

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

<b>Date:</b>	2/20/2006	<b>Docket No.:</b>	060153-PU
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<b>1. Division Name/Staff Name:</b>	General Counsel / Moore <i>GM</i>
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<b>2. OPR:</b>	GCL / Moore
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<b>3. OCR:</b>	RCA / Hicks
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<b>4. Suggested Docket Title:</b>	Petition for Rulemaking by David Brian Wallace and Edward A. Slavin, Jr.
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**5. Suggested Docket Mailing List (attach separate sheet if necessary)**

A. Provide NAMES OR ACRONYMS ONLY if a regulated company.

B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):


2. Interested persons and their representatives (if any):


**6. Check one:**

Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

01497 FEB 21 8

Document2

FISCAL COMMISSION CLERK

DAVID BRIAN WALLACE  
EDWARD A. SLAVIN, JR.  
P.O. BOX 3084  
ST. AUGUSTINE, FLORIDA 32085-3084  
(904) 471-9699  
(904) 471-9918 (FAX)

February 14, 2006  
Honorable Braulie L. Baez, Chairman,  
Honorable Randy Roland, Administrator  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850 *Via fax to (800) 511-0809*

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Florida Public Service Commission  
Division of RCA

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COMMISSION  
CLERK

**Petition for Rulemaking**

Dear Chairman Baez:

We hereby petition the Florida Public Service Commission to

1. Forbid retaliation by utilities for filing and pursuing a PSC complaint;
2. Forbid retaliation by utilities for publishing and researching news articles and interviewing utility officials regarding misfeasance, malfeasance, nonfeasance, pollution, discrimination, radioactive contamination or other issues;
3. Require all utilities to answer press questions within 24 hours.
4. Forbid disconnection of utility service based on estimated bills;
5. Forbid disconnection of utility service without a certified cutoff notice;
6. Forbid disconnection of utility service when complaints and amended complaints are pending before PSC;
7. Provide for compensatory and punitive damages for customers without resort to state courts;
8. Hire independent administrative law judges (ALJs) to hear cases;
9. Empower ALJs to serve as settlement judges to help settle cases to which they are assigned;
10. Forbid ex parte contacts between staff, ALJs and Commissioners, strictly enforcing separation of functions;
11. Provide customers with a right to see their utility records upon request, with or without filing a PSC complaint, without charge;
12. Require all electric power outages to be reported regardless of duration;
13. Require utilities to compete with one another for providing electric power at the household and wholesale level (including competition in bulk power sales);
14. Forbid utilities from asking illegal questions of customers and members of their households, e.g., asking "what is your relationship," when the caller is an authorized person on the account.
15. Regulate cellular telephone service, instead of referring complaining customers to the Department of Agriculture;
16. Cease and desist from private, ex parte communications with regulated utilities, including documents serving complaints on utilities without sending copies to customers and

DOCUMENT NUMBER-DATE

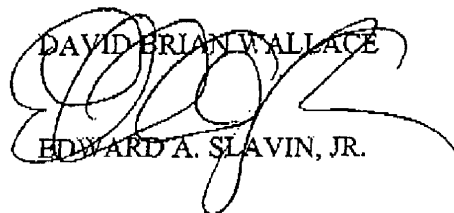
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FPSC-COMMISSION CLERK

- conversations with utility managers without customers being included in the conversation;
17. Forbid regulated companies from employing foreign nationals in foreign offices to transact business with Florida residents;
  18. Conduct rigorous ethics training for all PSC and utility employees and require rigorous competency testing of all PSC and utility engineers;
  19. Regulate the quality of customer service, setting mandatory deadlines;
  20. Forbid utility use of electronic devices to replace human beings in call centers;
  21. Require utility employees to transfer callers to managers or supervisors upon request and require notification of escalation policies;
  22. Forbid electric power cutoffs when nighttime ambient air temperature is less than 60 degrees or daytime air temperature is greater than 82 degrees;
  23. Create a consumer advisory committee to oversee the PSC's functions;
  24. Forbid PSC members and staff from going to work for regulated utilities for ten years after their PSC employment ceases;
  25. Recruit competent lawyers, economists and engineers to serve on technical advisory committees.
  26. Set up citizen advisory committees with fairly balanced memberships.
  27. Require PSC to publish the name, address and telephone number of the Inspector General in all telephone books and on its website and require PSC staff to connect callers to the Inspector General on the PSC's 800 number, without delay (or asking "the what?" and "the who?" in response to callers).
  28. Require all telephone books and all utility bills to provide information on filing complaints with the PSC.
  29. Require all utility repairs after hurricanes to be supervised by PSC to prevent discrimination on the basis of race or income in restoring power.
  30. Require an annual report by PSC on investigations of consumer complaints.
  31. Forbidding kickbacks to builders and appliance manufacturers by utilities.
  32. Require fuller disclosure of legal, charitable lobbying and political expenditures by utilities and regulate wasteful spending by utilities, including employment of lobbyists, lawyers, political consultants and billing for phantom work.
  33. Mandate cogeneration, waste heat utilization, biomass, solar, geothermal, wind, combined cycle and other energy conservation techniques by all powerplant companies..

With kindest regards, we are,

Sincerely yours,

DAVID BRIAN WALLACE  
  
EDWARD A. SLAVIN, JR.