



# Public Service Commission

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

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99 NOV 18 AM 11:55  
RECORDS AND REPORTING

**DATE:** NOVEMBER 18, 1999

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

**FROM:** DIVISION OF LEGAL SERVICES (JUE) *RVE*  
DIVISION OF ELECTRIC AND GAS (E. DRAPER) *JDJ*

**RE:** DOCKET NO. 990179-EI - COMPLAINT OF GLEN WEBB AGAINST FLORIDA POWER & LIGHT COMPANY CONCERNING TARIFF SHEET 4.020, WHICH ALLOWS A LATE PAYMENT FEE TO BE ASSESSED ON PAST-DUE ELECTRIC BILLS.

**AGENDA:** 11/30/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\990179.RCM

### CASE BACKGROUND

On May 24, 1999, Mr. Glen Webb protested PAA Order No. PSC-99-0924-PAA-EI, issued May 10, 1999, in Docket No. 990179-EI. That order denied Mr. Webb's complaint against Florida Power & Light Company (FPL) concerning the application of late charges to balances owed by FPL customers pursuant to tariff sheet 4.020. A time and place were set for a hearing on this matter in the Order Establishing Procedure, Order No. PSC-99-1894-PCO-EI, issued September 23, 1999. Mr. Webb did not participate in the issue identification conferences, nor did he file direct testimony on October 7, 1999, as required by the Order Establishing Procedure. Based on the petitioner's failure to present an affirmative case, FPL filed a motion to dismiss on October 8, 1999. Mr. Webb filed a letter requesting that his petition be withdrawn on November 10, 1999. The prehearing in this docket was canceled by Order No. PSC-99-2247-PCO-EI, issued November 15, 1999.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

DOCKET NO. 990179-EI  
DATE: November 18, 1999

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should Mr. Webb's request that his petition be withdrawn be acknowledged?

**RECOMMENDATION:** Yes. (JAYE)

**STAFF ANALYSIS:** Mr. Webb has attended no issue identification conferences and has filed no testimony. Both the Chairman's office and staff have worked with Mr. Webb to provide teleconferencing for meetings and videoteleconferencing for the prehearing and hearing in this docket. Mr. Webb has represented that he has no witnesses and cannot pursue the matter further at this time. Staff recommends that his request to withdraw his petition should be acknowledged. By acknowledging the withdrawal of Mr. Webb's petition, FPL's motion to dismiss is rendered moot.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** The docket should be closed after the time for filing an appeal has run. (JAYE)

**STAFF ANALYSIS:** The docket should be closed 32 days after issuance of the order, to allow the time for filing an appeal to run.