

Section 1 - Bureau of Records Complet

Docket No. 040977-EI Date Docketed: 08/30/2004 Title: Complaint by John Aseere against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Company: Florida Power & Light Company  
John Aseere

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
		X		X			X	

('O' indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A9

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

Current CASR revision level

Due Dates

Previous Current

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: \_\_\_\_\_

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	

DOCUMENT NO

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: \_\_\_\_\_

12066-05

Section 1 - Bureau of Records Completes

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		X		X			X	

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Staff Assignments

OPR Staff

J Rodan

Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel

J Rodan

OCRs (RCA)

J Plescow

1.	Staff Recommendation	NONE	10/21/2004
2.	Agenda	NONE	11/02/2004
3.	PAA Order	NONE	11/22/2004
4.	Consummating Order if No Protest	NONE	12/16/2004
5.	Close Docket or Revise CASR	NONE	01/18/2005
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 09/13/2004

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
					X

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Approved: BB/Am

Date: 09/13/2004

Section 1 - Bureau of Records Completes

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Official Filing Date: \_\_\_\_\_

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("O" indicates OPR)

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**Staff Assignments**

OPR Staff

J Rodan

1 Current CASR revision level

**Due Dates**

Previous Current

Staff Counsel

J Rodan

OCRs (RCA)

J Plescow

1.	Staff Recommendation	10/21/2004	11/18/2004
2.	Agenda	11/02/2004	11/30/2004
3.	PAA Order	11/22/2004	12/20/2004
4.	Consummating Order if No Protest	12/16/2004	01/13/2005
5.	Close Docket or Revise CASR	01/18/2005	02/11/2005
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 10/05/2004

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
					X

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Approved: BB/Am

Date: Pending 10/12/04

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Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

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		X		X			X	

Section 2 - OPR Completes and returns to CCA in 10 workdays.

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OPR Staff

J Rodan

Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel

J Rodan

OCRs (RCA)

J Plescow

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 11/02/2004

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

1.	Staff Recommendation	11/18/2004	11/23/2004
2.	Agenda	11/30/2004	12/07/2004
3.	PAA Order	12/20/2004	12/27/2004
4.	Consummating Order if No Protest	01/13/2005	01/21/2005
5.	Close Docket or Revise CASR	02/11/2005	02/21/2005
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BZ	DS	JB	BD	DV	
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Approved: BIB/RW

Date: ~~Pending~~ 11/08/04

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

RECEIVED - FPSC  
04 NOV 30 PM 4: 03  
COMMISSION  
CLERK

Public Service Commission

November 24, 2004

Mr. John Aseere  
3939 N. W. 18th Avenue  
Ft. Lauderdale, FL 33309

Re: Docket No. 040977-EI – Complaint by John Aseere against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Dear Mr. Aseere:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 23, 2004. The Commission is expected to consider this Recommendation at its December 7, 2004, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6189.

Sincerely,

Jennifer A. Rodan  
Attorney

JAR:jb

cc: Division of Regulatory Compliance & Consumer Assistance (Plescow)  
Division of the Commission Clerk and Administrative Services (Docket File)

I:040977rectr.jar.doc

DOCUMENT NO  
12066-05

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

**Kay Flynn**

040977-EI

**To:** Michael Staden; Hong Wang; Kim Griffin; Rose Thompson  
**Cc:** Blanca Bayo; Carol Purvis  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Thanks!

---

**From:** Michael Staden  
**Sent:** Tuesday, December 07, 2004 8:26 AM  
**To:** Kay Flynn; Hong Wang; Kim Griffin; Rose Thompson  
**Cc:** Blanca Bayo; Carol Purvis  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Yes. A request was done by Jennifer Rodan and approved by Manuel from the Chairman's office. I was going to send this out this morning, but I had a problem with the cameras that I needed to resolve. Now that's taken care of and I am sending you this notification.

The person that will be participating telephonically will be Mr. John Aseere.

---

**From:** Kay Flynn  
**Sent:** Tuesday, December 07, 2004 7:29 AM  
**To:** Michael Staden; Hong Wang; Kim Griffin; Rose Thompson  
**Cc:** Blanca Bayo; Carol Purvis  
**Subject:** FW: 040977-EI, Item #4 Modification - Aseere Customer Complaint  
**Importance:** High

FYI all...

Mike, did you know about the telephone participation?

Rose, this change would be in the staff analysis portion of the rec, not issue/rec portion.

Kay

---

**From:** Mary Anne Helton  
**Sent:** Monday, December 06, 2004 5:16 PM  
**To:** Mary Bane  
**Cc:** Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint  
**Importance:** High

Dr. Bane,

I am requesting permission to make an oral modification at tomorrow's agenda conference for item number 4. This afternoon, FPL called to point out that the paragraph on page 4, immediately after the table, should be changed as follows:

"The meter that was replaced (#5C25097), which was tested on October 28, 2003, tested in an upside-down reading with a Full Load at 83.38%, a Light Load at 0%, and a Weighted Average Registration of 67.07%."

It is our understanding that this change clarifies that meter tampering occurred. FPL will be available at the agenda tomorrow to answer any questions about the clarification.

Also, as a side note, the customer intends to participate by telephone.

Sorry for the last minute notice, but we just found out about it.

Thanks,  
Mary Anne

Kay Flynn

040977

**From:** Mary Bane  
**Sent:** Tuesday, December 07, 2004 8:51 AM  
**To:** Mary Anne Helton  
**Cc:** Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

Approved.

---

**From:** Mary Anne Helton  
**Sent:** Monday, December 06, 2004 5:16 PM  
**To:** Mary Bane  
**Cc:** Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
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Thanks,  
Mary Anne



**Kay Flynn**~~040977~~

**From:** Jennifer Rodan  
**Sent:** Tuesday, December 07, 2004 9:17 AM  
**To:** Mary Bane  
**Cc:** Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint  
**Importance:** High

The Rec stated 83.38% and the requested modification changes that number to 83.83%. The number was inverted.

---

**From:** Mary Bane  
**Sent:** Tuesday, December 07, 2004 9:15 AM  
**To:** Jennifer Rodan  
**Cc:** Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint

I'm assuming that this change replaces the one sent earlier, but I'm not sure why you would underscore 83.39 since that was already in the rec.

---

**From:** Jennifer Rodan  
**Sent:** Tuesday, December 07, 2004 8:56 AM  
**To:** Mary Bane  
**Cc:** Mary Anne Helton; Dan Hoppe; Rhonda Hicks; Rick Melson; John Plescow; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** FW: 040977-EI, Item #4 Modification - Aseere Customer Complaint  
**Importance:** High

FPL just called with another modification this morning. The oral modification should be:

"The meter that was replaced (#5C25097), which was tested on October 28, 2003, tested in an upside-down position with a Full Load at 83.83%, a Light Load at 0%, and a Weighted Average Registration of 67.07%."

Thank you,  
Jennifer Rodan

---

**From:** Mary Anne Helton  
**Sent:** Monday, December 06, 2004 5:16 PM  
**To:** Mary Bane  
**Cc:** Dan Hoppe; Rhonda Hicks; John Plescow; Rick Melson; Jennifer Rodan; Chuck Hill; Betty Ashby; Manuel Arisso; Cayce Hinton; Katrina Tew; Larry Harris; Kay Flynn  
**Subject:** RE: 040977-EI, Item #4 Modification - Aseere Customer Complaint  
**Importance:** High

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It is our understanding that this change clarifies that meter tampering occurred. FPL will be available at the agenda tomorrow to answer any questions about the clarification.

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Thanks,  
Mary Anne

Matilda Sanders

1221-PAA

**From:** Janice Banka  
**Sent:** Friday, December 10, 2004 9:41 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 12/10/2004 9:40:00 AM  
**Docket Number:** 040977-EI  
**Filename / Path:** 2004/040977or.jar.doc

Notice of Proposed Agency Action Order Approving Billing Due to Meter Tampering.

Number of pages in order - 5.

Thanks "J"

2/0.

Matilda Sanders

0014 - 00

From: Janice Banka  
Sent: Tuesday, January 04, 2005 9:55 AM  
To: Kay Flynn; Matilda Sanders; Ruth Nettles  
Subject: Consummating Order to be issued.

2

Sorry, my GCOrders is not working this morning.  
Please file the following order:  
Docket No. 040977-EI  
File Name: 2004/040977co.jar.doc  
CONSUMMATING ORDER  
Number of pages in order - 2.

Thanks "J"

1/1

Janice R. Banka  
Deputy Clerk  
Florida Public Service Commission  
Office of the General Counsel  
Economic Regulation Section  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
850-413-6210 (voice)  
850-413-6211 (fax)  
jbanka@psc.state.fl.us