

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FRANCISCO MESA,)
)
 Petitioner,)
)
 vs.)
)
 FLORIDA POWER & LIGHT COMPANY,)
)
 Respondent.)
 _____)

CASE NO. 96-5834

ORIGINAL
FILE COPY

NOTICE OF HEARING

A hearing will be held in this case at the Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, on April 16, 1997, at 9:30 a.m., or as soon thereafter as can be heard. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUES: Whether Petitioner is responsible to Respondent for additional charges as set forth in the Notice of Proposed Agency Action/Order Approving Utility's Backbilling of Customer

ACK _____ For Electric Usage filed in this cause.

AFA _____
APP _____ AUTHORITY: Chapter 120, Florida Statutes; Chapters 60Q-1,
CAF _____ 60Q-2, and 28, Florida Administrative Code.

CMU _____
CTR 1 The parties shall arrange to have all witnesses and evidence
EAG _____ present at the time and place of hearing. Subpoenas will be

LEG 1 issued by the Administrative Law Judge upon request of the
LIN _____ parties. All parties have the right to present oral argument and
OPC _____

RCH _____ to cross-examine opposing witnesses. All parties have the right

SEC 1

WAS _____

OTH _____

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

to be represented by counsel or other qualified representative, in accordance with Rule 60Q-2.008, Florida Administrative Code. Failure to appear at this hearing shall be grounds for entry of an order of dismissal or recommended order of dismissal, as appropriate.

January 14, 1997

Linda M. Rigot
LINDA M. RIGOT
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(904) 488-9675 SUNCOM 278-9675
Fax Filing (904) 921-6847

COPIES FURNISHED:

Mr. Francisco Mesa
7863 Southwest 5th Street
Miami, Florida 33144

Armando Santana, Esquire
3780 West Flagler Street
Miami, Florida 33134

Florida Power & Light Company
Legal Department
9250 West Flagler Street
Miami, Florida 33174

Sheila Erstling, Esquire
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Kay Flynn, Chief
Public Service Commission
Bureau of Records
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

NOTE: In accordance with the American with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Division's Clerk no later than seven (7) days prior to the proceeding or hearing at which such special accommodation is required. The Division Clerk may be contacted at 1230 Apalachee Parkway, Tallahassee, FL 32399-3060. Telephone: 904/488-9675; 1-800-988-8771 (TDD) or 1-800-955-8770 (voice) via Florida Relay Service.

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RECEIVED
JAN 10 1997

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 Respondent.)
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ORDER OF PREHEARING INSTRUCTIONS

This cause having been scheduled for final hearing, it is, therefore,

ORDERED that:

1. No later than 30 days prior to the final hearing Petitioner and Respondent shall provide each other with a list of the names and addresses of those persons which that party intends to call as witnesses during the final hearing in this cause and shall provide to each other copies of the documents which that party intends to offer as exhibits during the final hearing. Failure to do so may result in the exclusion at the final hearing of witnesses or exhibits not previously disclosed. Only the witness list should also be filed with the Division of Administrative Hearings.

2. No later than 15 days prior to the final hearing in this cause, the parties shall confer with each other to determine whether this cause can be amicably resolved.

DONE AND ORDERED this 14th day of January, 1997, in Tallahassee, Florida.

Linda M. Rigot
LINDA M. RIGOT
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(904) 488-9675 SUNCOM 278-9675
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Filed with the Clerk of the
Division of Administrative Hearings
this 14th day of January, 1997.

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