

Section 1 - Bureau of Records Complete

Docket No. 040558-EI Date Docketed: 06/16/2004 Title: Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.  
 Company: Florida Power & Light Company  
 Jose Antonio Rodriguez

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("C") indicates OPR

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

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

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

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

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

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

	Current CASR revision level	Due Dates	
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	

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: \_\_\_\_\_

*B2408-05*

Section 1 - Bureau of Records Complete

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 ("C)" indicates OPR)

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

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

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

Time Schedule

Program Module A9

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff R Gervasi

Staff Counsel R Gervasi

OCRs (ECR) C Kummer

Recommended assignments for hearing and/or deciding this case:

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

Date filed with CCA: 07/08/2004

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

	Current CASR revision level	Due Dates	
		Previous	Current
0			
1. Data Request To Company		NONE	07/27/2004
2. Company Response		NONE	08/27/2004
3. Staff Recommendation		NONE	09/09/2004
4. Agenda		NONE	09/21/2004
5. PAA Order		NONE	10/11/2004
6. Consummating Order if No Protest		NONE	11/04/2004
7. Close Docket or Revise CASR		NONE	12/03/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
				X	

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Approved: BB/MW/RT  
 Date: 07/08/2004

Section 1 - Bureau of Records Completes

Docket No. 040558-EI Date Docketed: 06/16/2004 Title: Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Company: Florida Power & Light Company  
Jose Antonio Rodriguez

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

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

R Gervasi

1 Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

R Gervasi

OCRs (ECR)

C Kummer

1.	Data Request To Company	SAME	07/27/2004
2.	Company Response	SAME	08/27/2004
3.	Staff Recommendation	09/09/2004	10/21/2004
4.	Agenda	09/21/2004	11/02/2004
5.	PAA Order	10/11/2004	11/22/2004
6.	Consummating Order if No Protest	11/04/2004	12/16/2004
7.	Close Docket or Revise CASR	12/03/2004	01/17/2005
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Recommended assignments for hearing and/or deciding this case:

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

Date filed with CCA: 09/08/2004

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	

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: BIB/rwr

Date: Pending 9/14/04

Section 1 - Bureau of Records Completes

Docket No. 040558-EI Date Docketed: 06/16/2004 Title: **Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.**

Company: **Florida Power & Light Company**  
**Jose Antonio Rodriguez**

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

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

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

Referred to:

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

("C" indicates OPR)

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

Time Schedule

Program Module A9

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

Due Dates

OPR Staff	Staff Assignments	Current CASR revision level	Due Dates	
			Previous	Current
<u>R Gervasi</u>		<u>2</u>		
	1. <b>Data Request To Company</b>		SAME	07/27/2004
	2. <b>Company Response</b>		SAME	08/27/2004
	3. <b>Staff Recommendation</b>		10/21/2004	12/21/2004
	4. <b>Agenda</b>		11/02/2004	01/04/2005
	5. <b>PAA Order</b>		11/22/2004	01/24/2005
	6. <b>Consummating Order if No Protest</b>		01/23/2005	02/17/2005
	7. <b>Close Docket or Revise CASR</b>		01/17/2005	03/18/2005
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Recommended assignments for hearing and/or deciding this case:

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

Date filed with CCA: 10/15/2004

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	

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

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Approved: B3/Rw

Date: Pending 10/27/04

Section 1 - Bureau of Records Completes

Docket No. 040558-EI Date Docketed: 06/16/2004 Title: **Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.**

Company: **Florida Power & Light Company**  
**Jose Antonio Rodriguez**

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

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

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

Referred to:

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

("O" indicates OPR)

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

Time Schedule

Program Module A9

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff	Staff Assignments	3	Current CASR revision level	Due Dates	
				Previous	Current
R Gervasi					
	1. Data Request To Company			SAME	07/27/2004
	2. Company Response			SAME	08/27/2004
	3. Staff Recommendation			12/21/2004	02/17/2005
	4. Agenda			01/04/2005	03/01/2005
	5. PAA Order			01/24/2005	03/21/2005
	6. Consummating Order if No Protest			02/17/2005	04/14/2005
	7. Close Docket or Revise CASR			03/18/2005	05/16/2005
Staff Counsel	R Gervasi				
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OCRs (ECR)	C Kummer				
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Recommended assignments for hearing and/or deciding this case:

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

Date filed with CCA: 12/16/2004

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	
			X		

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

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

BB/RW  
Pending 12/23/04

STATE OF FLORIDA

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



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

# Public Service Commission

## NOTICE OF COMPLAINT

TO

### FLORIDA POWER & LIGHT COMPANY

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

You are hereby notified that the above complaint, a copy of which is attached, was filed with this Commission on June 16, 2004.

You may respond to this complaint by forwarding a response to this Division, with a copy to the complainant.

By **DIRECTION** of the Florida Public Service Commission, this 17th day of June, 2004.

  
\_\_\_\_\_  
Kay Flynn, Chief  
Bureau of Records

KF/mas

Attachment

cc: Office of Public Counsel  
Office of General Counsel  
Division of Economic Regulation  
Division of Regulatory Compliance & Consumer Assistance

I:\Records\Complaint.doc

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

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

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

STATE OF FLORIDA

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



DIVISION OF THE COMMISSION  
CLERK & ADMINISTRATIVE  
SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

## Public Service Commission

June 17, 2004

Michael Cummings, Attorney At Law  
777 Brickell Avenue, Suite 1114  
Miami, Florida 33131

**Re: Docket No. 040558-EI**

Dear Mr. Cummings:

This will acknowledge receipt of a complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering, which was filed in this office on June 16, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR

STATE OF FLORIDA



GENERAL COUNSEL  
RICHARD D. MELSON  
(850) 413-6248

RECEIVED: FPSC

FEB 17 PM 3:21

COMMISSION  
CLERK

# Public Service Commission

February 17, 2005

Mr. Bill Walker, Esq.  
215 South Monroe Street, Suite 810  
Tallahassee, Florida 32301-1859

Re: Docket No. 040558-EI Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Dear Mr. Walker:

Enclosed is a copy of the Staff Recommendation filed in this matter on February 17, 2005. The Commission is expected to consider this Recommendation at its March 1, 2005, 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) 413-6224.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosanne Gervasi".

Rosanne Gervasi  
Staff Counsel

RG/pz

Enclosure

cc: Division of the Commission Clerk and Administrative Services

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR

STATE OF FLORIDA



RECEIVED FPSC  
GENERAL COUNSEL  
RICHARD D. MELSON  
(850) 413-6248  
FEB 17 PM 3:21

COMMISSION  
CLERK

# Public Service Commission

February 17, 2005

Mr. David M. Lee, Esq.  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420

Re: Docket No. 040558-EI Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Dear Mr. Lee:

Enclosed is a copy of the Staff Recommendation filed in this matter on February 17, 2005. The Commission is expected to consider this Recommendation at its March 1, 2005, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

A handwritten signature in cursive script, appearing to read "Rosanne Gervasi".

Rosanne Gervasi  
Staff Counsel

RG/pz

Enclosure

cc: Division of the Commission Clerk and Administrative Services

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR

STATE OF FLORIDA



RECEIVED-PPSC  
GENERAL COUNSEL  
RICHARD D. MELSON

(850) 413-6248 FEB 17 PM 3: 21

COMMISSION  
CLERK

## Public Service Commission

February 17, 2005

Mr. Michael Cummings, Esq.  
777 Brickell Avenue, Suite 1114  
Miami, Florida 33131

Re: Docket No. 040558-EI Complaint by Jose Antonio Rodriguez against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Dear Mr. Cummings:

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Sincerely,

A handwritten signature in black ink, appearing to read "Rosanne Gervasi".

Rosanne Gervasi  
Staff Counsel

RG/pz

Enclosure

cc: Division of the Commission Clerk and Administrative Services

Kay Flynn

040558-EI

**From:** Blanca Bayo  
**Sent:** Friday, February 25, 2005 11:22 AM  
**To:** Chuck Hill; Mary Bane  
**Cc:** Betty Ashby; Kay Flynn; David Chambers; Lee Kissell  
**Subject:** FW: Item 5 on Tues. agenda (DN 040558-EI)

FYI.

(Thank you Lee!)

---

**From:** Lee Kissell  
**Sent:** Friday, February 25, 2005 8:55 AM  
**To:** Blanca Bayo  
**Cc:** Carol Purvis  
**Subject:** FW: Item 5 on Tues. agenda (DN 040558-EI)

FYI.

Lee Kissell  
Chief Information Officer  
Florida Public Service Commission  
(850) 413-6324  
(850) 413-6325 Fax  
Lee.Kissell@psc.state.fl.us

---

**From:** Michael Staden  
**Sent:** Friday, February 25, 2005 8:17 AM  
**To:** Kathleen Stewart; Rosanne Gervasi; Lee Kissell  
**Cc:** Connie Kummer; Mary Anne Helton; Manuel Arisso  
**Subject:** RE: Item 5 on Tues. agenda (DN 040558-EI)

If it's only one person participating I can call him directly on Tuesday.

Rosanne: Will the item be time certain for the first item discussed?

---

**From:** Kathleen Stewart  
**Sent:** Thursday, February 24, 2005 1:51 PM  
**To:** Rosanne Gervasi; Michael Staden  
**Cc:** Connie Kummer; Mary Anne Helton; Manuel Arisso  
**Subject:** RE: Item 5 on Tues. agenda (DN 040558-EI)

OK to participate by phone.  
Mike, FYI

---

**From:** Rosanne Gervasi  
**Sent:** Thursday, February 24, 2005 11:43 AM

2/25/2005

**To:** Manuel Arisso; Kathleen Stewart  
**Cc:** Connie Kummer; Mary Anne Helton  
**Subject:** Item 5 on Tues. agenda (DN 040558-EI)

Mr. Michael Cummings, attorney for Mr. Rodriguez, requests to participate on this item by telephone. He requests that the item be taken up as early as possible, as he has another telephone conference call beginning at 11 a.m. that day.

If this request is approved, will someone advise me of the telephone number he should call in on? If the procedure is for the support folks to call Mr. Cummings directly to advise him of the phone number to use, his phone number is (305) 372-8884.

Thank you.

2/25/2005

**CCA Official Filing**

**\*\*\*3/16/2005 2:58 PM\*\*\***

**\*\*\*Matilda Sanders\*\*\***

**\*\*1**

**Matilda Sanders**

PSC-05-0286 - PAA - EI

**From:** Patti Zellner  
**Sent:** Wednesday, March 16, 2005 2:52 PM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 3/16/2005 2:51:00 PM  
**Docket Number:** 040558-EI  
**Filename / Path:** 040558PAAorder.rg.doc

8pgs

NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING BILLING DUE TO METER TAMPERING

2/0.

Matilda Sanders

0378-Co

From: Patti Zellner  
Sent: Monday, April 11, 2005 9:32 AM  
To: CCA - Orders / Notices  
Subject: Order / Notice Submitted

2

Date and Time: 4/11/2005 9:31:00 AM  
Docket Number: 040558-EI  
Filename / Path: 040558ConsumOrd.rg.doc

CONSUMMATING ORDER

2/0