

MEMORANDUM

May 7, 1997

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (V. JOHNSON) *vdj*  
RE: DOCKET NO. 961179-EI - COMPLAINT OF FRANCISCO MESA  
AGAINST FLORIDA POWER & LIGHT COMPANY REGARDING ALLEGED  
UNJUSTIFIED CHARGES FOR CURRENT DIVERSION

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Attached is an original settlement agreement from Florida Power & Light Company in the above-referenced case. Please assign this item a document number and forward to the appropriate parties. Staff will file a recommendation in this matter shortly.

VDJ/js  
Attachment  
cc: Leroy Rasberry  
Connie Kummer  
I:mesamemo.vdj

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF 1  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG 1  
LEG \_\_\_\_\_  
LIN 5  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1  
WAS \_\_\_\_\_  
QTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

04553 MAY-76

FPSC-RECORDS/REPORTING

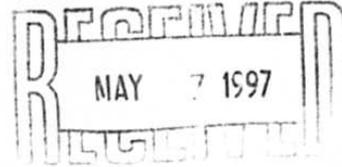


Law Department  
(305) 552-4657

FEDERAL EXPRESS  
May 6, 1997

Vicki Johnson, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Florida Public Service Commission



LEGAL DIVISION

Re: **Francisco Mesa vs. FPL**  
**Docket No. 961179-EI**

Dear Ms. Johnson:

Enclosed please find the original settlement agreement in the referenced case.

Please have the appropriate FPSC representative sign and forward copies of the signed agreement to the parties. If the FPSC requires anything further to close out this matter, please let me know.

Very truly yours,

Robert E. Stone  
Attorney

RES:tad

cc: Mayra Trinchet, Esq.

Enclosure

DOCUMENT NUMBER-DATE

04553 MAY-75

FPSC-RECORDS/REPORTING

## SETTLEMENT AGREEMENT

FPSC Docket No. 961179 - EI

In Re: Complaint of Francisco Mesa  
against Florida Power & Light  
Company

**THIS AGREEMENT** is between Florida Power & Light Company (referred to as "FPL"), and Francisco Mesa (referred to as "Customer").

FPL asserts a claim against Customer, based on the following facts and consideration: FPL backbilled the Customer in the amount of \$6,601.98 for unmetered electric usage and/or investigation charges at 7863 S.W. 5th Street, Miami, Florida. The backbilling covered the period from May 6, 1992 through February 19, 1996. Customer has disputed the backbilling.

Both Parties to this Agreement wish to reach a full and final settlement of the backbilling dispute set forth above.

The Parties to this Agreement, in consideration of the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. Customer agrees to pay FPL the total sum of \$6,601.98 (referred to as "Settlement Amount"), as follows:  
Initial payment of \$3,300.99 on or before June 4, 1997 and \$1,100.33 per month due on or before the "New Charges Past Due" date indicated on Customer's regular monthly bills from FPL commencing with the June 1997 monthly bill and continuing monthly thereafter until the total sum plus all late payment charges are paid in full. A late payment charge will be assessed in the amount of 1.5% per month on the unpaid balance. In the event the Customer defaults on any payment, the entire unpaid balance of the settlement amount plus all accrued late payment charges shall be immediately due and payable and FPL may proceed with immediate disconnection of electric service in accordance with its approved tariff and the rules of the Florida Public Service Commission ("FPSC"). The Customer understands these payments are in addition to Customer's regular monthly bills from FPL.
2. The parties agree that a satisfactory resolution regarding FPSC Docket No. 961179 - EI has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action.

Dated May 6, 1997.

Florida Power & Light Company

Francisco Mesa  
Francisco Mesa

By: [Signature]

Title: Rev Prot Agrec.

~~Florida Public Service Commission~~

Florida Public Service Commission

By: [Signature]

Title: Attorney

Mayra Trinchett, Esq.  
Attorney for Francisco Mesa

By: \_\_\_\_\_

Title: \_\_\_\_\_