

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

GLADYS COOK, MARGARET DIAZ,
CAROLYN MOORE and DONALD
HULSLANDER,

vs.

DOCKET NO. 920225-EC

LEE COUNTY ELECTRIC
COOPERATIVE, INC.,

COMPLAINT

EC908

GLADYS COOK, MARGARET DIAZ, CAROLYN MOORE and DONALD HULSLANDER, hereinafter referred to as complainants, by and through their undersigned counsel, and in accordance with Section 25-22.036, Florida Administrative Code, file this Complaint against LEE COUNTY ELECTRIC COOPERATIVE, INC., and say:

1) Complainants are members in good standing of the Lee County Electric Cooperative, Inc.

2) Defendant, LEE COUNTY ELECTRIC COOPERATIVE, INC. is a Florida Rural Electric Cooperative established and governed by Chapter 425 Florida Statutes.

3) The LEE COUNTY ELECTRIC COOPERATIVE, INC. operates on "electric utility" within the meaning of Chapter 366 Florida Statutes.

4) Complainants have reason to believe that the LEE COUNTY ELECTRIC COOPERATIVE is engaging in enterprises unrelated to "supplying electric energy and promoting extending the use thereof in rural areas" which is the only express purpose of the cooperative

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pursuant to Section 425.045(2) Florida Statutes. Complainants have reason to believe that by engaging in such enterprises to its economic detriment, the cooperative is adversely affecting the rates charged to members of the utility. Thus complainants believe the rates are unfair and unreasonable.

5) The Florida Public Service Commission, pursuant to Section 366.04(f) Florida Statutes, can require a utility to file periodic reports and other data with the Public Service Commission if necessary to determine if rate structures are fair and reasonable.

6) Section 425.045(1) Florida Statutes intended to open meetings of the Board of Trustees of cooperatives to the public. The LEE COUNTY ELECTRIC COOPERATIVE, INC. has failed to comply with the provision since its enactment. The established policy regarding member participation in board meetings is that a member wishing to ask a question of the board must first submit the propose question to the chief executive officer for approval. If the question is approved, the day of the meeting the member is ushered to a closed room in which is situated a closed circuit television on which the member may view the meeting being held in another room. When his time comes, the member is taken to the Board Room and allowed to read his question which is then answered by the CEO. Thereafter, he is ushered back to the room with the closed circuit television view. This Machiavellian mythology does not constitute an open meeting as contemplated by the statute.

WHEREFORE, Complainants request that an inquiry be made of the enterprises being engaged in by the LEE COUNTY ELECTRIC COOPERATIVE, INC. unrelated to supplying electricity, which activities may be adversely affecting rates of the utility customers and open meetings to members.

DATED this 10th day of March, 1992.




WILLIAM H. GRACE, P.A.
Attorney for Complainants
Florida Bar No. 0123275
P.O. Box 2119
Fort Myers, FL 33902
(813) 334-8851

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the original has been furnished by U.S. Mail to JOHN A. NOLAND, Esq., Attorney for Lee County Electric Cooperative, Inc., P.O. Box 280, Fort Myers, FL 33902, this 10th day of March, 1992.

I HEREBY CERTIFY that the original and 15 copies have been furnished by hand delivery to STEVE TRIBBLE, CLERK, PUBLIC SERVICE COMMISSION, 101 East Gaines Street, Tallahassee, FL 32399-0870, this 11th day of March, 1992.



WILLIAM H. GRACE, P.A.