

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED FPSC

FEB 17 AM 10:04

COMMISSION  
CLERK

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** February 17, 2005

**TO:** Director, Division of the Commission Clerk & Administrative Services (Bayó)

**FROM:** Office of the General Counsel (Gervasi) *PG*  
Division of Economic Regulation (Kummer) *AK*

**RE:** Docket No. 040558-EI – Complaint by José Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.

**AGENDA:** 03/01/05 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\GCL\WP\040558.RCM.DOC

---

## Case Background

On January 30, 2004, Mr. Michael Cummings, Esq., filed an informal complaint with the Commission's Division of Regulatory Compliance and Consumer Assistance (RCCA) on behalf of his client, Mr. José Rodriguez, customer of Florida Power & Light Company (FPL or utility), against FPL. According to Mr. Cummings, FPL inappropriately backbilled Mr. Rodriguez in the amount of \$8,376.61, including investigative costs, for alleged unmetered energy when only 57.5% of that amount is supportable based on the occupancy levels of the dwelling indicated by metered water usage. Mr. Cummings requested that the total amount that FPL has rebilled Mr. Rodriguez be reduced by 42.5%, as well as a payment plan for Mr. Rodriguez that would allow for the immediate reconnection of electricity to his premises.

In response to the complaint, FPL stated that upon finding physical evidence of meter tampering, it backbilled Mr. Rodriguez's account from July 27, 1998, when a noticeable and sustained drop in consumption began, until January 28, 2003, when a new meter was installed. On June 10, 2003, Mr. Rodriguez's account was disconnected after proper final notice due to

DOCUMENT NUMBER-DATE

01618 FEB 17 03

FPSC-COMMISSION CLERK

nonpayment of \$8,375.65. In an effort to settle this dispute, FPL offered to reduce the total backbilling by \$1,360 and to reconnect the service for a payment of \$3,500, with a payment arrangement to be established for the balance of \$3,516.61. Since no payment was received, the account was closed.

Upon review of the complaint and FPL's documentation and calculations provided in response thereto, by letter dated January 5, 2004, RCCA advised Mr. Cummings that it appeared that FPL had backbilled Mr. Rodriguez's account in compliance with Commission rules, and that no adjustment was appropriate. A request for an informal conference was received on January 30, 2004, after which time the complaint was forwarded to a process review team in accordance with Rule 25-22.032(7), Florida Administrative Code.<sup>1</sup> Upon review of the complaint file and the utility's methodology for estimating the amount of usage in question, the process review team determined that it did not appear that a violation of applicable statutes, rules, company tariffs, or orders of the Commission occurred. By letter dated April 5, 2004, to the customer, the complaint file was closed. On April 21, 2004, Mr. Cummings contacted staff counsel to advise that he was dissatisfied with the outcome of the complaint process and that he would file a formal complaint against FPL.

On June 16, 2004, Mr. Cummings filed a formal complaint against FPL on behalf of Mr. Rodriguez, seeking a determination of a reasonable estimate of the energy used, a payment plan set up to cover the same period over which the liability accrued, and the immediate restoration of the supply of electricity to Mr. Rodriguez's dwelling. This docket was opened to process the formal complaint.

On July 13, 2004, staff offered to conduct an informal conference to facilitate settlement of the dispute. Staff counsel was informed by counsel for FPL that the parties were very close to resolution of the dispute and that it did not appear that an informal conference would be necessary. On July 27, 2004, counsel for FPL informed staff counsel that the parties had reached an agreement settling the dispute and that the agreement had been put to writing. The parties were only waiting to obtain the customer's signature on the agreement, after which time Mr. Cummings was to file a voluntary withdrawal of the complaint. Since that time, counsel for FPL has indicated on several occasions that Mr. Cummings has had continuing difficulty in contacting his client to obtain his signature on the agreement.

On November 15, 2004, counsel for FPL advised that he remained in contact with Mr. Cummings, that the agreement had to be adjusted to account for elapsed time, and that the second deadline for signing the revised agreement was approaching. On January 26, 2005, Mr. Cummings advised staff counsel that he has effectively lost contact with his client, but that he would continue to attempt contact as he would prefer that the matter be resolved by way of the settlement agreement. Mr. Rodriguez, along with his wife and two children, apparently ceased to inhabit the premises after the disconnection took place and the home telephone number has also been disconnected. Mr. Cummings' prior contact with the customer has been through the

---

<sup>1</sup> Rule 25-22.032(7), Florida Administrative Code, was amended January 29, 2004, to require that a process review team consisting of staff from the Office of the General Counsel, RCCA, and the appropriate technical division review the complaint file to determine further handling if the customer or the company is not in agreement with Commission staff's proposed resolution.

Docket No. 040558-EI  
Date: February 17, 2005

customer's wife, as Mr. Rodriguez speaks only Spanish. Mr. Cummings had left messages on the Rodriguez's cell phone, but the messages had not been returned.

On February 3, 2005, Mr. Cummings advised that he had spoken with the customer's wife on that same date to advise her that the settlement needed to be signed as soon as possible, and before February 17, 2005 (the due date for the filing of this recommendation). However, to date, the customer has not signed the agreement. The electricity has remained disconnected due to nonpayment, as the dispute remains unresolved. Staff has postponed filing a recommendation on the matter until now, with the understanding that the dispute has been all but resolved with only the customer's signature on the agreement lacking. However, it appears questionable at this time whether the customer will sign the agreement. Therefore, this recommendation addresses the formal complaint filed by Mr. Cummings on behalf of Mr. Rodriguez.

The Commission has jurisdiction pursuant to Section 366.05, Florida Statutes, administers consumer complaints pursuant to Rule 25-22.032, Florida Administrative Code, and administers formal complaints pursuant to Rule 25-22.036, Florida Administrative Code.



### Discussion of Issues

**Issue 1:** Is there sufficient cause to determine whether meter tampering occurred at the Rodriguez residence at 12884 SW 10<sup>th</sup> Street, Miami, FL 33184, to allow FPL to backbill the Rodriguez account for unmetered kilowatt hours?

**Recommendation:** Yes. Prima facie evidence of meter tampering noted in FPL's reports demonstrates that meter tampering occurred. Therefore, the customer of record, Mr. Rodriguez, should be held responsible for a reasonable amount of backbilling.

**Staff Analysis:** In support of its conclusion that meter tampering occurred at 12884 SW 10<sup>th</sup> Street, FPL documented that on December 12, 2002, a request to investigate an unauthorized meter condition was issued to FPL's Revenue Protection Department. The request indicated that there was a hole in the meter canopy with an object. The object was a wire and the wire was removed and sent to the Revenue Protection Department to be held as evidence. According to FPL, this type of tampering involves a hole being drilled or made in the meter canopy so that an object can be inserted through the hole to either reduce or stop the meter disk rotation, preventing proper recording of the electrical consumption. Moreover, FPL noted that a customer's regular monthly bill provides the meter reading date for the following month. Anyone using a wire in a hole in the meter canopy would remove the wire prior to the meter reading date and insert the wire once the meter reading date had passed. A meter reader would not be able to see a hole in the meter canopy. This condition was discovered when an early reading was obtained in December 2002 and the wire was found inserted in the hole.

FPL advises that meter number 5C90524 was originally set at 12884 SW 10<sup>th</sup> Street on May 1, 1986. Based on the regular read date of December 26, 2002, the customer was billed for 673 kwh of usage, for an electric amount of \$55.19. On January 28, 2003, the meter was removed and sent for testing. The meter reader noted a hole in the meter canopy at that time. This was also the regular read date and the meter reading showed 588 kwh of usage, for an electric amount of \$49.05. Meter number 5C90524 was replaced by new meter number 5C49983. On February 18, 2003, Meter number 5C90524 was tested and revealed a weighted average registration of 99.17% without the wire inserted. The tester noted the inner meter seal was intact, a hole in the meter canopy, scratches on the canopy and scratches on the disk. According to FPL, a manual diversion such as a hole in the canopy with a wire requires that someone remove the wire from the hole and put it back in periodically. It cannot be determined exactly how often this occurred. However, the meter condition and kwh comparison indicates tampering had been occurring for a long time. Finally, the complaint does not dispute that meter tampering allegedly occurred; but states that the alleged meter tampering was inherited by Mr. Rodriguez.

After establishing direct benefit of the unbilled energy, the utility may bill the customer based on a reasonable estimate of usage. Rule 25-6.105, Florida Administrative Code, provides that "[i]n the event of unauthorized or fraudulent use, or meter tampering, the utility may bill the customer on a reasonable estimate of the energy used." FPL has clearly demonstrated that the meter at 12884 SW 10<sup>th</sup> Street was altered in order to prevent an accurate recording of the energy used. Moreover, FPL reported that electric service was established in the name of José Rodriguez effective May 1, 1986. Because the account was in Mr. Rodriguez's name during the entire period in question, he should be held responsible for a reasonable amount of backbilling.

**Issue 2:** Is FPL's calculation of the backbilled amount of \$8,376.61, which includes investigative charges of \$261.03, reasonable?

**Recommendation:** Yes, the backbilled amount of \$8,376.61 is a reasonable approximation of the unbilled energy plus investigative costs. The customer should be encouraged to contact FPL immediately to make payment arrangements for this amount in order to have his service restored.

**Staff Analysis:** The complaint alleges that the backbill is not a reasonable estimate of the energy used for the following reasons:

- The selection of the start date of July 1998, using criteria – a significant drop in recorded monthly usage of electricity – that would equally apply to a start date in any of the following four years, October 1999, July 2000, April 2001, and September 2002 per FPL's own record of usage attached to the complaint as Exhibit A (and to this recommendation as Attachment A);
- The use of a single month's reading on which to estimate and re-bill five years' usage of electricity of the single month's reading which was taken when the property was at its highest ever occupancy of three adults and two children, while during the five-year period the level of occupancy of the dwelling had fluctuated, and at times had been unoccupied; and
- FPL's refusal to consider a recalculation of electricity usage indicating the backbills were excessive by 42.5% during the re-billed five-year period when the level of occupancy of the dwelling fluctuated based on actual metered water usage records that FPL itself had proposed would approximate occupancy, as shown on Exhibit B to the complaint (and attached to this recommendation as Attachment B).<sup>2</sup>

In the complaint, Mr. Cummings further states that pursuant to Rule 25-6.103, Florida Administrative Code, Adjustment of Bill for Meter Error, a "customer may extend the payments of the backbill over the same amount of time for which the utility issued the backbill." He argues that this is a practical solution that allows the customer the same time period to pay off a backbilled liability as the time period over which it accrued. However, FPL refused to allow Mr. Rodriguez to pay off the backbilled amount over the coming five years to mirror the period over which it accrued because it claimed that the rule does not apply to unauthorized use. FPL instead demanded an initial payment of 50% of the backbilled amount, and when that was not paid in a timely fashion, disconnected the supply of electricity to the dwelling. According to the complaint, FPL relies on the instruction in the rule that states "Nothing in this subsection shall be construed to limit the application of Rule 25-6.104, F.A.C." Mr. Cummings argues that since Rule 25-6.104 deals solely with the calculation of a "reasonable estimate of the energy used," it is unclear as to how this negates the customer's right to extended payment terms. Finally, Mr. Cummings argues that FPL's hard-line demand for payment seems used to merely deflect criticism of FPL for its slowness in taking five years to investigate the alleged meter tampering inherited by Mr. Rodriguez. Mr. Rodriguez seeks a determination of a reasonable estimate of the

---

<sup>2</sup> These arguments were also made during the course of the informal complaint process.

energy used, a payment plan set up to cover the same period over which the liability accrued, and the immediate restoration of the supply of electricity to his dwelling.

FPL's documentation provides that the billing from December 2002 through May 2003 is as follows:

<u>Service Date</u>	<u>KWH</u>	<u>Amount</u>
December 26, 2002	673	\$55.19
January 28, 2003	588	\$49.05
February 27, 2003	1380	\$116.82
March 28, 2003	2248	\$193.04
April 28, 2003	1878	\$165.22
May 28, 2003	2587	\$229.74

Meter number 5C90524 was removed on January 28, 2003, and new meter number 5C49983 was set. The February, March, and April 2003 bills were on the new meter. According to FPL, these bills demonstrate the customer's usage capability. FPL states that the customer did not contact FPL concerning the higher February and March 2003 bills, and those bills were paid.

Upon finding physical evidence of meter tampering as described in Issue 1 of this recommendation, on April 11, 2003, FPL backbilled Mr. Rodriguez's account from the billing period ending July 27, 1998 when a noticeable and sustained drop in consumption began, through January 28, 2003, when the new meter was installed. While the customer is correct that other drops in usage can be noted in the billing history, none appear as drastic as the June 1997 to July 1997 drop, especially given that one would expect usage to maintain or increase from June to July. The customer provided no documentation on the alleged vacancy or variability of residents during the time period. The original billing for this period, totaling \$3,648.16, was canceled and rebilled at \$11,763.74, showing a difference of \$8,115.58, plus investigation charges of \$261.03. The total backbill balance in dispute is \$8,375.65 ( $\$8,115.58 + \$261.03 - \$.96$  from an account credit due to an overpayment). This amount was calculated by using actual usage from February and March 2003, after the new meter was set. The seasonal average percentage of usage was also taken into account in calculating the backbilled amount. Another possible indicator of actual usage is water consumption. However, the customer's water consumption was not taken into account in calculating the backbilled amount because upon review of the water consumption, FPL determined that it did not provide a correlation to the electric consumption upon which a basis could be made for an adjustment. There were times when the water usage was up significantly and the electric usage was down. In addition, water usage can depend on a number of variables unrelated to the number of residents in the home.

The corrected bill and a letter of explanation were mailed to the customer providing the investigator's name and telephone number. On May 5, 2003, Mr. Rodriguez contacted the investigator and the meter condition and backbilling was explained. No payment arrangement was established. On May 3, 2003, FPL received a payment of \$165.22, leaving a balance of \$8,375.65. On May 9, 2003, a final notice was issued for \$8,210.43 with a final pay by date of May 19, 2003. On May 19, 2003, a final notice was issued for \$8,375.65. The notice indicated that \$8,210.43 must be received no later than May 19, 2003 and the new noticed amount of \$165.22 needed to be received no later than May 28, 2003 to prevent disconnection of electric service. On June 4, 2003, a deposit was billed for \$415.00, bringing the account balance to \$9,146.02.<sup>3</sup> On June 5, 2003, with no further contact having been received from Mr. Rodriguez and after proper final notice, the account was disconnected due to nonpayment of \$8,375.65. On June 10, 2003, a payment was received for \$229.74, reducing the balance on the account to \$8,916.28.

Regarding Mr. Cummings's opinion that the customer should be given an amount of time to pay off the backbill equal to the period being backbilled, FPL responds that when there is unauthorized use of service or meter tampering, Commission rules do not require a utility to give a customer time to pay. In fact, Rule 25-6.105(5), Florida Administrative Code, authorizes a utility to disconnect service without notice in those instances. Furthermore, Rule 25-6.105(5)(j) provides that FPL may require full payment prior to reconnecting service in the event of unauthorized or fraudulent use. In the case of meter tampering, Rule 25-6.105(5)(i) authorizes immediate disconnection of service. FPL is permitted to bill the customer for the reasonable estimate of the energy used pursuant to Rule 25-6.104. According to FPL, it logically follows that until the customer has paid the reasonable estimate of energy used, the utility may refuse service unless the customer and utility agree to a payment arrangement. FPL states that Mr. Cummings apparently has attempted to extend the provisions of Rule 25-6.103(2) ("Slow meters"), to this case. However, this is not a case involving meter error due to a slow meter. Rather, this is a case of meter tampering. Moreover, FPL notes that despite the fact that the company is not required to do so, it has made numerous offers for Mr. Rodriguez to pay over time. To date, Mr. Rodriguez has not accepted these offers.

Staff has reviewed the billing history records and other documentation provided by FPL to support its calculation of the backbilled amount. In order to arrive at the total backbilled amount, FPL employed the Average Percentage Use Method approved by Order No. PSC-96-1216-FOF-EI.<sup>4</sup> The backbilled amount was determined by subtracting the billed kwh from the estimated monthly kwh. Instead of using a level kwh for the estimated monthly kwh, FPL multiplied the annual estimate of kwh to the specific monthly percentage usage, which is determined for each month in each year. This step reconciles seasonal usage. FPL's calculation of the average consumption per month appears appropriate. Moreover, staff agrees that Rule 25-

---

<sup>3</sup> The deposit was automatically billed by FPL's system due to the status of the amounts owed. Previously, the customer had no deposit on record.

<sup>4</sup> Issued September 24, 1996, in Docket No. 960903-EJ (In Re: Complaint of Mrs. Blanca Rodriguez against Florida Power & Light Company regarding alleged current diversion/meter tampering rebilling for estimated usage of electricity).

Docket No. 040558-EI  
Date: February 17, 2005

6.103(2) ("Slow meters") does not apply in this case because this is not a case involving meter error due to a slow meter.

For the foregoing reasons, staff recommends that the Commission find that the total backbilled amount of \$8,375.65 for unbilled consumption from July 27, 1998, to January 28, 2003, including \$261.03 for investigative charges, was calculated in a reasonable manner as required by Rule 25-6.104, Florida Administrative Code. FPL has indicated a willingness to allow the customer to pay this amount over time. The customer should be encouraged to contact FPL immediately to make payment arrangements for this amount in order to have his electric service restored.



Docket No. 040558-EI  
Date: February 17, 2005

**Issue 3:** Should this docket be closed?

**Recommendation:** Yes, if no timely protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the Proposed Agency Action Order, this docket should be closed upon the issuance of a Consummating Order.

**Staff Analysis:** If no timely protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the Proposed Agency Action Order, this docket should be closed upon the issuance of a Consummating Order.

DOCKET NO. 040558-EI

Date: February 17, 2005

PAGE 1

ATTACHMENT A

Jorge Zamora  
06/09/03 11:04 AM

To:  
cc:  
Subject:

Revenue Protection Management System Main Menu

Casefile

97231-67202    81   21   254    01/21/98    1   44   5C 49983

JOSE ANTONIO RODRIGUEZ    W: 786 402-2581

12884 SW 10TH ST    H: 305 485-9330

MIAMI    FL    33184    S    694632999

	2003	2002	2001	2000	1999	1998	1997
January	588	850	193	481	987	258	0
February	1380	548	612	234	530	949	0
March	2248	814	1343	1006	614	923	0
April	1878	773	734	770	936	1599	0
May	2587	793	436	712	1017	2001	0
June	0	521	567	1882	1402	2153	0
July	0	961	911	1067	1686	1084	0 ← START
August	0	1215	580	925	1454	555	0
September	0	680	812	1299	1808	849	0
October	0	513	547	825	611	915	0
November	0	402	871	725	473	1000	0
December	0	673	367	914	481	1056	0

1-652 P.001/008 F-400

305 552 4831

06-09-2003 02:41pm From-FPL REVENUE PROTECTION

EXHIBIT  
v A

**MICHAEL CUMMINGS**  
ATTORNEY AT LAW

777 BRICKELL AVENUE  
SUITE 1114  
MIAMI FL 33131

TEL: 305 372 8884  
FAX: 305 372 8842

BY FAX ONLY 305 552 4831  
25 July 2003

ATTN: LINDA COCHRAN  
Florida Power and Light Company

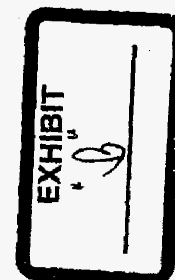
Re: Jose Antonio Rodriguez A/C # 97231-67202

Dear Ms. Cochran:

As you are aware from our conversations, and also from my complaint to FPL and the FPSC on behalf of my client, we have always disputed the amount and validity of FPL's re-bills for the period July 1998 through January 2003 that totaled more than \$8,000.00. In this regard, I have previously taken issue with 1) the selection of the start date of July 1998 using criteria that would equally apply to a start date in any of the following four years, 1999 through 2002; 2) using a single month's reading on which to estimate and re-bill five years' usage of electricity; 3) FPL's unflinching certainty that these calculations of re-bills are correct, without accepting responsibility for its slowness to investigate the alleged meter tampering earlier than the almost five years it took; 4) FPL's failure to entertain the claim that during the re-billed 5-year period the level of occupancy of the dwelling fluctuated; and 5) FPL's unwillingness to accept a payment plan and reconnect supply of electricity to the dwelling without an initial payment of 50% of the amount demanded.

With regard to 4) above, I suggested that I would have my client prepare an affidavit of the level of occupancy of the dwelling at various times during the 5-year period, including the times it was unoccupied. While you said that this would not be acceptable you stated that the metered water usage of the dwelling would constitute a reliable indication of the level of occupancy. I had my client obtain such records commencing for the quarterly billing ending 5 March, 1999, through the quarterly billing ending 6 June, 2003.

Using FPL's actual metered electricity usage for March, April and May, 2003; totaling 6713 Kw/Hrs obtained from a meter you advised me, in your letter of June 17, 2003, had



DOCKET NO. 040558-EI  
Date: February 17, 2005  
PAGE 2

ATTACHMENT B

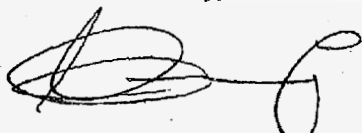
Jose Antonio Rodriguez  
25 July, 2003  
Page 2

been tested, and found to have a percentage registration of 99.81%, I compared this to water metered usage of 24000000 units for the three months ended 6 June, 2003, to obtain a rate of 0.000292 Kw/Hrs per unit of water metered during approximately the same three-month period. I then applied this rate to all previous metered water units used at the dwelling to determine correspondent electricity usage during the periods re-billed, and compared the resultant Kw/Hrs amounts to those Kw/Hrs re-billed. This comparison showed that the re-billed amounts exceeded the expected amounts of usage based on water consumption by 42.5%. Put another way, only 57.5% of the re-billed amounts over the five-year period are supportable, based on the occupancy levels of the dwelling indicated by metered water usage.

I am enclosing a copy of the spreadsheet calculations used in reaching the above conclusion, and a copy of the water usage data employed therein, for your perusal. Section 25-6.104 Unauthorized Use of Energy of the Florida Administrative Code states that "the utility may bill a customer on a reasonable estimate of the energy used." Given all the above, FPL's total of the amounts re-billed appears not to be a "reasonable estimate of energy used" when the changes in occupancy, corroborated by water usage, are factored into the calculation.

Please reflect the above, by reducing the total amount that FPL has re-billed my client by 42.5%, and let us discuss a payment plan for my client that will allow for the immediate reconnection of supply of electricity.

Yours Sincerely,



Michael Cummings, Esq.

Encls

	A	B	C	D	E	F	G	H	I
1									
2			Recalculation of Rebill Electricity based on Actual Water Usage						
3									
4			Jose Antonio Rodriguez A/c # 97231-67202						
5									
6									
7	Month/Yr	Original	3 months	Rebill	Water	Mar, Apr,	"Rate"	3 months	Over-
8		Billed	of Original	Kw/Hrs	Usage	& May, 03	applied to	Rebill	(Under)-
9		Kw/Hrs	Billed		Billed	actual bill	Actual	Kw/Hrs	charged
10			Kw/Hrs		Qrtly	Kw/Hrs	Water	equal to	Kw/Hrs
11			equal to			compared	Qrtly Bills	Water	by Rebills
12			Water			to Water	equating	Qrtly Bills	
13			Qrtly Bills			Qrtly Bills	to Kw/Hrs		
14						"Rate"	Usage		
15									
16									
17	Jan-98	258							
18	Feb-98	949							
19	Mar-98	923							
20	Apr-98	1599							
21	May-98	2001							
22	Jun-98	2153							
23	Jul-98	1084			3250				
24	Aug-98	555			3185				
25	Sep-98	849			3217				
26	Oct-98	915			2971				
27	Nov-98	1000			2403				
28	Dec-98	1056			2236				
29	Jan-99	987			2233				
30	Feb-99	530	2573	1879	14000000	0.000292	4088	6348	2260
31	Mar-99	614		1701					
32	Apr-99	935		2093					
33	May-99	1017	2566	2415	19000000	0.000292	5548	6209	661
34	Jun-99	1402		2694					
35	Jul-99	1686		2905					
36	Aug-99	1454	4542	3339	16000000	0.000292	4672	8938	4266
37	Sep-99	1809		3214					
38	Oct-99	611		2884					
39	Nov-99	473	2893	2313	8000000	0.000292	2336	8411	6075
40	Dec-99	481		2064					
41	Jan-00	481		1954					
42	Feb-00	234	1196	1722	8000000	0.000292	2336	5740	3404
43	Mar-00	1006		1823					
44	Apr-00	770		2001					
45	May-00	712	2488	2807	16000000	0.000292	4672	6631	1959
46	Jun-00	1882		3000					
47	Jul-00	1067		3134					
48	Aug-00	925	3874	3134	12000000	0.000292	3504	9268	5764
49	Sep-00	1299		3101					
50	Oct-00	825		2837					
51	Nov-00	725	2849	2168	21000000	0.000292	6132	8106	1974
52	Dec-00	914		2055					
53	Jan-01	193		2209					
54	Feb-01	612	1719	1927	24000000	0.000292	7008	6191	-817
55	Mar-01	1343		2016					

	A	B	C	D	E	F	G	H	I	
56	Apr-01	734		2105						
57	May-01	436	2513	2159	9000000	0.000292	2628	6280	3652	
58	Jun-01	567		2748						
59	Jul-01	911		3015						
60	Aug-01	580	2058	3033	15000000	0.000292	4380	8796	4416	
61	Sep-01	812		3274						
62	Oct-01	547		2721						
63	Nov-01	871	2230	2299	31000000	0.000292	9052	8294	-758	
64	Dec-01	367		2230						
65	Jan-02	850		2209						
66	Feb-02	548	1765	1927	18000000	0.000292	5256	6366	1110	
67	Mar-02	814		2016						
68	Apr-02	773		2105						
69	May-02	793	2380	2159	10000000	0.000292	2920	6280	3360	
70	Jun-02	521		2748						
71	Jul-02	961		3015						
72	Aug-02	1215	2697	3033	10000000	0.000292	2920	8796	5876	
73	Sep-02	680		3274						
74	Oct-02	513		2721						
75	Nov-02	402	1595	2299	3000000	0.000292	876	8294	7418	
76	Dec-02	673		2230						
77	Jan-03	588		2111						
78	Feb-03	1380	2641		19000000	0.000292	5548			
79	Mar-03	2248								
80	Apr-03	1878								
81	May-03	2587	6713		23000000	0.000292	6713			
82				138315	<b>Total Rebilled Kw/Hrs July 98 through Jan 03</b>					
83						0.000292			50620	
84							68328			
85								118948		
86										
87	<b>Error Rate Calculation</b>									
88										
89		118948		<b>Rebilled Kw/Hrs from Dec 98 through Nov 02</b>						
90										
91		68328		<b>Recalculated Kw/Hrs from Dec 98 through Nov 02</b>						
92				<b>in line with water usage</b>						
93		50620		<b>Net Overbilled Kw/Hrs from Dec 98 through Nov 02</b>						
94				<b>compared with recalculation based on water usage</b>						
95										
96										
97		Overbilled error rate		0.425564	(50620/118948)					
98										
99		Correct bill rate		0.574436	(68328/118948)					
100										
101		True rebill amount reflecting correct bill rate					79453.1			
102										
103		Overcharged by Rebill calculation					58861.9			
104										
105		Reconciliation to Total Rebilled Kw/Hrs July 98 - Jan 03					138315			

DOCKET NO. 040558-EI

Date: February 17, 2005

PAGE 5

JUL-23-2003 WED 04:55 PM

ATTACHMENT B

USEGREGG@TEL.AURORA.IL.GOV  
FAX NO.

PAGE: 02/06  
P. 02

MRS ROYAL GEL

305-485-9330

Enter Meter Reads Inquiry Billable to of Utility

File Edit View Go Favorites Use Inquiry Review Interface Help

Table Reads

Meter: 5/8 INCH WATER METER / 90395373 Mtr ID: 4702240200  
 Register: CPW / format 4.0 / cont 1 Reg ID: 4702240082

Read Date/Time	Read Difference	Register Reading	H/L Failed	Low Limit	High Limit	Read Type
08/05/2003 8:43AM May	21,000000	920,000000		901,000000	965,000000	Regular
03/05/2003 8:18AM Oct	19,000000	897,000000		878,000000	887,000000	Regular
12/04/2002 8:18AM Nov	3,000000	878,000000		877,000000	914,000000	Regular
09/05/2002 9:19AM Aug	16,000000	875,000000		867,000000	925,000000	Regular
08/05/2002 7:39AM May	10,000000	865,000000		858,000000	929,000000	Regular
03/05/2002 12:00AM Feb	18,000000	855,000000		844,000000	957,000000	Regular
12/05/2001 8:39AM Nov	31,000000	837,000000		808,000000	861,000000	Regular
08/05/2001 12:00AM Aug	15,000000	808,000000		0,000000	0,000000	Regular
06/05/2001 12:00AM May	9,000000	791,000000		0,000000	0,000000	Regular
03/05/2001 12:00AM Feb	24,000000	782,000000		0,000000	0,000000	Regular
12/05/2000 12:00AM Nov	21,000000	758,000000		0,000000	0,000000	Regular
09/05/2000 12:00AM Aug	12,000000	737,000000		0,000000	0,000000	Regular
06/05/2000 12:00AM May	18,000000	725,000000		0,000000	0,000000	Regular
03/03/2000 12:00AM Feb	8,000000	709,000000		0,000000	0,000000	Regular
12/05/1999 12:00AM Nov	8,000000	701,000000		0,000000	0,000000	Regular
08/03/1999 12:00AM Aug	16,000000	695,000000		0,000000	0,000000	Regular
05/03/1999 12:00AM May	19,000000	679,000000		0,000000	0,000000	Regular
03/05/1999 12:00AM Feb	14,000000	680,000000		0,000000	0,000000	Regular

Start Enter Meter Reads - L... MAINFRAME - EXTRA P... Intra - Microsoft Outlook Update/Display 4:49 PM