

REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

Date July 1, 2002

Docket No. 020639-E1

- 1. Division Name/Staff Name GCL-Patricia Christensen, Katherine Echternacht
- 2. OPR X
- 3. OCR _____
- 4. Suggested Docket Title Complaint of Norman Anderson and/or Anthony Parks on behalf of NW Landing Reality against Florida Power & Light Company
- 5. Suggested Docket Mailing List (attach separate sheet if necessary)
 - A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
 - B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)
 - 1. Parties and their representatives (if any):

<u>NW Landing Reality</u> <u>4750 S. Ocean Blvd. Ste 210</u> <u>Boca Raton, Florida 33481</u>	<u>Norman Anderson</u> <u>P.O. Box 812283</u> <u>Boca Raton, Florida 33481</u>
<u>Anthony Parks</u> <u>P.O. Box 812283</u> <u>Boca Raton, Florida 33481</u>	<u>Florida Power & Light</u> <u>P.O. Box 029100</u> <u>Miami, Florida 33102-9100</u>

2. Interested persons and their representatives (if any):

6. Check one:
- Documentation is attached.
 - Documentation will be provided with recommendation.

DOCUMENT NUMBER DATE
 06811 JUL-18
 FPSC-COMMISSION CLERK

Request No. 379477E

Name

Business Name NW LANDING REALTY

Consumer Information

Name:

Business Name: NW LANDING REALTY

Svc Address: 4750 S OCEAN BLVD STE 210

County: Palm Beach Phone: (561)-338-5937

City/Zip: Boca Raton / 33481-

Account Number:

Caller's Name: NORMAN ANDERSON

Mailing Address: P.O BOX 812283

City/Zip: BOCA RATON ,FL 33481-

When Reached:

Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: EI802

Company: FLORIDA POWER & LIGHT COMPANY

Attn. Roseanne Lucas379477E

Response Needed From Company? Y

Date Due: 06/05/2001

Fax: 61,305-552-3849

B

Interim Report Received: / /

Reply Received: 06/04/2001

Reply Received Timely/Late: T

Informal Conf.: Y

PSC Information

Assigned To: CAF

Entered By: AK

Date: 05/14/2001

Time: 10:36

Via: FAX

Prelim Type: OTHER

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 06/12/2001

Closeout Type: GI-08

Apparent Rule Violation: N

Please review the attached correspondence in which the customer reports the following:

Customer says they are a real estate holding company with several rental properties. The property at Montego Bay, Boca Raton was disposed of for months but they are still getting bills for service. Customer says they called the company to disconnect their name and to replace NDS, the new tenants. Customer says they only refuse to pay for bills without documentation and their tenants should not be denied service.

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

PLEASE NOTE** The information on this form is only a summary of the customer's concerns. Additional information, important to this matter, may be contained in the correspondence.

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ORIGINAL

Inquiry taken by A. Kambo

05/21/01 Received returned letter to sender Leroy Rasberry, due to unclaimed, refused, attempted not known.
PRoberts

5/24/2001 Called customer obtained new mailing address of PO Box 812283, Boca Raton FL 33481. pduck

06/04/2001 Report received via fax. AHashisho

06/11/01 Customer called because the letter that Mary Wyatt wrote him has the wrong contact number. Contacted Mary at FPL and got 800 fax number and direct number so that customer may contact her. I also emailed RMCHARGUE to inform her to assign an analyst to his complaint. tmorgan

06/12/2001 Reviewed report. FPL advised that an account was established for North West Realty with Tax ID number 02-0388876 at 6755 Montego Bay Blvd, in Boca Raton on June 2, 1999. In the five months the account was active, five reminder notices were issued, of which four expired becoming eligible for collection action. The service was disconnected twice for past due balances and three checks were returned as unpaid by the bank. Two checks were issued by Anthony Parks and one from Nicholas Aversa.

After a final notice was sent, the service at 6755 Montego Bay Blvd. was disconnected for the past due balance of \$232.03. The company did not receive payment, therefore, the account was closed effective October 25, 1999. A paid \$365.00 deposit was applied to the final balance leaving a balance owed of \$235.11.

The unpaid balance of \$235.11 was transferred to the active account in the name of North West Realty, with Tax ID number 02-0388876 at 6050 Verde Trail S. 405 in Boca Raton. This account was established on November 8, 2000 after a request was made from Mr. Parks. In the two months the account was active, two reminder notices were sent and was eligible for collection action twice. The company sent a final notice. The service was disconnected for nonpayment of a past due balance. The account was closed on December 19, 2000 and the account reflected a unpaid balance of \$454.34.

The unpaid balance of \$454.34 was transferred to the active account of North West Realty, with Tax ID number 02-0388876 at 4750 S. Ocean Blvd. #210 in Highland Beach. The account was established on September 8, 2000. In the nine months the account was active, the company sent 10 reminder notices, 9 final notices and was eligible for collection action 8 times. The company was paid once in the field to avoid interruption of service. Two checks issued by Anthony Parks were returned as unpaid by the customer's bank. The most recent check payment returned when the payment was provided to the field collector to avoid interruption.

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On February 12, 2001, FPL issued a payment extension to provide time to resolve the customer's concerns after he contacted FPL regarding the transferred balance.

On March 12, 2001, the company reviewed the billings on the accounts and the returned checks. The customer requested a billing breakdown. A payment arrangement was issued for the balance to be paid with the March bill due on April 2, 2001.

The company did not receive payment on the account. FPL issued a final notice. A caller, named Mr. David Moore, contacted FPL and advised he was the landlord. Mr. Moore disputed the transferred balance and requested the account be closed effective April 24, 2001.

FPL also received a call from Mr. Norman Anderson and requested a new account be established at 4750 S. Ocean Blvd. #210 in the name of NDS Development with Tax ID number 65-1010478. Due to the previous account balance, FPL requested that Mr. Anderson have the landlord call FPL so the change in tenants could be confirmed.

On April 27, 2001, Mr. Anderson contacted FPL. The caller queried why FPL did not accept the application for service. It appears that due to the outstanding balance by North West Realty, the landlord was required to contact FPL to confirm the new tenant.

A third party investigation indicated the owner of S. Ocean Blvd. #210 and 6050 Verde Trail S. #405 is Anthony E. Parks. It appears that Mr. Parks has an outstanding balance due to FPL in the amount of \$823.72 for service at 6755 Montego Bay Blvd. and 5411 Grand Park Place. FPL advised that there are no active corporations in the State of Florida for NDS Development and North West Realty. The Tax ID number for NDS Development belongs to the Greene Family LLC in Bradenton, FL according to the Division of Corporations.

FPL advised that the account located at 6755 Montego Bay Blvd. was closed effective October 25, 1999 with an unpaid balance. Mr. Anderson advised he did not understand the charges and requested bill copies. FPL could not provide bill copies, but provided an account audit.

FPL also indicated that a notarized lease was required from the owner of 4750 S. Ocean Blvd. #210 to confirm the change in tenants. In order for an account to be established in a corporate name, the corporation must be registered in the State of Florida. It appears NDS Development is not listed. Mr. Anderson advised that North West Realty was the owner of the property and he would fax the lease on May 16, 2001. He stated that NDS Development is a Connecticut corporation and they were in the process of registering in Florida. FPL could not confirm this corporation in Connecticut.

On May 22, 2001, FPL received a letter from Mr. Anderson indicating that he was expecting paperwork from Tallahassee by May 25, 2001. There was no reference to the required lease.

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FPL has not received further documentation from Mr. Anderson. The company sent a letter to Mr. Anderson on June 4, 2001 advising that a lease is required from the owner or authorized agent of 4750 S. Ocean Blvd. #210 to indicate the new tenant. If the new tenant is a corporation or partnership, then it must be registered with the State of Florida, as well as providing the Tax ID number.

As of June 4, 2001, FPL does not have a customer of record for 4750 S. Ocean Blvd. #210 and there is unauthorized electricity being consumed at that location. If the requested information is not provided by June 11, 2001, the service is subject to disconnection. A letter was sent to the customer. Audits of five accounts were provided. eplendl

06/12/2001 Contacted FPL advised that the company did not receive the required documentation on June 11, 2001. eplendl

06/12/2001 Delivered inquiry to my supervisor, Ruth McHargue, for further review. eplendl

06/12/2001 Closed. A closure letter will be sent to the customer. eplendl

This inquiry is closed without infraction.

06/20/2001 Closure letter returned due to attempted; not known. NHolton

09/28/2001 Customer called and stated that he did not receive his closure letter. Informed him it had been returned. He requested to speak to the analyst. He was transferred to E.Plendl's voicemail. kmarshall

09/28/2001 Mr. Norman Anderson contacted me. He states that he did not receive the letter from the PSC. I will fax the letter to Mr. Anderson at 561-391-6083. He advised he will be sending a new complaint today. I advised the customer of the informal conference procedure. eplendl

09/28/2001 Customer called again. Per Mr. Durbin, he was transferred to P.Johnson. kmarshall

09/28/2001 Received two faxed letters from Mr. Anderson, including request for informal conference. Hand delivered the letters to P. Johnson. eplendl

9/28/01 - I spoke with Iris (FPL) and informed her of the informal conference request. pjohnson

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Note This case has been transferred to the N/J Team at the Bureau of Consumer Outreach

This case is in the Informal Conference Process:

10-01-2001 - I called Mr. Anderson, but he was not available. I spoke to a Mr. Davis. I requested Mr. Anderson return my call. Note, Mr. Anderson needs to provide proof that he is an authorized agent, or the customer of record needs to file a new complaint with the PSC./JPlescow

10-02-2001 - I spoke to the company. I was told the service in question was being billed to no one. I was told that there was no customer of record. The company wants to disconnect the service because there is no customer of record. I explained I would need to discuss this with my supervisor, and I would follow-up./JPlescow

October 2, 2001: John and I met with Bureau Chief Rhonda Hicks. She will contact General Counsel Harold McLean with concerns about the request of this informal conference. FPL notified Mr. Anderson that it would disconnect the services by September 27, 2001 if requirements were not met. At this time there is no customer's name on the account. John will contact FPL and request services not be disconnected until legal is consulted. Mr. Anderson will be contacted by John again today to speak about the case. Carmen Peña - Supervisor

10-02-2001 - I spoke to the company, and I explained that before FPL could take action, we were going to consult with legal to see if the service could be interrupted./JPlescow

10-02-2001 - I called Mr. Anderson, and I was told that he was in New York attending the funeral of an individual who was in the World Trade Center. I was told someone else would be assigned to this matter. The man who provided this information would not provide his name./JPlescow

October 2, 2001: An e-mail along with a copies of the PSC rules that appear applicable to this case have been forwarded to Bureau Chief Rhonda Hicks. An updated copy of the CATS cover sheet has been done. Carmen Peña - Supervisor

October 3, 2001: A copy of the e-mail written on October 2, 2001 was forwarded to Bureau Chief, Rhonda Hicks for its transfer to Attorney Harold McLean. He will review the informal conference request received from the

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customer. Carmen Peña - Supervisor

October 4, 2001: At approximately 10:30 a.m. Joy Anderson handed me the original copy of this case retrieved from the call center files. This documentation included a fax forwarded to the customer on September 28, 2001 at 9:17 a.m. by specialist Ellen Plendl. The fax was forwarded to (561) 391-6083. The closure letter dated June 14, 2001 was the document that Ellen faxed to Mr. Anderson. An updated cover sheet of the CATS form has been placed in the files. Carmen Peña - Supervisor

10-09-2001 - Anthony Parks called at 12:28, pm, and he requested I return his call. He left the phone number (561) 306-4013./JPlescow

10-09-2001 - I called Mr. Parks at around 1:45 p.m. He said Mr. Anderson was a corporate lawyer, and he did not know administrative law. So, Mr. Parks said he would be assigning the case to a different lawyer. This attorney would specialize in administrative law. He indicated he had not found one yet. I explained the PSC would need to send him a copy of form X to fill out and return. I also explained that he would need to provide documentation showing that the new lawyer did represent the customer of record. Mr. Parks, who said he owned the condo in question, said he would provide that information. Note, Mr. Parks said during our conversation that he owned the condo/JPlescow

10-10-2001 - Ms. Pena supervisor asked that I call Mr. Parks, and get a mailing address. I called Mr. Parks at around 8:30 a.m. and he said the mailing address for this complaint was the mailing address for PSC correspondence./JPlescow

October 10, 2001: The acknowledgment letter for the Informal Conference from Bureau Chief Rhonda Hicks along with form X will be forwarded to Mr. Anthony Parks. The letter along with form X will be mailed to Mr. Parks by certified and regular mail on October 11, 2001. Courtesy copies have been also mailed to Mr. Norman Anderson of North West Landing Realty, NDS Development Corporation, and to Mr. David Moore, the alleged landlord. The courtesy copies have also been forwarded via certified and regular mail.

Note A CATS search has revealed that two courtesy calls were done on behalf of Mr. Norman Anderson of North West Realty. CATS 377061E filed by specialist Victor McKay, at approximately 3:40 p.m. on April 27, 2001, indicate that he helped the customer by doing a warm transfer to FPL. CATS 377077E filed by specialist Pamela Duck, at approximately 4:17 p.m. on April 27, 2001, indicate that she also helped the customer by doing a warm transfer to FPL. Both CATS forms have been included with this case for documentation purposes. Carmen Peña - Supervisor

October 11, 2001: At approximately 11:24 a.m. I faxed FPL copy of the informal conference acknowledgment letter, form X, and the letter from the customer requesting the conference. An updated cover sheet has been done. Carmen Peña - Supervisor

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10/17/01 Received three courtesy copy letters marked undelivered, referenced in the October 10, 2001 note above. Notifying Rhonda Hicks by email. P.Roberts

10/17/01 Received two returned letters sent to Anthony Parks, due to "insufficient address", "unclaimed", "no such street", "not deliverable", "unable to forward", sender Rhonda Hicks, P.Roberts

10/18/01 Received returned letter sent to Norman Anderson, due to "unclaimed", " attempted not known;" no such street." Sender Rhonda Hicks. P.Roberts

October 18, 2001: The following returned letters were handed to me by Bureau Chief, Rhonda Hicks. (1) Courtesy copies to NDS Development Corporation (certified letter) and the one forwarded by regular mail. (2) Courtesy copies to Mr. David Moore (certified letter) and the one forwarded by regular mail. (*Note* This person contacted FPL and alleged he was the landlord of the address referred to in this case.) (3) Courtesy copy of the certified letter forwarded to Mr. Norman Anderson, North West Landing Realty. An updated copy of the cover sheet has been done and the returned letters have been placed in the case file for documentation purposes. Carmen Peña - Supervisor

October 30, 2001: The hard copy of the Form X was received at the PSC on October 29, 2001. This document was handed to me today by Nikki from BCR. The form has been included in the case file. A copy of this case will be done and handed to John Plescow to initiate the mediation stage of the informal conference process. An updated copy of the cover sheet has been done. Carmen Peña - Supervisor

10/31/01 Received returned certified letter sent to Mr. Anthony Parks, due to "claimed" sender Rhonda Hicks. P.Roberts

10/17/01 Received returned letter to sender Rhonda Hicks, due to "insufficient address; unclasped".P.Roberts

10/17/01 Received returned letter to sender Rhonda Hicks, due to " unclaimed; no such street; not deliverable as addressed unable to forward". P.Roberts

11-21-2001 - I spoke to Mr. Parks, and he said he would contact me on 11-28-2001. At that time, he will provide the new lawyer's name and contact information./JPlescow

December 3, 2001: This annotation is to clarify the notes placed by P.Roberts. The returned certified letter dated October 11, 2001, forwarded to Mr. Anthony Parks, at the post office box address he requested to be forwarded to, was returned by the post office stamped "unclaimed". The post office notified Mr. Parks on three different occasions of the certified letter. The dates were October 13, October 18, and October 28, 2001. Carmen Peña - Supervisor

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11-04-2001 - I sent Ms. Pena my supervisor an e-mail requesting this case be scheduled for informal conference. The customer has not followed-up. He has not provided the name of an attorney representing him in this matter./JPlescow

December 5, 2001: The customer and the company will be contacted to set up an informal conference date. Carmen Peña - Supervisor

December 6, 2001; I reviewed this file in preparation for setting up the informal conference. I noticed that the Form X was stamped 3 days late. I asked my supervisor about this. It appears that the Form X was hand-delivered on the due date, but it was not stamped in and delivered to BCI for 3 days. Therefore, we are considering it timely. I called FPL and left a message for Roseanne Lucas asking if the 10th of January 2002 was acceptable for the informal conference.

NOTE: As of this date, Mr. Parks has not notified us of his new counsel's name, address and telephone number. KSmith

December 18, 2001: Letter to customer with copy to FPL sent confirming the date of January 24, 2002 at 9:00 a.m. for his informal conference. KSmith

December 18, 2001: A copy of the above-referenced letter was also forwarded to the customer's physical (street) address: 4750 South Ocean Blvd., Suite 210, Boca Raton, FL 33481. KSmith

December 19, 2001: At approximately 4:48 p.m. today Kate Smith faxed FPL a copy of the faxed form "X" received by BCR and stamped by CAF on October 24, 2001. The clarify Kate Smith's notes of December 6, 2001, it appears that CAF did receive the Form "X" in a timely manner. Carmen Peña - Supervisor

01/02/02 Received returned letter of Informal Conference Request sent to Anthony Parks, due to "no forward order on file, unable to forward" sender Kate Smith. PRoberts

January 22, 2002: I called Mr. Parks, but I had to leave a voice message, to remind him about the informal conference on Thursday, January 24, 2002, at 9:00 a.m. I told him I would be calling a few minutes before 9:00 on Thursday and asked him to call our 800# and ask for Kate if he had any questions. I then called FPL and left a voice message for Ms. Lucas. KSmith

January 24, 2002: The informal conference was held. Attendees: Customer :Anthony Parks, for FPL: Roseanne Lucas, Bob Stone, Mary Wyant, Carol Harzinski, for PSC: Rhonda Hicks, Carmen Peña, Kate Smith and John Plescow.

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The conference began at 9:00 a.m. and ended at 10:00 a.m. Mr. Parks stated his position that NDS was being denied service improperly because it was his property. He pointed out that NDS is the tenant not him. FPL stated its position that NDS nor NW Landing are registered corporations and therefore cannot sign an application for service.

FPL proposed three conditions for settlement: (1) Tax ID for NDS; (2) Agreement to pay bill; (3) proof that NW Landing represents Mr. Parks. Mr. Parks agreed to items 1 and 2, but would not provide the paperwork showing NWL is representing him.

We ended the conference without a settlement. Mr. Parks stated he felt sure that he could work this out with FPL before the recommendation goes to agenda. Mr. Stone provided his name and number to Mr. Parks so that they can communicate. FPL also feels that this matter may be resolved within a few days. KSmith

January 31, 2002: Received a fax of the first proposed settlement agreement. Mr. Parks was to have it signed by an NOS agent and returned by February 4, 2002. KSmith

February 4, 2002: Mr. Parks was here in Tallahassee at a hearing. I called FPL. It has not received anything from the customer. KSmith

February 5, 2002: I called the customer. Mr. Parks said that he believed he would be able to settle the matter with Mr. Stone of FPL. He asked that we hold off a little longer on the recommendation so that he could have more time to work with FPL. I agreed to two more weeks. KSmith

February 12, 2002: Received faxed copy of the second proposed settlement agreement. I called Mr. Parks. He said that he would sign the agreement, but he has to speak with Mr. Stone of FPL first.

February 18, 2002: I received a voice message from FPL. Ms. Lucas advised that the customer has not contacted anyone at FPL. She asked that I call him. I tried, but was unsuccessful. KSmith

February 19, 2002: I am writing the recommendation and will give to my supervisor this afternoon. KSmith

February 19, 2002: I was informed by Bureau Chief Rhonda Hicks that the recommendation had been forwarded to Division Director, Bev DeMello for its approval. Carmen Peña - Supervisor Bureau of Consumer Outreach

March 1, 2002: I have been instructed by Bureau Chief Rhonda Hicks to forward a closing letter to Mr. Anthony Parks. Carmen Peña - Supervisor Bureau of Consumer Outreach

March 4, 2002: Closing letter sent to Mr. Parks. KSmith

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March 4, 2002: Clarification notes: A letter was done to inform the customer of the post-conference status. The date on the letter was March 4, 2002. It was to have been forwarded to the customer today via certified and regular mail. The "closing letter" prepared by Kate Smith in regards to this case was forwarded to Bureau Chief, Rhonda Hicks. Ms. Hicks stated that she wanted to review its contents. The letter did not leave the PSC today as scheduled. Carmen Peña - Supervisor Bureau of Consumer Outreach.

April 10, 2002: The letter forwarded to the customer by regular mail was returned stamped by the post office as "not deliverable as addressed unable to forward." Pinkey Robert's notes written on the CATS form.

April 11, 2002: The letter forwarded to the customer by certified mail was returned stamped by the postoffice "not deliverable as addressed unable to forward." Pinkey Robert's notes written on the CATS form.

April 15, 2002: Kate Smith has handed me an e-mail she received today at approximately 4:25 p.m. from Roseanne Lucas at FPL. Ms. Lucas is stating that " FPL has not put a name on the account yet...we are waiting for the settlement agreement." A KWH consumption of this account follows Ms. Lucas' message. This is a meter reading history made at the premise of the consumer. The reading dates are from January 9, 2002 to April 10, 2002. FPL is indicating that it appears someone is still in the apartment, since the meter was read on April 10, 2002 and the usage is consistent with prior months. A copy of the e-mail has been included in the case for documentation purposes. Carmen Peña - Supervisor Bureau of Consumer Outreach

April 29, 2002: At approximately 3:04 p.m. we received an e-mail from Roseanne Lucas at Florida Power & Light Company in regards to the status of Mr. Anthony Parks' case. FPL has not placed a name on the account, as they were waiting for Mr. Park's signed settlement agreement. He has not returned the signed agreement nor has paid the used consumption of the NDS account. FPL alleges that someone is still at this apartment because the meter has been read and the usage continues to be consistent with prior months. FPL wishes to disconnect the customer.

I informed Roseanne that I would meet with Bureau Chief Rhonda Hicks to provide her with an update on this case. As a result of my meeting with Ms. Hicks a copy of the updated CATS form will be forwarded to the Chairman's office. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 1, 2002: Forwarded an e-mail to Bureau Chief, requesting if General Counsel Harold McLean had provided a reply in regards to this case. Copy of the e-mail has been included in the case for documentation purposes. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 3, 2002: Bureau Chief Hicks replied to the e-mail of May 1, 2002. She indicates that General Counsel had no questions about this case. The e-mail also gave me the directive to contact FPL and have the customer disconnected. I contacted FPL at approximately 8:48 a.m. , spoke to Joni Benoit and informed her that the customer could be disconnected. Roseanne Lucas was not in the office. A copy of the e-mail has been included

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in the case for documentation purposes. The customer did not provide a reply to the ten day letter forwarded to him. This case is closed. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 9, 2002: At approximately 1:25 p.m. I contacted FPL. I spoke to Iris. Roseanne had called in yesterday requesting an update on this case. She wanted to know if FPL could disconnect the customer. I indicated to Iris that I had called since May 3, to inform them that the customer could be disconnected. Roseanne was out that day due to a death in the family and Iris was on vacation. The message was given to Joni Benoit. An e-mail will be forwarded to FPL about this case. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 16, 2002: My supervisor received a call from the Call Center. The Specialist advised her that Attorney Norman Anderson was on the line. Ms. Peña told the Specialist to refer the call to me. She then called me and told me Mr. Anderson had called and would be transferred to me.

10:30 a.m. The Call Center specialist transferred the call. When I answered the phone, the caller identified himself as Anthony Parks. I advised Mr. Parks that his call was being recorded for training and quality assurance purposes. Mr. Parks asked about his case and whether or not the PSC had issued a recent order. I told Mr. Parks the latest knowledge I had was that he had received 2 settlement agreements. His case is now escalated to the General Counsel's office. I gave him the telephone number to call. He asked me to transfer his call. I told him I was not able to comply because he called on the WATS line and we are not permitted to transfer callers from the line. He thanked me and we ended the call. KSmith

May 16, 2002: 1:40 p.m. : Mr. Parks called the Call Center and asked to speak with me. Michelle, a Call Center Specialist called me. I told her Mr. Parks must deal with the General Counsel's office. I can no longer help him. Michelle said she would tell him. She called me back about one minute later saying Mr. Parks told her he already called the General Counsel and he didn't know anything. He had to speak with me. I told her the case has been transferred and Mr. Parks must now work with the attorney assigned by the General Counsel. KSmith.

May 28, 2002: I have received an e-mail from Attorney Pat Christensen at approximately 2:12 p.m. She is requesting a copy of the case file. I called Pat and informed her that I would send the case file to her as soon as FPL would be contacted. I contacted FPL and Anthony Parks had begun taking steps to partially solve the concerns handled in this case. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 30, 2002: At approximately 8:04 a.m. I forwarded an e-mail to attorney Pat Christensen informing her that I would get back to her as soon as possible with an update on the account of Mr. Anthony Parks. A brief recount of the steps taken by Mr. Parks to address some of the concerns dealt with in this case were annotated in the e-mail.

STEPS TAKEN BY ANTHONY PARKS TO ADDRESS SOME OF THE CONCERNS IN THIS CASE:

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(1) Mr. Parks contacted FPL and spoke to M. Wyant. He indicated to her that he had forwarded the settlement agreement by way of certified mail. FPL indicated that they had not received it. Mr. Parks then agreed to fax a copy of the settlement agreement.

(2) The settlement agreement received by FPL by way of fax was the original settlement version dated January 29, 2002. This was not the final version of the settlement. The final one was dated February 5, 2002. This was the version that Mr. Parks was to have signed.

(3) The received version of the settlement agreement date January 29, 2002, had a conflict in dates of the notary public and the body of the settlement agreement was altered. Ms. Mary Wyant informed Mr. Parks that this settlement was not acceptable to FPL.

(4) Mr. Parks indicated to FPL that in order to settle the concerns of this case he would place the account under his name, immediately. Mr. Parks paid FPL and old due amount that had been billed to him under his name at the 6755 Montego Bay address. The amount paid was \$823.72.

(5) The new service was placed under his name after Mr. Parks decided to pay the required deposit for the new account. The amount paid was \$230.00. He alleged that he did this because he was the landlord of the apartment.

(6) The electric service at the 4750 South Ocean Blvd. Apartment 210 address was activated after the payments of the old amount due and the new deposit were received from Mr. Anthony Parks at FPL.

Note FPL has promised me a follow-up report on the pending amount due to them for used electrical services which they had been unable to bill Mr. Parks and/or NDS Development Corporation. Carmen Peña - Supervisor Bureau of Consumer Outreach

May 31, 2002: I have contacted FPL in regards to the follow-up report. At approximately 11:10 a.m. I spoke with Joni Benoit. We went over the steps taken by Mr. Parks to address the concerns of this case. She will speak to Roseanne Lucas and inform her of my contact with her. We should have an update about this case next week. A copy of this case has been forwarded to Attorney Pat Christensen. Carmen Peña - Supervisor Bureau of Consumer Outreach

ORIGINAL

FLORIDA POWER & LIGHT COMPANY

FACSIMILE TRANSMITTAL SHEET

TO: <i>Cormier</i>	FROM: JONI S BEUGNOT
COMPANY: <i>FPSC</i>	DATE: <i>6/7/02</i>
FAX NUMBER:	SENDER'S PHONE NUMBER: (305) 552-2335
PHONE NUMBER:	SENDER'S FAX NUMBER: (305) 552-3849
Re: <i>North West Realty</i>	TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: <i>3</i>

FOR REVIEW INTERIM FINAL SUPPLEMENTAL

NOTES/COMMENTS

6-12-02

*Call Joni/FP&L:
What about the
pending back-due
amount not billed?
Pona*

9250 WEST FLAGLER STREET
MIAMI, FL 33174



Customer Inquiry Response

Customer's First Name:

Last / Business Name: NORTH WEST REALTY

Alternate Name: NORMAN ANDERSON

Service Address: 4750 S OCEAN BLVD # 210
HIGHLAND BEACH, FL 33487

FPSC Log:	379477E	Received From:	Caf
Account #:	04917-63041	Response Type:	Supplemental 2

Response Comments:

On April 3, 2002, Ms. Rhonda Hicks, Chief of the Bureau of Consumer Outreach, Florida Public Service Commission (FPSC) sent a certified letter to Mr. Anthony Parks requesting he sign and return the revised Settlement Agreement provided by FPL on February 5, 2002. Ms. Hicks' letter informed Mr. Parks that if he did not contact or returned the Settlement Agreement to the FPSC within 10 day of the letter, the case would be closed.

On May 3, 2002, FPL was notified, by the FPSC, that their General Counsel had reviewed this case. Since the customer did not provide a reply to the ten day letter that had been sent to him, the case was closed and FPL could proceed with disconnection of service at 4750 S Ocean Blvd #210, Highland Beach, FI 33487.

A letter was issued on May 9, 2002, to the Current Occupant of 4750 S. Ocean Blvd #210, regarding the electric consumption. The letter indicated the electric service was scheduled for disconnection and requested the occupant to contact FPL.

With no further contact from the occupant, the electric service was disconnected on May 16, 2002. Mr. Anthony Parks contacted Mrs. Wyant and indicated that his tenant NDS had informed him they had mailed the Settlement Agreement to FPL by certified mail in February. However, they did not have the receipt from the U.S. Post Office, which indicated the certified letter was delivered. Mr. Parks also indicated the Settlement Agreement had also been faxed to FPL at 305 552-3792 (this fax machine is located in Mrs. Wyant's work area, where she had previously received other faxes from Mr. Parks). Mrs. Wyant informed Mr. Parks the Settlement Agreement had not been received by certified mail or via fax. Mr. Parks said he would obtain a copy and fax it to her.

North West Realty
379477E
Page 2 of 11

Later that day, Mrs. Wyant received the Settlement Agreement by fax. However, the Settlement Agreement was the original version of the agreement issued on January 29, 2002, not the revised Settlement Agreement provided to Mr. Park on February 5, 2002. A review of the Settlement Agreement received indicated a conflict with the dates for the Notary Public and the body of the Settlement Agreement had been altered. Mrs. Wyant contacted Mr. Parks and informed him that the copy of the agreement he had faxed to her was not acceptable, due to the alterations and dates.

In an effort to resolve the matter, Mr. Parks requested an account be established in his name effective immediately. Mrs. Wyant informed him FPL records reflected he had an unpaid \$823.72 final bill balance in his name, owing from a service address of 6755 Montego Bay Blvd, Boca Raton, Fl., which needed to be paid prior to establishing an account in his name. Mr. Parks agreed to pay the final bill balance and a \$230.00 initial deposit for the new account. Mr. Parks also asked who had authorized the disconnection of service. Mrs. Wyant informed him that she did not know specifically, however, would inquire and call him back. Mr. Parks terminated the call.

The next morning, Mrs. Wyant contacted Mr. Parks and advised him the FPSC's General Counsel had reviewed and closed this case, since the customer did not provide a reply to the ten day letter that had been sent. Mrs. Wyant provided Mr. Parks with the FPL final bill account number and the new account number, so he could make the required payment to initiate service. She requested he contact her, once payment was made so she could release the request to have the service connected.

Mr. Parks contacted Mrs. Wyant and advised her of the payment. Mrs. Wyant contacted the customer's bank and confirmed that funds were currently available. A request was issued to have the service connected that same day. The request was completed at 2:25 p.m.

The account under the name of Anthony Parks became effective on May 17, 2002. Mr. Parks is responsible for service billed in his name from that date forward. The activity on the meter, prior to that date, was not billed to Mr. Parks' account.

Approval Signature:	<u>Mary Wyant</u>
Approver's Title:	<u>for Customer Service Supervisor</u>
Date of Approval:	<u>06/06/2002</u>

FLORIDA POWER & LIGHT COMPANY

FACSIMILE TRANSMITTAL SHEET

TO: <i>Carmen</i>	FROM: JONI S BEUGNOT
COMPANY: <i>FPSC</i>	DATE: <i>6-10-02</i>
FAX NUMBER:	SENDER'S PHONE NUMBER: (305) 552-2335
PHONE NUMBER:	SENDER'S FAX NUMBER: (305) 552-3849
Re: <i>North west Realty.</i>	TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: <i>12</i>

FOR REVIEW INTERIM FINAL SUPPLEMENTAL

NOTES/COMMENTS

Carmen

*Here are the attachments
for the supplemental. They
were not sent Friday*

Joni

**Customer Inquiry Response****Customer's First Name:**

Last / Business Name: NORTH WEST REALTY
Alternate Name: NORMAN ANDERSON
Service Address: 4750 S OCEAN BLVD # 210
HIGHLAND BEACH, FL 33487

FPSC Log:	379477E	Received From:	Caf
Account #:	04917-63041	Response Type:	Supplemental 2

Response Comments:

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On May 3, 2002, FPL was notified, by the FPSC, that their General Counsel had reviewed this case. Since the customer did not provide a reply to the ten day letter that had been sent to him, the case was closed and FPL could proceed with disconnection of service at 4750 S Ocean Blvd #210, Highland Beach, Fl 33487.

A letter was issued on May 9, 2002, to the Current Occupant of 4750 S. Ocean Blvd #210, regarding the electric consumption. The letter indicated the electric service was scheduled for disconnection and requested the occupant to contact FPL.

With no further contact from the occupant, the electric service was disconnected on May 16, 2002. Mr. Anthony Parks contacted Mrs. Wyant and indicated that his tenant NDS had informed him they had mailed the Settlement Agreement to FPL by certified mail in February. However, they did not have the receipt from the U.S. Post Office, which indicated the certified letter was delivered. Mr. Parks also indicated the Settlement Agreement had also been faxed to FPL at 305 552-3792 (this fax machine is located in Mrs. Wyant's work area, where she had previously received other faxes from Mr. Parks). Mrs. Wyant informed Mr. Parks the Settlement Agreement had not been received by certified mail or via fax. Mr. Parks said he would obtain a copy and fax it to her.

North West Realty
379477E
Page 2 of 11

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The account under the name of Anthony Parks became effective on May 17, 2002. Mr. Parks is responsible for service billed in his name from that date forward. The activity on the meter, prior to that date, was not billed to Mr. Parks' account.

Approval Signature:	Mary Wyant
Approver's Title:	for Customer Service Supervisor
Date of Approval:	06/06/2002

379477E



FPL

Florida Power & Light Company, P. O. Box 029180, Miami, FL 33102 9100

(305) 552-4657

January 29, 2002

VIA FEDERAL EXPRESS

NDS Development, Inc.
4750 South Ocean Blvd.
#210
Highland Beach, FL 33487

RE: FPSC Complaint No. 379477E

Dear NDS Development, Inc.:

As a result of the parties' discussion at the informal conference held before the Florida Public Service Commission on January 24, 2002, Florida Power & Light Company has authorized me to forward to you the enclosed Settlement Agreement for your consideration. If acceptable, please have an officer of NDS Development, Inc. execute the Agreement, have the officer's signature notarized, and return the original Settlement Agreement to me in the enclosed envelope by Monday, February 4, 2002. Should you have any questions, please feel free to call me at (305) 552-4657.

Very truly yours,

Robert E. Stone
Attorney

RES/sm

Enclosure

cc: Mr. Anthony Parks -via facsimile (561) 391-6083
cc: Florida Public Service Commission

an FPL Group company

HEATY
379477E

SETTLEMENT AGREEMENT

FPSC Complaint No. 379477E

In re: Complaint of NDS Development, Inc.
against Florida Power & Light Company

THIS AGREEMENT is between FLORIDA POWER & LIGHT COMPANY (referred to as "FPL") and NDS Development, Inc. (referred to as "NDS").

Both Parties to this Agreement wish to reach a full and final settlement of FPSC Complaint No. 379477E.

The Parties to this Agreement, in consideration of the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. NDS agrees to provide its Tax Identification Number to FPL on or before February 4, 2002.
2. NDS shall pay to FPL a deposit in the amount of \$230.00 such that the deposit is received by FPL on or before February 4, 2002.
3. FPL shall establish an electric service account at 4750 S. Ocean Blvd #210 Highland Beach, FL (the "Service Address") for NDS with an effective date of connection of April 24, 2001 if NDS complies with 1 and 2 above. If NDS fails to comply with both 1 and 2 above on or before February 4, 2002, FPL may immediately discontinue service to the Service Address.
4. FPL will issue NDS a bill for service representing the electric consumption at the Service Address from April 24, 2001 through January 9, 2002 (the "Backbill"). NDS agrees to pay the Backbill to FPL on or before the due date indicated on the Backbill. Subsequent regular monthly electric bills will then commence with the February 2002 meter reading.
5. The parties agree that a satisfactory resolution regarding the Florida Public Service Commission Complaint No 379477E has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action.

NDS Development, Inc.

Florida Power & Light Company

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

STATE OF FLORIDA)
)
COUNTY OF _____)
 :ss

The foregoing instrument was acknowledged before me this _____ day of _____, 2002, by
_____ as _____ for NDS Development,
Inc.

Personally Known _____ OR
Produced Identification _____
Type of Identification Produced _____

Dated: _____, 2002.

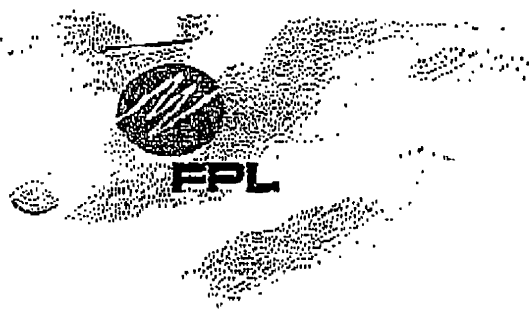
Notary Public, State of Florida

Printed Name

My Commission Expires:

Florida Power & Light Company, P. O. Box 029100, Miami, FL 33102-9100

RTACTY
379477E



(305) 552-4657

February 5, 2002

NDS Development, Inc.
4750 South Ocean Blvd.
#210
Highland Beach, FL 33487

VIA FACSIMILE: (661) 391-6083
AND
U.S. MAIL

Attention: Mr. Anthony Parks

RE: FPSC Complaint No. 379477E

Dear Mr. Parks:

In your phone call to me on January 30, 2002, you indicated that you were in receipt of the proposed Settlement Agreement that I faxed to you on January 29, 2002 and that you wished to propose certain changes. As of this date, I have not received any such proposed changes. From your phone call I understood you had several concerns.

First, you stated that NDS previously applied for a Tax Identification Number back in October or November but had not yet received it. FPL is willing to accept a photocopy of NDS' application for Tax Identification Number, with the further requirement that NDS provide the TIN to FPL upon its receipt from the IRS.

Second, you stated that you believed NDS did not make application for service until July, 2001 and that Northwest Landing was responsible for the consumption between April, 2001 and July, 2001. FPL's information reflects that an application for service was received on April 24, 2001. Documentation forwarded to the FPSC on May 9, 2001 by a Mr. Norman Anderson indicates that the premises was rented to NDS on or about April 23, 2001. Be that as it may and in the spirit of compromise, FPL is willing to accept an effective date of June 15, 2001, the date NDS was incorporated in the State of Florida.

Third, you indicated that NDS wanted to know the KWH consumption the backbill would be based on. FPL's records reflect the following consumption:

<u>Service From:</u>	<u>Service To:</u>	<u>KWH:</u>
6/8/01	7/10/01	2174
7/10/01	8/8/01	1899
8/8/01	9/7/01	2261
9/7/01	10/8/01	1868
10/8/01	11/6/01	1917
11/6/01	12/7/01	1832
12/7/01	1/9/02	2010

an FPL Group company

REALTY
37947E

NDS Development, Inc.
Attention: Mr. Anthony Parks
February 5, 2002
Page Two

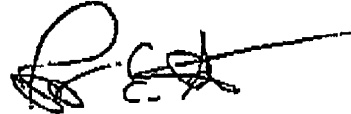
Based upon an effective date of June 15, 2001, the KWH used between June 15, 2001 and January 9, 2002 would be approximately 13,485 KWH.

Fourth, you were concerned that the past due date of the backbill would be something other than the normal due date for bills. FPI advises me that the past due date would be at least 20 days from the date the backbill is mailed.

Finally, you indicated that the appropriate officer of NDS was not available until after February 4, 2002 to sign any agreed upon Settlement Agreement. I indicated that FPL would be willing to extend the time frames set forth in the Agreement to February 11, 2002.

Accordingly, I have gone ahead and made some changes to the proposed Settlement Agreement which I believe addresses the concerns you raised in your phone call to me on January 30, 2002. If acceptable, please have an officer of NDS Development, Inc. execute the Agreement, have the officer's signature notarized and return the original executed Settlement Agreement to me in the enclosed envelope by Monday, February 11, 2002.

Very truly yours,



Robert E. Stone
Attorney

RES/sm

Enclosure

cc: Florida Public Service Commission

SETTLEMENT AGREEMENT

REALTY
379477E

FPSC Complaint No. 379477E

In re: Complaint of NDS Development, Inc.
against Florida Power & Light Company

THIS AGREEMENT is between FLORIDA POWER & LIGHT COMPANY (referred to as "FPL") and NDS Development, Inc. (referred to as "NDS").

Both Parties to this Agreement wish to reach a full and final settlement of FPSC Complaint No. 379477E.

The Parties to this Agreement, in consideration of the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. NDS agrees to provide a copy of its application for a Federal Tax Identification Number (TIN) to FPL on or before February 11, 2002. NDS further agrees to provide its TIN to FPL immediately upon receipt of the TIN.
2. NDS shall pay to FPL a deposit in the amount of \$230.00 such that the deposit is received by FPL on or before February 11, 2002.
3. FPL shall establish an electric service account at 4750 S. Ocean Blvd #210 Highland Beach, FL (the "Service Address") for NDS with an effective date of connection of June 15, 2001 if NDS complies with 1 and 2 above. If NDS fails to comply with both 1 and 2 above on or before February 11, 2002, FPL may immediately discontinue service to the Service Address.
4. FPL will issue NDS a bill for service representing the electric consumption at the Service Address from June 15, 2001 through January 9, 2002 (the "Backbill"). The KWH used between June 15, 2001 and January 9, 2002 is approximately 13,485 KWH. NDS agrees to pay the Backbill to FPL on or before the due date indicated on the Backbill, which due date shall be at least 20 days after the Backbill is mailed. Subsequent regular monthly electric bills will then commence with the February 2002 meter reading.
5. The parties agree that a satisfactory resolution regarding the Florida Public Service Commission Complaint No. 379477E has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action.

NDS Development, Inc.

Florida Power & Light Company

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



May 9, 2002

Current Occupant

Important information regarding your electric account

Dear CUSTOMER

Here at FPL, we value our customers and work hard to ensure the accuracy of our records.

It is important to us that we continue to meet your energy needs.

We want to advise you that the electric meter at the above address has been registering electric usage. As of this time, we do not have the information necessary to establish you as a customer on our records.

Please contact us as soon as possible.

Currently this account has been scheduled for interruption of service. If we do not hear from you, we will have no alternative but to discontinue your electric service at this address. (Electric service in most cases is NOT included in maintenance fees. Please check with your respective organization).

All of us at FPL are working harder and smarter every day to provide our customers with the best value as well as convenience. You can reach me at 1-888-223-5503 EXT 5 during 8:00 am to 4:30 pm or our Customer Service Department at 1-800-226-3545. I could also be reached via email at Lily_Milito@fpl.com.

Your cooperation is greatly appreciated.

Sincerely,

Liliana Milito
Revenue Recovery Department

Jun-10-02 08:23am From-RATES DEPT. MIAMI 305-552-2737 T-488 P.011/012 F-936 NORTH WEST REALTY 379477

In re: Complaint of NDS Development, Inc. against Florida Power & Light Company

THIS AGREEMENT is between FLORIDA POWER & LIGHT COMPANY (referred to as "FPL") and NDS Development, Inc. (referred to as "NDS").

Both Parties to this Agreement wish to reach a full and final settlement of FPSC Complaint No. 379477E.

The Parties to this Agreement, in consideration of the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. NDS agrees to provide its Tax Identification Number to FPL on or before February 4, 2002. *When received from IRS*
2. NDS shall pay to FPL a deposit in the amount of \$230.00 such that the deposit is received by FPL on or before February 4, 2002. *MAY 17, 2002*
3. FPL shall establish an electric service account at 4750 S. Ocean Blvd #210 Highland Beach, FL (the "Service Address") for NDS with an effective date of connection of April 24, 2001 if NDS complies with 1 and 2 above. IF NDS fails to comply with both 1 and 2 above on or before February 4, 2002, FPL may immediately discontinue service to the Service Address.
4. FPL will issue NDS a bill for service representing the electric consumption at the Service Address from April 24, 2001 through January 9, 2002 (the "Backbill"). NDS agrees to pay the Backbill to FPL on or before the due date indicated on the Backbill. Subsequent regular monthly electric bills will then commence with the February 2002 meter reading.
5. The parties agree that a satisfactory resolution regarding the Florida Public Service Commission Complaint No. 379477E has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action.

NDS Development, Inc.

By: C. Nattel
Printed Name: C. Nattel
Title: President
Date: 2/29/02

Florida Power & Light Company

By: _____
Printed Name: _____
Title: _____
Date: _____

05/16/02 12:15 PM FAX 9549850411 KINHO'S #1833 002

Jun-10-02 08:29am From-RATES DEPT. MIAMI 305-552-2737 I-488 P.01/2/014 F-390

READ 379477

STATE OF FLORIDA)
COUNTY OF Broward)

The foregoing instrument was acknowledged before me this 28 day of February, 2002, by

C. Wotzel as President for NDS Development, Inc.

Personally Known _____ OR

Produced Identification Photo ID card

Type of Identification Produced Photo

Dated: 4/28, 2002.

Deborah C. Ott 4/28/02
Notary Public, State of Florida

Deborah C. Ott
Printed Name
Deborah C. Ott
Commission # 00770753
Expires OCT. 14, 2002
BONDED thru
ATLANTIC SURETY CO., INC.

My Commission Expires:

05/18/02 12:18 PM FAX 8889850111 KINNO'S #1588 1003