

STATE OF FLORIDA

ORIGINAL

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JOE GARCIA



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYO  
DIRECTOR  
(850) 413-6770

Public Service Commission

October 27, 1997

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

> add to mailing list

Re: Docket No. 970365-GU - Complaint of Mother's Kitchen Ltd. against Florida Public Utilities Company regarding refusal or discontinuance of service.

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 two copies of material from our docket file for your examiner's use in preparation of the case. Please acknowledge receipt by initialing and dating the attached copy of this letter and filling in the case number.

When the case is set for hearing, please forward a copy of the notice to my office for inclusion in the docket file.

Sincerely,

*Kay Flynn*

Kay Flynn, Chief  
Bureau of Records

Enclosure  
cc: Chairman Julia L. Johnson  
Cochran Keating  
Parties of Record

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

DOCUMENT NUMBER - DATE  
11081 OCT 27 97  
FPSC-RECORDS/REPORTING



# Public Service Commission

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

**DATE:** October 17, 1997  
**TO:** COMMISSIONERS  
**FROM:** NANETTE FISHER, SCHEDULING COORDINATOR *NF*  
**RE:** DOCKET TO BE ASSIGNED TO DOAH

**RECEIVED**

OCT 17 1997

FPSC - Records/Reporting

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 Friday, October 24.

DOCKET NO. 970365-GU - Complaint of Mother's Kitchen Ltd. against Florida Public Utilities Company regarding refusal or discontinuance of service.

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 Bayó  
Norene Davis  
Cochran Keating  
Wayne Makin  
Dick Durbin  
Kay Flynn  
Joy Kelly  
Sandy Simmons



## Public Service Commission

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

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**DATE:** October 16, 1997  
**TO:** Nanette Fisher, Scheduling Unit Coordinator, Division of Records and Reporting  
**FROM:** Division of Legal Services (Keating) WCK [initials] RVE [initials]  
Division of Electric and Gas (Dillmore, Makin, Lowery) [initials]  
Division of Consumer Affairs (Durbin, Plescow) [initials]  
**RE:** Docket No. 970365-GU - Complaint of Mother's Kitchen Ltd. against Florida Public Utilities Company regarding refusal or discontinuance of service.

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On September 17, 1997, a representative of Mother's Kitchen Ltd. (Mother's Kitchen), a partnership, registered a complaint against Florida Public Utilities Company (FPUC) with the Division of Consumer Affairs. The Mother's Kitchen representative believed that FPUC had improperly disconnected service to the partnership's restaurant. On September 29, 1997, the Commission issued Order No. PSC-97-1133-FOF-GU, Notice of Proposed Agency Action Order Denying Complaint. Mother's Kitchen timely filed its Notice of Protest. In its protest, Mother's Kitchen alleged bias on the part of Commission Staff who participated in the recommendation on this complaint. Further, the issues appear to be primarily factual.

Based on the foregoing, Staff recommends that this matter be set for hearing and referred to the Division of Administrative Hearings.

WCK/js  
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