

ORIGINAL

Timolyn Henry

From: Nanci_Nesmith@fpl.com
Sent: Tuesday, December 06, 2005 4:10 PM
To: Filings@psc.state.fl.us
Cc: Wade_Litchfield@fpl.com; Garson_Knapp@fpl.com; Bert_Gonzalez@fpl.com; Bill_Feaster@fpl.com; Lynne_Adams@fpl.com
Subject: Electronic Filing for Docket No. 050891-EI FPL's Response in opposition to Kmart Corporation's Renewal Motion Exhibit A

Attachments: 050891-Exhibit A.pdf



050891-Exhibit A.pdf (112 KB)

a. Person responsible for this electronic filing:

Garson Knapp, Attorney
 Florida Power & Light Company
 700 Universe Boulevard
 Juno Beach, FL 33408
 Tel: (561) 304-5720
 Garson_Knapp@fpl.com

b. Docket No. 050891-EI re: Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

c. Document being filed on behalf of Florida Power & Light Company.

d. There are a total of 2 pages.

e. The document attached for electronic filing is Florida Power & Light Company's Exhibit A which was inadvertently omitted from FPL's Response in Opposition to Kmart Corporation's Renewal Motion for an Order Compelling Florida Power & Light Company to continue electric service and to cease and desist demands for deposit pending the commission's final decision regarding complain

(See attached file: 050891-Exhibit A.pdf)

Thank you for your attention and cooperation to this request.

CMR Nanci_NeSmith
 Florida Power & Light Company
COM 215 S. Monroe St., Suite 810
 Tallahassee, FL 32301
CTR 850-521-3900

- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

ORIGINAL



"Kershner, Rodger A."
<RKershner@HowardandHoward.com>

To: Garson_Knapp@fpl.com
cc:
Subject: RE: Shut Off Notice Received - Your Response Needed

11/29/2005 04:29 PM

Thank you.

Rodger A. Kershner
Howard & Howard Attorneys, P.C.
The Pinehurst Office Center, Suite 101
39400 Woodward Avenue
Bloomfield Hills, Michigan 48304-5151
248/723-0421
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-----Original Message-----

From: Garson_Knapp@fpl.com [mailto:Garson_Knapp@fpl.com]
Sent: Tuesday, November 29, 2005 4:21 PM
To: Kershner, Rodger A.
Cc: Wade_Litchfield@fpl.com; John_Hall@fpl.com; Ralph_Calleja@fpl.com; Damaris_Diaz@fpl.com
Subject: RE: Shut Off Notice Received - Your Response Needed

Rodger,

This will confirm, as was stated in FPL's responses to the Kmart/Sears Motions, that FPL, as a result of the filing of the Motions and Complaints will not terminate power service to Kmart/Sears locations within FPL's service territory.

Garson Knapp, Attorney
Florida Power and Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Tel: (561) 304-5720
Fax: (561) 625-7504

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DOCUMENT NUMBER-DATE

11474 DEC-6 05

"Kershner, Rodger

A."
sgree21@sears.com

To:

<RKershner@Howardand
Michael@Sears Merchandise Group" <mmorrie@sears.com>, "Riecker,
Howard.com" <Hatcher, Sharna" <shatcher@searshc.com>,
<rrieck1@searshc.com>, "Hatcher, Sharna" <shatcher@searshc.com>,

kzenkov@sears.com,
pfrale1@sears.com, Garson_Knapp@fpl.com, lmill64@sears.com, "ZZS
11/29/2005 04:16 PM Robinett,
Clarence@Sears " <crobine@sears.com>

Subject: RE: Shut Off

Notice Received - Your Response Needed

Steve,
I just spoke to Garson Knapp, FP&L Senior Attorney in Juno Beach. While FP&L has committed to Sears and to the Florida Public Service Commission that there will be NO shutoffs while the formal Complaint filed last week remains pending before the Commission, he has agreed to take further steps to get that word out so that no person or machine inadvertently interrupts Sears' electric service in ignorance. He will confirm that he has done so by the end of the day. I am sure he understands that the damages to which Sears would be entitled for wrongful interruption of service during the holiday season would be very large. I also note that FP&L has added what appears to be a late charge or interest in the amount of an additional \$615, which is completely inappropriate and illegal. The million dollars, if paid, is a deposit, not a debt. Each day we do not pay saves them the interest that would otherwise be due to Sears. Because FP&L is represented by counsel, I am constrained by the rules of conduct from communicating directly with him, but you may want to share this information with Mr. Calleja, your service rep. Rodger Kershner

Rodger A. Kershner
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