

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Frederick Smallakoff  
against Progress Energy Florida, Inc.  
concerning alleged improper bills, Case No.  
1059336E.

DOCKET NO. 120176-EI  
ORDER NO. PSC-13-0124-PAA-EI  
ISSUED: March 13, 2013

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman  
LISA POLAK EDGAR  
ART GRAHAM  
EDUARDO E. BALBIS  
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION  
ORDER DENYING COMPLAINT

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

**Background**

This consumer complaint was initially filed with this Commission's Office of Consumer Assistance and Outreach (CAO) on April 4, 2012.<sup>1</sup> In the complaint, Mr. Smallakoff alleged that his electric bills for his account with Progress Energy Florida, Inc. (PEF) were unusually high. Mr. Smallakoff claimed his February, March and April 2012 bills were excessive. Mr. Smallakoff further complained of an improper additional deposit being levied against him, an improper disconnection of electrical service, and disputed the subsequent reconnection fee. The total amount in dispute is \$320. Commission staff's informal investigations regarding Mr. Smallakoff's complaint found that the meter tests and voltage studies that PEF conducted at Mr. Smallakoff's residence were correctly performed, and that the equipment was operating within the limits specified by this Commission. Furthermore Commission staff has reviewed Mr. Smallakoff's billing history, and we find from the information provided that the account has been billed consistently with PEF's tariff and our rules and statutes. The following list is a summary of all of the activity that has been performed on behalf of Mr. Smallakoff in an effort to address his complaint.

<sup>1</sup> Complaint Number 1059336E

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

1. March 23, 2010 – PEF visited Mr. Smallakoff's residence and tested meter number 001438327. The results of the meter test were: full load - 100.10%, light load - 100.11%, which yielded a weighted average of 100.10%. These results confirmed that the subject meter was recording electric consumption accurately in accordance with Rule 25-6.052(2), Florida Administrative Code (F.A.C.), which requires that a meter, when tested, must not register less than 98% or no more than 102%. Although conducted prior to the initiation of this complaint the results of this test were used in the evaluation of the complaint.
2. March 20, 2012 – PEF records show Mr. Smallakoff's service was interrupted for an alleged past due balance in the amount of \$265.90. Mr. Smallakoff stated he would pay the balance under duress and made the payment in person at a pay station later that day. Mr. Smallakoff's service was restored several hours later. PEF also imposed an additional security deposit of \$280.00, which represented two months' average billing. Subsequently, PEF agreed to break the requested deposit into six monthly installments of \$46.67.
3. March 28, 2012 - PEF visited Mr. Smallakoff's residence a second time and tested meter number 001438327. The results of the meter test were: full load - 100.13%, light load - 100.13%, which yielded a weighted average of 100.13%. These results confirmed that the subject meter was recording electric consumption accurately in accordance with Rule 25-6.052(2), F.A.C.
4. March 29, 2012 – At the request of Mr. Smallakoff, PEF removed meter number 001438327 and replaced it with a new meter identified as meter number 006292750.
5. April 3, 2012 – PEF completed a shop test of meter number 001438327, the results of this third meter test were: full load - 100.09%, light load - 100.09%, which yielded a weighted average of 100.09%. These results confirmed that the subject meter was recording electric consumption accurately in accordance with Rule 25-6.052(2), F.A.C.
6. April 5, 2012 – A PEF Senior Consumer Affairs Associate assigned to Mr. Smallakoff's case recommended and offered to organize a Home Energy Audit of Mr. Smallakoff's residence to identify any inefficiencies which may have an adverse impact on Mr. Smallakoff's utility bills. Mr. Smallakoff declined this offer.
7. April 23, 2012 – CAO staff reviewed PEF's response to Mr. Smallakoff's complaint. Upon reporting its findings back to Mr. Smallakoff, he stated that CAO's response was incorrect with regards to its review of his account and the meter tests.
8. April 24, 2012 – Based on Mr. Smallakoff's continued dissatisfaction the complaint was forwarded to this Commission's Process Review Group for

escalation to the process review phase of the complaint progression in accordance with Rule 25-22.032(7), F.A.C.

9. April 24, 2012 – Pursuant to Rule 25-22.032(3), F.A.C., PEF was sent notice that PEF must notify us of all communications it has with Mr. Smallakoff and that PEF could not disconnect Mr. Smallakoff for nonpayment of the disputed amount. On numerous occasions, Commission staff has informed Mr. Smallakoff that he is not obligated to pay the disputed amount (\$320) until this complaint is resolved.
10. May 4, 2012 – PEF conducted a second shop test of meter number 001438327 in the presence of Commission engineering safety staff. The results of this test were full load: 100.12%, light load: 100.12%, which yielded a weighted average of 100.12%. Commission engineering safety staff subsequently conducted its own test using a Commission-owned Probewell portable meter tester. The results of the Commission staff meter test were full load: 100.14%, light load: 100.16%, which yielded a weighted average of 100.26%. Commission engineering safety staff reported that an inspection of meter number 00143827 found no conditions indicative of meter tampering. Commission engineering safety staff also stated that the minor variations between the five tests of the meter were well within the expected variations of tests conducted on different days, under variable conditions and with different kinds of equipment.
11. May 15, 2012 – The Process Review Group sent a letter to Mr. Smallakoff summarizing its review of his account activity and electrical consumption from April 2010 to March 2012. The Process Review Group found PEF has complied with all applicable statutes, rules, tariffs and orders of this Commission. As a result of Mr. Smallakoff's continued dissatisfaction and his objection to the Process Review Group's findings, the Consumer Affairs Office referred this complaint for Administrative Review to determine if informal complaint action was necessary or if the complaint should become the subject of a formal proceeding.
12. June 4, 2012 – After a review of the complaint file, Commission legal staff sent Mr. Smallakoff another letter presenting Commission staff's analysis and conclusions and included copies of an account audit summary and account energy consumption summary prepared by Commission staff. Commission legal staff concurred with the Process Review Group's conclusion that it found PEF had complied with all applicable statutes, rules, tariffs and orders of this Commission.
13. June 19, 2012 – The Commission Clerk received a written request from Mr. Smallakoff to open a formal complaint against PEF. This docket was subsequently opened.
14. July 18, 2012 – Mr. Smallakoff contacted Commission legal staff to complain about a disconnection notice he had received. Subsequently PEF indicated it had

sent out an automated notice, possibly in error, and promptly sent a notice to the customer to disregard the cutoff notice.

15. On September 20, 2012 Commission staff agreed to provide Mr. Smallakoff additional time to provide documentation and to bring this matter and a separate complaint by Mr. Smallakoff regarding Florida Power & Light Company in Docket No. 060774-EI before this Commission simultaneously. Mr. Smallakoff was notified by mail of this extension.
16. September 26, 2012 –A letter was sent to Mr. Smallakoff requesting that he furnish any information he may have in support of his complaint.
17. On November 20, 2012 – Commission staff had not received a response to its September 26, 2012 letter; therefore, a second request was sent via certified mail. The certified letter was returned as unclaimed and the letter was resent via first class mail.

### Decision

#### **Alleged Excessive Usage and Billing**

The focus of the complaint has been an assertion of excessive billing. Mr. Smallakoff maintains that his bills for February, March, and April 2012 were abnormally high and that his electric usage could not have legitimately increased by such a large percentage.

In order to more clearly understand this claim, we reviewed PEF's electric consumption history for Mr. Smallakoff's service address for the 24-month period of April 28, 2010, through March 27, 2012, which encompassed 729 days. For analytical purposes, Commission staff prepared the attached Account Energy Consumption Comparison Summary (CCS) for that period of time (Attachment A).

Comparison Chart 1 reflects a side-by-side comparison of kilowatt hour (kWh) usage for the 729-day period from April 28, 2010, through March 27, 2012. As reflected on Chart 1, during the 364-day period from April 28, 2010, through March 28, 2011, Mr. Smallakoff consumed 15,581 kWh, an average daily usage of 43 kWh (line 13, column G). For the corresponding 365-day period from April 27, 2011, through March 27, 2012, Mr. Smallakoff consumed 13,701 kWh, an average daily usage of 38 kWh (line 13, column N), which is a moderate decrease of 11.6 percent from the previous year. Highlighted lines 9 through 12, columns A through G and columns H through N indicate the typical expected seasonal usage spike that occurs during the winter and early spring season, which occurs due to lower temperatures. Comparison Chart 1 does not reflect any unusual trends or extraordinary anomalies that would indicate skewed or disproportionate kWh consumption; in fact, as noted, Mr. Smallakoff's kWh usage actually decreased from the previous year. We find the comparison chart reflects rather consistent usage from one year to the next.

Comparison Chart 2 represents Mr. Smallakoff's kWh usage for 2010 and 2011 for the eight-month period immediately preceding the seasonal spike periods identified on lines 9 through 12. Comparison Chart 2 does not reflect any unusual trends or extraordinary anomalies that would indicate skewed or disproportionate kWh consumption; in fact, as noted previously, Mr. Smallakoff's kWh usage actually decreased from the previous year. We find the comparison chart shows remarkably consistent usage from one year to the next.

Comparison Chart 3 compares Mr. Smallakoff's kWh consumption during the seasonal winter spike period of December 23, 2010, through March 28, 2011, and for the same period of December 27, 2011, through March 27, 2012, which is the period of time of the disputed billing statements. Compared to the 2010/2011 period, Mr. Smallakoff's 2011/2012 billed kWh usage decreased significantly. Average daily kWh usage decreased by 20.3 percent from 59 (line 27, column G) to 47 (line 27, column N). However, according to the National Weather Service, the winter of 2011/2012 was exceptionally mild; subsequently, it would be expected that Mr. Smallakoff's electric consumption would decrease from the previous year. We also note that winter peak period kWh consumption was the lowest it has been in three years.

### **Meter Testing**

On rare occasions, a defective or malfunctioning electric meter can contribute to unusually high or low electric bills. As a result, PEF conducted a meter test at Mr. Smallakoff's residence on March 28, 2012. The results of the test confirmed the meter was functioning properly within guidelines established by this Commission. On March 29, 2012, meter number 001438327 was removed from the Smallakoff residence (at his request) and replaced with meter number 006292750. On April 3, 2012, PEF performed a bench test of meter number 001438327 at its facilities. For a second time, the results of the test confirmed that the meter was functioning properly within guidelines established by this Commission.

In accordance with Rule 25-6.060, F.A.C., Meter Test – Referee, at the request of Commission staff, on May 4, 2012, a witnessed inspection and meter test was performed on meter number 001438327, the meter previously removed from the Smallakoff residence on March 29, 2012. Commission staff witnessed the test at PEF's facilities. For a third time, the results of the test confirmed that the meter was functioning properly within Commission guidelines. This confirmation was further validated by an independent test conducted by Commission staff with a Commission-owned Probewell Portable Meter Tester, which obtained the same results. Furthermore, there was no evidence of meter tampering.

We note that on March 23, 2010, prior to the events in this complaint, PEF had conducted a test of meter number 001438327 at the Smallakoff residence, and at that time the results indicated the meter was functioning properly within guidelines established by this Commission.

### **Account Audit Summary**

Commission staff prepared a chronological summary of actions taken by PEF in order to investigate and address any concerns raised by Mr. Smallakoff. Commission staff also prepared the attached Account Audit Summary (Attachment B), which reflects all transactions applied to Mr. Smallakoff's account for the period of April 6, 2010, through April 28, 2012.

The chronological summary and Account Audit Summary shows that Mr. Smallakoff's account history, over time, has been relatively consistent in terms of power consumption and billing assessments. It also illustrates considerable interaction between Mr. Smallakoff and PEF involving disputes over billing amounts, late fees and other service fees. Regardless of the outcome of these disputes, the Account Audit Summary shows that PEF has promptly applied the relevant credits or debits to Mr. Smallakoff's account and has followed all relevant Commission rules, statutes and tariffs. Several significant facts are emphasized in the following chronology in reference to data on the Account Audit Summary which demonstrate both the interaction between the utility and the customer, as well the manner in which PEF managed Mr. Smallakoff's account:

1. March 29, 2010 - As reflected on line 1, column K of the Account Audit Summary, the account balance as of March 29, 2010, was \$496.36.
2. April 6, 2010 - As reflected on line 2, column H, the account was assessed a reconnection charge in the amount of \$40.00. This yielded an account balance of \$536.35 (line 2, column K).
3. April 26, 2010 - The reconnection charge billed to the Smallakoff account on April 6, 2010, was waived and the account was issued a credit adjustment of \$40.00 as reflected on line 4, column J. This yielded a new account balance of \$503.80 (line 4, column K).
4. April 28, 2010 - July 27, 2010 - Specific identified electric account debits and credits during this period of time are reflected on lines 5 - 52. The audit indicates that these debits and credits were properly applied to the account and that the account balance of \$446.17 as of July 27, 2010, is accurate.
5. August 1, 2011 - As reflected on line 53, column G, the account was assessed a reconnection fee in the amount of \$50.00, which yielded a new account balance of \$496.17 (line 53, column K).
6. August 3, 2011 - February 27, 2012 - Specific identified electric account debits and credits during this period of time are reflected on lines 54 - 71. The audit indicates that these debits and credits were properly applied to the account and that the account balance of \$451.87 as of February 27, 2012, is accurate (line 71, column K).

7. March 20, 2012 - As reflected on line 72, column G, the account was assessed a reconnection charge in the amount of \$40.00. This yielded an account balance in the amount of \$491.87 as of March 20, 2012 (line 73, column K).
8. March 21, 2012 - March 27, 2012 - Specific identified electric account debits and credits during this period of time are reflected on lines 73 - 75. The audit indicates that these debits and credits were properly applied to the account and that the account balance of \$334.52 as of March 27, 2012, is accurate (line 75, column K).
9. March 27, 2012 - A deposit assessment in the amount of \$280.00 was assessed to the account on March 20, 2012. On March 26, 2012, PEF agreed to break payment of the deposit into six payments of \$46.67 each. The first deposit assessment payment of \$46.67 was posted to the account on March 27, 2012 (line 76, column G). This resulted in a new account balance in the amount of \$381.19 (line 76, column K).
10. April 26, 2012 - The account balance as of this date is \$285.94 as reflected on line 79, column K.

#### **Alleged Improper Disconnection**

When the complaint was filed on April 4, 2012, Mr. Smallakoff indicated that his electric service was improperly disconnected without notice. As stated in Rule 25-6.105(5)(g), F.A.C., PEF or any other regulated electric utility may discontinue or refuse service for non-payment after a diligent attempt has been made to collect the unpaid amount, including at least five working days' written notice to the customer. PEF reported that on February 17, 2012, it sent a late notice that the account was past due by \$265.90 (an undisputed amount which is not subject to this complaint). PEF further reported that Mr. Smallakoff contacted the company on March 14, 2012, attempting to obtain a payment extension for the past due amount. The payment extension request was denied. Additionally, a March 2012, billing statement for the billing period of January 26, 2010, through February 27, 2012, provided a statement: "Your account has a past due amount of \$265.90 and electric service may be disconnected. Please pay immediately." Subsequently, in accordance with Rule 25-6.105, F.A.C., service was disconnected on March 20, 2012. Therefore, we find that service was properly disconnected at that time in compliance with the rule.

#### **Disputed Reconnection Fee**

Mr. Smallakoff disputed a reconnection fee of \$40.00 that was billed to his account in association with the disconnection referenced above. It is his belief that he should not have been charged a reconnection fee, since he claimed he received no notice of disconnection. As previously explained, we find that he was given proper notice of disconnection. Furthermore, in accordance with PEF's Tariff, Section No VI, Eighteenth Revised Sheet No. 6.110, Establishment of Service, section 4, PEF is allowed to bill his account a charge of \$40.00 for the reconnection of service after the service was disconnected for non-payment. We find that PEF

did not violate any Commission rule or its tariff in assessing his account a reconnection fee of \$40.00.

### **Alleged Unjustified and Excessive Deposit**

Mr. Smallakoff complained that he was improperly assessed an additional deposit in the amount of \$280.00. On March 20, 2012, Mr. Smallakoff's service was interrupted due to alleged non-payment. Upon receipt of \$265.90 later that day, Mr. Smallakoff's service was restored and he was mailed a notice advising him that a security deposit in the amount of \$280.00 would be required. This new deposit was in addition to an earlier deposit that was required at the time service commenced. The assessed deposit of \$280.00 was calculated consistent with PEF's tariff, by adding the previous 12 months billing yielding total charges of \$1,694.11. PEF then divided that amount by 12 months yielding an average monthly billing in the amount of \$141.18. PEF then multiplied \$141.18 by two for a total of \$282.36. PEF's policy is to round down the deposit index to the nearest multiple of five, yielding a deposit index of \$280.00.

In accordance with Rule 25-6.097(3), F.A.C., Customer Deposits, a utility may at any time require a new or additional deposit in order to secure payment of current bills. In doing so, the utility must provide at least 30 days' written notice separate and apart from any bill for service and shall explain the reason for the new or additional deposit. Furthermore, the new or additional deposit may not exceed an amount equal to twice the average charges for actual electric usage for the twelve month period immediately prior to the date of notice. PEF's Tariff Section No. IV, Third Revised Sheet No. 4.070, section 7.03, reflects Rule 25-6.097(3), F.A.C., by stating that "The Company (PEF) may require upon written notice of not less than thirty (30) days a new deposit, where previously waived or returned, or additional deposit in order to secure payment of current bills."

The utility sent a separate notice to Mr. Smallakoff assessing an additional deposit of \$280.00 based on its statement that his payment history warranted an additional deposit to secure payment for current services. Payment of the deposit was not due for thirty days after the delivery of the notice and at the request of Mr. Smallakoff, payment of the deposit was broken into six monthly installments of \$46.67. The method used to calculate the additional deposit yields an amount that is slightly less than twice the average charges for actual electric usage for the twelve month period immediately prior to the date of notice as specified by Rule 25-6.097(3), F.A.C., Therefore, we find that PEF was not in violation of Rule 25-6.097(3), F.A.C., or its tariff in assessing Mr. Smallakoff's account a deposit of \$280.00.

### **Conclusion**

We find that Mr. Smallakoff's account was properly billed in accordance with Commission rules, statutes, and PEF's tariffs. Mr. Smallakoff has presented no documentation or evidence that supports his contention that he was improperly billed or that his electric consumption is excessive; in fact, the available information shows his usage is the lowest it has been in three years. We find the additional deposit assessment has been accurately calculated and assessed. Furthermore, we find that PEF has not violated any jurisdictionally applicable



provision of the Florida Statutes, the Florida Administrative Code, or its tariff in the handling of Mr. Smallakoff's account. Therefore, we find that Mr. Smallakoff's complaint shall be denied and the utility is entitled to collect the outstanding amount of \$320.00 as previously billed.

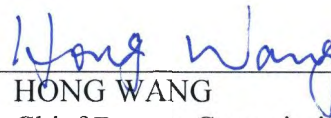
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Mr. Smallakoff's complaint is denied. We find the disputed amount of \$320 was properly billed in accordance with Commission statutes, rules, and PEF's tariffs. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th day of March, 2013.



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HONG WANG  
Chief Deputy Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MTL

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 3, 2013.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

Account Energy Consumption Summary  
 Frederick Smallakoff  
 FPSC Complaint Number 1059336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 8651 Coronet Dr., New Port Richey, FL 34655

2010/2011							2011/2012						
A	B	C	D	E	F	G	H	I	J	K	L	M	N
Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (kWh)	Number of Days	Average Daily Usage (kWh)	Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (kWh)	Number of Days	Average Daily Usage (kWh)
1	4/28/2010	69280	69280	800	29	27	4/27/2011	84081	84943	Actual	782	30	26
2	5/27/2010	69280	70202	922	29	32	5/26/2011	84943	85748	Actual	805	29	31
3	6/25/2010	70202	71322	1120	29	39	6/27/2011	85748	88249	Actual	1390	32	43
4	7/27/2010	71322	72547	1225	32	38	7/27/2011	87138	88249	Actual	1111	30	37
5	8/26/2010	72547	73701	1154	30	38	8/25/2011	88249	89367	Actual	1118	29	39
6	9/27/2010	73701	74870	1169	32	37	9/26/2011	89367	90425	Actual	1058	32	33
7	10/27/2010	74870	76881	811	30	27	10/26/2011	90425	91245	Actual	820	30	27
8	11/24/2010	76881	79200	1084	28	39	11/23/2011	91245	92154	Actual	909	33	28
9	12/3/2010	79200	81592	2435	29	84	12/2/2011	92154	93456	Actual	1302	29	45
10	1/29/2011	81592	83215	2392	34	70	1/28/2012	93456	95508	Actual	2052	30	68
11	2/24/2011	83215	84051	1623	29	56	2/27/2012	95508	98934	Actual	1426	32	45
12	3/29/2011	84051		846	32	26	3/27/2012	98934	97762	Actual	828	29	29
13	TOTALS			15581	384	43	TOTALS				13701	385	38

As indicated on Comparison Chart 1, for the period of 4/28/10 through 3/29/11, Mr. Smallakoff's total electric consumption was 15,581 kWh (line 13, column E), an average daily usage of 43 kWh (13, G). As shown on 13, L & N, for the approximate same time period of 4/27/11 through 3/27/12, Mr. Smallakoff's average daily electric consumption decreased by 11.6% to 13,701 kWh total for the period, or an average daily usage of 38 kWh. Lines 9 through 12, columns A through G and columns H through N indicate an apparent seasonal usage spike that occurs during the winter and early spring season - most likely due to lower temperatures.

ORIGINAL

Account Energy Consumption Summary  
 Frederick Smallakoff  
 FPSC Complaint Number 1059336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 6651 Coronet Dr., New Port Richey, FL 34655

Comparison Chart 2													
2010							2011						
A	B	C	D	E	F	G	H	I	J	K	L	N	
Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (KWh)	Number of Days	Average Daily Usage (KWh)	Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (KWh)	Number of Days	Average Daily Usage (KWh)
14	4/29/2010	68480	68280	922	30	27	4/27/2011	84061	85748	Actual	782	29	31
15	5/27/2010	68280	71332	1120	29	39	5/26/2011	84643	87138	Actual	905	32	43
16	6/25/2010	70302	72547	1225	32	38	6/27/2011	85748	88249	Actual	1390	30	37
17	7/27/2010	71332	73701	1194	30	38	7/27/2011	87138	89367	Actual	1111	29	39
18	8/25/2010	72547	74870	1189	32	37	8/25/2011	88249	90425	Actual	1118	32	33
19	9/27/2010	73701	75681	811	30	27	9/26/2011	89367	91245	Actual	1059	30	27
20	10/27/2010	74870	75681	1084	28	39	10/26/2011	90425	92154	Actual	820	33	28
21	11/24/2010	75681	75765	1084	28	39	11/28/2011	91245		Actual	909	33	28
22	<b>TOTALS</b>			<b>8285</b>	<b>240</b>	<b>35</b>	<b>TOTALS</b>				<b>8093</b>	<b>245</b>	<b>33</b>

Comparison Chart 2 represents Mr. Smallakoff's kWh usage for 2010 and 2011 for the 8 months period immediately preceding the seasonal spike periods. As reflected, Mr. Smallakoff's total and daily average kWh usage for the identified period is remarkably consistent.

Comparison Chart 2													
Winter Peak Usage Period 2010/2011							Winter Peak Usage Period 2011/2012						
A	B	C	D	E	F	G	H	I	J	K	L	N	
Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (KWh)	Number of Days	Average Daily Usage (KWh)	Meter Read Date	Previous Reading	Current Reading	Read Type	Electric Consumption (KWh)	Number of Days	Average Daily Usage (KWh)
23	1/23/2010			2435	29	84	1/27/2011	92784	93456	Actual	1302	29	45
24	1/26/2011			2392	34	70	1/26/2012	93456	95508	Actual	2052	30	68
25	2/24/2011			1623	29	56	2/27/2012	95508	96934	Actual	1428	32	45
26	3/28/2011			846	32	26	3/27/2012	96934	97762	Actual	828	29	28
27	<b>TOTALS</b>			<b>7296</b>	<b>124</b>	<b>59</b>	<b>TOTALS</b>				<b>5608</b>	<b>120</b>	<b>47</b>

Comparison Chart 3 compares Mr. Smallakoff's usage during the seasonal winter spike period for 12/23/10 through 3/28/11 and for the same period for 12/27/11 through 3/27/12 the period of time of his disputed billing statements. It is quite apparent that as compared to the 2010/2011 period, his 2011/2012 kWh usage decreased significantly. His average daily kWh usage decreased by 20.3% from 59 (27, G) to 47 (21, N). However, it should be noted that according to the National Weather Service, the winter of 2011/2012 was exceptionally mild. Subsequently, it would be expected that Mr. Smallakoff's electric consumption would decrease from the previous year. His winter peak period kWh consumption was the lowest it has been in three years.

ORIGINAL

Account Audit Summary  
 Frederick Smallakoff  
 FPSC Complaint Number 1059336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 6651 Coronet Dr., New Port Richey, FL 34655

A	B	D	E	F	Debits			Credits		K
					G	H	I	J		
Date	Transaction Type	Meter Number	BILLED KWH USAGE	Electric Service Charges	Other Charges	Total New Charges	Payment	Other Credit Adjustments	Account Balance	
1	March 29, 2010								\$498.35	
2	April 6, 2010				\$40.00	\$40.00			\$536.35	
3	April 22, 2010				\$7.45	\$7.45			\$543.80	
4	April 26, 2010					\$0.00		(\$40.00)	\$503.80	
5	April 26, 2010		800	\$103.32		\$103.32			\$607.12	
6	April 29, 2010					\$0.00		(\$196.36)	\$410.77	
7	May 19, 2010					\$0.00		(\$103.36)	\$307.41	
8	May 24, 2010				\$5.00	\$5.00			\$312.41	
9	May 27, 2010					\$117.70			\$430.11	
10	June 15, 2010		922	\$117.70		\$117.70		(\$5.00)	\$425.11	
11	June 17, 2010					\$0.00		(\$117.70)	\$307.41	
12	June 22, 2010				\$5.00	\$5.00			\$312.41	
13	June 25, 2010					\$143.62			\$456.03	
14	July 15, 2010					\$0.00		(\$148.62)	\$307.41	
15	July 21, 2010				\$5.00	\$5.00			\$312.41	
16	July 27, 2010		1225	\$158.26		\$158.26			\$470.67	
17	August 16, 2010					\$0.00		(\$163.26)	\$307.41	
18	August 20, 2010				\$5.00	\$5.00			\$312.41	
19	August 26, 2010					\$148.36			\$460.77	
20	September 15, 2010		1154	\$148.36		\$0.00		(\$163.57)	\$307.20	
21	September 21, 2010				\$5.00	\$5.00			\$312.20	
22	September 27, 2010					\$150.45			\$462.65	
23	October 18, 2010		1438327	1169	\$150.45	\$0.00		(\$155.45)	\$307.20	

ORIGINAL

Account Audit Summary  
 Frederick Smallakoff  
 FPSC Complaint Number 1059336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 6651 Coronet Dr., New Port Richey, FL 34655

A	B	D	E	F	Debits			Credits		K
					G	H	I	J		
Date	Transaction Type	Meter Number	BILLED KWH USAGE	Electric Service Charges	Other Charges	Total New Charges	Payment	Other Credit Adjustments	Account Balance	
24	October 21, 2010 Late Payment Charge								\$312.20	
25	October 27, 2010 Billing Statement 9/27/10 - 10/27/10	1438327	811	\$104.63	\$5.00	\$104.63			\$416.83	
26	November 11, 2010 Payment					\$0.00	(\$109.63)		\$307.20	
27	November 22, 2010 Late Payment Charge				\$5.00	\$5.00			\$312.20	
28	November 24, 2010 Billing Statement 10/27/10 - 11/24/10	1438327	1084	\$138.61		\$138.61	(\$143.61)		\$450.81	
29	December 23, 2010 Payment					\$0.00			\$307.20	
30	December 22, 2010 Late Payment Charge				\$5.00	\$5.00			\$312.20	
31	December 23, 2010 Billing Statement 11/24/10 - 12/23/10	1438327	2435	\$308.49		\$308.49	(\$313.49)		\$620.69	
32	January 18, 2011 Payment					\$0.00			\$307.20	
33	January 20, 2011 Late Payment Charge				\$5.00	\$5.00			\$312.20	
34	January 26, 2011 Billing Statement 12/23/10 - 1/26/11	1438327	2392	\$302.82		\$302.82			\$615.02	
35	February 21, 2011 Late Payment Charge				\$9.23	\$9.23			\$624.25	
36	February 24, 2011 Billing Statement 1/26/11 - 2/24/11	1438327	1623	\$201.46		\$201.46	(\$307.82)		\$826.71	
37	February 28, 2011 Payment					\$0.00			\$517.89	
38	March 18, 2011 Payment					\$0.00	(\$210.69)		\$307.20	
39	March 22, 2011 Late Payment Charge				\$5.00	\$5.00			\$312.20	
40	March 28, 2011 Billing Statement 2/24/11 - 3/28/11	1438327	846	\$102.35		\$102.35			\$414.55	
41	April 19, 2011 Payment					\$0.00	(\$107.35)		\$307.20	
42	April 21, 2011 Late Payment Charge				\$5.00	\$5.00			\$312.20	
43	April 27, 2011 Billing Statement 3/28/11 - 4/27/11	1438327	782	\$95.29		\$95.29	(\$100.29)		\$407.49	
44	May 18, 2011 Payment					\$0.00			\$307.20	
45	May 23, 2011 Late Payment Charge				\$5.00	\$5.00			\$312.20	

ORIGINAL

Account Audit Summary  
 Frederick Smallakoff  
 FPSC Complaint Number 1059336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 6651 Coronet Dr., New Port Richey, FL 34655

A	B	D	E	F	Debits		H	Credits		K
					G	Total New Charges		I	J	
Date	Transaction Type	Meter Number	BILLED KWH USAGE	Electric Service Charges	Other Charges	Total New Charges	Payment	Other Credit Adjustments	Account Balance	
46	May 26, 2011 Billing Statement 4/27/11 - 5/26/11	1438327	905	\$108.86		\$108.86			\$421.06	
47	June 14, 2011 Payment					\$0.00	(\$113.86)		\$307.20	
48	June 21, 2011 Late Payment Change				\$5.00	\$5.00			\$312.20	
49	June 27, 2011 Billing Statement 5/28/11 - 6/27/11	1438327	1390	\$170.75		\$170.75			\$482.95	
50	July 15, 2011 Payment					\$0.00	(\$175.75)		\$307.20	
51	July 21, 2011 Late Payment Change				\$5.00	\$5.00			\$312.20	
52	August 1, 2011 Billing Statement 6/27/11 - 7/27/11	1438327	1111	\$133.97		\$133.97			\$446.17	
53	August 3, 2011 Reconnection Change				\$50.00	\$50.00			\$496.17	
54	August 3, 2011 Payment					\$0.00	(\$307.20)		\$188.97	
55	August 17, 2011 Payment					\$0.00	(\$138.97)		\$50.00	
56	August 25, 2011 Billing Statement 7/27/11 - 8/25/11	1438327	1118	\$134.89		\$134.89			\$184.89	
57	September 16, 2011 Payment					\$0.00	(\$134.89)		\$50.00	
58	September 20, 2011 Late Payment Change				\$5.00	\$5.00			\$55.00	
59	September 26, 2011 Billing Statement 8/25/11 - 9/25/11	1438327	1058	\$126.99		\$126.99			\$181.99	
60	October 18, 2011 Payment					\$0.00	(\$126.99)		\$55.00	
61	October 20, 2011 Late Payment Change				\$5.00	\$5.00			\$60.00	
62	October 26, 2011 Billing Statement 9/28/11 - 10/26/11	1438327	820	\$99.48		\$99.48			\$159.48	
63	October 27, 2011 Payment					\$0.00	(\$99.48)		\$60.00	
64	November 17, 2011 Payment					\$0.00	(\$104.48)		\$0.00	
65	November 28, 2011 Billing Statement 10/26/11 - 11/28/11	1438327	909	\$109.30		\$109.30			\$109.30	
66	December 14, 2011 Payment					\$0.00	(\$109.30)		\$0.00	
67	December 27, 2011 Billing Statement 11/28/11 - 12/27/11	1438327	1302	\$164.16		\$164.16			\$164.16	

ORIGINAL

Account Audit Summary  
 Frederick Smalickoff  
 FPSC Complaint Number 10593336E  
 Progress Energy Florida - Account Number 37972-55696  
 Service Address - 6651 Coronet Dr., New Port Richey, FL 34655

A	B	D	E	F	Debits			Credits		K
					Meter Number	BILLED KWH USAGE	Electric Service Charges	Other Charges	Total New Charges	
68	January 18, 2012 Payment	1438327	2062	\$265.90			\$0.00		(\$164.16)	\$0.00
69	January 26, 2012 Billing Statement 1/22/11 - 1/26/12						\$265.90			\$265.90
70	February 21, 2012 Late Payment Charge				\$5.00		\$5.00			\$270.90
71	February 27, 2012 Billing Statement 1/26/12 - 2/27/12	1438327	1428	\$180.97			\$180.97			\$451.87
72	March 20, 2012 Reconnection Charge				\$40.00		\$40.00			\$491.87
73	March 21, 2012 Payment						\$0.00		(\$265.90)	\$225.97
74	March 22, 2012 Late Payment Charge				\$5.00		\$5.00			\$230.97
75	March 27, 2012 Billing Statement 2/27/12 - 3/27/12	1438327	828	\$103.55			\$103.55			\$334.52
76	March 27, 2012 Deposited - Failure to pay assessment = \$400.00						\$400.00			\$734.52
77	April 5, 2012 Payment						\$0.00		(\$185.97)	\$195.22
78	April 18, 2012 Payment						\$0.00		(\$61.19)	\$134.03
79	April 26, 2012 Billing Statement 3/27/12 - 4/26/12	1438327 & 6292750	799	\$151.91			\$151.91			\$285.94

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