

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 2004

RE: Docket No. 040543-EI - Complaint by Michael Hedrick against Florida Power & Light Company regarding backbilling for alleged meter tampering. (Deferred from August 3, 2004 conference; revised recommendation filed.)

Issue 1: Is there sufficient evidence to demonstrate that meter tampering occurred at the residence of Michael Hedrick at 2011 North 57th Terrace, Hollywood, Florida, to allow FPL to backbill Mr. Hedrick's account for unmetered kilowatt hour consumption?

Recommendation: Yes. There is prima facie evidence that meter tampering occurred at Mr. Hedrick's residence. ~~Prima facie evidence of meter tampering outlined in FPL's reports demonstrates that meter tampering occurred at Mr. Hedrick's residence.~~ As the customer of record during the entire period in question, Mr. Hedrick should be held responsible for a reasonable amount of backbilling.

**WITHDRAWN**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11241 OCT 19 04

VOTE SHEET

OCTOBER 19, 2004

Docket No. 040543-EI - Complaint by Michael Hedrick against Florida Power & Light Company regarding backbilling for alleged meter tampering. (Deferred from August 3, 2004 conference; revised recommendation filed.)

(Continued from previous page)

Issue 2: Is FPL's calculation of the backbilled amount of \$4,889.75, which includes investigation charges of \$553.33, reasonable?

Recommendation: Yes.

Issue 3: Should this docket be closed?

Recommendation: Yes. 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.