

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 21, 2003

RE: Docket No. 030623-EI - Complaints by Southeastern Utility Services, Inc., on behalf of various customers, against Florida Power & Light Company concerning thermal demand meter error.

ISSUE 1: What is the appropriate method for determining the meter error to be used in calculating refunds due to FPL customers who formerly used Type 1V thermal demand meters that over-registered demand outside of tolerance?

RECOMMENDATION: The single point percent error determined by testing the meter at 80% of full scale should be used in calculating any refund. If the kilowatt error divided by the full-scale kilowatt value is greater than four percent, the customer should receive a refund. The percent error obtained through testing the meter at 80% of full scale should be applied to the actual billing demands to determine the appropriate refund.

MODIFIED

Approved with the modification that the "Hoyd" methodology, which is the calculated absolute percentage error based upon the average calculation for the lowest and highest demand during the refund period, be used.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]
Cape Hatteras for Jerry Deason
Kudry Bradley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NO.
10342-03
10/21/03

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ISSUE 2: Should FPL be required to backbill customers who formerly used Type 1V thermal demand meters that under-registered billing demand outside of tolerance?

RECOMMENDATION: No. Single-account customers should not be backbilled for Type 1V meters that under-registered billing demand unless there is evidence of meter tampering or fraud. However, net billing (netting) should be applied for customers with multiple accounts. Multiple-account customers should not be backbilled for any net under-registration. Netting should not apply to multiple-account customers who requested refereed meter tests for specific meters before October 22, 2002.

APPROVED

ISSUE 3: What percent error should be used in calculating a refund for the specific meter identified in SUSI's January 24, 2003, complaint on behalf of one Target account?

RECOMMENDATION: Staff recommends that 6.7 percent be used as the appropriate percent error to calculate a refund for this meter.

APPROVED

ISSUE 4: Over what time period should refunds be calculated for customers who formerly used Type 1V meters that over-registered demand outside of tolerance?

RECOMMENDATION: Refunds should be calculated over the 12-month period prior to removal of the Type 1V meter. This procedure should also be used to calculate the refund recommended for the meter discussed in Issue 3.

APPROVED

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ISSUE 5: What interest rate should be used, if any, in calculating the refunds?

RECOMMENDATION: Interest should be assessed on the refunded amount and should be calculated in accordance with Rule 25-6.109, Florida Administrative Code.

APPROVED

ISSUE 6: Which rate schedule should be applied to calculate refunds for customers who formerly used Type 1V meters that over-registered demand outside of tolerance?

RECOMMENDATION: To calculate the refunds, the same rate schedule under which the accounts were originally billed through the defective meters should be applied.

APPROVED

ISSUE 7: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED