

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 001148-EI

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In the Matter of

REVIEW OF THE RETAIL RATES
OF FLORIDA POWER & LIGHT
COMPANY.

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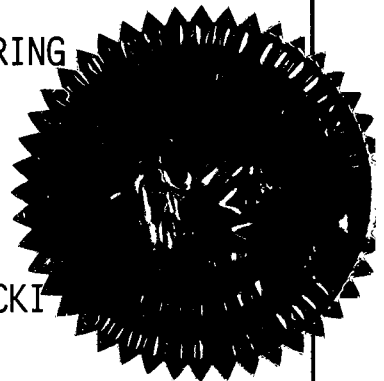
BEFORE: CHAIRMAN E. LEON JACOBS, JR.
COMMISSIONER J. TERRY DEASON
COMMISSIONER LILA A. JABER
COMMISSIONER BRAULIO L. BAEZ
COMMISSIONER MICHAEL A. PALECKI

DATE: Thursday, December 13, 2001

TIME: Commenced at 12:00 Noon
Concluded 1:07 p.m.

PLACE: Palm Beach County Governmental Center
301 North Olive Avenue
West Palm Beach, Florida 33401-4791

REPORTED BY: JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
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4 Tallahassee, Florida 32301 and R. WADE LITCHFIELD,
5 700 Universe Boulevard, Juno Beach, Florida 33408
6 and BILL HAMILTON, Vice President of Customer
7 Service, appearing on behalf of Florida Power &
8 Light Company.

9 ROGER HOWE, Office of Public Counsel, c/o
10 The Florida Legislature, 111 W. Madison Street,
11 Suite 812, Tallahassee, Florida 32399, appearing on
12 behalf of the Citizens of the State of Florida.

13 LINDA DODSON, FPSC Division of Legal Services, 2540
14 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
15 appearing on behalf of the Commission Staff.

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4 Notice of Hearing and Affidavit of
Publication

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CERTIFICATE OF REPORTER

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P R O C E E D I N G S

1
2 CHAIRMAN JACOBS: Good afternoon. My name is Leon
3 Jacobs, I'm Chairman of the Florida Public Service Commission.
4 And let me welcome you today to our hearing. Before we begin,
5 let me introduce to you my colleagues and fellow Commissioners
6 here at the rostrum with me. To my far left is Commissioner
7 Michael Palecki. To my immediate left is Commissioner Lila
8 Jaber. To my immediate right is Commissioner Terry Deason.
9 And to my far right is Commissioner Braulio Baez. And then we
10 would like to have counsel read the notice of our hearing.

11 MS. DODSON: Notice issued by the Clerk of the
12 Florida Public Service Commission on November 5th, 2001 advises
13 that a customer service hearing will be held in this docket
14 beginning at 12:00 noon, Thursday, December 13th, 2001 in the
15 Palm Beach County Governmental Center, Palm Beach, Florida.

16 The notice states that the purpose of this hearing is
17 to take testimony from the members of the public concerning the
18 rates and charges of Florida Power and Light company.

19 The procedure at this hearing will be as follows:
20 The company will present a brief summary of its case and then
21 the members of the public may present testimony. Members of
22 the public who wish to present testimony are urged to appear
23 promptly at each scheduled service hearing since the hearing
24 may be adjourned early if no witnesses are present to testify.

25 CHAIRMAN JACOBS: And let me add that the glad

1 tidings and good cheer were extra, they weren't included in the
2 notice.

3 Let's take appearances. Who will go first this time?

4 MR. HOWE: I'm Roger Howe with the Public Counsel's
5 Office in Tallahassee appearing in this proceeding on behalf of
6 the customers and ratepayers of Florida Power and Light
7 Company.

8 CHAIRMAN JACOBS: Mr. Hoffman.

9 MR. HOFFMAN: Good afternoon, Mr. Chairman. My name
10 is Kenneth Hoffman. I'm with the firm of Rutledge, Ecenia,
11 Purnell & Hoffman in Tallahassee. I would also like to enter
12 an appearance for Mr. R. Wade Litchfield who is a senior
13 attorney with Florida Power and Light Company. His address is
14 700 Universe Boulevard, Juno Beach, Florida 33408. And I would
15 also like to introduce to my left Mr. Bill Hamilton, who is the
16 Vice President for Customer Service with FPL.

17 MS. DODSON: My name is Linda Dodson. I'm on the
18 staff of the Public Service Commission. And with me to my
19 right is Elizabeth Draper and in the audience is Daniel Lee.

20 CHAIRMAN JACOBS: Thank you. Also outside you met
21 Ms. Thelma Crump and Ms. Bridget Hoyle, and we have Sandy Moses
22 here also of the Public Service Commission staff who worked
23 very hard to facilitate our meeting today.

24 As was mentioned, this is a part of our Public
25 Service Commission review of the rates of Florida Power and

1 Light Company. We are engaged in that review at our request.
2 This particular proceeding is very important to us because here
3 we want to get the public's experiences with the company and in
4 particular we want to hear of your level of service and quality
5 of service that you have received from the company.

6 This is a formal proceeding, and what that means is
7 that we will be creating an evidentiary record on which our
8 decision will be based. And so your comments to us today will
9 be taken under sworn oath and we will issue that oath in a few
10 moments to those who would like to testify. If you would like
11 to offer comments, but are not interested in coming and
12 speaking to us at the rostrum today, you should have received a
13 blue report as you came in. At the next to the last page of
14 this report there is a form on which you can submit your
15 written comments to the Commission and they will become a part
16 of the record.

17 As you will note, we have a court reporter who is
18 taking our proceedings today. And so when you speak to us we
19 would like for you to come forward to the rostrum and speak
20 into the microphone, and also announce your name and address at
21 that time. You can come to either podium, whichever you would
22 like. In that same vein, we would like to make sure that when
23 someone is speaking we only have one person speaking. That
24 will help tremendously for the court reporter.

25 We have had other customer service hearings around

1 Florida Power and Light's service territory in the last few
2 days and will culminate this evening with a hearing in Fort
3 Lauderdale. After those proceedings and sometime in the not
4 too distant future we will convene a technical hearing in
5 Tallahassee in which we will have experts in various
6 disciplines; law, economics, finance, and other areas who will
7 come in and give us views and opinions on the technical
8 operations of the company.

9 That record will then become complete and the
10 Commission will make a decision on the rates of the company
11 going forward. And that decision presently is scheduled to be
12 undertaken on May 31st, 2002. You may note that that is a
13 change from your report that says 2001. As you heard announced
14 already, the two main parties in this proceeding, although
15 there may be others, are the company and the Office of the
16 Public Counsel. The Commission staff really acts as a
17 consultant to us, the decision-makers, to we, the
18 decision-makers.

19 And with that we are going to -- before we take your
20 oath and we take your statements, we are going to offer the
21 parties an opportunity to give us their opening statements, and
22 we will begin with the company.

23 Mr. Hoffman.

24 MR. HOFFMAN: Thank you, Mr. Chairman. On behalf of
25 FPL, I want to thank the customers who have taken the time to

1 attend this afternoon's hearing. I want to begin by advising
2 them that the company has a number of customer service
3 representatives who are here today to assist our customers in
4 any customer service issues that they may wish to have
5 addressed. We have a number of people here, but specifically I
6 would like to point to Ms. Carol Harzinski who is standing up
7 in the back, and directly in front of Carol is Mr. Ramon
8 Ferrer.

9 Ms. Harzinski is with the customer service section of
10 the company, and Mr. Ferrer is with power systems. And, again,
11 we would encourage our customers who have issues that they wish
12 to be addressed to seek out those individuals.

13 With that, Mr. Chairman, as I have in the past, I
14 would like to turn it over to Mr. Hamilton, who is Vice
15 President of Customer Service for the company's opening
16 remarks.

17 MR. HAMILTON: Good afternoon. My name is Bill
18 Hamilton and I am Vice President of Customer Service for FPL.
19 And I'm pleased to be here this afternoon to take part in this
20 important aspect of the review of our base rates before the
21 Florida Public Service Commission.

22 Let me start by pointing out that FPL is not
23 requesting an increase in our rates at this time despite the
24 weakening economy in Florida and the continuing need to expand
25 our facilities to meet customer growth, and the higher costs

1 that we are facing in several parts of our operation. In fact,
2 since our last rate increase in 1985, we have actually
3 decreased our rates by 10 percent even though we added an
4 additional 1.3 million customers during that time frame. This
5 required additional resources in many areas of the company, but
6 most importantly it required an increase of 42 percent in the
7 generating capacity of FPL.

8 We are currently operating under a rate agreement
9 that was negotiated with Mr. Jack Shreve and the Office of
10 Public Counsel and was approved by the Florida Public Service
11 Commission. That agreement called for an annual reduction of
12 \$350 million in our base rates, and it provided a mechanism for
13 annual refunds to customers. Through the first two years of
14 that agreement, we have refunded approximately \$128 million to
15 our customers and we anticipate a sizeable refund for the year
16 that we are currently operating in, which would be given next
17 spring.

18 In recent years we focused our attention on improving
19 the reliability and the quality of the service that we offer to
20 our customers. Overall, we have reduced the number of minutes
21 that a customer is without service during a given year by
22 almost 50 percent. That is not to say that we are 100 percent
23 satisfied with the service that we are giving in every case.
24 Therefore, we will continue to look for ways and opportunities
25 to improve service to all of our customers.

1 We have also been working hard to make it easier to
2 do business with FPL by providing customers the opportunity to
3 do business with us over the Internet, by providing additional
4 billing and payment alternative methods, and providing programs
5 that help customers conserve energy and save money.

6 And as Mr. Hoffman did, I, too, would like to point
7 out that we have customer service representatives here to
8 assist our customers with any concern, question, or issue that
9 they may have. It would be our pleasure to address that issue
10 on the spot. But if we are unable to do so, our commitment to
11 you is that we would get back to you with a response within 24
12 hours.

13 I also recognize that there may be customers here who
14 for whatever reason might not want to address the Commission.
15 And if that is the case and you have an issue, we would be
16 pleased also to assist you with whatever issue that might be.

17 So in closing, let me assure you that FPL is
18 committed to providing our customers with reliable power at low
19 prices for well into the future. Let me thank you for your
20 attention and the opportunity to speak with you this afternoon.
21 Thank you.

22 CHAIRMAN JACOBS: Thank you. Mr. Howe.

23 MR. HOWE: Thank you, Chairman Jacobs. Good
24 afternoon. My name is Roger Howe. I'm an attorney with the
25 Office of Public Counsel in Tallahassee. I work for a

1 gentleman named Jack Shreve, who has been the Public Counsel
2 for the State of Florida since 1978. Ours is an independent
3 office under a joint legislative committee. We do not work for
4 the Public Service Commission. But it is our job to advocate
5 on the consumers' behalf in matters under the jurisdiction of
6 the Florida Public Service Commission. In this regard, we have
7 intervened in this docket to represent the customer's
8 interests.

9 We are engaged in a discovery process at the moment
10 to develop additional information to test the company's filings
11 and so forth. We are also going to be hiring expert witnesses
12 who will be providing expert testimony from the customers'
13 perspective and as advocacy for the customers at the hearings
14 in Tallahassee that Chairman Jacobs referred to. If you have
15 any questions or would like to contact our office to find out
16 what we are doing in this case, and how we are processing it,
17 and how we are going to be trying to arrive at a successful
18 conclusion to this case for the customers, feel that free to
19 give us a call. We have a 1-800 number, that's 1-800-342-0222.
20 Thank you very much.

21 CHAIRMAN JACOBS: Thank you very much. At this time
22 I would like to ask all of those who are in attendance and
23 would like to give us their testimony to stand and raise your
24 right hand.

25 (Witnesses collectively sworn.)

1 CHAIRMAN JACOBS: Thank you very much. You may be
2 seated. Mr. Howe will call you up to the front in the order
3 that you were signed in.

4 MR. HOWE: Chairman Jacobs, we would first call Ms.
5 Diane Huff.

6 DIANE HUFF

7 was called as a witness on behalf of the Citizens of the State
8 of Florida and, having been duly sworn, testified as follows:

9 DIRECT STATEMENT

10 MS. HUFF: Good afternoon. I am Diane Huff. I am
11 the Director of Community Services at the Center for
12 Information and Crisis Services. We are the people who run the
13 crisis line and the elder help line, and our mission is to
14 assist people in need by providing information referral,
15 community education, and crisis intervention.

16 And to help us fulfill this mission we entered into a
17 partnership with FPL, and we did this earlier this year, to
18 help them -- to have them help us identify vulnerable at risk
19 elders in Palm Beach County. We started this program, it's
20 known as AWARE, which stands for Always Watching For At Risk
21 Elders. Through this program we trained FPL meter readers,
22 collectors, and residential field employees to recognize signs
23 that a senior might be at risk. They could be at risk in terms
24 of their health, frailty, poverty, Alzheimer's disease, or
25 anything else that might put them in danger in the community in

1 terms of functioning there.

2 The FPL employees were then given instructions about
3 how to contact us so that we could then get out, meet with the
4 senior and intervene on their behalf. The response of the FPL
5 employees has been absolutely amazing. They immediately
6 demonstrated a genuine concern for at risk elders. And since
7 the program began they have identified over 100 individuals in
8 Palm Beach County who were potentially at risk. These seniors
9 were isolated, having great difficulty functioning alone in
10 their own homes, they were not tied into the Health and Human
11 Service system. And while I cannot prove it, I'm sure that
12 some of these individuals would have died if FPL employees had
13 not recognized the risk to these individuals.

14 I would love to have brought such a senior with me
15 today and introduced them to you, but by the very nature of
16 this program these are not the type of seniors who could come
17 out and be present at this kind of meeting. However, I would
18 like you to know that it has been an honor to work with FPL on
19 this project, and we could not have had a better group of
20 people watching out for our elders out in the community. And I
21 will be glad to answer any questions that you might have.

22 CHAIRMAN JACOBS: Commissioners, any questions?

23 COMMISSIONER PALECKI: Ms. Huff, I just wanted to say
24 how much I appreciate what you are doing. It sounds like a
25 wonderful program, and what a wonderful idea to have FPL and

1 its meter readers and employees help. This is something that
2 does my heart good to hear this kind of testimony. Thank you.

3 MS. HUFF: Thank you.

4 CHAIRMAN JACOBS: I applaud your initiative in this,
5 as well. It's a very good program.

6 MS. HUFF: Thank you.

7 CHAIRMAN JACOBS: Thank you.

8 MR. HOWE: We would next call Mr. Vince Lowe.

9 VINCE LOWE

10 was called as a witness on behalf of the Citizens of the State
11 of Florida and, having been duly sworn, testified as follows:

12 DIRECT STATEMENT

13 MR. LOWE: Good afternoon. Thank you for the
14 opportunity to come in today. My name is Vince Lowe. I'm the
15 Director of the Marine Life Center of Juno Beach. I have a
16 little bit of a cold, so excuse a sniffle now and then. Our
17 address is 14200 U.S. Highway 1 in Juno Beach.

18 The mission of the Marine Life Center is the
19 conservation of Florida's coastal resources and protection of
20 marine creatures throughout the area. We operate an
21 educational nature center and a sea turtle hospital in Juno
22 Beach some of you may have visited. I hope so. And we serve
23 about 10,000 school children a year through educational
24 programs, and host about another 50,000 people a year as
25 tourists who come through the exhibits and enjoy our

1 facilities.

2 We were pleased to come here today just to make a few
3 comments about a long and very positive relationship with
4 Florida Power and Light Company, which has gone on for years
5 and FPL has been very supportive of our marine conservation
6 mission and our educational programs. Since the St. Lucie
7 power plant opened, I guess that was in the 1970s, while we
8 haven't been around that long, FPL is known to have always been
9 very sensitive in that area to environmental and wildlife
10 issues, to monitor the situation on that coast virtually every
11 day and report what we call strandings, which means sick or
12 injured wildlife to appropriate authorities.

13 Since we opened our sea turtle hospital in the
14 1980's, and that is 15 years ago, FPL has generally or
15 typically provided us with the stranded, sick and injured sea
16 turtles along that coast, and their staff has always been
17 immediately responsive and very helpful in recovering those
18 sick and injured species.

19 Since the corporate office of FPL opened in Juno
20 Beach in the 1980's, we have obviously been neighbors in Juno
21 Beach. FPL has provided untold amounts of support to
22 conservation and wildlife organizations in our area, such as
23 the Marine Wildlife Center and also the nearby Busch Wildlife
24 Center in Jupiter. For us, FPL has provided thousands and
25 thousands of educational booklets, and materials, and

1 pamphlets, and brochures with environmental information and
2 information about wildlife, which we, in turn, are able to
3 supply at no charge to the thousands of adults and children who
4 come through our center every year and take advantage of our
5 programs.

6 FPL also has assisted us over many years with
7 marketing and promotion of educational programs, with graphic
8 design, with publications, with printing of posters and
9 brochures and pamphlets and that sort of thing.

10 I think probably most important, however, certainly
11 to us and to our mission, is the generous contribution of time
12 and talent of FPL management and staff over the years. A
13 couple of examples. Currently, FPL's manager in environmental
14 relations gives considerable time and energy, and most of it is
15 her own time, as Vice Chairman of our board of directors. She
16 is a wonderful, wonderful person who has been very helpful to
17 our organization. Her name is Winifred Perkins. I don't think
18 she is here today. Also, as I mentioned, FPL staff is always
19 helping us with marketing and graphics and publications.

20 I know that an exceptional effort came up last year,
21 and it was actually FPL's suggestion, FPL donated a booth space
22 at a major area festival so that we could promote our
23 conservation programs, educational programs, and even a new
24 building. And not only did they donate the booth to us, they
25 staffed it for a long weekend. And I believe there were like

1 20 to 25 FPL employees involved in that effort over the course
2 of three or four days, not to mention the planning and the
3 clean up and that sort of thing. It was an effort that was
4 exceptional, exposed our work to, I think, about 300,000
5 people, and was a wonderful contribution to us.

6 Also, I probably should mention that -- and I believe
7 he is here, Rod Makin (phonetic) with FPL also is a member of
8 our VIP new building committee. It's a group that has been
9 recently formed to advise us on the planning and construction
10 of some new facilities. I realize that these kinds of
11 community efforts don't have a lot to do with rates.

12 However, I think it is important, and we thought it
13 was important to let the Commission and the public know that
14 many, many FPL people and services have been provided to us
15 over the years. They have been very supportive of our
16 conservation and wildlife protection mission, and have played a
17 significant role in us continuing and enhancing our work as a
18 conservation and wildlife protection organization.

19 We appreciate their efforts. I know they are going
20 to continue long into the future. And we are thankful to have
21 the opportunity just to make a few comments to you today about
22 that. Thank you.

23 CHAIRMAN JACOBS: Thank you.

24 COMMISSIONER PALECKI: Mr. Lowe, I wanted to ask you
25 a question about sea turtles. When the turtles hatch, is there

1 a problem if there are lights in homes or street lights where
2 the turtles rather than going back to the sea, that they
3 actually will go in the wrong direction?

4 MR. LOWE: One of the several -- that is called
5 disorientation. When a turtle turns towards the -- let's say
6 towards the road or towards land side rather than towards the
7 ocean, it is called disorientation. There are a number of
8 causes of that. One of the causes is bright lighting. And
9 most of that comes from apartment buildings and condo buildings
10 right along the coast. The ones that are built right up at the
11 dune line. That is the most serious problem. Sometimes there
12 are problems with street lighting, as well, although I know
13 over time FPL has shielded many, many lights to try to mediate
14 that problem.

15 And you may have heard down in Boca this past year
16 they tried a new surface level street lighting to take the
17 place of the high lighting during turtle nesting season. And
18 from preliminary numbers that appears to be a very, very, very
19 successful program down there. Probably will be expanded over
20 time in other areas, but it was a really great experiment this
21 year.

22 FPL, and various municipalities, and the county, and
23 the various marine organization all try to work together with
24 the condo buildings and the apartment buildings to reduce the
25 level of lighting, high level lighting during nesting season as

1 much as possible. And as a matter of fact, I was just at the
2 Beaches and Shores Council Meeting on Monday for Palm Beach
3 County, and the number of disorientations from last year to
4 this year has dropped dramatically on almost all the beaches,
5 which speaks well for all the organizations involved as well as
6 for cooperating homeowners.

7 COMMISSIONER PALECKI: Have you seen an increase in
8 the number of sea turtles as a result of your efforts? Has
9 there been a positive effect over the years?

10 MR. LOWE: Over time the number of turtles, sea
11 turtles is still dropping slightly. However, the last few
12 years have been very, very good. The current nesting, or the
13 nesting season that recently ended for Palm Beach County was
14 actually a record season for leatherbacks, and leatherbacks are
15 very rare in our area. But for as long as we have been
16 counting, we had the highest number of leatherback turtle nests
17 in Palm Beach County ever recorded. Good year. Loggerheads
18 were down a little bit.

19 COMMISSIONER PALECKI: We have been seeing more
20 turtles. I enjoy boating off of St. Marks, Florida, which is
21 south of Tallahassee. This year we have seen more turtles than
22 we have ever seen in past years.

23 MR. LOWE: It's a healthy sign. It's a healthy sign.
24 Thank you for asking.

25 COMMISSIONER PALECKI: Thank you.

1 CHAIRMAN JACOBS: Any questions? Thank you very
2 much, Mr. Lowe.

3 MR. HOWE: Mr. Larry Earl Armstrong.

4 LARRY EARL ARMSTRONG

5 was called as a witness on behalf of the Citizens of the State
6 of Florida and, having been duly sworn, testified as follows:

7 DIRECT STATEMENT

8 MR. ARMSTRONG: Good afternoon. Thank you for giving
9 me the chance to speak briefly. I work with the U.S. Postal
10 Service in West Palm Beach. My wife and I live in Jupiter,
11 Florida. We have a small two bedroom home. The reason I'm
12 here to vent my frustrations, and we have always had a good
13 working relationship with FPL, however, we are concerned with a
14 couple of things and I would like to share them with you, and
15 hope that you can alleviate, or help me in some way, help us in
16 some way with them.

17 First of all, the first reason is our monthly
18 electric bill this past year. We have no children. We are
19 very frugal. We are very conservative. These are some of the
20 things that we don't have as far as electric appliances. We
21 don't have central air, nor have we ever. We have one window
22 unit. We have no television. No VCR. We have no dryer. She
23 uses the clothesline, the old-fashioned way. We have no
24 dishwasher. We have no microwave. We have no vacuum cleaner.
25 We have tile floors. We have no electric shavers, cake mixers,

1 et cetera, et cetera.

2 Maybe it would be easier to tell you what we do have,
3 because it is very brief. As I said, the one window unit, we
4 have a hot water heater, naturally, which is unplugged 99
5 percent of the time except when we need to take a hot bath or
6 shower. We have a stove and a refrigerator, naturally. But
7 the stove, the oven has never been used, not one time. She
8 uses the burners to heat the water, to boil the water for
9 boiled eggs or soup or whatever, so there is no major cost
10 there.

11 Now, I said all of that to preface what I'm fixing to
12 say. Our electric bill normally -- and we have been here since
13 April of '81. We bought the home, it will soon be paid for,
14 thank God -- normally would be in the latter 50s, early 60s,
15 thereabouts. All the time, year, after year, after year as a
16 rule. Every once in awhile it will go up a little bit, but in
17 that area.

18 But approximately three months ago or so, yes,
19 summertime, I understand that, but our usage of power is
20 basically the same all the time, summer, winter, spring,
21 whenever. It jumped to over \$100. Not one month, but almost
22 three consecutive months. One of them was \$90-something, the
23 other two each, each one was over \$100 three consecutive
24 months.

25 This past year, year and a half, we have had several

1 unanticipated medical bills due to three major operations my
2 wife has had financially. Yes, I have decent medical benefits
3 with the U.S. Postal Service. However, as we all know, we have
4 deductibles, we have co-payments, we have et cetera, et cetera.
5 And over a period of time that is substantial. Thousands of
6 dollars, okay. Which we are in the process of paying and we
7 will pay every dime.

8 Right after the third month of these high payments,
9 my wife sat down and composed a very long letter to FPL, sent
10 it off immediately. Strangely, for some reason the very next
11 payment, monthly bill dropped down in the 70s. Why, I don't
12 know. Why did that happen? Then the month after that it
13 dropped down to the 60s, like it is supposed to be again. This
14 one coming up, I don't know what it will be. Hopefully it will
15 be in the 60s or thereabouts, again. That is my number one
16 complaint. We love our meter reader, readers, plural from time
17 to time, different ones. Never had a problem, nor do we
18 anticipate one. And that is my number one complaint.

19 Number two, on November 14th of this year, we
20 received a deposit bill statement from FPL. Mind you, we, as
21 everyone else already has a deposit with Florida Power and
22 Light on record. But because of our payment record which we
23 have always had an exemplary payment record in our lifetimes,
24 try to, we have tried to, except for this past year, year and a
25 half, as I said, because of financial problems. We were slow

1 sometimes, and I guess FPL got a little upset with us.

2 So they sent, which I have before me, a notice
3 stating that on the last day of this month, December 31st, we
4 have to come up with \$155 for another deposit, additional
5 deposit, and I hope you will help me get this rescinded. It's
6 not fair, and in our opinion it's a legal way of stealing
7 money. It's not right, and there are extenuating circumstances
8 in our opinion, in our case. But we don't feel like we should
9 have to come up -- we have bills like everyone else even though
10 we are conservative. Anyway, that is my second complaint.

11 And I don't know who to speak with except some
12 recording. A human being, I don't know who to speak with in
13 reference to this, but I hope we can get some satisfaction on
14 this. I hope you will consider -- not only consider, but take
15 this back and not have us pay another deposit. Yes, it says
16 within 12 months, 23 months, whatever, you will get partial and
17 then full payment back if your payment record is fine for 12
18 months. I understand that.

19 But I don't feel like we should have to pay another
20 deposit. We have got one deposit on record, and we hope to
21 have our payments -- well, we don't owe anything right now,
22 zero with Florida Power and Light, and we hope to keep it that
23 way from now on, again. But those are our two major
24 complaints.

25 And I thank you for listening, and I hope something

1 can be done now to help us with this because we do have a lot
2 of bills.

3 COMMISSIONER DEASON: Mr. Chairman, may I ask a
4 question?

5 CHAIRMAN JACOBS: Go right ahead.

6 COMMISSIONER DEASON: Mr. Armstrong?

7 MR. ARMSTRONG: Yes, sir.

8 COMMISSIONER DEASON: You indicated that you
9 purchased your home in 1981?

10 MR. ARMSTRONG: April.

11 COMMISSIONER DEASON: You have continuously lived at
12 that location for the last 20 years.

13 MR. ARMSTRONG: Absolutely; yes, sir.

14 COMMISSIONER DEASON: And you have been a customer of
15 FPL for that 20-year period?

16 MR. ARMSTRONG: The entire time.

17 COMMISSIONER DEASON: Is this the first time that you
18 have been asked to pay an additional deposit?

19 MR. ARMSTRONG: It is. My entire lifetime I have
20 never been asked before.

21 COMMISSIONER DEASON: Mr. Chairman, I would just
22 request that FPL review the circumstances of this situation.
23 Certainly they have latitude to look at these situations. And
24 given the history of this customer, and the uniqueness of the
25 fact that bills increased to a great extent during the summer

1 months, and other extenuating circumstances which Mr. Armstrong
2 described, that this may be a case where the company could
3 review it. And that's all that I would ask.

4 CHAIRMAN JACOBS: I would, Mr. Hamilton, concur in
5 that. Did you want to have a response today or have him meet
6 with your staff today?

7 MR. HAMILTON: Yes. Mr. Chairman, we would be
8 pleased to work with him. And, Carol, I think she is now
9 standing up. Mr. Armstrong, if you would go with her I believe
10 we can resolve this.

11 MR. ARMSTRONG: Thank you.

12 CHAIRMAN JACOBS: Before you leave, Mr. --

13 MR. ARMSTRONG: Armstrong.

14 CHAIRMAN JACOBS: -- Armstrong, you indicated that
15 your wife had evaluated and reviewed your bills when the
16 fluctuations began. Do you happen to know if there were
17 fluctuations in the amount of energy you used generally?

18 MR. ARMSTRONG: Well, maybe a small amount, but not a
19 large amount. But it is basically the same because we are
20 creatures of habit and we do the same things over and over, and
21 we don't have that much to work with, electrical appliances as
22 I noted. So there might have been some, but not that much.
23 Not 40 percent. Not from 60 something to over 100, and 100
24 over 100 again, and 99 or 98, whatever, \$90-something.

25 CHAIRMAN JACOBS: And you also mentioned meter

1 readers.

2 MR. ARMSTRONG: They're fine. I have no problem with
3 them.

4 CHAIRMAN JACOBS: And so you see them regularly?

5 MR. ARMSTRONG: Yes, sir. We have beautiful dogs,
6 and we make sure that they are inside when he comes. We have a
7 system set up with them so they understand how to do it and
8 everything.

9 CHAIRMAN JACOBS: Great. You may want to speak with
10 the company. I'm sure they have facilities available to check
11 and see just if there is an audit that may be useful to
12 evaluate what has happened with your usage in recent months.

13 MR. ARMSTRONG: Okay. Thank you.

14 CHAIRMAN JACOBS: Thank you.

15 MR. HOWE: We would next call Mr. James R. Jackson.

16 MR. JACKSON: I did not desire to speak.

17 MR. HOWE: Oh, I'm sorry, sir. You do have that
18 indicated not to speak. I'm sorry. Mr. John Sydoriak.

19 JOHN SYDORIAK

20 was called as a witness on behalf of the Citizens of the State
21 of Florida and, having been duly sworn, testified as follows:

22 DIRECT STATEMENT

23 MR. SYDORIAK: Good afternoon, Commissioners. I
24 believe most of you know me from yesterday afternoon. Again,
25 happy holidays. Thank you for letting me again come before

1 you, because I want to make sure that this is on record at each
2 meeting that you had. And I know you will only be able to see
3 me one more time this everything in Broward County.

4 First, I would like to thank Florida Power and Light
5 and Mr. Hamilton on the quick response that FPL recognized
6 after I spoke yesterday. And I did get a phone call from, I
7 believe the gentleman that we were talking about Dennis Brand
8 (phonetic). And we are in the process of getting together and
9 hopefully move forward on this mission that I and my staff are
10 on.

11 Again, I want to read, again, for the record the
12 tankless statistics. Again, as I told you yesterday, one of
13 our clients before they purchased a tankless hot water heater
14 from us called Florida Power and Light. And Florida Power and
15 Light told them that on her \$70 month a bill she would save
16 approximately \$13 per month if she were to use a tankless as
17 opposed to a hot water heater. If you divide that amount into
18 her bill, \$13 into 70, you would see a savings of 18.5 percent.

19 And when I'm talking about these figures, these are
20 conservative figures, all right. Because we say that the
21 tankless will save you up to 60 percent of your electric bill
22 on your hot water side. Florida Power and Light will say it
23 will save you 75 percent. But, again, we like to be
24 conservative because we know our figures are accurate.

25 If you were to take that \$13, again, and multiply it

1 by the over 7 million, but I use 7 million as a factor, people
2 which Florida Power and Light has on line, that is \$91 million
3 a month in savings. And, again, if you take that \$91 million a
4 month times the 12 months, you are looking at a billion, not a
5 million, a \$1,092,000,000 in annual savings that the consumer
6 would save.

7 Well, money is fine and dandy, but this is our
8 concern more so than the money. The kilowatts. As I mentioned
9 yesterday, I'm a third generation native, and hopefully I will
10 stay here a pretty long time, unless I'm run out of the state
11 because we don't have enough water or we don't have enough
12 electricity. Because those are the two major problems this
13 state has. And I don't want to leave Florida. I'm a Florida
14 boy. I want to stay here, okay? Born on the water, raised on
15 the water. I want to die on the water. Just a good old
16 Florida redneck. But if you take that -- my electric bill,
17 which I showed you yesterday, my last months -- I wish mine was
18 60 or \$90 like his, Mr. Armstrong's -- my last bill was
19 \$151.80. If you divide the kilowatts that my house used, which
20 was 1669, that comes out to approximately 9.9 cents per
21 kilowatt.

22 And, again -- I know I'm repetitious, but, again, you
23 will only have to hear it one more time. If you take that 9.9
24 cents, which is approximately 11 kilowatts per dollar, and
25 divide it into the \$1,092,000,000, this state would conserve

1 99,272,727 kilowatts. That's a small town. That's a county.
2 Some counties up where you live in Tallahassee, you know,
3 you've got Liberty County and Apalachicola and all of that
4 area. Again, and I think we are on the wrong track with
5 Florida Power and Light by getting that call that Mr. Hamilton
6 was responsible for, and I appreciate it. FPL should encourage
7 the consumer to converting to tankless hot water heater. It's
8 not a new concept. It's not new technology. It has been in
9 Europe for 30 years plus. They don't know what a hot water
10 heater is over there. Why are we using them? We are not
11 educated about it. That's what our mission here, and that's
12 why I'm here. And, again, I'm trying to educate you all, as
13 well.

14 FPL should also institute a rebate program like they
15 have with the high energy efficient rated A/Cs. If you get a
16 high energy efficiency rated A/C, whether it's a 12 SEER, or 14
17 SEER, or 16 SEER, which SEER stands for seasonal energy
18 efficiency ratio, they give you rebates from \$200 all the way
19 up in some cases \$750. We need a rebate program like that to
20 encourage people to convert to a tankless hot water heater.
21 You heard Mr. Armstrong. He unplugs his hot water heater.
22 Why? Because even though you are not using electricity -- or
23 hot water during the course of the day, that hot water heater
24 is burning electricity, wasted electricity. With the tankless
25 it doesn't burn electricity when it's in its dormant state.

1 Only on demand. Only on demand.

2 We are also looking into legislation, a law stating
3 any new construction, whether it is commercial or residential,
4 they have to use a tankless hot water heater. Back in 1981 --
5 by the way, I'm certified by the State of Florida and Florida
6 Power and Light to do energy audits, so I am very well versed
7 as far as energy deficiencies and efficiencies, okay?

8 Back in 1981, the State of Florida had a program
9 where you could do what was called an energy calc or have an
10 EPI done, energy performance index, to show how efficient or
11 deficient your home is, okay? Me and my partners said this is
12 going to become a law, so we jumped on the bandwagon, okay.
13 Today there is a law in the State of Florida. Before you can
14 build any construction, residential or commercial, or even do
15 an addition you have to have what is called an energy calc, or
16 EPI done.

17 And if you take your blueprints to the building
18 department and set them on his desk, without that form, he will
19 throw it off to the side. That's how important that form is
20 because it shows how energy efficient your home is to a certain
21 degree. Any construction has to meet minimum energy efficiency
22 in the State of Florida, which is good. Years ago you would
23 just go in and get a building permit and build it any way you
24 wanted and it didn't have to be energy efficient. But today it
25 does. And it's on a point system, and you get so many points

1 for high energy efficiency rated A/C, insulation, radiant
2 barrier, and I could go on, and on, and on, okay? And then
3 when you throw these figures into the computer, it comes out
4 and gives you your energy calc. If that thing is over 100
5 points, it's not energy efficient, you can't build that
6 structure. So then you have got to go back in and take a
7 window out, put thicker insulation in, or higher energy
8 efficient rated A/C, or even paddle fans and get it down under
9 100 points. And this is what we need. And that's why we need
10 the tankless hot water heaters. I would like to see the hot
11 water heater banned. It wastes a lot of water.

12 Like I said, I'm guilty just as much as anybody in
13 wasting electricity and water some. I try not to be at times,
14 but you know we're lazy. We are spoiled Americans. We have
15 got the greatest country in the world, and I think we have got
16 the greatest state in country. And I don't want to run out of
17 water, and I don't want to run out of electricity, and I don't
18 want to be forced out of this state because of that situation
19 where we don't have any water, or electricity, or it is so
20 astronomical in pricing I can't afford to live here. Poor
21 Mr. Armstrong is talking about 60 or \$90 and having a hard
22 time. My God.

23 Please, Commissioners, when you go back, look into
24 this. It's not new technology. It has been here over 30
25 years. And our company has been making these things since

1 1986, so it's not like, you know, we are a start up company.
2 We know the technology. We know it works and it does work.
3 And, like I said, I've got them in condominiums, I've got them
4 in houses, I've got them in beauty salons, which use a lot of
5 hot water. I've got them in restaurants that the hot water
6 heater couldn't keep up with the dishwasher. They have got my
7 system because it is instant, constant, unlimited amount of hot
8 water. But the key is when you turn it off, you don't burn any
9 electricity. Thank you, and I will see you tonight at 6:00.

10 CHAIRMAN JACOBS: Thank you, Mr. Sydorik. Any
11 questions? Thank you much. We have taken into consideration
12 your lottery idea, we might add.

13 MR. SYDORIAK: One more thing I just wanted to say.
14 FPL has a program for the hot water heaters, okay, where they
15 come out and they put a timer on. That saves pennies compared
16 to what a tankless would do. Take that money, FPL, and the
17 labor that you spend on installing those and the money that you
18 paid for it, put that in the rebate program.

19 CHAIRMAN JACOBS: Thank you very much.

20 COMMISSIONER PALECKI: Thank you, Mr. Sydorik.

21 MR. HOWE: Laurie Frankoski. And if I mispronounced
22 it, please correct me.

23 LAURIE FRANKOSKI

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MS. FRANKOSKI: Frankoski. Hi. My name is Laurie
3 Frankoski, and I am here as a private FPL customer, and here
4 with a positive word to say that they were of great assistance
5 to me through their Care to Share program. I am a professional
6 woman. I am actually the mother of five, four who are home.
7 But this year I have faced these last six months the
8 complications of divorce. And with that and with life
9 complications and being a good citizen and no other problems
10 that effect my life, I don't drink and I don't smoke, but
11 things that you face in your everyday life that can change your
12 life. For all of us we face that once in awhile. And I can
13 honestly say that I work for a non-profit organization who
14 helps families who have become homeless and know what it's like
15 to work with families who have hit hard times. And now I'm
16 dealing with one of my own.

17 I had a great need when the bill from my previous
18 marital home was transferred onto my new apartment. And when
19 that almost \$400 hit me and I paid it, I did not then have
20 enough money to pay my new rent. And that put me in dire
21 straits for these last two months. But I called FPL, and they
22 referred me to Care to Share, and then who referred me to their
23 program who assists them with the emergency funding. And I
24 applied. And if it hadn't been for the assistance that I'm
25 getting this month, I would not be making my bills. I would

1 not be feeding my children. There would be complications that
2 would be hitting my life that I did not foresee.

3 And I'm just here to say that I appreciate their care
4 and concern and the staff that I talked with, and their help in
5 referring to me. And even when I did receive another bill this
6 month, it came out and I was afraid that it wasn't paid and I
7 called to check on it, and they let me know, no, that the
8 guarantee is there, and that I am safe, and I am okay, and my
9 lights will stay on. I will not have to face coming home like
10 I faced last month on a Sunday night when I picked up my
11 children from visitation and I did not pay that bill in time
12 and I did not have that almost \$400, came home to my lights
13 being off and faced a night in the dark. And that was the
14 truth of my life that day. And that was very embarrassing and
15 very hard on my life and facing that with my children.

16 But they have helped me through a situation that I
17 did not expect to foresee, and I didn't foresee. And in facing
18 setting up a new home and facing life's complications as a
19 single mom with a single pay check now, I needed some
20 assistance. And they through some emergency funding, and how
21 it's done, I received help that I would not have had. And my
22 agency does not provide that help, but I was able to go to
23 somebody else.

24 And I wanted to say thank you to FPL and their
25 program that they set up called Care to Share that assists

1 families like myself, or other families who are facing a
2 crisis, whether it be through finances, through medical
3 situation, like the other gentleman who he had problems with
4 his bill, loss of a job, which is a great problem right now in
5 the county in many different areas. And I'm just here to say
6 thank you for a program that they have that can meet a need of
7 a family in an emergency situation. Thank you.

8 COMMISSIONER PALECKI: Ms. Frankoski, do you have the
9 name of a particular employee at Florida Power and Light that
10 was especially helpful to you?

11 MS. FRANKOSKI: Yes. Actually, Linda Larson, who I
12 was sitting next to who is here today. I spoke with her and
13 she assisted me greatly and referred me to a lady named Linda
14 Mullin at Red Cross, who I worked with and filled out the
15 application. And they were very positive, and very
16 encouraging, and actually kept me going to be honest with you,
17 as I didn't know what I was going to do. And it was something
18 I faced and I didn't have another way to turn. I didn't have
19 another ability to get those funds from any other situation.
20 And they assisted me through this, and I was greatly
21 appreciative. And I wanted to come here today and say so.

22 COMMISSIONER PALECKI: Thank you very much.

23 MS. FRANKOSKI: You're welcome.

24 CHAIRMAN JACOBS: Thank you, Ms. Frankoski.

25 MR. HOWE: Ms. Lana Blefary.

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LANA BLEFARY

was called as a witness on behalf of the Citizens of the State of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

MS. BLEFARY: Good afternoon. Thank you for having these hearings so that some of our people can be heard. I am a general manager of a condominium in Boca Raton located just south of the sea turtle lighting project.

CHAIRMAN JACOBS: Excuse me. Could I ask you to give us your name once again for the record.

MS. BLEFARY: Lana Blefary. We have been working with several people in the City of Boca Raton, with a person from the state. We are now going to the Wildlife and Marine Center for assistance in overgrown seagrave trees. We are having quite a hard time learning how to coexist with the sea turtles. However, that is not the reason that I am here today.

The gentleman who was here giving his sales pitch on his tankless water heaters, I can only say that I have lived in St. Thomas, Virgin Islands, and have seen the failure rate of those. I hope that a lot of study is put into that before it is considered, especially in legislation.

My main problem today is that we have had power outages on the south side of our property, some momentary, some major due to faulty equipment. When FPL is called and advised of this, they send people out, everybody is friendly, everybody

1 is helpful, but they are not making the correct repairs so that
2 the power outages continue. Only since we wrote a letter to
3 the Public Service Commission have they come out and made major
4 repairs. We still have many problems with momentary and the
5 longevity of the power outages.

6 My unit owners have lost TVs; we have lost equipment
7 in the office. And I hope that by your having these hearings
8 you will pay more attention to consumers who are having these
9 outages and look more closely at your equipment and make sure
10 that it is in proper working order. Replace what needs to be
11 replaced. Don't band-aid. Thank you. I appreciate your
12 hearing me.

13 COMMISSIONER JABER: Ms. Blefary, may I ask you just
14 a couple of questions about the power outages. How often do
15 they occur and what is the period of time between each outage?

16 MS. BLEFARY: In November of this year we had
17 several. One was over ten hours. Since they have been coming
18 to make repairs, and they have been there quite often this past
19 month, we have not had any outages, and I'm grateful for that,
20 as are my unit owners. They are attending the problem. I'm
21 just saying that this problem has gone on since 1998 and not
22 until we wrote the Commission did they start making the
23 necessary repairs and/or replacement instead of band-aiding.

24 COMMISSIONER JABER: And were the outages associated
25 with some sort of severe weather or does it happen --

1 MS. BLEFARY: In some cases, yes.

2 COMMISSIONER JABER: But not necessarily all cases?

3 MS. BLEFARY: But not necessarily. They were
4 associated with animals, sagging lines, bad transformers,
5 rusted and corroded parts.

6 COMMISSIONER JABER: And do you mind giving us on the
7 record your address?

8 MS. BLEFARY: 2711 North Ocean Boulevard, Boca Raton.
9 In fact, I have several addresses in the same community that
10 have had the problem. There is 2711 North Ocean Boulevard,
11 2667 North Ocean Boulevard, 2657 North Ocean Boulevard, 2677
12 North Ocean Boulevard, 2687 North Ocean Boulevard, and 2697
13 North Ocean Boulevard.

14 COMMISSIONER JABER: Mr. Chairman, it sounds like Ms.
15 Blefary is a step ahead of us and has already contacted the PSC
16 Consumers Affairs Department. But if we could ask our staff to
17 follow up and make sure that this is looked into a little bit
18 further.

19 CHAIRMAN JACOBS: If you would. I'm sure that Ms.
20 Draper probably got all of that information, but just make sure
21 you speak with her before you leave and that we have all the
22 necessary information to follow through.

23 MS. BLEFARY: Thank you very much.

24 CHAIRMAN JACOBS: And the company may have someone
25 that may want to speak to you, as well.

1 MS. BLEFARY: Thank you.

2 CHAIRMAN JACOBS: Thank you. Any other questions?

3 MR. HOWE: We would next call Mr. Jerry Marshall.

4 JERRY MARSHALL

5 was called as a witness on behalf of the Citizens of the State
6 of Florida and, having been duly sworn, testified as follows:

7 DIRECT STATEMENT

8 MR. MARSHALL: Good afternoon and thank you for the
9 opportunity. I don't know whether I dislike Florida Power and
10 Light or Long Island Lighting Company more. I have served
11 under their jurisdiction 23 years here in Palm Beach County,
12 and for too many years under LILCO.

13 My objection to what is being done by FPL is where
14 they shift their charges. Just this year we found out that
15 because of an error in dealing with the sugar group, they
16 predicted and asked for permission to shift the charges for the
17 bonds which were issued to make energy out of sugarcane to the
18 public. Not the stockholders, but the public. Then there was
19 the usual fuel charge increase. For two months it was .029310,
20 for six months it was .036670, and now for three months it is
21 .030410. You can hardly catch up with what your bill is going
22 to be or how it's going to be handled.

23 Also, this year the geniuses at FPL took unto
24 themselves a \$25 million bonus. And when that deal fell
25 through to acquire another company, the bonus was written into

1 the agreement and they kept the \$28 million. Hardly fair do I
2 think. Now we get increased security. And they have requested
3 for increased security at nuclear plants, that that be paid by
4 the consumers also.

5 As to the grid and the various machinations, I can't
6 understand that at all, but I know where the cost is going to
7 be put. It's going to be put on the consumer.

8 I have called the Public Service Commission on
9 several occasions to object to the shift of any expense to the
10 consumer and leaving out the stockholders, who I guess just
11 their only charge is paying for the stock. I think it is
12 wholly unfair the way rates are determined by Florida, FPL, and
13 I object strenuously. And I don't understand how just about
14 all of their requests are honored by the Public Service
15 Commission. Thank you for your time.

16 CHAIRMAN JACOBS: Questions?

17 COMMISSIONER PALECKI: Mr. Marshall?

18 MR. MARSHALL: Yes.

19 COMMISSIONER PALECKI: I just wanted to let you
20 know -- first I wanted to thank you for your testimony. But
21 the purpose of this docket that we have open, that we are
22 recording your testimony here for today, is to review the
23 dollars that go to the stockholders of Florida Power and Light.
24 So that is the whole purpose of what we are doing today and we
25 appreciate your testimony.

1 MR. MARSHALL: Thank you.

2 CHAIRMAN JACOBS: Mr. Marshall, you indicated that
3 you had made contact with the Public Service Commission. Have
4 you received a response?

5 MR. MARSHALL: Pardon me, I suffer the dangers of
6 age, and I don't hear too well, so will you please speak up.

7 CHAIRMAN JACOBS: By all means. Is that better?

8 MR. MARSHALL: That's better.

9 CHAIRMAN JACOBS: Great. You indicated that you had
10 made contact with the Public Service Commission. Have you
11 received a response to that?

12 MR. MARSHALL: No, other than to say do you want your
13 message recorded and given to the necessary individuals. And I
14 said yes, of course. I have given my name and I have given my
15 address and phone number. However, I have never heard from
16 FPL. I must say I do hear from Jack Shreve, whom I know well,
17 and I appreciate his efforts, believe me, I do.

18 CHAIRMAN JACOBS: Well, what I will commit to you
19 today is to get you at least a response to your questions. It
20 may not be the response that will make you totally happy, but
21 we will answer your question as to how these decisions are
22 made. Is that adequate for you?

23 MR. MARSHALL: Sure.

24 CHAIRMAN JACOBS: Okay. And I will make sure our
25 staff gets your mailing information so we can get that to you.

1 MR. MARSHALL: Okay. Thank you.

2 If the price is up, however, I'm not going to be
3 happy at all.

4 CHAIRMAN JACOBS: I understand.

5 MR. HOWE: Chairman Jacobs, I have no other names of
6 individuals who have signed up. I would ask at this time if
7 there are any who would like to speak to the Commission?

8 CHAIRMAN JACOBS: If you did not sign up, that is not
9 a problem. Feel free to come forward and we will take your
10 testimony now. Let the record reflect that no one has
11 indicated a desire to speak. And with that, if there are no
12 others, then that would bring our hearing to a close today.

13 Mr. Hoffman.

14 MR. HOFFMAN: Thank you, Mr. Chairman. For the
15 record, I would like to ask that the notice of the public
16 hearing as well as the affidavit of publication in the Palm
17 Beach Post be admitted into the record. I think we are at
18 Composite Exhibit 4.

19 CHAIRMAN JACOBS: Correct. Show that marked as
20 Composite Exhibit 4. And without objection show it is admitted
21 into the record.

22 (Composite Exhibit 4 marked for identification and
23 admitted into the record.)

24 CHAIRMAN JACOBS: And thank you for coming today. We
25 appreciate your comments, and this hearing is adjourned.

(The hearing adjourned at 1:07 p.m.)

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4
5 I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter
6 Services, FPSC Division of Commission Clerk and Administrative
7 Services, do hereby certify that the foregoing proceeding was
8 heard at the time and place herein stated.

9 IT IS FURTHER CERTIFIED that I stenographically
10 reported the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript constitutes a true transcription of my notes of said
13 proceedings.

14 I FURTHER CERTIFY that I am not a relative, employee,
15 attorney or counsel of any of the parties, nor am I a relative
16 or employee of any of the parties' attorney or counsel
17 connected with the action, nor am I financially interested in
18 the action.

19 DATED THIS 27th day of December, 2001.

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JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
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(850) 413-6732

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

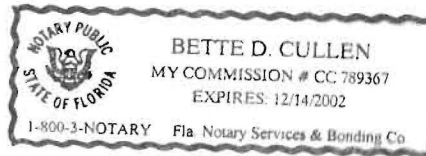
Before the undersigned authority personally appeared **James Clifton**, who on oath says that he is **National Advertising Manager** of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a **Notice** in the matter of **Public Hearings** published in said newspaper in the issues of **December 6, 2001**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

James L. Clifton

Sworn to and subscribed before this 6th day of December, A.D. 2001

Bette D. Cullen

Personally known **XX** or Produced Identification _____
Type of Identification Produced _____



FLORIDA PUBLIC SERVICE COMMISSION

DOCKET

NO. 001148-EI EXHIBIT NO. 4-W. Palm Beach

COMPANY/ WITNESS: Florida Power & Light

DATE: 12-13-01

10005

ICES

50%

MENT

**ALL
TURBY BABIES
75% OFF**

**HURRY IN
FOR BEST
SELECTION.**

FINAL

Leather Forever

MON-TUES-THURS 11-7PM • WED-FRI-SAT 11-6PM • SUN 12-6PM

Plaza West • 6400 Lake Worth Rd., Lake Worth
SE Corner of Jog Rd. & Lake Worth Rd.
1 mile east of Turnpike exit #93

649-3535

371494

ADVERTISEMENT

NOTICE OF PUBLIC HEARINGS

The Florida Public Service Commission will hold public hearings as part of its review of Florida Power & Light Company's rates. The purpose of these hearings is to provide customers of Florida Power & Light an opportunity to testify before the Commission on the quality of service by Florida Power & Light. A public hearing in your area will be held at the following time and place:

Thursday, December 13th

12:00 Noon - 3:00 PM

Palm Beach County Governmental Center

Jane Thompson Memorial Chambers

301 N. Olive Avenue

West Palm Beach, FL 33401

Customers who wish to present testimony are urged to appear at the beginning of the hearing, since the hearing may be adjourned early if no witnesses are present to testify.

Written customer comments regarding Florida Power & Light's service or rates should reference Docket No. 001148-EI and be addressed to: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.



FPL

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