

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF RECORDS &
REPORTING
BLANCA S. BAYÓ
DIRECTOR
(904) 413-6770

Public Service Commission

December 10, 1996

Sharyn Smith, Director
Division of Administrative Hearings
1230 Apalachee Parkway
DeSoto Building
Tallahassee FL 32301

Re: Docket No. 961179-EI - Complaint of Mr. Francisco Mesa against Florida Power & Light Company regarding alleged unjustified charges for current diversion

Dear Ms. Smith:

Commission staff have recommended, and the Chairman has approved, the referral of the above-referenced docket to your Division for hearing. I am forwarding copies of material from our docket file for your examiner's use in preparation of the case.

When the case is set for hearing, please furnish my office with a copy of the notice so that it may be included in the docket file. Also, note that I am enclosing a copy of this transmittal letter. As soon as a case number is assigned, please complete the blanks and return the copy to me.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

You may contact our staff counsel, Sheila Erstling, at 413-6199, if you have any questions regarding the case.

Sincerely,

Kay Flynn
Kay Flynn, Chief
Bureau of Records

cc: Commission Chairman Susan Clark
Sheila Erstling
All Parties of Record

DOCUMENT NUMBER-DATE

13144 DEC 10 96

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: December 4, 1996
TO: COMMISSIONERS
FROM: NANETTE FISHER, SCHEDULING COORDINATOR *NF*
RE: DOCKET TO BE ASSIGNED TO DOAH

The following docket was tentatively assigned to DOAH by the Chairman. Unless you have objection, a transmittal letter will be prepared by Records and Reporting for the docket to be transferred on Monday, December 9.

Docket 961179-EI -- COMPLAINT OF FRANCISCO MESA AGAINST
FLORIDA POWER AND LIGHT COMPANY REGARDING ALLEGED
UNJUSTIFIED CHARGES FOR CURRENT DIVERSION

If you wish to see a copy of the transmittal letter before it is sent to DOAH, please let me know and I will get a copy to you for your additional review.

cc: Blanca Bayo
Norene Davis
Bev DeMello
Bob Elias
Sheila Erstling
Leroy Rasberry
Dick Durbin
Connie Kummer
Kay Flynn ✓
Joy Kelly
Sandy Simmons

MEMORANDUM

December 2, 1996

TO: NANETTE FISHER

FROM: DIVISION OF LEGAL SERVICES (DAVIS, ELIAS, ERSTLING) *RVE*
DIVISION OF CONSUMER AFFAIRS (RASBERRY, DURBIN) *me mod*
DIVISION OF ELECTRIC & GAS (KUMMER, DRAPER) *EID* *OK*

RE: DOCKET NO. 961179-EI -FLORIDA POWER & LIGHT - COMPLAINT
OF FRANCISCO MESA AGAINST FLORIDA POWER & LIGHT COMPANY
REGARDING ALLEGED UNJUSTIFIED CHARGES FOR CURRENT
DIVERSION.

On November 5, 1996, the Commission issued Proposed Agency Action Order No. PSC-96-1333-FOF-EI approving Florida Power & Light Company's backbilling Mr. Francisco Mesa for electric usage not previously billed. On November 26, 1996, Mr. Francisco Meso timely filed a protest to the Commission's Proposed Agency Action.

Because there are two adversarial parties to this complaint, and because it is likely that the issues to be resolved will be mainly factual and will not involve controversial regulatory policy matters, this case may be appropriate for referral to the Division of Administrative Hearings.

SLE
cc: Division of Electric & Gas
Division of Consumer Affairs
Division of Records and Reporting (Simmons)
Joy Kelly, Court Reporting

From: Carolea Schmidt
To: Don Strickland
Subject: DOAHS

===NOTE=====12/10/96==9:18am=
Docket no. 960726-EI Complaint of Mr.
Eddy Grosse against FP&L concerning
billing for electric use at customer's
rental property.

Docket no. 961179-EI Complaint of Mr.
Francisco Mesa against FP&L regarding
alleged unjustified charges for current
diversion.

Please place Sharyn Smith, Director
Division of Administrative
Hearings

1230 Apalachee Parkway
Tallahassee, Florida 32301

on your mailing list, so she will receive
a copy of final PSC order.
