizens' rights and property from being adversely affected.

d. Granting The Legal Party such other and further relief as may be just.

On behalf Of "The Legal Party"
Respectfully submitted,



Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

No parties involved.



Roy A. Day

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

DAY

June 7, 1993

PERSONAL for

Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

RE: New "Petition"; No Docket Number Assigned
RE: Order Number PSC-93-0796-FOF-EI
RE: Docket Number 910890-EI

Dear Tribble:

IF AN AGENT AND SERVANT OF MR. STEVE TRIBBLE IS READING THE INSTANT LETTER, YOU ARE TO CEASE AND DESIST READING THE INSTANT LETTER, AND GIVE TO MR. STEVE TRIBBLE, AND MR. STEVE TRIBBLE, ONLY. THANK YOU.

These pleadings are being filed pursuant to order no. PSC-93-0796-FOF-EI, in that the said order stated that any person whose substantial interest is affected, may have the said order reviewed.

Please find enclosed Motion For Petition, Motion To Disqualify The Florida Public Service Commission, Motion To Intervene, in the above-entitled and numbered action. Kindly upon your filing of these pleadings, affix your file stamp to the letter indicating date and time of filing and return to the undersigned in the self-addressed and stamped envelope. Also indicate what docket number has been assigned, or if docket number 910890-EI will be used.

The above-entitled and numbered action is proceeding in a forma pauperis proceeding. Accordingly, I can only afford to provide one copy of the aforesaid pleading.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

Roy A. Day

- ACK _____
- AFA _____
- APP 1
- CAF _____
- CMR _____
- RAD/TT _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPR _____
- ROH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE
06403 JUN 14 83
FPSC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE
06402 JUN 14 83
FPSC-RECORDS/REPORTING

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

THE LEGAL PARTY¹

Intervenor

FLORIDA POWER CORPORATION

DOCKET NO. _____

PETITION

(and)

MOTION TO DISQUALIFY THE FLORIDA PUBLIC
SERVICE COMMISSION

THE LEGAL PARTY, Intervenor, files this Petition and motion, and would respectfully show the following in support thereof:

1. The instant petition is being filed pursuant to Order No. PSC-93-0796-FOF-EI, and received by close of business on June 14,

¹The Legal Party represents: (1) Each and all citizens in the State of Florida who are "held accountable to the law whether the citizens know the law or not", and subsequently, the said citizens have the "right to be taught the law", with the overlay that the citizens have been denied the "right to be taught the law (primary and secondary legal research and open court litigation skills); (2) Each and all citizens who cannot afford to hire a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay of having the said citizens' right and property adversely affected; (3) Each and all citizens who are "paupers", or who only make \$5000.000 per year, or \$10,000.00 per year, or \$15,000.00 per year, or \$20,000.00 per year, or \$25,000.00 per year, and cannot afford to hire a so-called licensed attorney at artificial-monopolistic legal fees of \$300.00 per hour to protect the said citizens' rights and property from being adversely affected; (4) Each and all citizens who have, and will be, subjected to the "interpretation" of the "Law" by "KING AND QUEEN - privilege class - illegal licensed attorneys", and not an "interpretation" of the "Law" by "WE THE PEOPLE" (90% of the citizens of the State of Florida). The citizens listed in the aforesaid items "1" through "4" are known as "class of citizens".

1993. The instant petition is filed on behalf of the "class of citizens" listed in "footnote 1" of the instant petition, and on behalf of the employees of Florida Power Corporation who are being "wrongfully discharged" and/or "laid-off" and/or "terminated", based on documents replete with "fraud, half-truths and falsehoods" filed with the Florida Public Service Commission.

2. For judicial economy, Petitioner repeats and realleges the federal complaint filed in C.A. No. 93-655-CIV-T-23C, Roy A. Day, et al. v. Allen J. Kessler, Jr., Jack B. Critchfield, Richard Korpan, Florida Power Corporation, Florida Progress Corporation, et al., in the United States District Court for the Middle District of Florida, Tampa Division, as if the aforesaid complaint was expressly stated herein. The aforesaid federal complaint will show, clear, strong, convincing, unequivocal and uncontroverted evidence that Defendants Kessler, Critchfield and Korpan (hereafter, Defendants), and other co-conspirators, had full and complete knowledge of the plan and scheme to "wrongfully discharge" and/or "lay-off" and/or "terminate" employees of Florida Power Corporation, when the initial request for a rate increase was filed, and the aforesaid Defendants used the "concealed wrongful employment discharge" issue to request a "fraudulent rate increase". What the evidence will show in C.A. No. 93-655-CIV-T-23C, is that management for Florida Power Corporation and Florida Progress Corporation have willfully, intentionally, willfully, intentionally and fraudulently used "numerous" documents that were covered with "falsehoods, fraud and half-truths" to obtain a fraudulent rate increase, and that the "wrongful discharge employment issue" is only the "tip of the iceberg" pertaining to fraudulent documents.

3. Defendants Keesler, Critchfield and Korpan have full and complete knowledge that the entity known as the Florida Public Service Commission is "useless and powerless", and does not represent a "check and balance system", since Defendants Keesler, Critchfield and Korpan have full and complete knowledge that the Florida Public Service Commission is orchestrated and directed by "illegal licensed attorneys" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay that the "final decision" of the Florida Public Service Commission is made by "illegal licensed attorneys" of the Supreme "licensed attorney" Court of Florida. Accordingly, Defendants Keesler, Critchfield and Korpan knew that they could engage in the aforesaid course of illegal conduct against the citizens of the State of Florida with the Florida Public Service Commission with FULL IMMUNITY, since the entire system is orchestrated and directed by "sleazy, corrupt, dishonest, unethical, illegal licensed attorneys" (hereafter, "SCDUILA"), with the citizens of the State of Florida having no "check and balance system" and "co-equal" branch of government. In addition, the members of the Florida Public Service Commission are named in the aforesaid federal complaint, and are disqualified from proceeding on the instant action. For judicial economy, the instant pleading is written as a Motion To Disqualify The Florida Public Service Commission. The members of the Florida Public Service Commission have engaged in "ex parte communications" with agents and servants of Florida Power Corporation and Florida Progress Corporation pertaining to the instant action as more fully stated in C.A. No. 93-655-CIV-T-23C, and such a course disqualifies each and all members from proceedings on the instant action.

4. Due to the aforesaid facts pending in C.A. No. 93-655-CIV-T-23C, The Legal Party moves the Florida Public Service Commission to hold the instant action in abeyance until a final decision has been entered in C.A. No. 93-655-CIV-T-23C; in the alternative, that the Florida Public Service Commission recuse itself from proceeding on the instant action and refer the issues to a "Blue Ribbon" panel of "citizen-attorneys" (not so-called "licensed attorneys") to enter a ruling on the instant petition and motion. Further, The Legal Party, on behalf of the employees of Florida Power Corporation who are part of the "class of citizens" who are being "wrongfully discharged" and/or "laid-off" and/or "terminated", based on "fraudulent documents" filed by Defendants at the Florida Public Service Commission, moves the Florida Public Service Commission to the hold each and all "layoffs" and/or "terminations" and/or "wrongful discharges" by Defendant Keesler from proceeding until a final decision has been entered in C.A. No. 93-655-CIV-T-23C; in the alternative, enter an order directed to the Board of Directors and Stockholders of Florida Progress Corporation and Florida Power Corporation that in lieu of terminating the employees of Florida Power Corporation as suggested by Defendant Keesler, that an order be entered that Defendants Keesler, Critchfield and Korpan are to be terminated to save the citizens MILLIONS of dollars in fraudulent rate increases, and "ridiculous, fraudulent executive salaries and perks", and that the citizens can manage a "public utility" itself without paying "high priced intellectual crooks" to engage in "intellectual fraud" against the citizens.

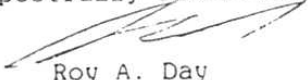
WHEREFORE, PREMISES CONSIDERED, Roy A. Day request that the following relief be granted:

a. That Roy A. Day's Motion To Disqualify Florida Public Service Commission for the above-entitled and numbered action is GRANTED; declare that the above-entitled and numbered action is transferred to the United States District Court to C.A. No. 93-655-CIV-T-23C, so the said federal court can determine a court with competent jurisdiction, and subsequently, entertain the instant motion to hold action in abeyance; in the alternative, that a "Blue Ribbon" panel of "citizen-attorneys" (not licensed attorneys) entertain the instant petition and motion.

b. That the rate increase granted for Florida Power Corporation in reference to documents that refer to the "employees" that are to be wrongfully discharged and/or terminated and/or laid-off, is held in abeyance to a time in the future when a final decision has been entered in C.A. No. 93-655-CIV-T-23C; in the alternative, that an order be entered that states that the Board of Directors and Stockholders of Florida Progress Corporation and Florida Power Corporation terminate Defendants Keesler, Critchfield and Korpan in lieu of the employees which are to be released by Defendant Keesler, and such a course would save the citizens MILLIONS of dollars in fraudulent rate increases, and declare that the citizens can manage a public utility itself, without hiring "high priced intellectual crooks" to engage in "intellectual fraud" against the citizens of the State of Florida, with the overlay to hire so-called "licensed attorneys" at \$300.00 per hour in artificial-monopolistic legal fees.


c. Granting The Legal Party such other and further relief
as may be just.

On Behalf Of The Legal Party
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

Unknown addresses and parties to be served at this stage of litigation.



Roy A. Day

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

THE LEGAL PARTY,
Intervenor
v.
FLORIDA POWER CORPORATION

DOCKET NO. _____

I. MOTION TO INTERVENE

The Legal Party, files this motion, and would respectfully show unto this commission the following in support thereof:


1. For judicial economy, The Legal Party's "petition" filed in the above-entitled and numbered action, is repeated and realleged as if the aforesaid petition was expressly stated herein. In addition, the attached EXHIBIT "1" is repeated and realleged as if the aforesaid EXHIBIT "1" was expressly stated herein. Accordingly, The Legal Party has a clear right to intervene to protect the citizens' rights and property from being adversely affected.

WHEREFORE, PREMISES CONSIDERED, The Legal Party request that the following relief be granted:

a. That the Motion To Intervene is GRANTED; that The Legal Party is permitted to intervene in the above-entitled and numbered action.

b. Granting The Legal Party such other and further relief as may be just.

On behalf Of "The Legal Party"
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

■ PAGE 1 of 2 ■ ■ DOC: THE-LEGAL-PARTY ■ DOCUMENT NUMBER-DATE

06403 JUN 14 8

PSC-REGULATORY DIVISION

ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
PAGE 22

CERTIFICATE OF SERVICE

Unknown addresses and parties to be served at this stage of litigation.

Roy A. Day

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

IN RE: "THE LEGAL PARTY"

DOCKET NO. _____

- I. MOTION FOR "THE LEGAL PARTY" TO INTERVENE
- II. MOTION FOR A FULL EN BANC COMMISSION HEARING
- III. MOTION FOR EMERGENCY RULING ON JUNE 4, 1993

The Legal Party, files this motion, and would respectfully show unto this commission the following in support thereof:

1. On behalf of "The Legal Party", Roy A. Day has sent letters dated March 9, 1993 and March 26, 1993 and April 27, 1993 to Mr. Steven Tribble requesting a ruling on "The Legal Party" intervening on behalf of a "class of citizens" at the Florida Public Service Commission when GTE of Florida, Inc. or Florida Power Corporation files a petition for any type of rate increase, or any other type of request for relief. I have not received a response from Mr. Tribble on the aforesaid letters. Accordingly, the instant motion is filed so a full commission hearing can be heard on this instant motion and issue. The issue is repeated, infra.

2. As reflected in Roy A. Day's letters, on behalf of The Legal Party, dated March 9, 1993 and March 26, 1993 and April 27, 1993 sent to Mr. Steve Tribble, The Legal Party represents: (1) each and all citizens in the State of Florida who are "held accountable to the law whether the said citizen knows the law or not", and subsequently, the said citizens have the "right to be taught the law", with the overlay that the aforesaid citizens have been denied the "right to be taught the law" (primary and secondary legal research and open court

(EXHIBIT "1")

litigation skills); (2) each and all citizens who cannot afford to hire a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay of having the said citizens' rights and property adversely affected; (3) each and all citizens who are "paupers", or who only make \$5000.00 per year, or \$10,000.000 per year, or \$15,000.00 per year, or \$20,000.00 per year, or \$25,000.00 per year, and cannot afford to hire a so-called "licensed attorney" at artificial-monopolistic legal fees of \$300.00 per hour. The said citizens in the aforesaid items "1" and "2" and "3", are hereafter designated as "class of citizens".

3. The so-called "public counsels", who are so-called "licensed attorneys", do NOT honestly, ethically, truly and correctly represent the "class of citizens". The so-called "public counsels" ONLY represent the citizens who can afford a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay that the so-called "public counsels" are "co-conspirators" with the "licensed attorneys" of the "public utilities", to ensure that "fraudulent" rate increases are granted against the "class of citizens" based on documents replete with "fraud, half-truths and falsehoods" pursuant to "prior agreement and personal motivation" ("exparte communications"). Accordingly, the so-called "public counsels" have a "conflict of interest as a so-called "licensed attorney", and do NOT represent the "class of citizens". Such a course renders The Legal Party as the only "true and correct" representative of ninety percent (90%) of the citizens in the State of Florida before the Florida Public Service Commission.

(EX. "1")

4. The Legal Party moves the Florida Public Service Commission to enter an order stating that "The Legal Party" is to be placed on each and all "mailing list" to inform "The Legal Party" of each and all petitions filed by GTE of Florida, Inc., or Florida Power Corporation, requesting a rate increase, or a request for relief of any type from the Florida Public Service Commission, and that "The Legal Party" be permitted to "intervene" on behalf of the "class of citizens", supra, at the Florida Public Service Commission.

WHEREFORE, PREMISES CONSIDERED, The Legal Party request that the following relief be granted:

a. That the Motion For "The Legal Party" To Intervene is GRANTED; that The Legal Party will be placed on each and all mailing list to inform The Legal Party of each and all rate increase request, or any type of request for relief, by GTE of Florida, Inc. or Florida Power Corporation; that The Legal Party be permitted to intervene for the "class of citizens" at the Florida Public Service Commission for each and all rate increase request, or any type of request for relief, by GTE of Florida, Inc. or Florida Power Corporation; declare that the entity known as the "public counsel" has a conflict of interest at the Florida Public Service Commission as a so-called "licensed attorney", and does not "truly, correctly, honestly and ethically" represent the "class of citizens"; that The Legal Party will be placed on each and all mailing list at the Florida Public Service Commission: mailing address,

THE LEGAL PARTY

P.O. BOX 33

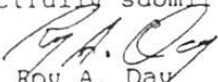
TARPON SPRINGS, FLORIDA 34688-0033

b. That the Motion For A Full En Banc Commission Hearing is GRANTED; that the issues in the instant motion will be entertained by a full commission hearing.

c. That the Motion For Emergency Ruling On June 4, 1993 is GRANTED; that the instant motion will be entertained on June 4, 1993 to prevent the citizens' rights and property from being adversely affected.


d. Granting The Legal Party such other and further relief as may be just.

On behalf Of "The Legal Party"
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

No parties involved.



Roy A. Day

(EX. "1")

ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
PAGE 27

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

June 14, 1993

"DAY"

PERSONAL for

Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

RE: New "Petition"
RE: Order Number PSC-93-0839-PCO-EI
RE: Docket Number 930281-EI

Dear Tribble:

IF AN AGENT AND SERVANT OF MR. STEVE TRIBBLE IS READING THE INSTANT LETTER, YOU ARE TO CEASE AND DESIST READING THE INSTANT LETTER, AND GIVE TO MR. STEVE TRIBBLE, AND MR. STEVE TRIBBLE, ONLY. THANK YOU.

These pleadings are being filed pursuant to order no. PSC-93-0839-PCO-EI.

Please find enclosed Petition, Motion To Disqualify The Florida Public Service Commission, Motion To Intervene, Motion To Hold Action In Abeyance And Stay Proceedings, Motion To Reschedule The August 10, 1993 And August 26, 1993 Conferences, Motion For Change Of Venue, in the above-entitled and numbered action. Kindly upon your filing of these pleadings, affix your file stamp to the letter indicating date and time of filing and return to the undersigned in the self-addressed and stamped envelope. Also indicate what docket number has been assigned, or if docket number 930281-EI will be used.

The above-entitled and numbered action is proceeding in a forma pauperis proceeding. Accordingly, I can only afford to provide one copy of the aforesaid pleading.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

Roy A. Day

RAD/rr

DOCUMENT NO.
06432-93
6-14-93

DOCUMENT NUMBER-DATE
06405 JUN 14 8
FPSC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE
06404 JUN 14 8
FPSC-RECORDS/REPORTING

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

THE LEGAL PARTY¹,
Intervenor

V.
FLORIDA POWER CORPORATION

DOCKET NO. 930281-EI

PETITION

(and)

MOTION TO DISQUALIFY THE FLORIDA PUBLIC
SERVICE COMMISSION

THE LEGAL PARTY, Intervenor, files this Petition and motion, and would respectfully show the following in support thereof:

1. The instant petition is being filed pursuant to Order No. PSC-93-0839-PCO-EI. The instant petition is filed on behalf of the

¹The Legal Party represents: (1) Each and all citizens in the State of Florida who are "held accountable to the law whether the citizens know the law or not", and subsequently, the said citizens have the "right to be taught the law", with the overlay that the citizens have been denied the "right to be taught the law (primary and secondary legal research and open court litigation skills); (2) Each and all citizens who cannot afford to hire a so-called "licensed attorney" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay of having the said citizens' right and property adversely affected; (3) Each and all citizens who are "paupers", or who only make \$5000.00 per year, or \$10,000.00 per year, or \$15,000.00 per year, or \$20,000.00 per year, or \$25,000.00 per year, and cannot afford to hire a so-called licensed attorney at artificial-monopolistic legal fees of \$300.00 per hour to protect the said citizens' rights and property from being adversely affected; (4) Each and all citizens who have, and will be, subjected to the "interpretation" of the "Law" by "KING AND QUEEN - privilege class - 1" legal licensed attorneys", and not an "interpretation" of the "Law" by "WE THE PEOPLE" (90% of the citizens of the State of Florida). The citizens listed in the aforesaid items "1" through "4" are known as "class of citizens".

"class of citizens" listed in "footnote 1" of the instant petition, and on behalf of the citizens in the State of Florida who oppose Florida Power Corporation on the issue of implementing the "Sunshine natural gas transmission pipelines" project, with the overlay to "recover a return on equity from its electric ratepayers for an investment on the Sunshine natural gas transmission pipelines".

2. For judicial economy, Intervenor repeats and realleges the federal complaint filed in C.A. No. 93-655-CIV-T-???, Roy A. Day, et al. v. Allen J. Kessler, Jr., Jack B. Critchfield, Richard Korpan, Florida Power Corporation, Florida Progress Corporation, et al., in the United States District Court for the Middle District of Florida, Tampa Division, as if the aforesaid complaint was expressly stated herein. The aforesaid federal complaint shows, clear, strong, convincing, unequivocal and uncontroverted evidence that Defendants Kessler, Critchfield and Korpan (hereafter, "Defendants"), and other co-conspirators, are "mismanaging" Florida Power Corporation and Florida Progress Corporation to take "undue advantage" of the citizens of the State of Florida. The request in order no. PSC-93-0839-PCO-EI to have a return on equity from Florida Power Corporation's electric ratepayers for an investment in the "Sunshine natural gas transmission pipeline", is nothing more than a "thinly disguised" to conceal and cover-up "Defendants'" course of mismanagement, with the overlay to take "undue advantage" of the citizens of the State of Florida using the "public monopoly". What the evidence will show in C.A. No. 93-655-CIV-T-23C, is that the "management personnel" for Florida Power Corporation and Florida Progress Corporation have willfully, intentionally, willfully, intentionally and

fraudulently used "numerous" documents that were covered with "falsehoods, fraud, misrepresentations, negligence and half-truths" to obtain a fraudulent rate increases. "Defendants" are now attempting the same course of fraudulent conduct in the instant action by having the electric ratepayers become involved in the Sunshine natural gas transmission pipelines project, specifically, by asking the electric ratepayers to finance the "fraudulent project", solely for the purpose for "Defendants" to make "cash under the table" from various "subcontractors", with the overlay that the natural gas pipelines project is not needed or warranted and, MOST IMPORTANTLY, is NOT a "sound investment", but a waste of the electric ratepayers monies. THE RATEPAYERS WILL RECEIVE A "ZERO PERCENT" RATE OF RETURN ON THEIR MONIES!

3. The instant petition, is also written as a "Prehearing Statement" pursuant to order no. PSC-93-0839-PCO-EI.

ISSUES for the instant petition, and Prehearing Statement:

(a) Witnesses to be called: "Defendants", supra; subject matter testimony - the "present system" of providing electrical power to the citizens is sufficient, excluding the "waste of monies on the nuclear reactor at Crystal River, Florida"; the Sunshine natural gas transmission pipelines project is NOT needed or warranted at the electric ratepayers expense; "Defendants" are using documents replete with "fraud, half-truths, misrepresentations, negligence and falsehoods" to justify the Sunshine natural gas transmission pipelines project, and to receive "cash under the table" from subcontractors for a "non-needed" project at the electric ratepayers expense; the Sunshine natural gas transmission pipelines project will "save" the electric

ratepayers NO MONIES, and will cost the electric ratepayers needlessly and unnecessarily; the electric ratepayers have no obligation or right to pay so-called licensed attorneys involved in the Sunshine natural gas transmission pipelines project artificial-monopolistic legal fees of \$500.00 per hour or more; it will be the electric ratepayers that make \$5,000.000 to \$30,000.00 per year that will be subjected to the fraudulent rate increase based on the Sunshine natural gas transmission pipelines project; the Sunshine natural gas transmission pipelines project is "NO INVESTMENT" for the electric ratepayers, and is a "pork barrel project"; the electric ratepayers and citizens of the State of Florida will get a ZERO PERCENT (0%) return on the natural gas transmission pipelines project; upon discovery, Intervenor reserves the right to submit additional subject matter.

(b) Once Intervenor has been granted the right to "intervene" and once discovery is completed, Intervenor reserves the right to provide a description of all known exhibits that may be used by Intervenor.

(c) Intervenor opposes the implementation of the Sunshine natural gas transmission pipelines project, with the exception of stipulating and agreeing to support the Sunshine natural gas transmission pipelines project if the "electric ratepayers" do NOT have to provide each and all equity for the said project, presently and in the future.

(d) The question of facts are listed in paragraph "a", supra. For judicial economy, Intervenor repeats and realleges paragraph "a", supra, in the instant section, as if the aforesaid paragraph "a" was expressly stated herein.

(e) The questions of law are: (1) Fraud (2) Misrepresentation (3) Fourteenth Amendment - due process and equal protection of the law (4) Negligence. Intervenor's position on the aforesaid questions of law are self-evident, and speak for themselves.

(f) The "policy question" is a vague, misleading and ambiguous statement, and "non-sensical". Intervenor reserves the right to address the aforesaid question after discovery, and after a more "definitive statement" has been made.

(g) No issues have been stipulated at this stage of litigation.

(h) Intervenor has filed Motion To Hold Action In Abeyance (Intervenor moves the "FPSC" to hold the instant action in abeyance pending a final resolution in federal complaint filed against "Defendants" in C.A. No. 93-655-CIV-T-???), and a Motion For Change Of Venue (Intervenor moved the "FPSC" to have each and all hearing on the instant action in the Tampa Bay area, since the Tampa Bay area is where the incident and occurrence will take place, and where the citizens are involved in the said natural gas pipelines project.

(i) Intervenor Roy A. Day, on behalf of The Legal Party, is proceeding in a forma pauperis mode, and only has monies to file one pleading, and to have a discovery process pursuant to "judicial economy" and once Intervenor has been granted the right to intervene. Accordingly, Intervenor cannot properly answer the question at this stage of litigation, due to "budget shortfalls and a limited budget".

4. Defendants Keesler, Critchfield and Korpan have full and complete knowledge that the entity known as the Florida Public Service Commission is "useless and powerless", and does not represent a "check and balance system", since Defendants Keesler, Critchfield and

Korpan have full and complete knowledge that the Florida Public Service Commission is orchestrated and directed by "illegal licensed attorneys" at \$300.00 per hour in artificial-monopolistic legal fees, with the overlay that the "final decision" of the Florida Public Service Commission is made by "illegal licensed attorneys" of the Supreme "licensed attorney" Court of Florida. Accordingly, Defendants Keesler, Critchfield and Korpan knew that they could engage in the aforesaid course of illegal conduct pertaining to the Sunshine natural gas transmission pipelines project against the citizens of the State of Florida involving the Florida Public Service Commission with FULL IMMUNITY, since the entire system is orchestrated and directed by "sleazy, corrupt, dishonest, unethical, illegal licensed attorneys" (hereafter, "SCDUILA"), with the citizens of the State of Florida having no "check and balance system" and "co-equal" branch of government. In addition, the members of the Florida Public Service Commission are named in the aforesaid federal complaint in the Tampa Division (C.A. No. 93-655-CIV-T-???), and are disqualified from proceeding on the instant action. For judicial economy, the instant pleading is written as a Motion To Disqualify The Florida Public Service Commission. The members of the Florida Public Service Commission have engaged in "exparte communications" with agents and servants of Florida Power Corporation and Florida Progress Corporation pertaining to the instant action to ensure that Sunshine natural gas transmission pipelines project is "railroaded" through the "FPSC", and such a course disqualifies each and all members from proceedings on the instant action.

5. Due to the aforesaid facts pending in C.A. No. 93-655-CIV-T-???, The Legal Party moves the Florida Public Service Commission to hold the instant action in abeyance until a final decision has been entered in C.A. No. 93-655-CIV-T-23C; in the alternative, that the Florida Public Service Commission recuse itself from proceeding on the instant action and refer the issues to a "Blue Ribbon" panel of "citizen-attorneys" (not so-called "licensed attorneys") to enter a ruling on the instant petition and motion.

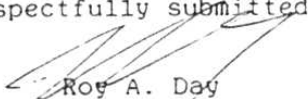
WHEREFORE, PREMISES CONSIDERED, Intervenor request that the following relief be granted:

a. That Intervenor's Motion To Disqualify Florida Public Service Commission for the above-entitled and numbered action is GRANTED; declare that the above-entitled and numbered action is transferred to the United States District Court to C.A. No. 93-655-CIV-T-23C, so the said federal court can determine a court with competent jurisdiction, and subsequently, entertain the motion to hold action in abeyance; in the alternative, that a "Blue Ribbon" panel of "citizen-attorneys" (not licensed attorneys) entertain the instant petition and motion.

b. That the Sunshine natural gas transmission pipelines project be denied, and that NO electric ratepayers are to provide each and all "equity" for the said project, presently and in the future; declare that the Sunshine natural gas transmission pipelines project will needlessly and unnecessarily cost the electric ratepayers monies, when the said project is not warranted or justified, and is nothing more than a "pork barrel project" from certain management to receive "cash under the table" and/or special favors from subcontractors.


c. Granting The Legal Party such other and further relief
as may be just.

On Behalf Of The Legal Party
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

Unknown addresses and parties to be served at this stage of litigation. Intervenor has not been granted the right to intervene, and such a course has violated Intervenor's Fourteenth Amendment rights.



Roy A. Day

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

THE LEGAL PARTY,
Intervenor

V.

FLORIDA POWER CORPORATION

DOCKET NO. 930281-EI

- I. MOTION FOR EMERGENCY RULING ON JUNE 16, 1993,
II. MOTION TO DISQUALIFY THE FLORIDA PUBLIC SERVICE COMMISSION
III. MOTION TO HOLD ACTION IN ABEYANCE AND STAY
PROCEEDINGS IN THE ABOVE-ENTITLED AND NUMBERED ACTION
in the alternative,
IV. MOTION TO RESCHEDULE THE AUGUST 10, 1993 AND AUGUST 26, 1993
CONFERENCES ON THE ABOVE-ENTITLED AND NUMBERED ACTION
V. MOTION FOR A CHANGE OF VENUE FOR THE
COMMISSION'S CONFERENCES ON THE ABOVE-ENTITLED
AND NUMBERED ACTION

The Legal Party, files these motions, and would respectfully show unto this court the following in support thereof:

1. On June 10, 1993, The Legal Party, received in the United States Mail an order authorizing the Florida Public Service Commission (hereafter, "FPSC") to grant a request to Florida Power Corporation to recover a return on equity from its electric ratepayers for an investment in the Sunshine natural gas transmission pipelines project. On June 16, 1993, Intervenor, The Legal Party, filed a petition to cease and desist the aforesaid request for relief from the "FPSC". For judicial economy Intervenor repeats and realleges Intervenor, The Legal Party's, petition filed on June 16, 1993 in the above-entitled and numbered action, as if the aforesaid petition was expressly stated herein. Accordingly, a controlling federal complaint

(C.A. No. 93-655-CIV-T-???) is pending which will show clear, strong, convincing, unequivocal and uncontroverted evidence that the management of the Florida Power Corporation and Florida Progress Corporation have mismanaged the aforesaid corporations at the electric ratepayers expense. Subsequently, it is non-sensical to permit these same parties to build a natural gas transmission pipeline at the ratepayers expense due to "fraud, negligence, falsehoods, half-truths and misrepresentations". Further, the members of the "FPSC" are "co-conspirators" with Florida Power Corporation to "railroad" through the request to have electric ratepayers place equity in the said Sunshine natural gas transmissions pipelines project, with the overlay that the members of the "FPSC" are named as party Defendants in C.A. No. 93-655-CIV-T-???. Accordingly, Intervenor moves the "FPSC" to hold the above-entitled and numbered action in abeyance and stay each and all proceedings in the above-entitled and numbered action, pending a final decision in C.A. No. 93-655-CIV-T-???

2. Roy A. Day, on behalf of the Intervenor, The Legal Party, is a pauper, and as reflected in pleadings filed by Roy A. Day in the above-entitled and numbered action, Roy A. Day has requested that each and all conferences be held in the Tampa Bay area, since Roy A. Day is a pauper and cannot afford to pay for a trip to Tallahassee, Florida, with the overlay that the incident involved in the above-entitled and numbered action took place in the Tampa Bay area, and the citizens have the right to be heard meaningfully on the issues. In addition there ten of thousands of citizens who have a right to be heard meaningfully in the instant action, since the rate increase will affect them directly, and the aforesaid citizens cannot afford to travel to Tallahassee, Florida.

3. Due to the aforesaid facts, Roy A. Day moves the "FPSC" to reschedule the August 10,1993 and August 26,1993 conferences to a time in the future when the said conferences can be held in the Tampa Bay area so each and all citizens can heard meaningfully.

4. For judicial economy, Roy A. Day repeats and realleges the Motion To Disqualify The FPSC filed in Docket No. 920188-TL, as if the aforesaid motion was expressly stated herein. Further, Roy A. Day repeats and realleges each and all pleadings filed by Roy A. Day in the above-entitled and numbered action, as if the aforesaid pleadings were expressly stated herein.

5. To prevent The Legal Party's rights and property from being adversely affected, The Legal Party needs an emergency ruling on June 16,1993.

WHEREFORE, PREMISES CONSIDERED, The Legal Party request that the following relief be granted:

a. That the Motion To Disqualify Florida Public Service Commission for the above-entitled and numbered action is GRANTED; that the instant action is transferred to the federal courts for competent jurisdiction and venue, specifically, C.A. No. 93-655-CIV-T-???.

b. That the Motion To Hold Action In Abeyance And Stay Proceedings In The Above-Entitled And Numbered Action is GRANTED; that each and all proceedings in the above-entitled and numbered action are stayed pending a final decision in C.A. No. 93-655-CIV-T-23C, Roy A. Day, et al. v. Florida Power Corporation, et al., in the United States District Court for the Middle District of Florida, Tampa Division; declare that Intervenor is a pauper organiza-

tion, and cannot afford to provide a copy of the aforesaid federal complaint, and the "FPSC" will obtain a copy of the said federal complaint to prevent Intervenor's rights and property from being adversely affected.

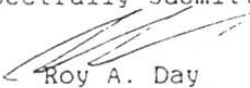
c. That the Motion To Reschedule The August 10,1993 and August 26,1993 Conferences On The Above-Entitled And Numbered Action is GRANTED; that the August 10,1993 and August 26,1993 conferences for the above-entitled and numbered action is rescheduled to a time in the future when each and all conferences can be held in the Tampa Bay area, since there are tens of thousands of citizens which will be affected by the Sunshine natural gas transmission pipelines project, with the overlay that the said citizens and witnesses cannot afford to travel to Tallahassee, Florida to testify, and the incident involved in the above-entitled and numbered action will occur in the Tampa Bay area.

d. That the Motion For A Change Of Venue For The Commission's Conferences On The Above-Entitled And Numbered Action is GRANTED; that the above-entitled and numbered action pertaining to each and all conferences is transferred to the Tampa Bay area, since the Tampa Bay area is the region where the incident will occur, and where each and all citizens have the right to be heard, with the overlay that the said citizens are a paupers, and cannot afford to pay for a trip to Tallahassee, Florida.

e. That the Motion For Emergency Ruling On June 16,1993 is GRANTED; that the instant pleading will be entertained on June 16,1993 to prevent The Legal Party's rights and property from being adversely affected.

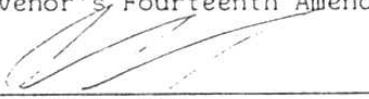
f. Granting The Legal Party such other and further relief
as may be just.

On Behalf Of The Legal Party
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

Unknown addresses and parties to be served at this stage of litigation. Intervenor has not been granted the right to intervene, and such a course has violated Intervenor's Fourteenth Amendment rights.



Roy A. Day

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

THE LEGAL PARTY,
Intervenor

v.

FLORIDA POWER CORPORATION

DOCKET NO. _____

I. MOTION TO INTERVENE

The Legal Party, files this motion, and would respectfully show unto this commission the following in support thereof:

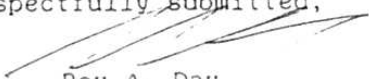
1. For judicial economy, The Legal Party's "petition" filed in the above-entitled and numbered action, is repeated and realleged as if the aforesaid petition was expressly stated herein. Accordingly, The Legal Party has a clear right to intervene to protect the citizens' rights and property from being adversely affected.

WHEREFORE, PREMISES CONSIDERED, The Legal Party request that the following relief be granted:

a. That the Motion To Intervene is GRANTED; that The Legal Party is permitted to intervene in the above-entitled and numbered action.

b. Granting The Legal Party such other and further relief as may be just.

On behalf Of "The Legal Party"
Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

Unknown addresses and parties to be served at this stage of litigation. Intervenor has not been granted the right to intervene, and such a course has violated Intervenor's Fourteenth Amendment rights.

A handwritten signature in black ink, appearing to read 'Roy A. Day', is written over a solid horizontal line.

Roy A. Day

"Day File"

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

June 18, 1993

Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

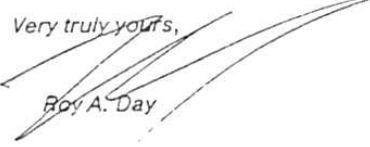
RE: Docket No. 921249-TL; Day v. GTE of Florida, Inc.

Dear Tribble:

Please find enclosed Petitioner Roy A. Day's Motion To Vacate Order Number PSC-93-0892-FOF-TL, and the Notice Of Appeal, Notice To Clerk To Transmit Documents To Court Of Appeals, Motion For Leave To Proceed On Appeal In Forma Pauperis, in the above-entitled and numbered action. Kindly upon your filing of these pleadings, affix your file stamp to the letter indicating date and time of filing and return to the undersigned in the self-addressed and stamped envelope.

The above-entitled and numbered action is proceeding in a forma pauperis proceeding. Accordingly, I can only afford to provide one copy of the aforesaid pleadings.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

Roy A. Day

	ACK	_____
	MA	_____
	APP	_____
	CAF	_____
	CMU	_____
	CR	_____
	ENG	_____
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	EX	_____
	GL	_____
	GR	_____
	REC	_____
	SEC	_____
	WAS	_____
	CTH	_____

RAD/rr

Motion for leave to proceed in appeal

DOCUMENT NUMBER-DATE

06622 JUN 21 8

RECORDS/REPORTING

Notice to Clerk to transmit document to appeal
DOCUMENT NUMBER-DATE
06621 JUN 21 8
RECORDS/REPORTING

Notice of appeal
DOCUMENT NUMBER-DATE
06620 JUN 21 8
RECORDS/REPORTING

Motion to Discontinue
DOCUMENT NUMBER-DATE
06619 JUN 21 8
RECORDS/REPORTING

are subjected to "fraudulent rate increases" based on "fraud, half-truths, falsehoods and misrepresentations", and not based on true and correct facts and law and evidence. The aforesaid "fraudulent order number PSC-93-0892-FOF-TL" was based on "prior agreement and personal motivation" and "exparte communications" with the "licensed attorneys" of the "pubic utilities", and such a course renders the order as being a "non-judicial act".

3. THE CITIZENS HAVE NO REPRESENTATION now at the "FPSC", since the so-called "public counsels" are co-conspirators with the "licensed attorneys" of the "FPSC" and the "public utilities" to put on a "theatrical performance of fraud" before the citizens that the citizens' rights and property are being protected, when in fact, the so-called "public counsel" and the licensed attorneys of the "public utilities" are conspiring to "railroad" through "fraudulent rate increases" and "fraudulent monopolistic practices" based on "fraud, half-truths, falsehoods and misrepresentations". The "FPSC" and the so-called "public counsels" and the licensed attorneys for the "public utilities" have conspired to enter order no. PSC-93-0892-FOF-TL to ensure that Roy A. Day, who is the ONLY TRUE AND CORRECT REPRESENTATION FOR THE CITIZENS OF THE STATE OF FLORIDA AT THE "FPSC", is denied meaningful access at the "FPSC" so the "illegal licensed attorneys", and their co-conspirators, the "public utilities", can continue to ply their course of illegal conduct against the citizens of the State of Florida, and prevent DISCLOSURE OF THE TRUE AND CORRECT FACTS AND LAW AND EVIDENCE.

4. Each and all pleadings filed by Roy A. Day at the "FPSC" are meritorious and state a cause of action, and are based on facts and law and evidence. For judicial economy, Roy A. Day repeats and realleges each and all pleadings filed by Roy A. Day at the "FPSC", including but not limited to, Docket Number 921249-TL, as if the aforesaid pleadings were expressly stated herein. IT IS SELF-EVIDENT THAT THE "FPSC" ISSUED ORDER NUMBER "PSC-93-0892-FOF-TL", SOLELY FOR THE PURPOSE TO PREVENT "DISCLOSURE" AND TO CONTINUE TO PERMIT THE "ILLEGAL LICENSED ATTORNEYS" TO PLY THEIR COURSE OF ILLEGAL CONDUCT AGAINST THE CITIZENS AT THE "FPSC", WITH THE OVERLAY THAT THE "FINAL REVIEW" OF DECISIONS OF THE "FPSC" IS PERFORMED BY "MORE" "ILLEGAL LICENSED ATTORNEYS" - THE "ILLEGAL LICENSED ATTORNEY COURT KNOW AS THE SUPREME COURT OF FLORIDA". The record should reflect that Order Number "PSC-93-0892-FOF-TL" was "composed" and "directed" and "orchestrated" by so-called "licensed attorneys" at the "FPSC" - such a course speaks for itself! THERE IS NO "CHECK AND BALANCE SYSTEM" SINCE THE "ILLEGAL LICENSED ATTORNEYS" HAVE USURPED THE "FPSC" FROM THE "PEOPLE", ALONG WITH THE SUPREME COURT OF FLORIDA. THERE IS NOW NO CO-EQUAL BRANCHES OF GOVERNMENT IN THE STATE OF FLORIDA, SINCE THE "ILLEGAL LICENSED ATTORNEYS" HAVE USURPED ALL THREE BRANCHES OF GOVERNMENT FROM THE PEOPLE, AND THE VARIOUS AGENCIES AND DEPARTMENTS - EACH AND ALL SO-CALLED "FINAL DECISIONS" ARE MADE BY SO-CALLED "LICENSED ATTORNEYS" AND NOT THE "PEOPLE" ("CITIZEN-ATTORNEYS"). A "FOURTH ILLEGAL BRANCH OF GOVERNMENT HAS NOW BEEN SET-UP" IN THE STATE OF FLORIDA: IT IS KNOWN AS "THE FLORIDA BAR". THE FLORIDA BAR MUST ERADICATED AND DESTROYED TOTALLY AND IMMEDIATELY! IT IS TOTALLY ILLEGAL - WE HAVE A GOVERNMENT BY AND FOR THE "PEOPLE".

5. The Fourteenth Amendment to the Constitution of the United States, states:

"... nor shall any State deprive any person of life, liberty or property, without due process; nor deny to any person within its jurisdiction the equal protection of the law."

The Constitution of the State of Florida, Article I, Section 2, Basic Rights, states:

"All natural persons are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, and to acquire, possess and protect property, except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race, religion or physical handicap."

The Constitution of the State of Florida, Article I, Section 9, states:

"No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in criminal matter to be a witness against himself."

Order Number PSC-93-921249-TL has deprived Roy A. Day of life, liberty and property without due process, and the right to enjoy and defend life and liberty, as enumerated in the above-cited Fourteenth Amendment of the Constitution of the United States, and Article I, Section 2, and Section 9 of the Constitution of the State of Florida. Accordingly, the "FPSC" has a clear to vacate the aforesaid fraudulent order.

In Landmark Communications, Inc. v. Virginia, 435 US 829, 98 S Ct 1535, 56 LEd2d 1 (1978), the Court held:

"Major purpose of First Amendment is to protect free discussion of governmental affairs; with respect to freedom of speech and press, First Amendment functions as check on legislature power."

In addition, as reflected in Appellant's Petition, and the various pleadings of Petitioner, Appellant has exercised Appellant's First Amendment right to freedom of speech to correct the course of illegal conduct taking place at the "FPSC", as co-conspirators of "licensed attorneys". The free discussion of governmental affairs is protected by the First Amendment, since Petitioner's has a clear right to act as a "check" on the various branches and departments and agencies of the State of Florida. Accordingly, the order dated June 14, 1993 (No. 93-PSC-0892-FOF-TL) violates Appellant's First Amendment rights as enumerated in the above-cited Landmark Communications, Inc. case.

For judicial economy, Appellant repeats and realleges Appellant's Motion To Disqualify The "FPSC" on file in this agency, as if the aforesaid motion was expressly stated herein.

WHEREFORE, PREMISES CONSIDERED, Roy A. Day request that the following relief be granted:

a. That Roy A. Day's Motion To Disqualify Florida Public Service Commission for the above-entitled and numbered action is GRANTED; That Roy A. Day's Motion For Transfer To Federal Court is GRANTED; declare that the above-entitled and numbered action is transferred to the United States District Court for the District of Columbia, in the alternative, to C.A. No. 92-963-CIV-T-17C, so the said federal court can determine a court with competent jurisdiction, and subsequently, entertain the instant motion to hold action in abeyance.

b. That Roy A. Day's Motion To Vacate Order Number PSC-93-0892-FOF-TL is GRANTED; that the aforesaid orders are based on fraud, falsehoods, half-truths and misrepresentations, and not based on true and corrects facts and law and evidence; declare that Appellant has a clear right to exercise Appellant's First Amendment right to freedom of speech to correct the course of illegal conduct proceeding at the "FPSC" at the expense of the citizens of the State of Florida.

c. Granting Roy A. Day such other and further relief as may be just.


Respectfully submitted,



Roy A. Day

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing notice has been forwarded to M. Eric Edington, P.O. Box 110, MC7, Tampa, Florida 33601, via first class mail on this 18th day of June, 1993.



Roy A. Day

IN THE SUPREME COURT OF FLORIDA

ROY. A. DAY,
Appellant-Petitioner

VS.

GTE FLORIDA, INC.,
Appellee-Respondent

IN THE FLORIDA PUBLIC SERVICE
COMMISSION, DKT. NO. 921249-TL

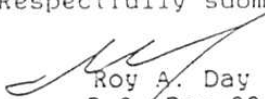
FIRST ALTERNATIVE, PETITIONER'S
PETITION FOR WRIT OF CERTIORARI
SECOND ALTERNATIVE, NOTICE TO
INVOKE DISCRETIONARY
JURISDICTION

I. APPELLANT-PETITIONER'S NOTICE OF APPEAL

Notice is hereby given that Roy A. Day, Appellant-Petitioner, hereby appeals to the Supreme Court of Florida, from each and all orders that refer, pertain, mention or relate to Roy A. Day's pleadings filed in Docket No. 921249-TL, including Order No. PSC-93-0892-FOF-TL, and each and all orders that refer, relate, mention or pertain to the denial of the request for relief in Petitioner's Petition.


DATE: June 18, 1993.

Respectfully submitted


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing notice has been forwarded to M. Eric Edington, P.O. Box 110, MC7, Tampa, Florida 33601, via first class mail on this 18th day of June, 1993.



Roy A. Day

DOCUMENT NUMBER-DATE
06620 JUN 21 93
FILED-RECORDS/REPORTING

IN THE SUPREME COURT OF FLORIDA

ROY. A. DAY,
Appellant-Petitioner

VS.

GTE FLORIDA, INC.,
Appellee-Respondent

IN THE FLORIDA PUBLIC SERVICE
COMMISSION, DKT. NO. 921249-TL

FIRST ALTERNATIVE, PETITIONER'S
PETITION FOR WRIT OF CERTIORARI
SECOND ALTERNATIVE, NOTICE TO
INVOKE DISCRETIONARY
JURISDICTION

NOTICE TO CLERK TO TRANSMIT DOCUMENTS TO COURT OF APPEALS

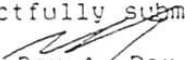
TO: Steve Tribble, Director, Division Of Records & Reporting
The Florida Public Service Commission:

Pursuant to Rules of the Florida Rules of Appellate Procedure,
you are requested to transmit to the clerk of a Supreme Court of
Florida, in connection with the transmission of the record on appeal,
the following items:

1. Documents of usual bulk or weight; each and every pleading and
order in the above-entitled and numbered action (Docket No.
921249-TL), which refers, relates, pertains or mentions Intervenor
Roy A. Day in the above-entitled and numbered action, and each and
all pleadings and orders that refer, relate, mention or pertain to
the denial of Appellant's request for relief in Appellant's Petition.

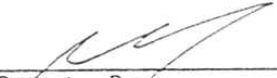
DATED: June 18, 1993.

Respectfully submitted,


Roy A. Day

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and
foregoing notice has been forwarded to M. Eric Edington, P.O. Box
110, MC7, Tampa, Florida 33601, via first class mail on this 18th day
of June, 1993.



Roy A. Day

DOCUMENT NUMBER-DATE

06621 JUN 21 93

FILED-RECORDS & CLERK

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION
(and)
THE SUPREME COURT OF FLORIDA
CASE NO. _____

ROY. A. DAY,
Appellant-Petitioner

VS.

GTE FLORIDA, INC.,
Appellee-Respondent

IN THE FLORIDA PUBLIC SERVICE
COMMISSION, DKT. NO. 921249-TL

FIRST ALTERNATIVE, PETITIONER'S
PETITION FOR WRIT OF CERTIORARI
SECOND ALTERNATIVE, NOTICE TO
INVOKE DISCRETIONARY
JURISDICTION

MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS

ROY A. DAY, Petitioner, files this Motion For Leave To Proceed On Appeal In Forma Pauperis , and Appellant would respectfully show unto this court the following in support thereof:

NOTE: This pleading was properly filed at the Supreme Court of Florida, since the rules require the fee to be payed at the Supreme Court of Florida; however, Appellant has been directed to file this pleading at the Florida Public Service Commission also, even the "FPSC" is not a court of law or tribunal.

1. Various orders have been entered by the "FPSC" against "RAD" which violated RAD's Fourteenth Amendment right of due process and equal protection of the law, solely for the purpose to deny RAD meaningful access to the "FPSC", and to ensure that GTE Florida, Inc., and GTE Communication Corporation (hereafter, "GTECC") take undue advantage of the citizens of the State of Florida, as a co-conspirators with the "SCDUILA" at artificial-monopolistic legal fees of \$300.00 per hour. The "FPSC" entered an order denying Appellant the requested relief in RAD's Petition in Docket No. 921249-TL.

The aforesaid various orders in Docket No. 921249-TL were entered pursuant to "prior agreement and personal motivation" and "outside the 'FPSC's' authority" (not a judicial act - "exparte communications"), solely for the purpose to deny Petitioner, and the citizens of the State of Florida, meaningful access to the "FPSC" as citizen-attorneys and paupers, and not able to afford a "sleazy, corrupt, dishonest, unethical, illegal, licensed attorney" (hereafter, "SCDUILA") at artificial-monopolistic legal fees of \$300.00 per hour. Appellant cannot afford to pay another notary to sign an affidavit, and since Petitioner is appearing as a citizen-attorney, Appellant's pleadings have the same weight of evidence as an affidavit. Accordingly, the aforesaid course of illegal conduct has violated Petitioner's Fourteenth Amendment rights. The aforesaid "fraudulent" orders were entered pursuant to "prior agreement and personal motivation", and with the "FPSC" refusing and continuing to refuse to admit the law and facts and evidence existed when it pertained to Petitioner, citizen-attorney (NOTE: Pro Se is void, null and illegal), and a pauper. The aforesaid has the overlay that the licensed attorneys will not permit citizen-attorneys and/or pauper litigants to gain "meaningful" access to the "FPSC" to cease and desist the fraudulent and monopolistic conduct of GTE Florida, Inc, and its subsidiaries and affiliates, with the overlay that the aforesaid orders of the "FPSC" are based on "exparte communications" and documents of GTE Florida, Inc. and GTECC that are replete with falsehoods and half-truths (NOTE: the fraudulent order denying Appellant's requested relief in RAD's Petition in Docket No. 921249-TL, was not based on facts and law and evidence, but "exparte communications"). Further, the "FPSC" did not have compe-

tent jurisdiction of Petitioner, since Petitioner had a motion to disqualify the "FPSC" pending, which the "FPSC" refused and continued to refuse to entertain.

Pursuant to the provisions of the Rules of Florida Rules of Appellate Procedure, and of the applicable statutes set forth below, Petitioner moves the above-entitled court for an order:

a. Granting Appellant leave to proceed on appeal in forma pauperis without prepayment of fees or costs or giving security thereof, pursuant to the provisions of Rules of Appellate Procedure.

b. Directing the reporter to prepare a transcript of the proceedings in this action, to be paid by Florida pursuant to the provisions of the Rules of Appellate Procedure. Appellant hereby designates the following parts of the proceedings herein for inclusion in the transcript, as being necessary to decide the issues presented by this appeal: (1) Each and every pleading and order in Docket No. 921249-TL that refers, relates, pertains or mentions the denial of Appellant's request for relief in Appellant's Petition in Docket No. 921249-TL; (2) Each and every pleading and order that refers, relates, pertains or mentions each and every order in the above-entitled and numbered action.

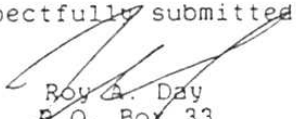
c. Petitioner also moves the court to certify that this appeal is not frivolous but represents a substantial question.

This motion is based on the affidavits of Petitioner filed in this Court and other Florida Courts, and in the United States District Court and the United States Court of Appeals For The Eleventh Circuit and the Supreme Court of the United States, which Appellant Roy A. Day has been declared a pauper as defined by law and the right

to proceed in forma pauperis in the aforesaid courts, since Appellant cannot afford to pay another notary to sign another affidavit, and on the records, papers, and files in Docket No. 921249-TL.

DATED: June 18, 1993.

Respectfully submitted,


Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing notice has been forwarded to M. Eric Edington, P.O. Box 110, MC7, Tampa, Florida 33601, via first class mail on this 18th day of June, 1993.



Roy A. Day

ROY A. DAY'S AFFIDAVIT IN SUPPORT OF ROY A. DAY'S MOTION FOR
LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS SINCE ROY A. DAY
CANNOT AFFORD TO PAY ANOTHER NOTARY TO SIGN ANOTHER
AFFIDAVIT FOR THIS PLEADING

1. Roy A. Day has been declared a pauper in the this Court and in various United States Courts of Appeals and the Supreme Court of the United States.

2. Roy A. Day cannot afford to hire an illegal licensed attorney at the artificial-monopolistic legal fee rate of \$300.00 per hour, and since Roy A. Day is appearing as a citizen-attorney, the instant pleading has the same weight of evidence as an affidavit, since Roy A. Day cannot afford to pay another notary to sign the instant pleading.

3. That in support of Petitioner's motion to proceed on appeal without being required to prepay fees, costs, or give security therefor, Petitioner states that Appellant was permitted to proceed in a forma pauperis mode in this Court and in various actions in the United States District Court and the United States Court of Appeals for the Eleventh Circuit and the Supreme Court of the United States, and Petitioner was STABBED IN THE BACK AND RAPED OF APPELLANT'S PROPERTY AND RIGHTS IN THE 'GAF CASE' BY THE FEDERAL JUDGES IN THE TAMPA DIVISION AND THE JUSTICES OF THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT, AND PETITIONER HAD TO SPEND MILLIONS OF DOLLARS IN TIME AND MONEY DEFENDING THE COURSE OF ILLEGAL CONDUCT BY THE APPELLEES IN THE 'GAF CASE', AND PETITIONER IS NOW HAVING TO PAY THE MILLIONS OF DOLLARS BACK WHICH WERE BORROWED TO DEFEND THE AFORESAID COURSE OF ILLEGAL CONDUCT BY THE FEDERAL JUDGES TO ENTER FRAUDULENT

ORDERS IN THE "GAF CASE" AGAINST PETITIONER SO THE LICENSED ATTORNEYS COULD MAKE MONOPOLISTIC LEGAL FEES OF \$300.00 PER HOUR, and because each and all monies that Petitioner has forthcoming is presently in a state of litigation, and until a final judgment is entered, the said money cannot be obtained until each and all creditors make their said claim and a final judgment is entered, and the aforesaid statement has been stipulated and agreed by each and all controlling parties pertaining to the said money, and once Petitioner obtains the aforesaid money, the aforesaid money is to pay for the MILLIONS of dollars borrowed by Petitioner to defend the "GAF Case" in which Petitioner was STABBED IN THE BACK AND RAPED OF PETITIONER'S PROPERTY, and because of Petitioner's poverty, Petitioner is unable to pay costs of said proceeding or to give security therefor; that Petitioner believes that Petitioner is entitled to redress, and the issues which Petitioner desires to present on appeal are the following: (1) Petitioner is a pauper as defined by law and cannot afford to pay a notary to sign an affidavit, and since Petitioner is proceeding as a citizen-attorney, Petitioner's pleadings have the same weight of evidence as an affidavit; that Petitioner's Fourteenth Amendment rights have been violated; (2) that the orders entered in the above-entitled and numbered action at the "FPSC" violate Petitioner's Fourteenth Amendment rights of due process and equal protection of the law, and was entered pursuant to "prior agreement and personal motivation" (not a judicial act) ("exparte communications"), to ensure that Roy A. Day could not file an appeal in Docket No. 930001-EI pertaining to the request for relief in Roy A. Day's Petition in Docket No. 930001-EI; (3) the orders entered in 921249-TL which re-

late, pertain, mention or refer to the denial of Appellant's request for relief in Roy A. Day's "prayer" in Roy A. Day's Petition in Docket No. 921249-TL is fraud of the FIRST ORDER on the citizens of the State of Florida, and denies Roy A. Day's Fourteenth Amendment rights; (4) that the "FPSC" and "SCDUILA" of this court did not have competent jurisdiction of Petitioner; (5) that each and every citizen is held accountable to the law whether the citizen knows the law or not, and accordingly, each and every citizen has the right to be taught the law - the entity known as "licensed attorney" is void, null and illegal; (6) the "format and structure" of the "FPSC" and the "judicial review" violates the citizens Fourteenth Amendment rights of due process and equal protection of the law, in that the citizen are not heard meaningfully, and the final decisions are made by "SCDUILA" that are FRAUDULENT, CLONE, STATUS QUO DECISIONS; (7) That citizen-attorneys are the only citizens who can sit on a judicial review, since the entity known as "licensed attorney" establishes a two tier system of justice; (8) the "FPSC" is not government by and for the people, but government by and for "SCDUILA" to make artificial-monopolistic legal fees of \$300.00 per hour; that each and all statutes which refer, relate, pertain or mention the entity known as "licensed attorney" are void, null and illegal, including but not limited to, Florida Statutes Annotated, Volume 13B, Title XXV, Section 350.0611; (9) that Petitioner's Fourteenth Amendment rights of due process and equal protection of the law were violated by the "FPSC" refusing and continuing to refuse to entertain each and all Petitioner's pending motions, and for refusing and continuing to refuse to deny Petitioner meaningful ACCESS to the "FPSC"; (10) that

the so-called "public counsels" are "SCDUILA" and accept "cash under the table" and/or "special favors" from so-called "public utilities", and "conspire" with the "SCDUILA" of the "public utilities" to "railroad" through "fraudulent" rate increases or fraudulent procedures, using fraudulent documents and falsehoods, fraud, misrepresentations and half-truths; if Petitioner is denied access to the "FPSC" and the right to represent the millions of citizens in the State of Florida, then the citizens of the State of Florida have no true and correct and honest and ethical representation before the "FPSC", the "public counsel" is bias and prejudice and is for the "SCDUILA" to make artificial-monopolistic legal fees of \$300.00 per hour; such a course has violated Petitioner's Fourteenth Amendment rights, and millions of citizens' rights; (11) the order number PSC-93-0892-FOF-T1 violates Petitioner's Fourteenth Amendment rights and the basic rights section of the Florida Constitution, in that it denies Petitioner meaningful access to the "FPSC" to protect Petitioner's rights and property, and MILLIONS AND MILLIONS AND MILLIONS (90% of the citizens' rights and property in the State of Florida pertaining to the "FPSC"); (12) the order number PSC-93-0892-FOF-TL violates Appellant's First Amendment rights to freedom of speech.

Respectfully submitted,

Roy A. Day

P.O. Box 33

Tarpon Springs, Florida 34688-0033

AFFIDAVIT UNDER PENALTY OF PERJURY, SINCE APPELLANT IS A PAUPER
AND CANNOT AFFORD TO PAY ANOTHER NOTARY

1. I, Roy A. Day, due to my poverty, hereby move to proceed on appeal without being required to prepay fees, costs or give security therefor. I believe I am entitled to redress, and I would present the following issues on appeal: Appellant repeats and realleges the issues, supra, as if the aforesaid issues were expressly stated herein.

2. I am presently unemployed. I was last employed on or about June, 1991 and made about \$5.00/hour.

3. All the monies I have received as income from a business, rent payments, interest, dividends, or any other source, in the past 12 months were in the form of loans from, parents, friends and relatives. In addition, this Court and the federal courts STABBED ME IN THE BACK AND RAPED ME OF MY PROPERTY AND RIGHTS in C.A. No. 89-339-CIV-T-15A and C.A. 89-196-CIV-T-15B, and I had to borrow and spend millions of dollars to defend the course of illegal conduct by Appellees, and this Court and the federal courts. Accordingly, each and all monies I have received are received to pay for loans to friends and relatives and associated debts to deceased parents since I had to pay millions of dollars to defend this Court's course of illegal conduct and the federal courts in C.A. No. 89-339-CIV-T-15A and 89-196-CIV-T-15B.

4. I have Five dollars (\$5.00) in my possession or control. Each and all other monies I have in my possession or control are in the form of loans from friends and relatives, and I must repay them,

or their personal representative. I was STABBED IN THE BACK AND RAPED OF MY RIGHTS AND PROPERTY by this Court and the federal courts in C.A. No. 89-339-CIV-T-15A and C.A. No. 89-196-CIV-T-15B, and I had to spend millions of dollars to defend this Court's course of illegal conduct and the federal courts course of illegal conduct against me. So in reality, I will have no money for years to come due to this Court's course of illegal conduct and the federal court's course of illegal conduct against me. In addition, each and all other monies are not under my control or possession at the present time due to each and all legal proceedings in association with each and all statute of limitations of time and each and all final judgments and each and all personal representatives in connection with each and all creditors and their associated claims. In addition, it has been stipulated and agreed between each and all personal representatives and Petitioner, that no monies can be claimed or used or distributed until each and all courts of law have entertained each and all pleadings on each and all claims, and entered each and all final judgments for each and all claims, and each and all creditors have been satisfied.

5. Each and all monies I have in a checking, savings, or other accounts in any financial institution, are in the form of loans from parents, friends and relatives, and I must repay them, or their personal representative. I was STABBED IN THE BACK AND RAPED OF MY PROPERTY AND RIGHTS by this Court and the federal courts in C.A. No. 89-339-CIV-T-15A and C.A. No. 89-196-CIV-T-15B, and I had to spend millions of dollars to defend this Court's course of illegal conduct and the federal court's course of illegal conduct against me. So, in

reality, I will have no money for years to come due to this courts course of illegal conduct against me. In addition, each and all other monies are not under my control or possession at the present time due to each and all legal proceedings in association with each and all statute of limitations of time and each and all final judgments and each and all personal representatives in connection with each and all creditors and their associated claims. In addition, it has been stipulated and agreed between each and all personal representatives and Appellant, that no monies can be claimed or used or distributed until each and all courts of law have entertained each and all pleadings on each and all claims, and entered each and all final judgments for each and all claims, and each and all creditors have been satisfied.

6. I do not own an automobile, since the said automobile is financed through "GMAC", and they hold the title. I owe seven thousand dollars (\$7,000.00) on the said automobile. If you want to buy it, I will sell it to you. Each and all other property designated as real estate, stocks, bonds, notes, jewelry, or other valuable property (excluding ordinary household furnishings and clothings), are not under my control or possession at the present time due to each and all legal proceedings in association with each and all statute of limitations of time and each and all final judgments and each and all personal representatives in connection with each and all creditors and their associated claims, and each and all joint beneficiary claims. The aforesaid legal proceedings have the final determination of my property pursuant to each and all creditor's claims and beneficiary claims and joint ownership claims. In addition, it has been stipulated and agreed between each and all personal representatives

and Petitioner, that no monies can be claimed or used or distributed until each and all courts of law have entertained each and all pleadings on each and all claims, and entered each and all final judgments for each and all claims, and each and all creditors have been satisfied. Further, I was STABBED IN THE BACK AND RAPED OF MY PROPERTY AND RIGHTS by this Court and the federal courts in C.A. No. 89-339-CIV-T-15A and C.A. No. 89-196-CIV-T-15B, and I had to spend millions of dollars to defend this Court's course of illegal conduct against me. So, in reality, I will have no money for years to come due to this Courts course of illegal conduct and the federal courts course of illegal conduct against me.

7. 5. I have one person who is dependent on me, and her relationship is a daughter. In addition, I have 'millions and millions and millions' (90% of the United States citizens are now dependent on me, in connection to 'THE LEGAL PARTY', to return the judicial branch of government back to the people, and out of the hands of the 'corrupt, illegal licensed attorneys').

8. NOTE: The aforesaid affidavit of indigency is filed in this Court and in various United States District Courts, and various United States Court of Appeals, and the Supreme Court of the United States, and various State Courts.

IN THE SUPREME COURT OF FLORIDA

ROY. A. DAY,
Appellant-Petitioner

VS.

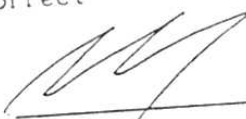
GTE FLORIDA, INC.,
Appellee-Respondent

IN THE FLORIDA PUBLIC SERVICE
COMMISSION, DKT. NO. 921249-TL

FIRST ALTERNATIVE, PETITIONER'S
PETITION FOR WRIT OF CERTIORARI
SECOND ALTERNATIVE, NOTICE TO
INVOKE DISCRETIONARY
JURISDICTION


STATE OF FLORIDA
COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, on this day personally appeared Roy A. Day, who being by me duly sworn on his oath deposed and said that he is the Petitioner in the above-entitled and numbered action, that he has read Petitioner's Motion For Leave To Proceed On Appeal In Forma Pauperis, and that every statement therein is within his personal knowledge true and correct



Roy A. Day

I declare under penalty of perjury that the foregoing motion is true and correct, and I understand that a false statement in this declaration will subject me to penalties for perjury. NOTE: This declaration complies with each and all Florida statutes for perjury, and for each and all federal statutes for perjury, including 28 USC 1746, in lieu of an affidavit - Petitioner is a pauper and cannot afford to pay another notary public to sign this form. Petitioner is appearing as a citizen-attorney, and such a course has the same weight of evidence as an affidavit.
Executed this 18th day of June, 1993.



Roy A. Day

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

June 21, 1993
June 25, 1993

Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

- RE: Docket No. 930281-EI; The Legal Party v. Fl. Power Corp.
Petition filed on order no. PSC-93-0893-PCO-EI for Sunshine
natural gas transmission pipelines
- RE: Docket No. 910890-EI; The Legal Party v. Fl. Power Corp.
Petition filed on order no. PSC-93-0796-EI for documents
concealed on the discharge of employees by Fl. Power Corp.
- RE: Motion For The Legal Party To Intervene - letter dated
June 1, 1993 to Steve Tribble

Dear Tribble:

IF AN AGENT AND SERVANT OF MR. STEVE TRIBBLE IS READING THE
INSTANT LETTER, YOU ARE TO CEASE AND DESIST READING THE INSTANT LET-
TER AND GIVE TO MR. STEVE TRIBBLE, AND MR. STEVE TRIBBLE ONLY. THANK
YOU.

The instant letter is to be presented to each and every member of
the Florida Public Service Commission.

FACTS

No response was received to my letter dated June 21, 1993 in refer-
ence to the pending actions listed infra. I NEED AN EMERGENCY RULING
ON THE PENDING ACTIONS INFRA, AND I NEED THE ITEMS TO BE FILED AND
PROCESSED TODAY. Accordingly, the June 21, 1993 letter is being
re-sent a second time, so the record is clear and certain and full
and satisfactory on your course of illegal conduct against Intervenor
The Legal Party, on behalf of Roy A. Day.

Letter Sent A Second Time

I need an immediate ruling (THIS WEEK - on June 28, 1993) on the
following three items, since I need to get to federal court immediat-
ly on the following three items, since it appears I am going to be
denied meaningful access to the "FPSC" again: (1) On or about June
3, 1993, I filed a Motion For Legal Party To Intervene, and a Motion
For A Full En Banc Commission Hearing; I need an immediate ruling on
this motion this week, so I can move immediately to federal court
with the issues; (2) On or about June 9, 1993, I filed a Petition in
reference to order no. PSC-93-0796-FOF-EI on the concealed documents
pertaining to layed-off employees of Florida Power Corporation; I
need an immediate ruling on this Petition, and the associated Motion
To Intervene this week, so I can move immediately to federal court

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REC'D - RECORDS MANAGEMENT

Mr. Steve Tribble
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June 25, 1993

with the issues; (3) On or about June 14, 1993, I filed a Petition in reference to order no. PSC-93-0839-PCO-EI on the Sunshine natural gas transmission pipelines; I need an immediate ruling on this Petition, and the associated Motion To Intervene this week, so I can move immediately to federal court with the issues. (Hereafter, the aforesaid pending three pleadings are designated as the "three items.")

I NEED "ORDERS" ISSUED THIS WEEK (ON JUNE 28, 1993) ON THE AFORESAID THREE ITEMS, SO I CAN MOVE TO FEDERAL COURT, SINCE IT APPEARS I AM NOT GOING TO BE PERMITTED TO GAIN MEANINGFUL ACCESS TO THE FLORIDA PUBLIC SERVICE COMMISSION. I NEED TO RECEIVE THE ORDERS ON THE AFORESAID THREE ITEMS ON OR BEFORE JUNE 30, 1993. TIME IS OF THE ESSENCE! You (Steve Tribble and each and every member of the Florida Public Service Commission) are to send a letter stating that the aforesaid three items have been filed and processed, and a RULING was issued on June 28, 1993 on the aforesaid three items.

NOTE: The instant letter is written as a "quasi contract" (stipulation and agreement) between Roy A. Day (The Legal Party) and Steven Tribble and each and every member of the Florida Public Service Commission. It is stipulated and agreed between Roy A. Day (The Legal Party) and the Steve Tribble and each and every member of the Florida Public Service Commission, that for each and every day that Roy A. Day does not receive the aforesaid information on the said three items July 1, 1993.

END FACTS.

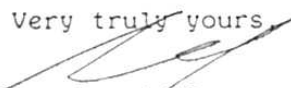
NOTE: IF NO RESPONSE (SENT CERTIFIED MAIL TO THE ABOVE-ENTITLED AND NUMBERED ADDRESS) IS RECEIVED ON OR BEFORE JUNE 30, 1993 TO THE INSTANT LETTER FROM STEVE TRIBBLE, AND EACH AND EVERY MEMBER OF THE PUBLIC SERVICE COMMISSION, THEN THE AFORESAID "FACTS" ARE ADMITTED AS TRUE AND CORRECT, AND ROY A. DAY (THE LEGAL PARTY) IS ENTITLED TO THE SUM CERTAIN IN SANCTIONS OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) PER DAY, WITH THE SANCTIONS BEGINNING ON JULY 1, 1993, AND CONTINUING TO TOLL UNTIL ROY A. DAY (THE LEGAL PARTY) RECEIVES THE ORDERS ON THE AFORESAID THREE ITEMS, SINCE THE COURSE OF CONDUCT BY THE FLORIDA PUBLIC SERVICE COMMISSION AGAINST ROY A. DAY (THE LEGAL PARTY) HAS VIOLATED THE FOURTEENTH AMENDMENT, SPECIFICALLY, DUE PROCESS AND EQUAL PROTECTION OF THE LAW, WITH THE OVERLAY OF ADVERSELY AFFECTING MILLIONS AND MILLIONS AND MILLIONS OF CITIZENS' RIGHTS AND PROPERTY.

NOTE: THE INSTANT LETTER IS TO BE FILED, AND MADE PART OF THE RECORD OF THE AFORESAID THREE ITEMS.

ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
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Mr. Steve Tribble
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June 25, 1993

Thank you for your cooperation and assistance in this matter.

Very truly yours,

Roy A. Day

RAD/rr

ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
PAGE 68

Roy A. Day
P.O. Box 33
Tarpon Springs, Florida 34688-0033

June 21, 1993 - No Response
June 25, 1993 - No Response
June 30, 1993

RECEIVED

JUN 30 1993

General Counsel's Office
Florida Public Service Commission

Mr. Steve Tribble, Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

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FACTS

No response was received to my letters dated June 21, 1993 and
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AN EMERGENCY RULING ON THE PENDING ACTIONS, INFRA, AND I NEED THE
ITEMS TO BE FILED AND PROCESSED TODAY. Accordingly, the June 21, 1993
and June 25, 1993 letters are being re-sent a third time, so the
record is clear and certain and full and satisfactory on your course
of illegal conduct against Intervenor The Legal Party, on behalf of
Roy A. Day.

Letter Sent A Third Time

I need an immediate ruling (THIS WEEK - on July 2, 1993) on the
following three items, since I need to get to federal court immediat-
ly on the following three items, since it appears I am going to be
denied meaningful access to the "FPSC" again: (1) On or about June
3, 1993, I filed a Motion For Legal Party To Intervene, and a Motion
For A Full En Banc Commission Hearing; I need an immediate ruling on
this motion this week, so I can move immediately to federal court
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pertaining to layed-off employees of Florida Power Corporation; I

DOCUMENT NO.
0709-93

6/30/93

Mr. Steve Tribble
Page 2 of 3
June 30, 1993

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I NEED "ORDERS" ISSUED THIS WEEK (ON JULY 2, 1993) ON THE AFORESAID THREE ITEMS, SO I CAN MOVE TO FEDERAL COURT, SINCE IT APPEARS I AM NOT GOING TO BE PERMITTED TO GAIN MEANINGFUL ACCESS TO THE FLORIDA PUBLIC SERVICE COMMISSION. I NEED TO RECEIVE THE ORDERS ON THE AFORESAID THREE ITEMS ON OR BEFORE JULY 8, 1993. TIME IS OF THE ESSENCE! You (Steve Tribble and each and every member of the Florida Public Service Commission) are to send a letter stating that the aforesaid three items have been filed and processed, and a RULING was issued on July 2, 1993 on the aforesaid three items.

NOTE: The instant letter is written as a "quasi contract" (stipulation and agreement) between Roy A. Day (The Legal Party) and Steven Tribble and each and every member of the Florida Public Service Commission. It is stipulated and agreed between Roy A. Day (The Legal Party) and the Steve Tribble and each and every member of the Florida Public Service Commission, that for each and every day that Roy A. Day does not receive the aforesaid information on the said three items before July 8, 1993, Roy A. Day is entitled to damages in the SUM CERTAIN of One Hundred Thousand Dollars (\$100,000.00) per day, for each and every day past July 8, 1993, since the issues in the aforesaid items are of GREAT PUBLIC CONCERN, AND AFFECT MILLIONS AND MILLIONS OF CITIZENS.

END FACTS.

NOTE: IF NO RESPONSE (SENT CERTIFIED MAIL TO THE ABOVE-ENTITLED AND NUMBERED ADDRESS) IS RECEIVED ON OR BEFORE JULY 8, 1993 TO THE INSTANT LETTER FROM STEVE TRIBBLE, AND EACH AND EVERY MEMBER OF THE PUBLIC SERVICE COMMISSION, THEN THE AFORESAID "FACTS" ARE ADMITTED AS TRUE AND CORRECT, AND ROY A. DAY (THE LEGAL PARTY) IS ENTITLED TO THE SUM CERTAIN IN SANCTIONS OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) PER DAY, WITH THE SANCTIONS BEGINNING ON JULY 8, 1993, AND CONTINUING TO TOLL UNTIL ROY A. DAY (THE LEGAL PARTY) RECEIVES THE ORDERS ON THE AFORESAID THREE ITEMS, SINCE THE COURSE OF CONDUCT BY THE FLORIDA PUBLIC SERVICE COMMISSION AGAINST ROY A. DAY (THE LEGAL PARTY) HAS VIOLATED THE FOURTEENTH AMENDMENT, SPECIFICALLY, DUE PROCESS AND EQUAL PROTECTION OF THE LAW, WITH THE OVERLAY OF ADVERSELY AFFECTING MILLIONS AND MILLIONS AND MILLIONS OF CITIZENS' RIGHTS AND PROPERTY.

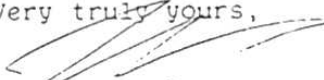
ORDER NO. PSC-93-0996-FOF-PU
DOCKETS NOS. 910890-EI, 921249-TL, 930281-EI
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June 30, 1993

NOTE: THE INSTANT LETTER IS TO BE FILED, AND MADE PART OF THE
RECORD OF THE AFORESAID THREE ITEMS.

Thank you for your cooperation and assistance in this matter.

Very truly yours,


Roy A. Day

RAD/rr
Sent Return Receipt Requested
Certified Mail No.
P 378 450 210

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