

ORIGINAL  
FILE COPY

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STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

June 03, 1997

Ms. Blanca Bayo, Director of Records  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

960903-ET

RE: Blanca Rodriguez vs. Florida Power & Light Company  
DOAH Case No.: 96-4935

Dear Ms. Bayo:

Enclosed please find my Exception in the above referenced case. Copies of this letter have been furnished to the enumerated parties. If you have any questions, please feel free to contact the undersigned.

Sincerely yours,



Mayra Trinchet  
Attorney At Law

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

MT/jm

Enclosures

cc: Claude B. Arrington, Administrative Law Judge  
Robert Stone, Esquire  
Vicki Johnson, Esquire  
Rob Vandiver, General Counsel  
William D. Talbott, Executive Director

DOCUMENT NUMBER-DATE

05583 JUN-55

FPSC-RECORDS/REPORTING

STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

BLANCA RODRIGUEZ, )  
 )  
 Petitioner, )  
 )  
 vs. ) CASE NO. 96-4935  
 )  
 FLORIDA POWER & LIGHT COMPANY, )  
 )  
 Respondent, )  
 )  
 and )  
 )  
 FLORIDA PUBLIC SERVICE COMMISSION, )  
 )  
 Intervenor. )  
 \_\_\_\_\_ )

**EXCEPTIONS TO THE RECOMMENDED ORDER**

Pursuant to notice, a formal hearing was held in this case on February 06, 1997, at Miami, Florida, before Claude B. Arrington, a duly designated Administrative Law Judge of the Division of Administrative Hearings.

**APPEARANCES**

For Petitioner: Mayra Trinchet, Esquire  
42 Northwest 27th Avenue, No. 323  
Miami, Florida 33125

For Respondent: Robert E. Stone, Esquire  
Florida Power and Light Company  
Post Office Box 029100  
Miami, Florida 32399

For Intervenor: Vicki Johnson, Esquire  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

### FINDINGS OF FACT

1. On January 30, 1987, the FPL electric service account at 3151 S.W. 84 Ct., Miami, Florida, was opened under account number 20770-66450 in the name of Juan A. Rodriguez. The account was in the name of Juan A. Rodriguez at all times pertinent to this proceeding. At the request of the Petitioner, the account was changed into her name on October 09, 1996, (Due to a marriage separation).

2. The residence located at 3151 S.W. 84th, Court, Miami, has at all times pertinent to this proceeding, been owned by the Petitioner and her husband, Juan A. Rodriguez.

3. At all times pertinent to this proceeding, Petitioner has lived in the subject residence with her minor children.

4. Petitioner's husband Juan A. Rodriguez, lived in the residence from 1987 until he and petitioner separated in 1994. Thereafter, he moved back into the residence in February 1996, and he was living at the residence at the time of the formal hearing, although still separated from Petitioner.

5. In August, 1995, FPL opened an investigation on the subject residence. "Based on that investigation, which included..."NO METER TAMPERING"..... (See Recommended Order Finding of Fact, Page 4, Section 5).

PROPOSED RECOMMENDATION

If there is "NO METER TAMPERING" found, as stated in the "Recommended Order" (see Recommended Order Finding of Fact, page 4, Section 5), then petitioner cannot be held accountable for this projected billing.

Wherefore, the Petitioner requests that the Final Order reflects, what the recommended Order found in Page 4, Section 5, that there is "NO METER TAMPERING", thus finding that Petitioner is not liable for the projected billed .

WE HEREBY CERTIFY that a true and correct copy of the foregoing Exceptions has been furnished by Fed-Ex, on this the 4rd day of June, 1997, To: Ms. Blanca Bayo, Director of Records, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850.



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Florida Bar No.: 466794  
Attorney For Petitioner

cc: Mrs. Blanca Rodriguez  
3151 Southwest 84th, Court  
Miami, Florida 33155

cc: Claude B. Arrington  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

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