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JOHN CHARLES HEEKIN
ATTORNEY AT LAW
21202 OLEAN BLVD., SUITE 0-2
P.O. BOX 2434
PORT CHARLOTTE, FLORIDA 33048-2434
PHONE (813) 827-0333

April 27, 1999

Florida Public Service Commission
Attn: Grace Jaye Staff Attorney
2540 Shumard Oak Boulevard Room 390L
Tallahassee, FL 32399-0850

RE: John Charles Heekin v. Florida Power & Light Company
Case No. 981923-EI

Dear Ms. Jaye:

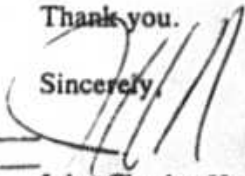
I have your staff recommendation that my public service commission complaint against FPL should be dismissed. FPL has done an excellent job of lobbying and politicking this matter, but if you read my complaint, it is not that I want a judgment for damages from the PSC, which I concede you cannot do; it is a complaint that Florida Power & Light broke into my backyard, which violates its tariff; and when I complained, that it refused to make a file or adjust the complaint in any fashion, although it is required to both respond to consumer complaints and to keep a record of such response.

FPL attempted to mislead the trial judge, but was unsuccessful, by saying that I sought from the trial judge a regulatory ruling. Apparently, they found more fertile ground in Tallahassee.

Please reconsider your recommendation and consider this my response to the same.

Thank you.

Sincerely,



John Charles Heekin

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

JCH/sio

cc: Florida Public Service Commission, Attn: Clerk

DOCUMENT NUMBER-DATE
05539 MAY-38
FPSC-RECORDS/REPORTING

P.S. In your recommendation you state there was "admittedly no violation of Rule 25-6.021." Admitted by whom? If a complaint file exists, it was created in response to my PSC complaint, after FPL told me (and you) that there was none because I had not complained in writing. JCH

1 IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN
AND FOR CHARLOTTE COUNTY, FLORIDA CIVIL ACTION
2 JOHN CHARLES HEEKIN,

3 Plaintiff,

4 -vs-

CASE NO.: 98-1304-CA

5 FLORIDA POWER & LIGHT COMPANY
and MIKE FOLEY,

6 Defendants.
7 _____

8
9 **TRANSCRIPT OF PROCEEDINGS**

10 DATE: Friday, December 4, 1993

11 TIME: 9:03 a.m. to 10:25 a.m.

12 PLACE: Charlotte County Courthouse
118 West Olympia Avenue, Jury Room
Punta Gorda, FL 33950

13 REPORTER: Lisa M. Rollins, RPR, Notary Public
State of Florida at Large

14 APPEARANCES: JOHN C. HEEKIN, Attorney at Law
17 LAW OFFICE OF JOHN C. HEEKIN, ESQ.
21202 Olean Boulevard, Suite C-2
Port Charlotte, FL 33952
18 Representing the Plaintiff

19 J. E. LEON, Attorney at Law
20 FLORIDA POWER & LIGHT COMPANY
9250 West Flagler Street
Miami, FL 33102-9100
21 Representing the Defendant

22 ALSO PRESENT: Wallace Duffy, Claim Agent for FP&L
23

24 **GUARDIAN REPORTING, INC.**

25 315 TAYLOR STREET
PUNTA GORDA, FL 33950
(941) 575-9533 * Fax (941) 575-8618 * guardianpg@aol.com

POST OFFICE BOX 510186
PUNTA GORDA, FL 33951

COPY

1 MR. HEEKIN: Could I suggest something to you?

2 MR. LEON: Let me look at--

3 MR. HEEKIN: If you don't like them, why don't
4 you deny them or say that you can't answer them
5 because they are compound questions--?

6 MR. LEON: We'll do whatever--

7 MR. HEEKIN: Why don't you follow the rule? ✓

8 MR. LEON: We'll do whatever is best for FP&L. ✓

9 MR. HEEKIN: Why don't you follow the rule?
10 That's what's best for FP&L.

11 MR. LEON: We'll do whatever is best. ✓

12 Eight, now--that you had no legal right to
13 break and enter the Plaintiff's premises.

14 MR. HEEKIN: Uh-huh (affirmative response).

15 MR. LEON: Okay. And we will not answer that
16 one--

17 MR. HEEKIN: Why not?

18 MR. LEON: --it's argumentative. If you want
19 to rephrase it.

20 MR. HEEKIN: "Breaking and entering" is a term
21 of art.

22 MR. LEON: That's not appropriate--

23 MR. HEEKIN: Did you have a right to break in?

24 MR. LEON: With that--

25 MR. HEEKIN: That's really the question.