

VOTE SHEET

March 7, 2006

Docket No. 060010-EI – Complaint by Roderick and Judi Thompson against Florida Power & Light Company regarding backbilling for alleged meter tampering.

Issue 1: Is there sufficient evidence to demonstrate that meter tampering occurred at the residence of Roderick and Judi Thompson at 5670 NW 38th Terrace, Coconut Creek, Florida, to allow FPL to backbill Mr. Thompson’s account for unmetered kilowatt hour consumption?

Recommendation: Yes. Prima facie evidence of meter tampering outlined in FPL’s reports demonstrates that meter tampering occurred at Mr. Thompson’s residence. As the customer of record during the entire period in question, Mr. Thompson should be held responsible for a reasonable amount of backbilling.

WITHDRAWN

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Four horizontal lines for majority signatures.

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01954 MAR-7 06

FPSC-COMMISSION CLERK

Vote Sheet

March 7, 2006

Docket No. 060010-EI – Complaint by Roderick and Judi Thompson against Florida Power & Light Company regarding backbilling for alleged meter tampering.

(Continued from previous page)

Issue 2: Is FPL's calculation of the backbilled amount of \$7,916.19, which includes investigation charges of \$465.46, reasonable?

Recommendation: No. While FPL's calculation of the average consumption per month appears appropriate, staff believes that a sustained drop in KWH registration began in 2001, rather than 1999. Excluding the 1999 and 2000 backbilled amounts from the total backbilled amount would be a \$2,311.01 adjustment, for a total backbilled amount of \$5,605.18.

Issue 3: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.