



Writer's Direct Dial:
(561) 691-7101

R. Wade Litchfield
Senior Attorney
Florida Authorized House Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7103 (Facsimile)

February 14, 2000

VIA HAND DELIVERY

Ms. Blanca S. Bayò
Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

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**Re: Revision of Rule 25-22.032, F.A.C., Customer Complaints
DOCKET NO. 991651-PU**

Dear Ms. Bayò:

I enclose and hand you herewith an original and three copies of Florida Power & Light Company's ("FPL") written comments on Staff's additional proposed revisions to Rule 25-22.032. This document is also provided in Wordperfect format on the enclosed diskette.

If you have any questions or need further information please feel free to call my office.

Sincerely,

R. Wade Litchfield
R. Wade Litchfield LDA

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DOCUMENT NUMBER-DATE
01951 FEB 14 8
FPSC-RECORDS/REPORTING

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Revision of Rule 25-22.032, F.A.C.,)
Customer Complaints)

DOCKET NO. 991651-PU

Filed: February 14, 2000

**FLORIDA POWER & LIGHT COMPANY'S COMMENTS REGARDING
ADDITIONAL PROPOSED REVISIONS TO F.A.C. RULE 25-22.032**

Florida Power & Light Company ("FPL") hereby submits comments regarding the additional proposed revisions to Rule 25-22.032 of the Florida Administrative Code ("Draft Rule") as reflected in the draft made available February 7, 2000.

With respect to portions of the Draft Rule that remain unchanged from the prior version, FPL re-urges all of its comments made during the workshop held January 27, 2000. For example, subsection (4)(b) should be modified to indicate that complaints may be deemed resolved by Staff and the Commission in the event that a customer fails to respond timely to letters or requests by Staff seeking confirmation of a particular resolution. Without such a provision, a customer would be allowed to suspend the process indefinitely simply by failing to respond to a request for confirmation. Addressing this issue in implementing the Rule will be insufficient without the authority of such a provision in the Rule itself. FPL proposed specific changes to the Draft Rule in its initial comments filed January 7.

With respect to additional changes from the version of the Draft Rule discussed at the January 27 workshop, FPL submits the following. Subsection 11(a) should be further modified. A requirement to retain "any electronic notes or written documentation relating to each Commission complaint," regardless of the period of retention, is an unreasonable burden.

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Companies should only be required to retain electronic notes or documentation sufficient to describe the nature of the complaint and its resolution. The current version of the text in question would require a retention program that captured all email and, indeed, any written documentation whatsoever relating the complaint. In addition to imposing an unnecessary administrative burden on the companies, this language could also have the effect of discouraging written communications within a company relative to the resolution of customer complaints. Rather than casting a wide net and requiring the retention of *everything* generated during the complaint process, the Rule should require the retention of only electronic notes or documentation sufficient to describe the nature of the complaint and its resolution. In addition, Subsection 11(b) should be revised by replacing the word “year” with “month.”

FPL appreciates the opportunity to provide further comments on the Draft Rule and to participate in a process that hopefully will result in a proposed Rule that can be fully supported by the Staff and all interested participants. FPL looks forward to participating in the implementation process workshops.

Respectfully submitted,

 LWA

R. Wade Litchfield
Florida Authorized House Counsel
Attorney for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7101
(561) 691-7103 (telecopier)