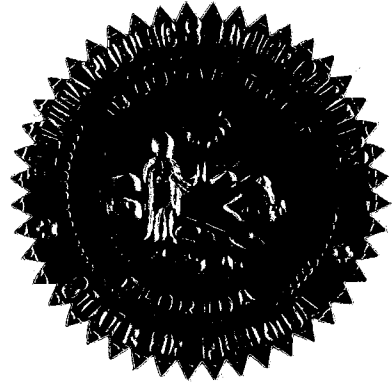


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060038-EI

In the Matter of:

PETITION FOR ISSUANCE OF A STORM
RECOVERY FINANCING ORDER, BY FLORIDA
POWER & LIGHT COMPANY.



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PROCEEDINGS: FT. LAUDERDALE SERVICE HEARING

BEFORE: CHAIRMAN LISA POLAK EDGAR
COMMISSIONER J. TERRY DEASON
COMMISSIONER ISILIO ARRIAGA
COMMISSIONER MATTHEW M. CARTER, II
COMMISSIONER KATRINA J. TEW

DATE: Thursday, March 2, 2006

TIME: Commenced at 10:05 a.m.
Concluded at 1:04 p.m.

PLACE: Broward County Governmental Center,
County Commission Chambers, Room 422,
115 S. Andrews Avenue
Ft. Lauderdale, Florida

REPORTED BY: LINDA BOLES, RPR, CRR
Official FPSC Reporter
(850) 413-6734

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17 Commission staff.

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P R O C E E D I N G S

1
2 CHAIRMAN EDGAR: Good morning. Okay. I'd like to
3 call this customer hearing to order. First, I'd like to begin
4 by introducing those of us here. My name is Lisa Edgar, and I
5 serve as Chairman of the Florida Public Service Commission.
6 With me today are my colleagues, Commissioner Carter,
7 Commissioner Deason, Commissioner Tew and Commissioner Arriaga.
8 Thank you all for joining us today. And at this point I'm
9 going to ask our staff counsel to read the notice.

10 MS. BRUBAKER: Pursuant to notice, this time and
11 place has been set for the purpose of conducting a customer
12 service hearing in Docket 060038-EI. The purpose of the
13 hearing is set forth more fully in the notice.

14 CHAIRMAN EDGAR: Thank you. And next I'd like to go
15 ahead and take appearances.

16 MR. BRYAN: Patrick Bryan with Florida Power & Light
17 Company.

18 MR. BECK: Good morning. My name is Charlie Beck
19 with the Office of Public Counsel.

20 MR. WRIGHT: My name is Robert Scheffel Wright, and I
21 represent the Florida Retail Federation.

22 MR. TWOMEY: And I'm Mike Twomey. I'm appearing on
23 behalf of the AARP.

24 MR. MANCLAW: Hi. I'm Ron Manclaw, Principal
25 Engineer. I'm working with GosTec (phonetic) in Deerfield

1 Beach, and I represent the people.

2 CHAIRMAN EDGAR: Thank you. At this point we're
3 going to go ahead and hear -- I'll make some comments, we'll
4 hear some presentations from the parties, and then I'll
5 describe a little bit more about what we're going to do, and
6 then we'll open it up to hear from the customers who have
7 signed up to speak.

8 Okay. We are here to hear from customers, as I just
9 mentioned. We will go ahead and have a couple of opening
10 presentations that will describe the issues that are before us.
11 This is an evidentiary part of the proceeding the Commission
12 will be taking on the petition that has been filed with us. As
13 such, those of you who have signed up to speak and would like
14 to address the Commission today will be sworn. There will be
15 the opportunity for the attorneys representing the parties to
16 ask questions of you, and we will take all of your comments
17 into consideration as we again go through this proceeding over
18 the next few months.

19 I'd also like to point out that we have staff here
20 from the Public Service Commission. If there are other
21 questions that you have, there are staff: Mr. Durbin, who is
22 at the back door with the sign-up sheet; we have Mr. Jenkins
23 and Mr. Lee, who will be in the back of the room and can answer
24 any questions that you may have about what we're doing today or
25 other issues that you have with utility regulation.

1 I'd also like to point out that available at the door
2 are green sheets that look like this. If you or anyone that
3 you know would like to file written comments with us, there is
4 a sheet on the back that you can fill out and either drop it
5 off with our staff or mail it to us directly, and that will
6 also become a part of the record.

7 At this point I'm going to go ahead and move to
8 presentations from the parties. When we are done with that,
9 I'll talk a little bit more procedurally about where we are.
10 Those who want to speak will be sworn, and then we'll move into
11 the customer comment part of the day.

12 Ms. Brubaker.

13 MS. BRUBAKER: Thank you. And, Ms. Boles, if I could
14 also enter an appearance. Jennifer Brubaker on behalf of
15 staff.

16 Thank you, Chairman. As I read from the notice
17 earlier today, we're conducting these service hearings today to
18 hear from customers of Florida Power & Light. We want to talk
19 about Florida Power's request for the issuance of a storm
20 recovery financing order. And we're also interested in hearing
21 about the customers' opinions about the efforts to recover from
22 the catastrophic storms.

23 In 2005 the Florida Legislature addressed the issue
24 of recovering storm damage by creating a Section
25 366.8260, Florida Statutes. And the statute authorizes the

1 Commission to approve the issuance of bonds for replenishing a
2 utility's storm damage reserve, both for damages that have
3 already taken place as well as for damages that are going to be
4 incurred for future catastrophic events. All storm-related
5 costs arising from named storms can be recovered under the
6 statute for those storms from 2004 and forward. And FPL has
7 filed a petition pursuant to this new statute.

8 This slide will show how Florida Power & Light
9 requested -- came up with the amounts they're requesting for
10 recovery from the storm recovery bonds. The first line shows
11 that FPL determined its total cost from storm damage in 2005 to
12 be \$826.9 million, and then it added unrecovered 2004 storm
13 costs in the amount of \$213.3 million. They then added
14 \$650 million to replenish the storm reserve. And then the bond
15 issuance cost itself was estimated to be \$11.4 million. They
16 then subtracted the estimated income tax of \$652 million, and
17 then this results in the final requested amount of
18 \$1,049.6 million.

19 FPL requests to recover the bonds over a 12-year
20 period, and the utility estimates that the result of issuing
21 bonds over the 12-year period would result in a reduction of
22 the current storm recovery surcharge from \$1.65 to \$1.58 in the
23 monthly bill for a residential customer using 1,000 kilowatt
24 hours.

25 And I'd like to also talk a little bit about the

1 Commission hearing process. The process started when FPL filed
2 its petition for recovery. And after the petition was filed,
3 Commission staff and the intervening parties began a
4 fact-finding process called discovery, and that process is
5 still going on at this time. A number of service hearings have
6 been scheduled like this one for the purpose of hearing from
7 FPL's customers, and there is also going to be a technical
8 hearing that will be held in Tallahassee. It's currently
9 scheduled to take place on April 19th.

10 As I mentioned, the purpose of these service hearings
11 is to hear from the customers. The Commission is very
12 interested in customers' testimony, again both about the relief
13 that's requested in this petition, as well as its efforts to
14 recover from the hurricane seasons.

15 The company and the other parties will have an
16 opportunity to present their case through sworn testimony at
17 the technical hearing in Tallahassee. Since this is a hearing
18 much like a court proceeding, again, the customers will be
19 asked to swear in or affirm to their testimony so their
20 comments can be used in this proceeding.

21 Now at the technical hearing in Tallahassee, again,
22 the parties will put forth their own witnesses, present
23 testimony and cross-examine each other's witnesses. Once the
24 hearing is completed, the parties are responsible for drafting
25 and filing legal briefs, which are a summary of the evidence as

1 they see it and how they think the Commission should rule based
2 on the evidence of record.

3 After the briefs are filed, the Commission staff will
4 prepare and present a recommendation which summarizes the
5 evidence that's been adduced at hearing and give staff's
6 recommendation on how they think the case should be decided.

7 The Commission will consider the staff recommendation
8 at a public meeting, then make its final vote. And the final
9 vote for this case is currently scheduled for May 15th, 2006.

10 Last, I'd like to briefly address some other
11 hurricane-related activities that are currently taking place at
12 the Commission. The Commission recently held a workshop, which
13 included state and local governments, electric utilities and
14 independent technical experts. The purpose of the workshop was
15 to discuss ways to minimize storm damage and its impact to
16 customers. Some of the short-term actions that were discussed
17 included pursuing a three-year vegetation management cycle, and
18 that includes things like tree trimming; replacement of wooden
19 poles with steel and concrete; and audits of joint use pole
20 attachment agreements, and those are such as when a single pole
21 is used by both a utility and a telephone or cable TV company.

22 Lastly, on February 7th of this year the Commission
23 ordered electric utilities to establish an eight-year pole
24 inspection program. The poles must meet National Electric
25 Safety Code requirements, and the poles must be strengthened or

1 replaced if they lose more than one-third of their strength.
2 The utilities must also perform certain types of inspections
3 and evaluate pole attachments. And, again, this includes not
4 only things like electric wires and equipment like
5 transformers, but also wires and cables associated with
6 telephone and cable TV companies.

7 And with that, that concludes my comments, and I
8 appreciate the opportunity to speak.

9 CHAIRMAN EDGAR: Thank you, Ms. Brubaker. And at
10 this time I'd like to ask the parties to make brief
11 presentations, and then after that we'll move into the customer
12 comment portion of our agenda today.

13 Mr. Bryan with Florida Power & Light.

14 MR. BRYAN: Thank you, Madam Chair, Commissioners and
15 staff. Just a brief housekeeping order. I have original
16 newspaper affidavits showing that FPL complied with the notice
17 requirements. I can either submit those here or we can file
18 them with the clerk at your --

19 MS. BRUBAKER: I think my recommendation was just
20 identify them as Exhibit 1 for purposes of the record, and then
21 they can be subsequently filed with the clerk. That will be
22 fine.

23 CHAIRMAN EDGAR: Okay. We will identify them as
24 Exhibit 1, and ask that they be filed with the clerk.

25 MS. BRUBAKER: Do you wish to move them into the

1 record at this time?

2 MR. BRYAN: Yes, we can do that.

3 MS. BRUBAKER: As long as there's no objection from
4 the other parties.

5 CHAIRMAN EDGAR: Hearing no objection, we will move
6 those into the record.

7 MS. BRUBAKER: And I'll take those. Thank you.

8 (Exhibit 1 marked for identification and admitted
9 into the record.)

10 MR. BRYAN: Good morning. My name is Patrick Bryan.
11 I represent Florida Power & Light Company. I would first like
12 to thank all of you for coming out today, I know your time is
13 valuable, but the input that you provide to us is very
14 important to us and we take it very seriously.

15 In a moment you will hear from Geisha Williams, FPL's
16 Vice President of Distribution. But first I wanted to let you
17 know that we have several Customer Service Representatives here
18 today. They have online computers; they can access information
19 on the spot. They are available to meet with any customer who
20 has a problem or a question, excuse me, or any concern with
21 their electric account or their service. We have FPL's Vice
22 President of Customer Service, Marlene Santos, to help with
23 this endeavor. Hopefully they can resolve any issues you have
24 here today on the spot. If that's not possible, they will do
25 their best to resolve any issues within 24 hours. I would

1 encourage all customers here today to take advantage of this
2 opportunity. If you're interested, just move to the back of
3 the room and we have representatives John Haney and Amy Albury
4 in the back of the room and they will assist you to the
5 Customer Service Representatives.

6 At this time then I would like to introduce Geisha
7 Williams.

8 MS. WILLIAMS: Good morning, Madam Chair, members of
9 the Commission, PSC staff, ladies and gentlemen. Good morning,
10 everyone. My name is Geisha Williams. I'm Vice President of
11 Distribution for Florida Power & Light Company. I'm
12 responsible for the infrastructure that delivers power to your
13 homes and your businesses. I'm also responsible for hurricane
14 readiness, restoration and recovery. I want to thank the
15 Commissioners for allowing me the opportunity to speak today,
16 but I want to especially thank our customers, public officials
17 and emergency managers that are in attendance today. My
18 remarks, I promise, will be brief, as this is really about you,
19 our customers, having an opportunity to speak to the Commission
20 directly.

21 In 2005, our communities were impacted by four
22 hurricanes: Dennis, Katrina, Rita and Wilma. These hurricanes
23 caused significant damage and millions of customer outages. We
24 understand what a hardship this was for our customers. Every
25 hurricane was different, each posed unique challenges, and we

1 adjusted our plans and restoration efforts accordingly.

2 Take Hurricane Wilma, for example. As a Category 3
3 hurricane when it made landfall just south of Naples and
4 exited as a Category 2 just south of Jupiter it impacted our
5 most heavily populated area, leaving 3.2 million customers
6 without power and making it the most challenging restoration
7 effort that we have ever faced.

8 How did we perform? By Day 3 we restored power to
9 1 million customers, by Day 5 we had restored power to
10 2 million customers, and in 18 days essentially restored
11 everyone who had been impacted by this terrible storm.

12 Independent third-party benchmarking on both
13 restoration speed as well as infrastructure performance
14 indicated we performed well, especially when comparing us to
15 other utilities that are also facing hurricanes. And just as
16 we do every year, we reviewed our hurricane restoration in
17 2005. We collected extensive data to help us understand why,
18 the underlying causes of the damage, really with an eye towards
19 prevention in the future.

20 We also engaged KEMA, an internationally renowned
21 engineering consulting firm with tremendous experience in this
22 area, to help us assess our system, help us assess our
23 processes and ultimately our performance.

24 What did we learn from KEMA? They validated that our
25 system is designed and built to meet and, in most cases, exceed

1 all required standards, and that our system performed as
2 designed and as expected during Hurricane Wilma. Less than
3 1.5 percent of our poles in Wilma's path sustained any kind of
4 damage, and KEMA noted that the primary cause of this pole
5 breakage was wind, hurricane force wind, and not deterioration
6 as some have suggested.

7 Additionally, Davies Consulting, a firm with
8 extensive experience in the electric utility industry, has
9 noted that FPL's pole failure rates are less, consistently less
10 than the pole failure rates experienced with other utilities
11 that are also facing hurricanes. We believe this demonstrates
12 that both our pole maintenance practices and our construction
13 standards, which are 50 percent stronger than they need to be
14 as outlined by the National Electric Safety Code, have served
15 our customers well.

16 We have had two horrific back-to-back, multiple
17 hurricane years, and unfortunately the forecast for the future
18 is similar with maybe another decade or two of similar weather
19 events. Clearly, the weather in Florida is changing and so
20 must we. That means that while our system has performed as it
21 was designed to, we will undertake significant changes to make
22 it stronger.

23 Recently we requested approval from the Commission to
24 implement our Storm Secure Plan, a five-point improvement plan
25 to increase both the reliability and the preparedness for

1 future hurricane seasons. Let me be specific about these
2 initiatives.

3 First, we will harden our system to be built to a
4 higher, stronger extreme wind standard. Second, we will
5 encourage underground conversions by investing in a portion of
6 the cost. Third, we will inspect our poles on an eight-year
7 cycle in accordance with a new Public Service Commission
8 recommendation. Fourth, we're increasing our line clearing and
9 promoting the Right Tree, Right Place Program, a program to
10 help our customers plant trees safely away from power lines.
11 And, finally, we will be completing our repairs in 2005 and
12 strengthening targeted facilities before the start of the
13 '06 storm season. We're confident that these initiatives will
14 help us provide a more resilient electric system to face future
15 hurricanes.

16 Unfortunately, the technology does not exist today to
17 make any electric system anywhere totally hurricane proof. The
18 reality is that when hurricanes strike, there will be outages.
19 And when there are outages, we will be there again for our
20 customers ready to respond, ready to restore service as safely
21 and as quickly as we possibly can. Because of this, the cost
22 of storm restoration is a reality too. Since Hurricane Andrew
23 we've been unable to get insurance to cover the electric system
24 from damages from hurricanes. So the Florida Legislature has
25 created a mechanism to recover costs related to hurricane

1 damage and to prepare for future storms by selling bonds. The
2 money from these bonds goes directly to pay for the
3 storm-related costs, and the Public Service Commission ensures
4 that only prudently incurred expenses are reimbursed. This
5 cost recovery mechanism is known as securitization and it is
6 the most cost-effective method for our customers.

7 We all wish that hurricanes would not occur, but this
8 is Florida and it is beyond anyone's ability to stop them. Our
9 top priority is to respond quickly and safely to restore power
10 to our customers in the least amount of time. To do that, we
11 will make the necessary investments, apply state of the art
12 technology and continue to build on what we've already learned.
13 And most importantly, we'll continue to listen to our customers
14 and to the communities we serve and learn what they expect from
15 us. We will always strive to do more and to do it better
16 because we know you're counting on us. And by working together
17 in partnership with the communities we serve, Florida will have
18 an even stronger future. Thank you and thank you for being
19 here today.

20 CHAIRMAN EDGAR: Thank you, Ms. Williams. I'd like
21 to recognize Harold McLean, Public Counsel, Consumer Advocate.
22 Mr. McLean, thank you for joining us today. And at this time
23 we'll recognize the Office of Public Counsel for a brief
24 presentation.

25 MR. BECK: Thank you, Chairman Edgar. Good morning.

1 My name is Charlie Beck. I'm with the Office of Public
2 Counsel. Harold McLean, Public Counsel, is here, as is Earl
3 Poucher from our office.

4 Let me briefly describe what our office is. We're
5 separate from the Public Service Commission, we're completely
6 independent of them, and we appear before them as a party just
7 like the AARP or the Florida Retail Federation. And we are in
8 the midst right now of preparing our case concerning FPL's
9 application. We will be filing a report and testimony four
10 weeks from tomorrow on March 31st. And to help us on that we
11 have retained two firms who are going to be looking very
12 carefully at the evidence that Florida Power & Light is
13 presenting. One is an accounting firm that's going to look at
14 their accounting practices, how they've developed the amount
15 that they're asking customers to pay. And the second firm is
16 R. W. Beck, which is not related to me, but is a national
17 engineering firm that's going to be reviewing the KEMA report
18 as well as the evidence that FPL's engineers are putting on.

19 The statute under which Florida Power & Light filed
20 requires that all costs be both reasonable and be prudent, and
21 we're looking closely at both those tests. With respect to
22 prudence, there's a number of issues that we're in the midst of
23 reviewing at the moment. One of them concerns the pole
24 inspections of Florida Power & Light. You've heard that the
25 Florida Public Service Commission recently has ordered Florida

1 Power & Light to inspect all their poles on an eight-year
2 cycle, and Florida Power & Light has a five-year -- or
3 five-point plan that they're following to harden their system.
4 We are very supportive of those efforts and think that they're
5 very necessary efforts to be done. But those are not the
6 issues in this case.

7 The issue in this case is what did Florida Power &
8 Light do or what didn't they do, and did their actions or
9 inactions aggravate the amount of damage that occurred as a
10 result of the hurricanes? One of those issues is pole
11 inspections. From 1991 through 1999 Florida Power & Light had
12 no formal pole inspection plan at all. When they started it up
13 in 1999 again, they've inspected about 1 percent of their poles
14 per year. Now that's vastly different than what the Public
15 Service Commission just ordered. We're looking at that to see
16 if that's consistent with prudent practices of electric
17 utilities. If that practice resulted in any additional damage
18 as a result of a hurricane, we will ask the Commission to make
19 Florida Power & Light absorb that themselves rather than
20 passing that on to customers.

21 Another issue concerns transmission poles. There
22 were a series of major, in fact, 500-kilovolt transmission
23 poles that fell down during the storms. In one of the worst
24 events, 28 poles in a row fell down in a cascading fashion.
25 The cause of that was loose bolts. Now Florida Power & Light,

1 you know, says that they tightened those bolts consistent with
2 the practices that existed at that time. We're looking very
3 carefully at that. Our people have questions about that and
4 whether the whole -- whether the type of transmission towers
5 they had were, in fact, consistent -- you know, their
6 tightening practices were consistent with that. So we're going
7 to look at that very carefully. I don't know what our
8 conclusions are, but we're reviewing KEMA's reports and FPL's
9 on that.

10 Another issue is line clearing. You saw some
11 pictures that Florida Power & Light put up of clearing their
12 lines. They've recently increased their budget considerably,
13 for line clearing. The question is were they doing enough line
14 clearing and tree trimming before the hurricanes? And if not,
15 did that contribute to the amount of damage? Those are some of
16 the issues we're looking at the prudence of their actions.

17 With respect to the reasonableness of it, we have a
18 very important issue with Florida Power & Light in the way
19 they're accounting for their costs. Right now we have another
20 utility, Gulf Power Company, who's asking for securitization
21 like Florida Power & Light. What they are asking for is an
22 increment of their expenses over their normal expenses, you
23 know, to pay for the hurricanes. Florida Power & Light is
24 doing it a little differently. They're accumulating all the
25 salaries and normal overtime as well as the extra increment in

1 computing their hurricane damages, and we feel that's a double
2 count. Because right now you pay base rates that include a set
3 amount to cover their normal maintenance expenses and there's a
4 certain amount of normal overtime that they budget for. That's
5 included in your base rates. Well, they want to take those
6 amounts from the hurricane and then add it to the hurricane
7 charge and in essence charge that again, and we're very opposed
8 to that. And it's not just salaries and normal overtime.
9 There's things such as tree trimming and vehicle maintenance
10 expenses, call center operations, there's a whole series of
11 expenses there where they've counted the amounts covered by
12 their base rates as well as any extra charges from the
13 hurricane. We're not opposed to prudent costs that are in
14 excess of the normal amounts, but we're certainly opposed to
15 them recovering them twice.

16 Thank you very much for coming today. We look
17 forward to your testimony.

18 CHAIRMAN EDGAR: Thank you, Mr. Beck.

19 (Applause.)

20 Mr. Wright.

21 MR. WRIGHT: Thank you, Madam Chairman,
22 Commissioners.

23 Good morning. My name is Schef Wright. I'm an
24 attorney based in Tallahassee. I've been working in the
25 utility field in Florida for 25 plus years. I have the

1 privilege today to represent the Florida Retail Federation,
2 which is a large organization of more than 10,000 members in
3 Florida, including the state's largest electricity purchasers
4 and some of the very smallest mom and pop commercial
5 operations. I want to thank the commission for giving me this
6 opportunity to address you, and thank you all for coming out to
7 share your views on this extraordinarily important case in the
8 middle of a workday.

9 The Florida Retail Federation and its members have
10 the same issues as all of FPL's other customers. We are
11 interested in the lowest possible rates consistent with
12 fairness because our regulatory system is required to be fair
13 to both the utility and the customers and also consistent with
14 reliable service. We will be addressing the same issues that
15 Mr. Beck discussed in his remarks. We are actively
16 participating in the case, actively conducting discovery and so
17 on. We are trying to get what I just said, the lowest rates
18 that are consistent with fairness and quality service.

19 We participated actively in the 2004, 2005 storm
20 surcharge case, and we participated very actively in the 2005
21 rate case. We, like Public Counsel we have no objection and no
22 issue with FPL recovering its reasonable and prudently incurred
23 costs. As Mr. Beck said, this is how our regulatory system
24 works. That's what's fair. However, there are a number of
25 issues that have to be addressed in answering the big question:

1 What's fair? These are some of those issues and what we
2 advocate in this case. The Public Service Commission should
3 thoroughly scrutinize all of FPL's claimed costs and allow
4 recovery of only those costs that are shown to be, to have been
5 reasonably and prudently incurred. The PSC should insure that
6 there's no double counting of costs recovering, say, for
7 example, recovering a person's salary through base rates which
8 you're already paying and then recovering it again through the
9 storm surcharge. The PSC should thoroughly scrutinize FPL's
10 pre-storm maintenance activities and ensure that any
11 restoration costs incurred as a result of inadequate pre-storm
12 maintenance not be borne by customers but rather be borne by
13 FPL's shareholders.

14 The PSC should not let Florida Power & Light recover
15 any, any amounts to give FPL money for electricity sales that
16 they didn't make. This is called lost revenue recovery, and it
17 is an issue.

18 No matter -- you may have noted in the staff
19 presentation, FPL's rate per 1,000 kilowatt hours as proposed
20 is slightly less than the current surcharge coming out of the
21 2004 storm season. It's a drop from \$1.65 to \$1.58. Two
22 things: One, the typical FPL customer uses around 1,250
23 kilowatt hours, so a typical FPL residential customer, a
24 typical FPL residential customer's charge is going to be closer
25 to \$2 per month rather than the \$1.65 or \$1.58. Second, the

1 total amount FPL is asking for here is \$1.7 billion. Of that,
2 \$1.5 billion is new money. About \$210 million, \$212 million is
3 the amount remaining unrecovered from the 2004 storms. The
4 Public Service Commission has already reviewed those and
5 approved those as reasonable and prudent. We didn't
6 necessarily agree, but they got to make the decision and they
7 did. That money is off the table. But there's a billion and a
8 half dollars of new money on the table here. The way FPL is
9 proposing to do this is by extending the recovery period from
10 two years left to run on the current storm surcharge for
11 another ten years, a total of 12 years. No matter how you cut
12 it, folks, \$1.5 billion of your money going to FPL is
13 \$1.5 billion of your money going to FPL.

14 The Commission needs to ensure that however FPL is
15 allowed to recover this, whether it's through a securitization
16 type surcharge, the issuance of bonds or some other rate
17 mechanism, it's done in the most cost-effective way possible.

18 Finally, it is our very strong position that FPL does
19 not need anything like the staggering \$650 million storm
20 reserve they are asking for in this case. They showed in 2004
21 that they could go to the market and borrow \$500 million to
22 cover their costs then. They showed last year that they could
23 go to the market and borrow \$826 million or so and cover their
24 costs that way then, and then come to the PSC and say, PSC, we
25 spent the money. We ask for your authority to recover it.

1 In the rate case last year, our client and our expert
2 witness advocated a storm reserve of, an accrual to the storm
3 reserve of \$20 million a year, which would produce \$100 million
4 over five years. We believe this is entirely adequate to meet
5 the cost impacts of lesser storms, and that if we do
6 unfortunately, and hopefully we won't, but if we do have
7 additional major storms, FPL has at least two substantial tools
8 available to it to come back to the Commission and seek
9 recovery of their reasonable and prudent costs.

10 Thank you again for the opportunity to speak to you.
11 Thanks for your attention.

12 (Applause.)

13 CHAIRMAN EDGAR: Thank you, Mr. Wright. Mr. Twomey,
14 we are running over just a tad, so I would ask for your
15 assistance in helping us get back on track. But, please, make
16 your comments.

17 MR. TWOMEY: Thank you, Madam Chairman. I'll go as
18 quickly as I may. Ladies and gentlemen, good morning. My name
19 is Mike Twomey. I'm an attorney from Tallahassee. I'm
20 representing the AARP, which has some 2.7 million members here
21 in the State of Florida. FP&L serves roughly 60 percent of the
22 state. So if 60 percent of the membership is served, it's in
23 the neighborhood of \$1.6 million AARP members served by this
24 utility.

25 I'm here as an advocate, as is the Public Counsel and

1 Mr. Wright. We're here to oppose not all of the rate increase,
2 the billion plus dollars being asked by the company, but major
3 portions of it.

4 We're concerned that the company -- all utilities
5 come in, they ask for everything but the kitchen sink.
6 Sometimes they ask for the kitchen sink. And it's our job to
7 ferret out the items that are imprudent, unreasonable, the
8 kitchen sink items, point them out to the judges, the
9 Commissioners back here, and ask them to deny them so that your
10 rates will be as low as is reasonably possible and still
11 provide us with reasonable service.

12 AARP has participated in the last three cases
13 involving FP&L for the last roughly two calendar years. You've
14 heard it from the others. The 2004 storm case, we were in it,
15 worked with the Public Counsel and the Retail Federation and
16 others. In that case, the Commission made some adjustments as
17 requested by the consuming parties, not as many as we'd like,
18 rather incredibly gave FP&L what I would call the kitchen sink,
19 \$34 million of lost revenues that FP&L didn't even ask for,
20 \$34 million. You've probably read about that. That was one of
21 the things that you've seen if you read your local papers,
22 scathing editorials, letters to the editor and so forth. Now
23 the Commissioner, the former Chairman who advocated most
24 strongly for that, is no longer here. He went to work for a
25 major law firm and he's not here. Hopefully -- we hope that

1 won't happen again. But it could because the statute that
2 Mr. Beck told you about that the electric utilities were
3 responsible for getting passed specifically allows in the fine
4 print lost revenues. They haven't asked for it this time.
5 Hopefully no one on this Commission will see fit to give it to
6 them despite of the fact they didn't ask.

7 Now the 2005 rate case that Mr. Beck told you about
8 was settled, we think on favorable terms. AARP was part of it.
9 Good deal for four years, so we think.

10 Now we have the 2005 storm -- we were in the 2005
11 fuel adjustment as well, tried to get some savings there for
12 you, and we succeeded, I think, at least \$25 million on one
13 item in the face of historically high fuel adjustment
14 increases.

15 Now we're in the 2005 storm case. Interestingly, the
16 Commission staff basically gave you the petition that talked
17 about the money. Ms. Williams didn't effectively. They talked
18 about the money on their time, a billion dollars here,
19 \$200 million here and so forth. Mr. Beck said the \$200 million
20 plus from 2004 is off the table, it's been litigated. We agree
21 with the Public Counsel and specifically with the Retail
22 Federation that the storm reserves they're asking for,
23 \$650 million, is excessive. They have to have some money,
24 maybe the \$100 million they would advocate, maybe some more,
25 but not \$650 million. We ought to be able to take a half a

1 billion chunk out of that. Okay?

2 So we're here, AARP agrees with all the positions
3 that Public Counsel said in terms of looking at the
4 double-dipping of salaries and other expenses, prudence. There
5 are poles, the transmission poles, 28 of them broke, fell down.
6 And their answer to that is, is that engineering advice at the
7 time said put the bolts on and nuts on hand tight. We don't
8 think that's going to fly. We hope the Commission will find
9 out the dollar amount associated with that and make the
10 shareholders of FP&L eat it.

11 Now I told you I'm an advocate. Okay? I want to
12 close on another point, and that is that when we started in
13 Ft. Myers yesterday, I had this, I had this feeling of,
14 horrible feeling of deja vu. Okay? And it reminded me of two
15 movies or book concepts. One is the notion of Alice in
16 Wonderland. Okay? Having come from the real world, having
17 read editorials, letters to the editor complaining about poor
18 tree trimming, rotten poles, insufficient poles, broken poles,
19 lost revenues and so forth, it was like I fell down the rabbit
20 hole yesterday in Ft. Myers into a Florida Power & Light
21 produced wonderland that painted everything the company does in
22 glowing terms.

23 Now part of that -- and the other concept is, is that
24 of the groundhog movie because it happens over and over again
25 for the last two years with this company. And part of the

1 problem, ladies and gentlemen, I submit to you, is the time
2 associated with the hearing we're having right now, the one we
3 had yesterday, the one we'll have this afternoon and the one
4 we'll have tomorrow morning in Miami. One of the real
5 customers testifying yesterday complained about it and said it
6 was, it was inconvenient for working people. Working people,
7 and she's right largely, working people at 10:00 in the morning
8 are working. They're working at 1:00 in the afternoon. Now
9 the Chairman yesterday said they would try and take this into
10 consideration in the future, and we would commend that to the
11 Commission.

12 But the problem is that there were not enough real
13 customers yesterday in Fort Myers, and hopefully there will be
14 more here today. But yesterday when the people came up, when
15 Mr. Beck called their names out from this sign-up sheet, it
16 should have said for most of them on there, I'm here on company
17 or government time, not my own time, annual leave taken off,
18 whatever, I'm here on government time. And the reason I'm
19 telling you about this is the theme I discovered for yesterday,
20 amongst the witnesses that appear to have been solicited by the
21 company, were partnershiped with FPL, three or four of them
22 said, "We're partners with FPL," witnesses that represented
23 institutions that had received large conservation rebates from
24 FP&L. The one fellow I asked about it, the smaller of the two,
25 \$215,000, which, by the way, is your money, ladies and

1 gentlemen. You pay for it on your conservation cost recovery
2 clause line there. Okay? The, the -- glowing terms. Okay?

3 Now I say that because, as the Chairman told you,
4 those of you that are going to testify have to be under oath.
5 This will be on the transcript. As an advocate, I think it is
6 my job, not just my right, to point out the potential bias, if
7 there is any, of witnesses appearing here today. So if you
8 come up and testify and say in glowing terms FP&L is the
9 greatest thing since sliced bread, that's fine. But I may
10 gingerly ask you if your company has got a rebate. Thank you.

11 (Applause.)

12 CHAIRMAN EDGAR: Thank you, Mr. Twomey.

13 I'd like to apologize to the speakers that we've had
14 and the speakers that we will have for the distraction of the
15 noise next-door. Sandy, could you check and see if there's any
16 way that that could be diminished or hold off until the
17 proceedings here are done? Thank you.

18 Okay. We are now ready to move into the customer
19 comment period of our agenda. As I mentioned when we first
20 started a little bit ago, there is a sign-up sheet at the door.
21 We will be using that sign-up sheet to call people to come and
22 present your comments to the Commission. And so if you haven't
23 already, please do sign up on that sheet so we can be sure that
24 we afford you the opportunity to come speak to us.

25 As I also mentioned earlier and was discussed in a

1 few of the presentations we just had, this is a part of the
2 evidentiary record for this proceeding. And so those of you
3 who would like to speak need to be sworn, and we'll do that at
4 this time and we'll do it as a group. So those of you who
5 would like to speak to us now, if you would please all stand
6 together. Please raise your right hand.

7 (Witnesses collectively sworn.)

8 Thank you. When you come to the microphone, if you
9 would please give us your name. If it is difficult to spell, I
10 know that we would appreciate it if you would spell it for us.
11 And it's also helpful for us and for the court reporter if you
12 can give us your phone number and address. And it's also
13 helpful to us if you can share with us who is the provider for
14 your electric utility service.

15 I'd like to begin by recognizing Representative
16 Meadows, who is here with us from District 94. Representative
17 Meadows. Thank you for joining us today, sir.

18 (Applause.)

19 And Dr. Robert Levy, Councilman with Plantation. Dr.
20 Levy. Thank you. Appreciate you joining us today.

21 (Applause.)

22 Mr. Beck.

23 MR. BECK: Thank you. The first witness is Tracy
24 Barnes.

25 Whereupon,

1 TRACY BARNES

2 was called as a witness on behalf of the Citizens of the State
3 of Florida and, having been duly sworn, testified as follows:

4 DIRECT STATEMENT

5 MS. BARNES: Hello. My name is Tracy Barnes. My
6 phone number is (954)524-2275. My address is 929 Northeast
7 19th Avenue, Fort Lauderdale 33304. I have lived in South
8 Florida for 48 years. I have been a dog groomer for 40 years.
9 I have been self-employed for 27 years. I have been at the
10 same location for 17 years.

11 My building was without power for 21 days. There's
12 over 30 businesses in that building, and we were all left to be
13 told to be patient because this is a very trying time for
14 everyone, as the woman that told me this sat in her
15 air-conditioned office with her nice outfit on getting her pay.

16 I have lost my health insurance. I have been hit
17 with late charges. I cannot function much more if I keep
18 getting abused and abused and abused. Last year five customers
19 relocated because of taxes. This year I have lost five
20 customers a month because of insurance, taxes and utilities.

21 When the summer hits and the heat strikes us, there
22 are people that are going to die. I have sleep apnea. When I
23 went for my sleep study lab test, my heart stopped 580 times an
24 hour. I sleep with a full face mask on. Without power I could
25 be dead. With power I can't afford electricity, I can't afford

1 the air conditioning. I wake up at least four times a night
2 with my mask filled with water from humidity. My face is
3 broken out from it.

4 I don't know what else you'd like to hear other than
5 there's going to be a mass exodus from South Florida because
6 the people that have the money can get out and the people that
7 can't are back down up against a wall.

8 I've heard these executives from FPL talk about how
9 wonderful things are for them, how we're all in this together.
10 I disagree heartily. I feel taken advantage of. I feel that
11 I'm supposed to move. Where am I going? It's \$600 a month up
12 north to heat your house. Where is it going to end?

13 Who's going to hear me? Who's going to hear my
14 neighbor that's 24 with three little babies and they can't run
15 the air? I share my food with them. Who really gives a darn?
16 I've said enough. Any questions?

17 (Applause.)

18 CHAIRMAN EDGAR: No questions. Thank you.

19 MR. BECK: The next witness is Eric Salna.

20 Whereupon,

21 ERIC SALNA

22 was called as a witness on behalf of the Citizens of the State
23 of Florida and, having been duly sworn, testified as follows:

24 DIRECT STATEMENT

25 MR. SALNA: Good morning. Eric Salna. My address is

1 2880 Southwest 12th Street, Deerfield Beach. Phone number
2 (954)421-4873. I am here today I guess just to maybe, just a
3 couple of messages establishing a tone, and hoping in the final
4 analysis when all this is said and done -- first of all, we've
5 been hearing the words "fair" and "prudent," and that through
6 the process the hope would be that everyone will be, will come
7 to, you know, the opinion that everyone needs to be good
8 stewards of the finances. And keep those two words in mind,
9 "fair" and "prudent" for all parties involved.

10 Above and beyond that, leadership, that for all
11 parties involved, that quality leadership will be displayed.
12 And quality leadership can be defined in many different ways.
13 But when you think in terms of integrity, compassion, honesty
14 and sincerity, if all parties involved will exercise leadership
15 in that way and come together on behalf of all of us here in
16 South Florida, that would, that's what I wish to communicate.

17 And then in addition to with regards to what is
18 ultimately decided, the hope that as we move forward, and we
19 all know we're in a high cycle of hurricane activity, storms
20 are not going to go away, so educational outreach. If we can
21 get, you know, bring all the creative minds together and think
22 in terms of how we can be an educational outreach, so that
23 would help and prevent further injury or death in topics such
24 as electrical safety, electrical dos and don'ts, generator
25 safety, generator dos and don't. You talk about tree trimming.

1 There's something called storm scaping. So proactive
2 educational programs that maybe would be attached to, you know,
3 what FPL would do for the community in helping prevent damage,
4 property damage or harm to anyone. That's all I have.

5 CHAIRMAN EDGAR: Thank you, Mr. Salna.

6 MR. SALNA: Thank you.

7 (Applause.)

8 MR. BECK: Next witness, and I'm going to apologize
9 for mispronouncing your name ahead of time, Glaister Parke.

10 Whereupon,

11 GLAISTER PARKE

12 was called as a witness on behalf of the Citizens of the State
13 of Florida and, having been duly sworn, testified as follows:

14 DIRECT STATEMENT

15 MR. PARKE: Good morning. My name is Glaister Parke.
16 I reside at 5460 Southwest 17th Street in Plantation. 33317 is
17 the zip. Not only am I a local resident of Broward County, I'm
18 a business owner in Broward County, and I've resided at my
19 current residence for close to 15 years. In the time that I've
20 resided there, I have to say that I have received very good
21 service from FP&L. In fact, during the time of Hurricane Wilma
22 I think my -- I was without electricity for maybe about a week
23 at home. After the hurricane, driving over to my office, I
24 remember looking at the street, the main road, and within
25 probably about a ten block, span of about ten blocks I must

1 have seen maybe ten to 15 broken poles. And I looked at it and
2 I thought for sure that I was going to be without service for
3 maybe about the next month. In fact, I started making
4 arrangements to try and do what I could, work that I could do
5 from home. I was very, very pleased in the fact that my
6 service was restored at my office within about a week to ten
7 days. So the response that I've gotten from them has been very
8 good.

9 I am trusting this Commission to go over the figures
10 and determine what is fair so that a fair amount can be passed
11 on to consumers like myself. I am also in favor of this amount
12 that's going to be passed on, whatever it's determined to be,
13 not to be a lump sum that would really affect and have a
14 tremendous effect on the budget of people like myself, but that
15 it would be spread out over an equitable and fair period of
16 time that would cause that amount to be one that could be
17 tolerated and absorbed easily by consumers like myself. Thank
18 you.

19 CHAIRMAN EDGAR: Thank you, Mr. Parke.

20 MR. PARKE: Thank you.

21 MR. BECK: Thank you. Darryl De Young.

22 Whereupon,

23 DARRYL DE YOUNG

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MR. DE YOUNG: Good morning. My name is
3 Darryl De Young. I reside in Broward County at 6841 Northwest
4 29th Avenue, Fort Lauderdale, Florida 33309. I'm presently the
5 Director of Engineering and Project Manager at the Pelican
6 Beach Resort here in Fort Lauderdale. I spent 23 years prior
7 to that in the hospital industry with Plantation General North
8 Beach and Cleveland Clinic, and I reside on the weekends up in
9 Okeechobee, Florida.

10 I have nothing but great things to say about FPL as
11 far as their service for the past 20 years. I've worked with
12 them personally with energy reduction, power requirements for
13 the future. I've seen how they've become a storm restoration
14 leader after Hurricane Andrew and then, of course, the storms
15 we had 100 miles north of Florida here -- north of Broward
16 County here in Florida. I thought they did a tremendous job
17 after getting hit in 23 counties here in Florida with Hurricane
18 Wilma. I don't have to tell you about the traffic lights and
19 streetlights and the 11,000 poles they've replaced. There were
20 some almost brand new poles up on 31st Avenue that I think were
21 cut down after Katrina. They put them back up, and those brand
22 new poles came down with Wilma. They were actually cracked in
23 two different places. There was a lot of cement poles along
24 AlA that were damaged. I think we have to do whatever we can
25 to help FP&L recover those, from these storms so that they can

1 continue to be a leader in the power industry, and also balance
2 out our cost over power for the next few years. Thank you.

3 MR. TWOMEY: Madam Chair.

4 CHAIRMAN EDGAR: Mr. De Young, if you could hold on
5 for a moment, Mr. Twomey has a question for you.

6 CROSS EXAMINATION

7 BY MR. TWOMEY:

8 Q Yes, sir. During the 2004 and 2005 storms, did FP&L
9 house any of their workers at your resort?

10 A Not the first storm, I don't believe. This last
11 storm, they called us. They had gotten -- FEMA came in town
12 and kicked them out of the Marriott, I believe, in Pompano.
13 They were looking for 5,000 rooms. So we were able to -- we
14 had one building that we were able to give to them. And we
15 did, in fact, have it to where -- I think we gave them like 40
16 rooms. I don't know if those were all FP&L workers. We had
17 some other workers in town too for the different utilities that
18 were helping restore.

19 Q And secondly -- and you billed them for that?

20 A That is correct.

21 Q Secondly, do you have any, any ice storage, any
22 thermal storage or conservation devices or schedules that
23 you've received rebates from FP&L from?

24 A Not at the present, you know, at the resort. Prior
25 to that in the hospital industry we did, I'm trying to think,

1 we did some chiller renovations, energy efficient replacements
2 we did.

3 Q I see. But you work for the resort now.

4 A I work for the resort now. That's correct.

5 MR. TWOMEY: Yes, sir. Thank you.

6 CHAIRMAN EDGAR: Thank you, Mr. De Young.

7 Mr. Beck.

8 MR. BECK: The next witness is Sharon Curtis.

9 Whereupon,

10 SHARON CURTIS

11 was called as a witness on behalf of the Citizens of the State
12 of Florida and, having been duly sworn, testified as follows:

13 DIRECT STATEMENT

14 MS. CURTIS: Good morning. My name is Sharon Curtis.
15 I live at 901 St. Andrews Road, Hollywood, Florida 33021. My
16 phone number is (954)989-1221. I've also lived in South
17 Florida for a long time, since 1961, so I have seen many
18 hurricanes. And I'm also very much aware that we had a very
19 long period of time when we were really not impacted too much
20 by the weather, and most of the people that really were hit bad
21 have been here a very short period of time.

22 I know that when -- after the last hurricanes we saw
23 the Florida Power & Light guys out there really, really working
24 very hard, and especially seeing all of the ones in from out of
25 state. You know, my neighborhood was rather lucky. We got our

1 power back within a week. We had a lot of damage to our
2 community, but as homeowners we were really quite fortunate.

3 But I also really think that as citizens that we need
4 to take a little bit of responsibility also. I think that we
5 need to be much better prepared. I know a lot of my neighbors
6 did not have adequate food and water, and they should have. I
7 know that many of them, you know, ran out of batteries. We
8 personally bought one of these little hand-cranked radios so
9 that we could hear what was going on.

10 And I really think that it's important that the
11 Commission look at whatever it is, you know, the financial
12 aspect of this and really do what the second gentleman said as
13 far as being fair and equitable. Thank you.

14 CHAIRMAN EDGAR: Thank you, Ms. Curtis.

15 Mr. Beck.

16 MR. BECK: Harry Kimball.

17 Whereupon,

18 HARRY KIMBALL

19 was called as a witness on behalf of the Citizens of the State
20 of Florida and, having been duly sworn, testified as follows:

21 DIRECT STATEMENT

22 MR. KIMBALL: Good morning, everyone. I want to
23 thank you for coming to listen to us here today. I appear here
24 to express my feelings at the loss of electricity for nearly
25 three weeks in the aftermath of Hurricane Wilma. Electricity

1 is an absolute essential in today's electronic world. In a few
2 months -- it's been a few months now since the disaster struck,
3 and most of my neighbors are busy trying to get prepared for
4 the next hurricane season or trying to repair from the last
5 one.

6 The first thing I want to say is that a 98 percent
7 failure rate for delivery of power so essential to a smooth
8 running economy and to FP&L customers is an abomination. The
9 company should be penalized, not rewarded, for hellacious poor
10 performance of delivery of product of electricity.

11 The CEO of FP&L has so much faith in the company that
12 he runs that he had installed in his own property a backup
13 generating system. Now let me ask you, who would know better
14 the poor infrastructure of FP&L than the man at the top of the
15 corporation?

16 The state saw fit to grant a rate increase greater
17 than what FP&L asked for in their request. What was that all
18 about? 98 percent failure rate rewarded with more than asked
19 for? Hmm. Who do these regulators work for, and how can you
20 justify that kind of a reward?

21 Now FP&L is looking for more money without even
22 facing the first test of the 2006 hurricane season. Please
23 tell me someone can and will hold FP&L's feet to the fire until
24 they prove that they can provide a reliable, consistent system
25 that has a less than 2 percent failure rate.

1 We will, we will suffer from loss of power even
2 though the new poles and equipment have been installed, but
3 it's better than it was last fall for sure. I and a lot of my
4 friends and neighbors are not against paying a fair price for a
5 reliable product. But let this publicly traded company go to
6 the shareholders or bondholders for more monies, not the normal
7 source when the company failed so very badly. How can you
8 reward a company that made a profit in the hundreds of millions
9 of dollars for failure of service that has to be recorded as a
10 wall of shame? What incentive is there to do a good job if
11 rewarding for horrible failures? Does anybody have to do a
12 good job in this world today?

13 Thank you for your time and effort here today
14 listening to the people that FP&L could care less about. And
15 what will they do to help us if we reward them with more monies
16 at this time in our history? You will be adding to the problem
17 if you do not force a change in focus to responsible business
18 practices. I apologize that I didn't give my name and phone
19 number, but it's Harry Kimball. I live at 4930 Northwest 53rd
20 Street in Tamarac. My phone number is (954)677-8776.

21 CHAIRMAN EDGAR: Thank you, Mr. Kimball. Thank you.

22 (Applause.)

23 MR. BECK: Thank you, Mr. Kimball.

24 The next witness is Sol Siegler.

25 Whereupon,

1 SOL SIEGLER

2 was called as a witness on behalf of the Citizens of the State
3 of Florida and, having been duly sworn, testified as follows:

4 DIRECT STATEMENT

5 MR. SIEGLER: Good morning, Commissioners. My name
6 is Sol Siegler. I live at 3690 Inverrary Drive, Lauderhill,
7 Florida 33319. My telephone number is (954)739-4825. I've
8 lived in Florida for 28 years.

9 I'm here today representing both the Broward
10 Coalition and the Inverrary Association together, organizations
11 totalling well over 110 condominiums, homeowner associations
12 and various civic and community associations. We -- our
13 memberships ask for a fair resolution of FP&L's hurricane
14 reimbursement cost requests.

15 Consider: FP&L profits are 20 percent higher than
16 most electric companies are allowed. Maintenance costs are
17 42 percent below industry, the average. That's according to
18 FP&L's figure themselves. FP&L is one of the top five tax
19 avoiders, according to the Institute for Policy Studies. In
20 2003, the tax rate paid by FP&L was minus 14.1 percent.
21 Profits for the third quarter of 2005 alone rose 6 percent to
22 \$339 million.

23 The PSC guidelines state that the Public Service
24 Commission has the responsibility to set rates that are fair,
25 just and reasonable. It is also required to set rates to allow

1 utility investors an opportunity to earn a reasonable return on
2 their investment, vis-a-vis respecting the needs of South
3 Florida consumers. It's time that the Public Service
4 Commission, and note the name, the inclusion of the word
5 "Public," pays more attention to the needs of the public whose
6 welfare it is also obligated to protect. Thank you.

7 (Applause.)

8 MR. BECK: Thank you. The next witness is Jack
9 Crissy.

10 Whereupon,

11 JACK CRISSY

12 was called as a witness on behalf of the Citizens of the State
13 of Florida and, having been duly sworn, testified as follows:

14 DIRECT STATEMENT

15 MR. CRISSY: My name is Jack Crissy. I reside at
16 1788 Northwest 107th Terrace, Coral Springs, Florida 33071.
17 I'd like to applaud FP&L. I think they did a very, very good
18 job in this storm. It was very difficult circumstances.

19 I was out that afternoon after the storm. They had
20 trucks all over town. It was something unforeseen, something
21 that we all can't prepare for instantly and do a perfect job.
22 They, they work hard at it and they took a lot of abuse over it
23 and I think it was very unwarranted. I also think that their
24 idea that they need a reserve in place is absolutely prudent.
25 Any business would want to do that, and they should very much

1 be allowed to do that. It should be reviewed and the cost
2 should be fair, but they should have a reserve. They are
3 entitled to a fair profit. And I just want to say they did a
4 great job, and I hope you review this and give them the reserve
5 that any prudent business would put in place. Thank you.

6 CHAIRMAN EDGAR: Thank you, Mr. Crissy. Excuse me,
7 sir. If you could stay with us a moment, I believe Mr. Twomey
8 would like to ask you a question.

9 CROSS EXAMINATION

10 BY MR. TWOMEY:

11 Q Yes, sir. Just briefly. Are you testifying as an
12 individual?

13 A Yes, sir.

14 Q What do you do for a living?

15 A I'm an accountant.

16 Q Are you a vendor in any capacity?

17 A No, sir.

18 MR. TWOMEY: Okay. Thank you.

19 MR. CRISSY: Sure.

20 CHAIRMAN EDGAR: Thank you. Mr. Beck.

21 MR. BECK: The next witness is Rob Jindracek.

22 Whereupon,

23 ROB JINDRACEK

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MR. JINDRACEK: Good morning. My name is Rob
3 Jindracek. I'm actually here for the School Board of Broward
4 County, Energy Management Department. I'm the manager for that
5 department. I am speaking on behalf of FP&L today for their
6 efforts in the recovery during Wilma. I'm familiar with
7 hurricanes. I'm born and raised in Fort Lauderdale right down
8 the street here at Broward General Hospital, so I've been here
9 all my whole life. My parents went to Fort Lauderdale High
10 School, so I've got some history here.

11 They were there from day one. Not only in Wilma,
12 Katrina -- I've been with the school system for 21 years, and
13 they have been there since, for us since day one and go through
14 until the last school is open.

15 Wilma hit us hard, there's no doubt about it. We
16 were not prepared for a county line to county line destruction
17 like Wilma, you know, hit us with. When we got to work the
18 following morning, at 6:00 in the morning we had 170 schools
19 without power. We have 225 thereabouts in the district with
20 centers and what not.

21 So Greg Vada (phonetic), I mention him by name, is
22 our account rep. He stood side by side with us. We -- over
23 the years we've learned that communication is vital, and
24 without any power communication is tough. But we've, we've
25 worked with FP&L throughout the years and lessons learned, so

1 to speak, and have now 800-megahertz radios, cell phones, man
2 lines, email, whatever it takes to get in touch with him, and
3 he has been there for us since, you know, the previous storms
4 as well as Wilma.

5 That's really all I've got to the say. I didn't
6 realize what I was walking myself into. I was told this was
7 coming. I felt it was, you know, worth me coming down and at
8 least mentioning a few words on behalf of FP&L.

9 CHAIRMAN EDGAR: Thank you. And, Mr. Jindracek, if
10 you could also stay with us for a moment. Mr. Twomey.

11 MR. JINDRACEK: I figured. 3810 Northwest 10th
12 Avenue is my address.

13 CROSS EXAMINATION

14 BY MR. TWOMEY:

15 Q Sir, I'm sorry, I didn't hear you. You're with the
16 school board?

17 A I'm the Manager for the Energy Conservation, Utility
18 Management Department, yes, sir.

19 Q And you're speaking on behalf of FPL?

20 A No. Actually I didn't know attorneys were going to
21 be here, so I'm speaking on behalf of my department that worked
22 directly with FP&L. If I had known -- you know, I'm down here
23 as an individual that works for the school system. And you
24 mentioned lunchtime or mentioned time, government time. I'm on
25 my lunchtime, if that makes any difference to you, sir.

1 Q Excellent. But what I wanted to ask you, do you have
2 permission from the school board --

3 A No, sir, I do not. And like I said, if it was
4 something to this effect -- I'm here just talking as a resident
5 of, of Broward County, but happen to be the manager for the
6 utility department. So if that's going to be a conflict, then,
7 you know -- I did not know what I was walking myself into. I
8 saw the opportunity to walk down and commend FP&L. If it's
9 going to turn into a problem -- I do not have the right to
10 represent the School Board of Broward County.

11 Q That's fine. I'm just asking. Now I wanted to ask
12 --

13 A It's a little concerning here the way you're -- go
14 ahead.

15 Q Well --

16 MR. MANCLAW: It should be. You're sworn in.

17 CHAIRMAN EDGAR: Mr. Jindracek, there is not --
18 excuse me, if I may. There is not a problem. I thank you, we
19 thank you for joining us today and to share your comments.
20 Really, we are grateful for that.

21 And, Mr. Twomey, briefly to the witness.

22 MR. TWOMEY: Yes, ma'am. I'm not suggesting there's
23 a problem either.

24 BY MR. TWOMEY:

25 Q But what I wanted to ask is do you know what your

1 school board's annual electric bill was with FP&L last year?

2 A I signed the bill, so, yes, I'm fully aware of it,
3 sir.

4 Q What was it?

5 A Right about \$47 million.

6 Q \$47 million. And have you calculated what the
7 increase would be for your system if the Public Service
8 Commission were to grant the full petition as FP&L has filed
9 it?

10 A Not the full petition, no. I have already been --
11 with the fuel increase, I've already got that in the budget for
12 the one that went into place this past January.

13 Q But do you have an idea what this petition would --

14 A No, sir. No, sir.

15 Q Okay. It would be substantial though, wouldn't it?

16 A I would assume so. But, no, sir, I haven't taken
17 that into consideration.

18 MR. MANCLAW: Can we ask him a question? How much
19 are our taxes going to go up in Broward County for the fuel
20 adjustment alone?

21 CHAIRMAN EDGAR: Excuse me. Mr. Jindracek, thank you
22 very much for presenting to us.

23 MR. JINDRACEK: I live in Broward County too.

24 CHAIRMAN EDGAR: And, sir, we will be glad to hear
25 from you as well when we come to your name on the list. Thank

1 you.

2 Mr. Beck.

3 MR. BECK: Thank you. Next witness is Cynthia Sherr.

4 Whereupon,

5 CYNTHIA SHERR

6 was called as a witness on behalf of the Citizens of the State
7 of Florida and, having been duly sworn, testified as follows:

8 DIRECT STATEMENT

9 MS. SHERR: My name is Cynthia Sherr. I reside at
10 5346 Southwest 34th Terrace in Hollywood, Florida 33312. My
11 phone number is (954)364-7906, but I'm never there. I'm
12 usually at work. I did take the day off today so I could come
13 down and testify.

14 I'm also the president on my homeowners association,
15 which comprises of 477 unit owners in Hollywood. I wanted to
16 come down today to speak on, to speak about what the response
17 time was and how soon I got back to work and got back into my
18 house after Hurricane Wilma. I have to say that somebody who
19 has lived in South Florida prior to Hurricane Andrew, I do
20 understand the magnitude of the storm. I walked -- we had a
21 problem getting back, our power back because there was no power
22 anywhere, and we understand that. I was back in my office in
23 seven days, the power was back on in the business, and I was
24 very happy to go somewhere with air conditioning on a daily
25 basis. My power in my community was back on in 11 days. And

1 Florida Power & Light went out of their way to find ways to get
2 all of us back up and running.

3 Obviously, we want the Public Service Commission to
4 be fiscally responsible in making decisions on the bond issue.
5 But if the people of the community think about it, if we
6 don't -- if it's not passed on in a bond over a long-term
7 period, it's going to impact the customers of FP&L even more if
8 we have to pay for it on a daily basis. And obviously living
9 in South Florida with the increase in our property values are
10 therefore increasing our insurance costs and our taxes, we all
11 need to try to live on a budget as working people. I don't
12 have anything further. If there's any questions.

13 CHAIRMAN EDGAR: Thank you, Ms. Sherr.

14 (Applause.)

15 MR. BECK: Our next witness is Joan Goodrich.

16 Whereupon,

17 JOAN GOODRICH

18 was called as a witness on behalf of the Citizens of the State
19 of Florida and, having been duly sworn, testified as follows:

20 DIRECT STATEMENT

21 MS. GOODRICH: Good morning. My name is Joan
22 Goodrich. I reside at 1711 Northwest 85th Drive in Coral
23 Springs, Florida 33071. My phone number is (954)757-0881.

24 I've been a proud resident of Broward County for
25 about 43 -- 34 years now, I should say. I currently live in

1 the Ramblewood division of Coral Springs where our utilities
2 are underground. Certainly prior to Hurricane Wilma we've been
3 very fortunate with underground utilities to not really live
4 with any unfortunate disruption in our service with FPL. Prior
5 to living in Coral Springs I lived in Pompano Beach in a
6 community just west of Federal Highway, and the only other
7 major power disruption we experienced was during Hurricane
8 Andrew during that time.

9 I appreciate how FPL handled itself during the
10 Hurricane Wilma experience. We know that certainly emotions
11 were high as our children were home. The implication of trying
12 to get our schools up and running -- I don't think I realized
13 how important that was for FPL to, to work on our schools, you
14 know, work on our hospitals and our major public service
15 delivery systems first before they started to handle the
16 residential communities. It was difficult certainly having the
17 kids at home, not being able to play their Xbox machines and
18 DVDs. However, the importance of prioritizing our schools --
19 because without our schools going up and running first, it
20 really impacted our ability to get certainly our businesses
21 back up and running as we were trying to get our children back
22 to school.

23 I believe FPL over the years has done a very good job
24 in hearing the demands of customers and working to improve
25 their processes and systems. While I'm not looking to add

1 substantial charges into my monthly cost as I raise a family of
2 four, I do believe that it's important that we continue to
3 invest in our infrastructure. We know that we'll continue to
4 have the demands of hurricanes and other storms that we'll have
5 to live with, and I believe that it's prudent for us to make
6 that investment in our infrastructure, and certainly to have
7 FPL recoup the cost, prudent costs associated with past storms.

8 I also believe it's important again that we invest in
9 a reserve fund moving forward, that we have adequate resources
10 to handle whatever we face here in Broward County and South
11 Florida moving forward.

12 Again, I appreciate the time to come down, and I
13 thank you.

14 CHAIRMAN EDGAR: Thank you.

15 MR. BECK: Christopher Pollock.

16 Whereupon,

17 CHRISTOPHER POLLOCK

18 was called as a witness on behalf of the Citizens of the State
19 of Florida and, having been duly sworn, testified as follows:

20 DIRECT STATEMENT

21 MR. POLLOCK: Good morning. Christopher Pollock. I
22 reside at 5701 Northeast 20th Terrace, Fort Lauderdale, Florida
23 33308. Phone number is (954)776-6956. Obviously -- I've lived
24 in Broward County for over 34 years, and obviously this was the
25 first storm that this county has seen in many, many years. And

1 certainly a lot of people were inconvenienced and so forth, but
2 it's all relative. I also used to live in St. Thomas in the
3 Virgin Islands where Hurricane Hugo hit us, and I was without
4 electricity for six months. So, you know, this becomes a
5 relative term.

6 But I want to, I want to compliment FP&L and
7 particularly its employees for their hard work and dedication
8 they did in getting us back online. I personally watched them
9 work so hard and obviously worked very well with the other
10 crews that we brought in.

11 Obviously we have some issues with our infrastructure
12 that need to be corrected; hardening to the port, fixing the
13 poles. You know, the conversation about burying all the lines,
14 I'm not sure about that because if all the feeder lines are
15 knocked out, I don't think it matters if your lines to your
16 house are buried or not, you're not going to get the
17 electricity. So obviously we need the resources to make these
18 corrections. All I can ask is that we balance that out with
19 the cost of doing business here. And obviously when your
20 business is out of electricity, there's a huge cost to that,
21 and you have to weigh that against the cost of increases in the
22 electric bill. I'd just ask that this Commission look at that.

23 But I do want to compliment FP&L for the way they do
24 support the community, the way that they do educational
25 programs and they support city and local initiatives. Thank

1 you.

2 CHAIRMAN EDGAR: Thank you, Mr. Pollock.

3 MR. BECK: Thank you. Ximena Uribe.

4 Whereupon,

5 XIMENA URIBE

6 was called as a witness on behalf of the Citizens of the State
7 of Florida and, having been duly sworn, testified as follows:

8 DIRECT STATEMENT

9 MS. URIBE: Good morning. My name is Ximena Uribe,
10 and I live at 1695 Orchid Bend, Weston, Florida 33327. My
11 phone number is (954)385-7092.

12 I live in Weston. In the last year we had two big
13 hurricanes who affected us a lot. We got no power, and that's
14 one of the reasons that we had no businesses. And also the
15 schools were out for almost three weeks, particularly my son's
16 school. So I am here to support FPL because they're doing a
17 good job. Last year they were very prompt to try to put the
18 power back into the -- so we can get the houses and the
19 schools, getting to a normal life.

20 I also am very thankful because I saw, particularly
21 in my son's school, the street, there were like around four or
22 five trucks at the same time on the same street trying to do
23 their best. So if we support them, they're going to do a
24 better service for us. Thank you.

25 CHAIRMAN EDGAR: Thank you.

1 MR. BECK: Craig Spengler.

2 Whereupon,

3 CRAIG SPENGLER

4 was called as a witness on behalf of the Citizens of the State
5 of Florida and, having been duly sworn, testified as follows:

6 DIRECT STATEMENT

7 MR. SPENGLER: Good morning. Nellie is passing
8 around transcripts on the advice of Public Counsel of what I'm
9 about to say. Thank you.

10 I'm Craig B. Spengler, 3231 Southwest 44th Street,
11 Fort Lauderdale. We also have a place at 11440 Carlton Road in
12 St. Lucie West. I've been a Florida resident since 1977.

13 Madam Chair, Commissioners, friends, adversaries, my
14 relationships with Florida Power & Light are as a customer in
15 Fort Lauderdale and St. Lucie County. I own a teeny, weeny bit
16 of FPL Group common stock.

17 My opinion I'm about to express is built on a study
18 of FPL's annual reports, their 8K, 10K FCC filings, news
19 reports, anecdotal evidence, personal experience, and that is
20 that FPL is pretty good at generating electricity, pretty good
21 at transmitting it. We haven't had any of the calamities over
22 the decades as has the northeast of the country. But
23 distribution, we have a problem.

24 For the entire month after Wilma and for two weeks
25 after Katrina my business was at a total standstill because

1 there was no electricity to run either my customers' nor my
2 computers. What do I do, bill my customers because I got hurt?
3 No. I have to eat it. This is no different from FPL's
4 predicament. They got caught in nature's wrath. This is life
5 in Florida.

6 FPL enjoys a guaranteed profit minimum, I understand,
7 of 8 percent. Last year they earned over 12 percent, according
8 to their filings. Can I apply for this program for my
9 business? I could certainly use a guaranteed profit regardless
10 of my performance. But for a start, please notice that the
11 4 percent, and that's 12 percent minus 8 percent, of FPL
12 Group's \$10.5 billion annual revenues could fund over
13 one-fourth of the rate increase they're requesting. They could
14 also fund the entire thing internally over a few years and
15 charge it off to unusual circumstances.

16 \$63 million was paid out recently as performance
17 bonuses to FPL executives. This is shameful. I have on my
18 monthly bill a customer charge, in quotes, of \$5.70.
19 Therefore, FPL's 4.2 million customers sent in payments to fund
20 this bonus for over two and one-half months of that year.

21 Performance. I live only one-half mile from the
22 Fort Lauderdale plant. I'm under four miles from the Port
23 Everglades plant. Recent outages have cost me hundreds of
24 dollars of food spoilage, tens of thousands of dollars of lost
25 billings. I'd like to note my outage for Andrew was less than

1 four hours, for Irene seven hours, for Frances nine hours, for
2 Jeanne 12 hours, for Katrina one week, for Wilma over two
3 weeks. At this rate of growth a decent size storm in
4 September 2021 will cut power off for 52 weeks. So I guess the
5 State of Florida can just shut itself down and go on vacation
6 for the year. On the good, on the good side, however, I'm not
7 a mathematician, so don't pack your bags yet.

8 A repair crew here from Canada to fix Wilma's damage
9 explained to us that with the current inspection schedule used
10 by FPL it takes 80 years to fully examine their distribution
11 infrastructure. That aside, I'm pleased to hear you've imposed
12 a ten times improvement in that.

13 By any measure this is only a sketchy effort at
14 preventative maintenance. I was told directly by FPL that
15 systemwide their defect rate is 3 percent of inspected assets.
16 But percentages here are meaningless. It is the absolute
17 number of defects through the system that determines how many
18 customers have substandard service.

19 Is any effort whatsoever being made to retrofit older
20 distribution networks to more reliable levels? How about new
21 service? Four examples: Number one, a new gated townhouse
22 complex that has just been built at Griffin Road and 30th
23 Avenue. I saw that the developer planted trees directly under
24 the electric lines for the whole road frontage. And one thing
25 I've observed in life is that, you know, firsthand, that trees

1 grow. When I called FPL customer service to point this out,
2 the agent countered, "That doesn't increase your electric
3 rates. It should not concern you." The behavior of lower
4 level employees in a firm invariably reflects the attitude at
5 the top levels. Clearly, who cares?

6 Number two, as a customer in St. Lucie County -- I'd
7 like to put in an aside here. I had about a dozen folks that I
8 contacted to come but couldn't come because of the timing, so
9 I'm sort of an ad hoc representative for them too, both in St.
10 Lucie County as well as down here in Broward County. But as a
11 customer in St. Lucie County, just about every rain shower, not
12 storms, just rain shower interrupts our power. Everyone in our
13 area has a generator and they are not for emergencies. They're
14 in place for everyday use. This is bad for the environment,
15 it's bad for people's health, it's bad for Florida's
16 productivity.

17 One of our St. Lucie neighbors has been complaining
18 to FPL directly about poor delivery, having logged over
19 200 outages over less than ten years. She got absolutely
20 nowhere.

21 When Nellie and I complained to the PSC four weeks
22 ago -- thank you for being there -- only then did FPL actually
23 assign someone to investigate the problem. We're hoping
24 against all hopes that this will get corrected, or are we just
25 being patronized because of these hearings? I hate to be a

1 cynic, but sometimes it's necessary.

2 Number three, a few years ago I noticed the trees
3 were aggressively invading the power lines on my street. I
4 called FPL customer service. Why aren't they being cut back?
5 I recall around David and Andrew times they were trimmed on a
6 three-year rotational basis. I was told they quit doing
7 regular trimming because it was too expensive. Of course, they
8 stopped routine maintenance because they can get special
9 dispensations to cover the damage by such shortsightedness.

10 Number four, my last example, FPL actively forces bad
11 infrastructure. A new construction, aerial drop to your
12 premises is installed at no charge. But an underground feed,
13 and note that the customers must supply buried two-inch PVC
14 conduit at his or her own expense, requires payment to FPL of
15 500 plus dollars. To me this defies logic.

16 In terms of management and planning, I'm near the
17 end, FPL proudly proclaims on their website that they have
18 rates, and I quote, well below the national average, unquote.
19 Certainly they have low rates because they hide the total cost
20 to the consumers in energy surcharges. If they were actually
21 including the fuel surcharges, then they would be touting that
22 advantage as well and they are not. So are they doing such a
23 great job after all? I'd challenge a rebuttal from FPL to lay
24 the cards out clearly. Because I feel they're using our hard
25 earned money to enable buying sprees of a nuclear power plant

1 in Idaho, which by the way I believe no one else even wanted to
2 bid for, and the purchase of Constellation Energy, which is
3 nothing more than an ego trip. They do nothing, these
4 purchases do nothing to help the residents of South Florida get
5 better delivery of electricity.

6 I thank Commissioner Bronson and the hard working
7 folks at the Public Service Commission for the vehicle to
8 express our grievances and for this opportunity to speak. I
9 request the Commission deny FPL any additional monies either by
10 rates or by bond underwritings. The taxpayers of Florida
11 should not be FPL's piggy bank. The free capital markets are
12 designed to provide for such ventures, and this is where the
13 big boys play.

14 In conclusion, the simple truth is that Florida Power
15 & Light has not managed itself well. It has violated our
16 trust. I seriously -- I make no apology when I ask if after
17 the crooked E are we going to uncover the sloppy F? Thank you.

18 (Applause.)

19 CHAIRMAN EDGAR: Thank you. Mr. Beck.

20 MR. BECK: Thank you. The next witness ask Joan
21 Kovac.

22 Whereupon,

23 JOAN KOVAC

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MS. KOVAC: Good morning. My name is Joan Kovac. I
3 live at 1754 Bay Drive, Pompano Beach, Florida 33062. My phone
4 number is (954)784-2079. I'm here on my own time. I'm
5 self-employed in a family business that's been located in
6 Broward County for 30 years.

7 After last year's devastating storms I think FPL
8 acted in a very competent, responsive manner. None of us can
9 minimize the daunting task that faced those workers after the
10 storms, but from my experience with both my business power and
11 my home power, they reacted as quickly as possible. And FP&L
12 representatives kept us informed of the progress and projected
13 restoration time frame for each area of the county.

14 I personally want this public utility to be prepared
15 to react to any power outages that may occur if the next season
16 of storms are as dangerous as projected. And I know this
17 Commission is going to be fair and consider things very
18 carefully to look out for FP&L's customers as well as for the
19 company. Thank you.

20 CHAIRMAN EDGAR: Thank you.

21 MR. BECK: Thank you. The next witness is Ron
22 Manclaw.

23 Whereupon,

24 RON MANCLAW

25 was called as a witness on behalf of the Citizens of the State

1 of Florida and, having been duly sworn, testified as follows:

2 DIRECT STATEMENT

3 MR. MANCLAW: Madam Commissioner, Commissioners, I'm
4 Ron Manclaw. My address is 2180 Northwest 18th Avenue, Suite
5 A6, Pompano Beach, Florida 33069. My telephone number,
6 (954)975-9600.

7 I oppose any major additional revenue gained for this
8 private company. I do think that they should be entitled to
9 some reserve contingency. The \$20 million per year seems to be
10 reasonable in view of all the other available revenue streams
11 that Florida Power & Light has.

12 We have a major problem in that they are appearing to
13 me, as an engineer, to be writing off all of the old equipment
14 that they have several different times in several different
15 ways. And the advocates that have appeared before you here
16 today early on I thought represented that very well, and I
17 would hope that you listened very carefully to what they've
18 said to you.

19 It is a real shame that FP&L doesn't have a renewable
20 energy program to speak of. I think that that's a real problem
21 in a long-term solution to our troubles here in Florida. That
22 would include new kinds of fuel cells, new kinds of ways of
23 generating power. That would include whole new patents for
24 renewable and regenerable types of power that would include DC
25 as well as AC power.

1 We think that hardening should be the solution of any
2 new delivery part of their program to the individual homes and
3 businesses throughout all of their delivery system. We're
4 unsatisfied that they overpower their grid to almost all of the
5 customers. We have a customer named GosTec (phonetic) in
6 Deerfield Beach that has to regulate their incoming power
7 because they're just absolutely frying their equipment and have
8 for most of the last 18 years. They have had all kinds of --
9 they've been monitoring the power coming into them for all
10 these years. Repeatedly they've requested FP&L to come and
11 review the data that they have, and FP&L does not do that.
12 They, they contacted us to look at it. Their, all of their
13 statistics that they have monitored appear to be taken
14 correctly, and what we see generally around the grid is an
15 overpowering. And what that does is fatigue everybody's
16 regular appliances. That's why our refrigerators and fax
17 machines and all of the kinds of regular appliances that we
18 have, our ordinary electrical appliances that are not
19 oversized, regularly fail. We would hope that the Public
20 Service Commission takes that into effect, that that is a
21 multiplied cost that we have.

22 So the cost that FP&L is asking you to pass on to all
23 of us as citizens has a multiplier effect the same as any other
24 governmental kind of taxing, which is like three by the time it
25 gets there. The man that came and talked for our school board

1 indicated that he is putting in place and he pays all the
2 checks and he does all of this and it cost \$47 million and all
3 of that, but every time you increase, we get the increase at
4 the upper level and we get the increase for all of the other
5 delivery services that each and every one of the citizens that
6 live here in South Florida and throughout Florida and deal with
7 FP&L have. And by the time it's done, it's three times
8 whatever you approve.

9 We would like to suggest to you that you be very,
10 very conservative in your approach. You gave them 18 percent
11 right after the hurricane. We think that FP&L as far as a
12 company and their employees did a remarkable job in a short
13 amount of time under a great deal of stress. That does not
14 forgive the management. Mr. Hay, the President and Chairman of
15 the Board, was notified prior to the hurricanes of this year
16 that many people would die, the elderly would die if he didn't
17 do something about taking care of the pole problems that we
18 identified. And we called the governor and the governor
19 informed his brother and his brother called the Public Service
20 Commission and filed a protest right in the middle of the
21 hurricane power failure that we were having -- that I
22 initiated. That helped in some ways to create this panel.

23 The important thing is that you really hold FP&L to a
24 really good standard because they know what to expect. We know
25 what to expect after all these years. Yes, we had a terrible

1 hurricane here in Broward County and throughout this part of
2 the state coming right straight through. I don't know that it
3 was a Category 3 down to the Category 2 that the director of
4 the infrastructure for FP&L said, but it certainly was a lot of
5 wind.

6 I think that they should be prepared for these kinds
7 of contingencies as a normal part of their business. I'm here
8 representing myself, paying for it myself, taking time off
9 myself. But the important thing to know, I think, is that
10 every one of us suffered a great deal during the hurricane.
11 That's an act of God as far as I'm concerned to many degrees.
12 But to plan for something and have your sole business be
13 protected as they are by you people, and you're our
14 representatives in many, many ways and you're our only hope
15 that things can be made right for all of us, and we would ask
16 you to be very frugal in what you approve now because they've
17 already received a great deal. And we need to have the tax
18 rate or the regular delivery rates reduced dramatically so that
19 the people who are on fixed incomes, the people who are
20 starting their families, the people who are providing services
21 to all of us have a chance and ability to live here and prosper
22 just as we all did.

23 FP&L provided a lot of things for a lot of people for
24 a long time. But as the gentleman that just preceded me said,
25 they, they -- as far as what they're doing now, it appears to

1 us that they're falling very flat. They're not keeping up,
2 they're not planning ahead right. We're not seeing things for
3 our area. They're investing outside of the area, and we
4 shouldn't have to pay for that. And that's, I think, what
5 we're seeing. And I think that that's a part of what we're
6 seeing. You can't pay yourself high profits and give us -- and
7 pass it on to us and then ask us to also pay for your inability
8 to plan right.

9 \$20 million would seem to me to be all that they're
10 entitled to at this time because the next year, as we think
11 we're going to see, which is 2006, we're going to see probably
12 another major hurricane at least someplace in their delivery
13 system which is going to impact all of us as far as rates we
14 see from FP&L. It's unfair to be, over and over have to pay
15 for the same thing. And I think our advocates, I hope you
16 listen to the advocates that are coming to you. I think they
17 made a good case. I think they're attacking the right things.
18 Other than renewable energy, I think that that should be
19 addressed by you people and made mandatory in their program.
20 They aren't giving any dollars out for that as far as I know.

21 That's the basic things that I wanted to say today.
22 Thank you very much for the opportunity. God bless you all.

23 (Applause.)

24 CHAIRMAN EDGAR: Thank you, Mr. Manclaw.

25 MR. BECK: Dr. Bob Levy.

1 Whereupon,

2 DR. BOB LEVY

3 was called as a witness on behalf of the Citizens of the State
4 of Florida and, having been duly sworn, testified as follows:

5 DIRECT STATEMENT

6 DR. LEVY: Hi. As he said, I'm Dr. Bob Levy. I'm
7 wearing two hats today: One is as the Town Manager of Pembroke
8 Park, and one is as a Councilman in the City of Plantation.
9 And also, of course, the third hat, I might say, as a human
10 being in Broward County.

11 First of all, I'm not sure what role you play in
12 this, but as a manager of a community with 30 percent of the
13 people living below the poverty line and over 50 percent of our
14 housing stock mobile homes, which took a terrific damage during
15 this hurricane, 98 percent of over 2,000 mobile homes were
16 damaged in one way or another, 600 hundred of them
17 uninhabitable. It was a terrible crisis we all went through.

18 I don't know how many of you live in South Florida or
19 personally went through this. My family moved here in 1964,
20 and this was the worst I've ever seen, including Hurricane
21 Andrew. I don't know why they're calling it whatever they're
22 calling it. I can tell you from a personal microlevel that
23 this was a terrible, terrible crisis for Broward County
24 especially. Every day when I tried to get to work, for four
25 days I slept on my office floor, thousands of people lined up

1 in one of the richest counties in the United States lining up
2 for water, for ice and with a little can of gasoline hoping
3 that they could have some power, hoping that they could have
4 enough gasoline to either start their car for a little bit and
5 get to work or start their generator that they might have but
6 couldn't use because we had no gasoline because no one required
7 gas stations to have generators to pump gasoline out. The
8 turbines were down at the port. No power was being created.
9 They couldn't unload ships with oil, so, therefore, major
10 crisis piled crisis upon crisis.

11 What I'd like to talk to you about, and I'll try to
12 be as brief as possible, is on the microlevel. One of the
13 greatest things after a disaster like this is communication.
14 And I must commend two people, one person in south county named
15 Ben Wesley, one person in central county who communicated with
16 me in Plantation, and that was Lynn Shatas, representing FPL.
17 I'm not talking about the great decisions made on big a level.
18 I'm talking about the person-to-person contact, the information
19 that we were given, the fact that my home didn't have
20 electricity for 16 days, but I understood that they were
21 prioritizing at hospitals. Lift stations so that people can
22 flush their toilets had to be powered. Many of our lift
23 stations, hundreds of them, do not have generators. So how do
24 you get power unless they bring their portable generators in?

25 One of the major problems was that after the

1 hurricane FEMA only had 100 generators coming in from other
2 parts to provide power to Broward County, and those
3 100 generators were already spoken for before they got here. I
4 mean, that was one of the problems. We are victims of
5 Hurricane Katrina in an ancillary way. Many of the supplies,
6 many of the things that would have come to help us quicker,
7 including transformer boxes -- because I spoke to the different
8 crews that were out there trying to fix things. They were on
9 the ground looking for boxes that had fallen thinking that they
10 could try to repair them because the new boxes were all being
11 used in New Orleans. Things like that were happening right and
12 left.

13 Other things, the power crews couldn't help because
14 people's addresses were no longer on their mailboxes. They
15 didn't have mailboxes. They were on the ground. Things like
16 that, I'm talking on a microlevel, contributed to a lot of the
17 problem. How do you know where certain addresses are if you
18 don't have street signs and you don't have numbers?

19 The power crews were out there. We saw them, we
20 talked to them. People from Ohio -- I met so many wonderful
21 people that came down from other states to help us right away.

22 I think FP&L did what it could. I think it did a
23 fine job. I think on a one-to-one level -- we had a conference
24 call, all the cities, every day twice a day. There was always
25 an FP&L representative on that conference call telling us how

1 far, what had happened, that kind of thing. That's very
2 important because we're the ones out there trying to help our
3 communities, and it's very important that we understand that
4 and, and that we get the correct information, not the rumor
5 mill that can easily happen when you don't have telephones,
6 when you don't have power, you're on batteries. And, by the
7 way, D batteries were out in all of Broward County and most
8 people were using D batteries for their portable TVs and so
9 forth. These are the kinds of things we should anticipate in
10 the future.

11 Certainly as members of the Public Service
12 Commission, talking about power, talking about infrastructure,
13 all of that, recognize that that's an important thing on a
14 general level. But bring it down to the person. Narrow it
15 down and say, what, what went wrong? What power needs were not
16 met? How can we require things?

17 I know -- I'm glad to see we have one representative
18 here from the state legislature, former Senator and now State
19 Representative Matt Meadows, because they have to be solving
20 these problems. For example, the gentleman here spoke about
21 some people having that emergency power source, the propane
22 tank generator that goes on when you lose electricity. Why
23 aren't we talking about subsidizing that for people with
24 medical needs? Why aren't we talking about helping people put
25 these in?

1 We can't guarantee that this isn't going to happen
2 again and again and again, but what we can do is help the
3 people who are poor, who are indigent who need to have power.
4 Without power they are medically in danger. Why can't we help
5 them? Why doesn't the Legislature, why aren't you as Public
6 Service Commissioners urging our Legislature to set aside funds
7 for that? I know FP&L has started a program to provide these
8 emergency generators underground for people to use if the power
9 goes off that can supply power for a while. Why aren't, why
10 aren't we discussing more of that, more of the technology to
11 get over the bumps that we know will happen?

12 I want to applaud FP&L for the 25 percent that
13 they're offering to pay to cities that start undergrounding
14 utilities. Prior to this there was nothing available. And
15 it's a very expensive type of a program. However, Weston had
16 underground utilities; they were up in a couple of days. Parts
17 of Plantation were out for well over two weeks. And so what we
18 need to do is look at the technology, we need to fund whatever
19 is necessary to do our best so that this does not happen again.

20 And we definitely need to look at the needs of the
21 people who cannot afford all these extra ancillary devices that
22 are out there but only the wealthy can put them in the ground.
23 Let's start funding that. Let's build -- if FP&L wants more
24 money, fine. But set aside money for people who can't afford
25 to do all these things so that they can live the quality of

1 life that all of us in Broward County ascribe to. Thank you.

2 CHAIRMAN EDGAR: Thank you, Dr. Levy. Mr. Beck, I'm
3 thinking that we may be getting close to a break time unless,
4 unless we're even closer to the end. Can you give me a feel
5 for --

6 MR. BECK: We've had 17 speakers and we have, I
7 believe, 12 more.

8 CHAIRMAN EDGAR: Okay. Then if it's all right with
9 each of you, I suggest that we take a ten-minute break at this
10 time and then come back.

11 MS. TUCCI: Excuse us. We're not very well and she's
12 not feeling good. She's my driver. We're both sick and we
13 need to get home. We want to speak.

14 CHAIRMAN EDGAR: And I think we can accommodate. Mr.
15 Beck.

16 MS. WECHTER: We're number 26 and number 27.

17 CHAIRMAN EDGAR: And that's fine with me. Mr. Beck,
18 if you can call number 26 and number 27, and then after that
19 we'll take a ten-minute break.

20 MR. BECK: Thank you. Dona Wechter and Stephanie
21 Tucci.

22 Whereupon,

23 STEPHANIE TUCCI

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MS. TUCCI: I'm Stephanie Tucci, 4690 Southwest 25th
3 Avenue, (954)981-0727. I'm originally from Dade County. I've
4 gone through Andrew. I've also been up here for the last 14
5 years. Someone mentioned Andrew; I was out of electricity
6 under Andrew for over a month and a half. I am highly, also
7 highly prone now to strokes. I am 50 years old.

8 I have called FP&L several times when we were out of
9 electricity for over 17 days. They told me to go to a
10 facility, to a hospital. Now if they want to pay my hospital
11 bill for a week to a week and a half, I'll be happy to go.

12 I need electric. I've had two tracheotomies. I
13 cannot take heat. I swell up in my throat, and I'm blind in
14 one eye from one stroke and I'm paralyzed on my left hand from
15 the first stroke. I will be prone to strokes for the rest of
16 my life from the time I was 44 until now. And I am going to --
17 now I will be also in wheelchairs. I'm in and out of
18 wheelchairs now for the rest of my life. They tell me from the
19 time I'm 60 on up I will be permanently in a wheelchair. And I
20 just cannot take heat. I need the air conditioning to keep me
21 cool.

22 My husband is also on a fixed income. He's been
23 diagnosed as paranoia. He had to retire at the age of 57. I
24 had to retire at the age of 44. Like I said, I am 50 years old
25 now. So -- and I only bring home under social security

1 disability \$880 a month and that's all I get. I am lucky to
2 pay my bills. I will be lucky to buy food on my table. My
3 husband only makes less than \$1,000 on his Social Security
4 income, and that's all I make a month.

5 And my neighborhood is either sick or elderly, and
6 we're all very fixed, on fixed incomes, and 17 days. And like
7 I said, I'm originally from Andrew. And I was born in Dade
8 County in 1955. I've been through hurricanes the last 50
9 years. And like I said, Andrew was a month and a half. My
10 work at the time, I was working, was another month without air
11 conditioning.

12 And now they want to raise me. I can't -- I can
13 barely make my bills. I've seen another gentleman who's in a
14 mobile vehicle too, another woman who's on oxygen. And like I
15 said, they told me to go to a hospital. For my five months in
16 the hospital -- a week in the hospital is over \$3,000. I can't
17 even afford that. If FP&L wants to pay for my hospital bill, I
18 will be happy to go to the hospital at their cost. That's all
19 I have.

20 Whereupon,

21

DONA WECHTER

22 was called as a witness on behalf of the Citizens of the State
23 of Florida and, having been duly sworn, testified as follows:

24

DIRECT STATEMENT

25

MS. WECHTER: My name is Dona Wechter. I live at

1 4721 Southwest 25th Avenue, Fort Lauderdale 33312. My phone
2 number is (954)963-0497.

3 We both live in the annex section of Dania Beach. We
4 are west, one mile west of the airport on Griffin Road. I
5 moved into my house 16 years ago. After Andrew our
6 neighborhood was without power on the north side of 25th Avenue
7 and all of 25th Terrace for three weeks. They told us that
8 they were waiting on parts. They weren't waiting on parts.
9 Someone forgot to reset a switch on a pole, and it was the one
10 in my backyard.

11 Now Wilma came through. The hurricanes are not the
12 only reason we lose electric over there. They have not changed
13 one pole, one wire, one transformer in that neighborhood in the
14 entire time that I have lived there except for new
15 construction. After Andrew we begged them to upgrade the
16 neighborhood. They said they would. They didn't. Every time
17 it rains, hard or the wind blows, we lose our power for a couple
18 of hours.

19 When Wilma hit, we sat in our neighborhood on the
20 edge of the eye wall. We never got a break. Wires came down
21 in my backyard wrapping around a metal fence that ran from 25th
22 Avenue to 25th Terrace connecting eight houses. We called
23 Florida Power & Light. After four days of calling Florida
24 Power & Light begging for one truck to come and remove the live
25 wire that was sparking every time the wind blew -- it took two

1 birds getting their geese cooked to get somebody out there.
2 Because we told them we were going to call the media and show
3 them the pictures of the birds fried to the fence if they
4 didn't send out a truck. The next morning a truck came; it
5 took him all of five minutes to disconnect the wire.

6 We sat in that neighborhood for 17 days with no
7 power: Elderly, oxygen, diabetics. Yes, I had a generator. I
8 had a generator that cost \$20 a day to run. After ten days,
9 that's \$200. My average light bill every month is \$280. Why?
10 Because right now I have no roof. I have a 95 percent blue
11 roof and I have 15 broken windows that either will not open or
12 will not shut. I have asked Broward County Housing to help me
13 get a roof. I am on waiting lists to go on waiting lists to go
14 on waiting lists.

15 And it's the same thing with Florida Power & Light.
16 After Andrew they said they would put us on a waiting list to
17 have someone come out and check our neighborhood. Well, I
18 guess we're still on that list because when the article came
19 out in the newspapers saying the Florida, the Public Service
20 Commission has decided to grant Florida Power & Light the
21 money, please call them, and I did, I was transferred over to a
22 gentleman name Richard at Florida Power & Light who promised to
23 send out an engineer. That was two months ago and I have not
24 heard from him since. I have called back his number that he
25 gave me. There is no answer.

1 So why do I have to suffer? Why does my neighbor
2 have to suffer? We cannot pay our bills. It is not our fault;
3 it's not our fault we're sick, it's not our fault we're
4 disabled. It's something that happened to us. But when we
5 don't get any breaks anywhere down the line -- we get no
6 credits for being disabled from Florida Power & Light. At
7 least with AARP, when I sign up for something like AOL, I get a
8 discount. I don't get a discount from Florida Power & Light,
9 and I don't have a choice of what electric company to pick like
10 my phone company because Florida Power & Light is a monopoly.

11 The hardest thing to see is every day that goes by
12 our neighborhood just goes downhill even further. When Wilma
13 came through, they had just put, three weeks prior, a brand new
14 house at the end of the street, a brand new electric pole with
15 a transformer on it. It snapped in half during Wilma. It
16 stayed broken in half with the wires hanging over the road and
17 the transformer hanging over the road for 17 days until Pike
18 Electric from Georgia came into our neighborhood and restored
19 our power. And our neighborhood is supposed to be on the
20 hospital trunk line. The hospital had power; we didn't. They
21 said it was a splitter or this line or that line, something.

22 We did find an ally though at Florida Power & Light;
23 we found a woman named Darla who we called and she would give
24 us updates. If we called Florida Power & Light, they just
25 said, "Well, it's too bad. Everybody else doesn't have power,

1 I don't have power, so what are you complaining about? I don't
2 have power." And these were the employees of Florida Power &
3 Light that were telling us, "I don't have power. Why should
4 you have power?"

5 We're sick, we're elderly, we're disabled, we have
6 people on oxygen, we have diabetics with insulin. That's why I
7 ran my generator 12 hours a day. I had six neighbors' insulin
8 in my refrigerator, plus my husband's, plus hers.

9 The City of Dania Beach, the City Manager refused to
10 pay the light bill until every citizen in Dania had their power
11 turned on. Well, one of our neighbors down the street was out
12 of town. When Asplundh, who works for Florida Power & Light,
13 came through and cut the tree lines, the wires, they bent the
14 weatherhead on her house. They said, "We won't turn her power
15 on until the weatherhead is bent back up." My ex-husband came
16 over and fixed it for her for a nominal fee. She couldn't
17 afford an electrician. They wanted \$750. Florida Power &
18 Light said, "Sorry. We won't come out until it's certified by
19 an electrician." I called the Mayor of the City of Dania
20 Beach. She sent out the city electrician, certified it, and
21 then got on the phone with Florida Power & Light and said,
22 "Turn this woman's power on now." And she called me back to
23 personally find out. This is a working mother with three
24 children in the house. And this is the way that Florida Power
25 & Light treats us, the little people. Sure, we don't pay a lot

1 every month. It looks like big businesses pay a lot of money
2 for their electric bills every month, and we only
3 pay \$280, \$300, but to us that's a fortune. And we'd just ask
4 you if you're going to give them more money, give us something
5 for the money. Thank you.

6 MS. TUCCI: Thank you.

7 CHAIRMAN EDGAR: Thank you, Ms. Wechter.

8 Mr. Beck, 12:00 in the back and I'd like to take a
9 ten-minute recess. We'll be back at approximately 12:10.

10 (Recess taken.)

11 CHAIRMAN EDGAR: Thank you all. We're ready to get
12 started again. And I will point out that we are noticed for
13 this meeting, I believe, until 1:00, and I'm told that there is
14 a group coming in right after us, so we're going to need to
15 stick to that time frame. And we do want to hear from
16 everybody here that has come to speak to us, but I would ask
17 you to be a little mindful of the time frame that we have.

18 Mr. Beck.

19 MR. BECK: Thank you. The next witness is Maggie
20 Dunne. Is Maggie Dunne here?

21 Mr. Jack Kubasek.

22 Whereupon,

23 JACK KUBASEK

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

1
2 MR. KUBASEK: Good afternoon. My name is Jack
3 Kubasek. I am from Wynmoor Community, which is a retirement
4 community in Coconut Creek, 1310 Avenue of Stars, Coconut
5 Creek, Florida. Phone number is (954)968-2536.

6 I want to start off by saying that I'm actually very
7 glad that I came here and heard all of these stories. I have
8 an open mind and you like to hear different things from
9 different people. However, the spectrum, how it goes from one
10 end to the other end, is so impressive. And I'm just going to
11 add a little more to that confusion by saying that we have
12 9,000 residents that live in our community. I'm a Director of
13 Operations there. There are 5,260 individual condominium units
14 on 500 acres of land. One-third of Coconut Creek is Wynmoor.
15 And I want to say that in all the years that -- I've been 15
16 years there as a Facility Manager and now Director of
17 Operations, I've had a very good relationship with FP&L.
18 Nothing special, nothing given, nothing taken, but any time
19 we've ever called them, we've gotten nothing but good responses
20 from them.

21 And when we come up to Wilma in a community like that
22 without power is just a horrendous thought. I am positive that
23 there would have been a lot of deaths in our community if it
24 was not for FP&L cooperating with us. And however they did it,
25 getting our power on, we were back up within 48 hours in the

1 residential area. All the residential units were put back in
2 48 hours. We have -- we're not an assisted living community,
3 but our average age would run from 65 to 85, more towards the
4 top end of the scale. So we do have a lot of people with
5 serious problems there. And FP&L has always been very
6 sensitive to that, with us.

7 And even during normal operations on a daily basis
8 without Wilma being involved or, or any of the other storms,
9 we're in an area that seems to be prone to lightning strikes.
10 I am aware that Florida is number one in the world with that.
11 But our particular area, we get a lot of lightning strikes
12 there. And they have bent over backwards to help us,
13 recommending even outside agencies or providing us with names
14 of companies that supply equipment to protect our equipment.
15 They've really been good. I can't say enough good things about
16 them. And it's very unusual that you would say things about a
17 large corporation like FP&L.

18 Being in a position that I am in in a condominium
19 atmosphere, anybody that's involved in that type of atmosphere
20 will know they're a highly critical audience. And it's --
21 usually you'll get the people that are not satisfied that will
22 come forward and speak up for themselves, as they have here.
23 But the people that are satisfied are willing to let things go
24 along and say, well, everything is fine for me, and they don't
25 come forward and they don't speak up. And that's the reason

1 why I came, because I have 9,000 people that I'm sure you're
2 not going to get one of them that would say anything negative
3 about FP&L because of the way they treated us and the way they
4 responded after this storm, which was a tremendous -- I can't
5 explain to you having people in their 80s coming to you begging
6 for help, what do I do, they were on the fourth floor, the
7 elevators don't work, they needed water, they needed ice. And,
8 again, within 48 hours they had us back up and running.

9 I've listened to a lot of the stories that have been
10 brought to you here, and a lot of them -- I know all these
11 people have legitimate problems. But I think that people also
12 that are able to need to take some type of responsibility for
13 themselves and try to prepare as much as you can. I don't
14 think there's enough of that done. I agree with what the
15 doctor said earlier. And the ones that can't, that's a
16 direction that we should be looking at to help those people
17 that cannot help themselves. But to dump this all on one
18 company, this is just an overwhelming thing that happened to
19 us.

20 You know, I deal with these problems on a daily basis
21 and on a large scale, maybe not as large as we're looking at
22 here, but it's large to us, and I can fully understand how this
23 could be overwhelming for any one entity to deal with.

24 And as far as the money goes, whatever, whatever the
25 Public Service Commission is going to decide that FP&L needs or

1 is willing to grant them, we as citizens trust in the
2 Commission to be the oversight or the watchdog committee that's
3 going to make sure that the money is spent right. But from a
4 point of view as a manager, I say that you have to give the
5 tools to the people that need them to solve these problems.

6 And as far as the advocates are concerned, their
7 concerns are valid. But I think the more they talk, in my
8 mind, more, more reinforces the fact that FP&L does need the
9 money and that we should do these things as -- in the senior
10 community, we want to make sure that their bills are kept as
11 low as possible and stretched out over a long period of time.
12 These people are on fixed incomes and I think this fits their
13 budget better than it would fit anybody's, and that's who I'm
14 talking for is my senior crew. So thank you for your time and
15 I hope I've been of some help.

16 CHAIRMAN EDGAR: Thank you, Mr. Kubasek.

17 MR. BECK: The next witness is Doug Weber.

18 Whereupon,

19 DOUG WEBER

20 was called as a witness on behalf of the Citizens of the State
21 of Florida and, having been duly sworn, testified as follows:

22 DIRECT STATEMENT

23 MR. WEBER: Good afternoon. Thank you very much. My
24 name is Doug Weber. I'm the President and CEO for United Way
25 of Broward County. Our address is 1300 South Andrews Avenue in

1 Fort Lauderdale. I also am a personal Fort Lauderdale
2 resident. I'm at 924 Southeast 2nd Street, Number 8.

3 I'm here really to talk about how great Florida Power
4 & Light has been for many, many years as a corporate citizen in
5 supporting health and human service programs in Broward County.
6 Each year Broward County is fortunate to have companies like
7 Florida Power & Light that allow their employees to voluntarily
8 contribute to the community and also make a corporate
9 contribution to help support the community. Last year and for
10 many, many years prior the campaign contributions have come
11 close to \$400,000 from the employees of Florida Power & Light
12 giving back to the community and also the corporate
13 contribution. These dollars go to support in Broward County
14 68 different health and human service agencies, 111 programs,
15 programs that are helping support all of the customers of
16 Florida Power & Light throughout Broward County, programs like
17 the American Red Cross, the Salvation Army, the Boys and Girls
18 Clubs and many, many others. They also provide hundreds of
19 hours of time during the year for volunteerism. We run an
20 annual program called Day of Caring that they're very actively
21 supporting providing time, talent, professional services to
22 help with this effort. It's a true community wide spirit that
23 they have and they're good corporate citizens.

24 But on the hurricane level, we work closely also with
25 Florida Power & Light. We are the lead agency for ESF15,

1 Emergency Support Function 15. We're in the EOC every day,
2 we're in there before the storm, and personally participated
3 with Florida Power & Light representatives almost twice daily,
4 municipal calls. And I must tell you that -- obviously the
5 magnitude of the challenge that they were dealing with was
6 significant, but the professionalism, the caring response, the
7 quick response, and from the calls from the morning to the
8 afternoon, it was amazing how certain things had gotten fixed
9 or addressed or done in a real timely manner. So I know
10 they're working hard to prepare for the future. Florida Power
11 & Light overall is an outstanding corporate citizen, and we
12 really support all the work that they do. Thank you very much.

13 CHAIRMAN EDGAR: Thank you.

14 MR. BECK: Representative Meadows.

15 Whereupon,

16 REPRESENTATIVE MATTHEW MEADOWS

17 was called as a witness on behalf of the Citizens of the State
18 of Florida and, having been duly sworn, testified as follows:

19 DIRECT STATEMENT

20 REPRESENTATIVE MEADOWS: Good afternoon. Thank you
21 very much. And, Madam Chair, I appreciate all of you having
22 this hearing this morning. However, from some of my
23 constituents I did hear them say, well, they've got it in the
24 morning and most of us will be working, so they should have had
25 it a little later in the afternoon or 7:00 so that we all could

1 have been out here.

2 But I've been listening attentively to some of the
3 things that the people that have come up and given testimony
4 regarding FPL's role and some of the things that occurred
5 during the, the four hurricanes that we had in the State of
6 Florida. And, as a matter of fact, I was hit by two: One in
7 Ft. Pierce and one here. I have a church in Ft. Pierce. I put
8 the top on there and eight days later it was gone, and then we
9 had to go back and try to put another one on there as well.

10 But I just wanted to let some of the speakers that
11 spoke know that, well, I'm here this morning because I wanted
12 to hear some of the things they have to say. But I wanted some
13 of the members to know, that, that spoke and gave testimony
14 this morning, that there are some things that are being done
15 legislatively by some of the members that represent you in the
16 Legislature.

17 As a matter of fact, I sit on Ag and Environmental
18 Appropriations. We were talking about regional generators, we
19 were talking about the renewal of licenses to certain service
20 stations. And if a person comes up and shows that they work
21 for a hospital or they're a nurse or someone like that, then
22 they should be given first priority in getting gasoline from
23 the service stations. We're talking about members putting in a
24 request to Representative Negron, who is Chairman of
25 Appropriations in the House, regarding certain buildings will

1 house emergency facilities, to give them some money to relieve
2 the cost there so that it's not incurred by the residents after
3 the, the expense is done to you in taxes and other ways. So
4 there are some things that are being done by us. And I'm, I'm,
5 I'm just surprised that more legislators are not here to this
6 hearing this morning to hear some of the things firsthand from
7 the people who have lived through it.

8 Now -- and I know that I've been in Broward County
9 since 1972, and we've been skirted by a lot of hurricanes. But
10 Wilma was the worst that has hit us in over 50 years. And I
11 had the same thing, some roof shingles blown off, the garage
12 door was rattling and if we hadn't gone out and put some things
13 up against it, it probably would have caved in, and I've got a
14 new one there.

15 One of the things that I've been doing and I've
16 encouraged other members to do is to go around to homeowners
17 and clubs and condo associations and say that with the
18 members -- the testimony this morning -- please make sure you
19 get a list of all those people who are disabled, who are
20 elderly and members of your committee, take that down, develop
21 some form, format of collecting that data, then taking it back
22 to the municipalities where you reside or in the area where you
23 live, to the county or to the municipality, and let them know
24 who those people are. Because there were some people who lived
25 on the fourth floor, fifth floor. When the water and ice came,

1 they were waving downstairs to get people to bring it up. And
2 let them know some of the things like that.

3 But the other thing is I wanted to ask the Public
4 Service Commission members that when you're looking at the rate
5 increase, I think the management, its leadership, honesty and
6 integrity of the request, and, and if you show the leadership
7 in that manner.

8 And also we have a lot of people I have in my area
9 who are on a fixed income and, I mentioned, disabled. And
10 60 percent of -- I mean, 22 percent of my district is 60 years
11 of age and older. So I ask that you give consideration for the
12 elderly and the disabled when you grant them the rate increase,
13 and it's spread out so it does not cause hardship on those
14 individuals.

15 As a matter of fact, a lady came to me yesterday not
16 complaining about this but talking about health care. She's
17 saying that there would be no middle class because people
18 between \$60,000 and \$80,000, and a lot of people don't make
19 that, have to pay upfront for a lot of their health care and
20 their medication, their doctor visits. So we're being impacted
21 by a lot of increased costs from many different areas.

22 So we're asking that you take a look, a holistic
23 approach to dealing with this rate increase, take a look at the
24 other fiscal impacts on the people in the State of Florida, as
25 well as the rate increases being requested by FPL and please

1 spread it out, if necessary.

2 We know that -- and I know a guy fixed my line from
3 Maryland, he came up in a truck from Maryland. And the
4 insurance adjuster just came back from New Orleans where he
5 said that several of the claims adjusters there had been bitten
6 by snakes because of the conditions out there. So we weren't
7 hit as bad as they were.

8 But, please, take a look at those persons, seniors
9 who are disabled, and if there is a necessity for a rate
10 increase, please, what they asked me to do is to please, please
11 spread it out so it doesn't impact them because of the other
12 costs that they're incurring as a result of health care and
13 other areas.

14 So I want to thank you for this opportunity to just
15 speak briefly to you. And I want to let the people out here in
16 the audience know that my office is available, I may not be in
17 your district, but if you have any complaints or anything or
18 concerns you want to express regarding the Public Service
19 Commission or anything else, then give me a call because I'm
20 employed by you, the people of this county, and the State of
21 Florida. God bless you and thank you very much.

22 CHAIRMAN EDGAR: Thank you, Representative Meadows,
23 for your comments and for your support of our proceedings.

24 Mr. Beck.

25 MR. BECK: Thank you. Seth Gelman.

1 Whereupon,

2 SETH GELMAN

3 was called as a witness on behalf of the Citizens of the State
4 of Florida and, having been duly sworn, testified as follows:

5 DIRECT STATEMENT

6 MR. GELMAN: My number is (754)366-1572. I live on
7 Northwest 80th Terrace in Margate. I'm Seth Gelman. But I'm
8 also known as Elena's uncle. Elena is five years old and Elena
9 stayed with me through Hurricane Wilma and made sure I was
10 safe. And when the hurricane was over, the next day we went
11 outside. She took me by the hand and we walked around the
12 street, we looked at the houses. She asked me, "Why is that
13 man's chimney upside down and inside his lawn?" She looked at
14 the trees that used to be at the end of the block and she saw
15 they're not there anymore and how far we could see. And she
16 thought it was cool, it's cool we can see so far and we can see
17 people, houses that we didn't know were there before. It's
18 very difficult to understand when you're that young the
19 enormity of the damage. It's very difficult to understand how
20 such a thing can happen in such a short time and that it
21 happens around you.

22 As we walked around the next day, the day after, we
23 saw some of the crews from FP&L and from other states doing
24 their work. They were there very quickly, and they should be
25 applauded for a fast response. And one crew in particular, one

1 man was standing on the sidewalk as we walked by, and Elena
2 looked up at him and said, "Hi." And he took the time to look
3 back at her and you could see how exhausted he was, you could
4 see how hard he had been working. And he took a moment for
5 this little five-year-old and took his hat, the hard hat he was
6 wearing, and put it on her. I don't think he realized how much
7 of her head it would cover and that she couldn't see out from
8 underneath it, but it was a remarkable moment. If you're in PR
9 and you want to pick a moment that someone will remember for
10 the rest of their lives -- I can assure you Elena for the next
11 50, 60, 70 years will always remember that man and that moment,
12 and she'll also remember Wilma and she'll remember the
13 devastation that was around us. She felt good when that man
14 took a moment to make her feel better. It is good to see
15 people working so hard doing the work they're doing, responding
16 as fast as they were and working as hard as they were.

17 You have to appreciate the system that's in place,
18 the engineering that made it possible to provide the power that
19 we normally take for granted. Usually most of us, I think,
20 think of electricity in the past tense after you flip the
21 light, the switch, and the light went on and probably not much
22 after that until, well, in fairness, until once a month when we
23 get our bill. That's the next time we think about our power.
24 We take for granted what it takes in order to make it possible
25 for us to have the things that we have.

1 Now looking forward, there's a decision that you'll
2 be making, and that's going to have an enormous impact. And I
3 implore you to act as quickly as you can, make your decision,
4 implement it fast. Whatever happens, there's going to be a
5 cost and there's a cost of money. We know that there will be
6 money borrowed and, if not borrowed, we know that money will
7 come from someplace. There is an effective cost of that money.
8 We're affected by the deficits. We're affected by the money
9 that is taken out of the economy by huge federal deficits
10 running year after year in the hundreds and hundreds of
11 billions of dollars. As that money is sucked up by the
12 government, it is not available in the private sector. And
13 what happens is the interest rates go up and they go up and
14 year after year they're forced higher. Some may say, well, we
15 haven't seen that yet. Well, I can remember the 1970s, I
16 remember the interest rates that were horrible when we had
17 terrible deficits and the government borrowed and issued
18 30-year bonds, and it forced interest rates to the companies,
19 to the private sector, it affected us all. Now in the last, in
20 the last years we haven't seen that. But we cannot be blind,
21 we cannot ignore the fact that there's enormous inflationary
22 pressures out there, that the deficit has been there now and is
23 not going away any time soon, and the money is going to be more
24 and more expensive.

25 Whatever it is that you do, do it as soon as you can

1 and let's move on. Whatever it costs us, it will cost us less
2 to take care of the problem now than it will in the subsequent
3 years as we suffer the terrible inflation that's coming and the
4 interest rates that will go with it. Let's do what we have to
5 do and let's not pay more than we have to pay.

6 CHAIRMAN EDGAR: Thank you, Mr. Gelman.

7 Mr. Beck.

8 MR. BECK: Thank you. Josephine Edwards.

9 Whereupon,

10 JOSEPHINE EDWARDS

11 was called as a witness on behalf of the Citizens of the State
12 of Florida and, having been duly sworn, testified as follows:

13 DIRECT STATEMENT

14 MS. EDWARDS: God bless you all, and I thank God for
15 having me here today. I'm here and concerned for -- I'm a
16 group of -- from ACORN. My name is Josephine Edwards and I
17 live at 402 Northwest 5th Avenue, Hallandale Beach, Florida.

18 My concern is hearing all this information, good,
19 bad, but my concern is for people that are on income, low
20 income, you know, checks, we get checks once a month, my
21 concern is me and the people that I represent. We are being
22 taken advantage of by people that make decisions for our lives
23 and tell us what we got to pay out of our little bit of money
24 that we are allowed to have. And I don't think that's too good
25 right along in now because every time you give them these

1 raises and big bonuses, it kind of like make my mind get kind
2 of like upset about this because I'm on a fixed income. I'm
3 one of them that's on a fixed income. I get about \$12,000 a
4 year from salary from working from the hospital. And
5 \$57.76 after 18 years of being to the hospital because I had to
6 take it early because of my illnesses that keep creating. And
7 all the sudden now you want me to take and pay right now \$169 a
8 month this month, and that increase was about \$57 or eighty
9 something dollars. And you know what excuse they gave me? I
10 had everybody come out there, even from the Commission, I had
11 them come out there and check my lights. I put everything on
12 there to bring the bill down as much as I could. You know what
13 he said? He walked in, he saw two wall little heaters there to
14 heat up my house. He said, "Your bill going to be
15 about \$200 if you keep using that." So I said, "Well, I'm not
16 really too bad about it because I found out other people are
17 paying \$400." And I'm just concerned about these people are
18 living off income like I'm living off. Some of them don't even
19 get but \$6,000 a year. They're on oxygen, they're on insulin.
20 I'm on insulin, so you know I have to keep my insulin
21 refrigerated.

22 When they turned my lights off one night, one day,
23 you know what happened to me? That meant that my insulin was
24 not going to stay cool enough, it was going to get hot. I'm on
25 a program for six months to get that insulin, and then I got

1 all the insulin stored inside that refrigerator and that
2 refrigerator is cut off due to the fact that I couldn't pay the
3 bill because it got a little too high. But that's all right.

4 I look at what the CEOs are making and I'm hearing
5 about all these bonuses and stuff like that, and that ain't
6 nice. Because I would challenge any CEO or anybody up there
7 that's not making -- that's making all this high cost money,
8 and I would like to see if you can walk in my shoe and, you
9 know, and pay out of \$12,000 of money for everything that keeps
10 going up.

11 One of -- the Commission guy came to my house, he
12 came to check it out. He says, "What's your problem?" And I
13 told him. He said, "Well, it's not our problem. It's not FPL
14 problem. You should check with Mobil. They're the ones that
15 really running up everything. If they weren't running up the
16 fuel adjustment, then we could lower ourselves." Well, I'm
17 still curious. I'm very concerned about this. If there's only
18 one FPL and there's not more than -- like how Southern Bell has
19 a lot of competition. Why don't FPL have competition? What
20 happened? Is FPL going to keep buying up, buying up, getting
21 bigger and bigger and the CEOs just keep making more and more
22 money? And then all the sudden -- what happened to natural
23 feelings, feelings? What happened to treating us like human
24 beings? You ask people to come and live here and you promise
25 them this and that, and they're on fixed income. And yet and

1 still, guess what you do? You keep throwing up rates higher
2 and fees and everything for every time something happens.

3 We all live in a disaster area, but I'd like to die
4 with dignity. I'd like to be able to live in a swimming pool
5 sometime. I'd like to be able to have a house that costs maybe
6 two or three hundred thousand dollars myself. I would like to
7 see my grandchildren go to college. I would like to see all
8 that. But how can I do any of that for them if I can't even
9 help myself, if I can't take care of myself?

10 I'm depending on y'all to make the right decisions
11 today. I'm depending on y'all to look in there, I'm asking
12 y'all, I'm telling y'all, please, investigate this here stuff
13 because this is ridiculous. It's ridiculous for us to live off
14 \$6,000, \$5,000 a year. Do any of you live off \$5,000 or
15 \$12,000 a year? Are you limited? Well, let me tell you what
16 it is to live like that. It's horrible.

17 I've been turned down by FEMA twice. My house is
18 three inches it's fallen in the ground. And I've had you
19 people come out and check my lights and everything. I'm trying
20 to do everything you asked of me to do, and yet and still I
21 can't hardly feed myself. I'm always short. What happens if
22 I'm short this money and I can't pay that \$169? You know what
23 you're going to do? You're going to threaten me, you're going
24 to say you're going to come and turn my lights off, you're
25 going to raise my deposit and everything. All that's got to be

1 included, and I still can't pay you \$169. So guess what? I
2 got to get back on the phone and call somebody to help me pay
3 my light bill. And then you tell me to call these people. I
4 call them. One of the funds don't have no money for elderly
5 people like me. I'm 57 nearly, on the 3rd, Friday, I'll be 57
6 years old. They're out of funds. The other place tell me wait
7 until you get the disconnected, the final notice and then you
8 can call us, and if we have some money, we'll be able to help
9 you keep your lights on. But in the meantime I live with that
10 little threat that if I, tomorrow or Friday if I can't make
11 ends meet, somebody has got to go lacking. And you know who's
12 been going lacking? It's been me and my food.

13 And then you know what they tell me? You need to
14 keep your diet under control. You already got six stints
15 inside of your arteries. If you don't keep your diet under
16 control, you're going to be in trouble. How can I keep my diet
17 under control or anything else under control when I can't even
18 pay my light bill? It may seem little to you, \$169 may seem
19 very little to you, but when somebody that's living off what I
20 live off, it's not easy. I'm not going to stoop low and start
21 buying cat food, I'm not going to stoop low and start buying
22 dog food. I want you to understand, I'm a fighter and I will
23 fight everything until the day I die. I will not allow y'all
24 to keep controlling my life, those people's lives out there.
25 I'm not going to let you do it. You cannot keep doing it. God

1 be against each and every one of you. A bunch of y'all is
2 nothing but a bunch of greedy dogs, and that's what your life
3 has turned into, greedy dogs. Consider that.

4 CHAIRMAN EDGAR: Mr. Beck.

5 MR. BECK: Thank you. Philip Monroe.

6 Whereupon,

7 PHILIP MONROE

8 was called as a witness on behalf of the Citizens of the State
9 of Florida and, having been duly sworn, testified as follows:

10 DIRECT STATEMENT

11 MR. MONROE: My name is Phillip Monroe. Good day to
12 you all. I'm with ACORN, and I would like to address some
13 matters. I live at 2531 Northwest 18th Court, Fort Lauderdale,
14 Florida 33311. And my phone number is (754)204-6139.

15 On behalf of ACORN I want to thank FPL, Ellen
16 Burgundy, supervisor over there, who has been coming and
17 meeting with us on some matters and stuff like that. But
18 there's other matters to be met with, such as in our community
19 we've got, we've got light poles in people's backyard, and FEMA
20 themself won't come pull it out unless FPL themself come pull
21 it out. And we've got disabled people just like I, I've been
22 disabled for 11 years from a motorcycle accident, and I'm not
23 living off Social Security. Social Security has turned me down
24 three times. The third time they turned me down, I had a
25 seizure in that lady's office and they had to take me to the

1 emergency room.

2 And, you know, over there in Maryland, you know, you
3 know, the senator is being concerned about a merger. Why can't
4 we also do that also where three times a month, ask them, you
5 know, why can't we do that? You know. I'm pretty sure we can
6 do that, you know. All we need to do is come together and work
7 as one and work morally, fully and available. You know, it's
8 not just the rich or the poor. We're all the same, you know.
9 You don't have to be rich, you don't have to be poor, you don't
10 have to be middle class, you don't have to be any kind of race,
11 you know. Just come more and work more.

12 So I'm advising to you all, you know, why not send up
13 more trucks, FP&L trucks to the community instead of one or two
14 to work or come together really as one and have more meetings
15 with one another or the PSC staff members over here. And
16 that's all I have to say. Thank you.

17 CHAIRMAN EDGAR: Thank you, Mr. Monroe.

18 Mr. Beck.

19 MR. BECK: Thank you. Ada Lattimore.

20 Whereupon,

21 ADA LATTIMORE

22 was called as a witness on behalf of the Citizens of the State
23 of Florida and, having been duly sworn, testified as follows:

24 DIRECT STATEMENT

25 MS. LATTIMORE: My name is Ada Lattimore. My address

1 is 2801 Northwest 22nd Street, Fort Lauderdale, Florida 33311.
2 My phone number is (954)739-9065. I am a member of ACORN.
3 ACORN is a grass roots organization and we consist of low and
4 moderate income families. We have a membership around 4,000
5 plus in South Florida. And I want to thank you all for the
6 opportunity to speak to you today.

7 I really don't understand, why is it that FP&L want
8 to pass their recovery fee on to the customers? We have
9 recovery fees at our homes that we can't pass to no one. We
10 have to take care of our own recovery fees. I could understand
11 it if FP&L was giving us something, but FP&L is not giving us
12 anything. We pay for the service. Everything FP&L give us, we
13 pay for it, so it doesn't come free. If we have to pay for our
14 recovery fee, I mean, bills, I can't understand why FP&L, a
15 wealthy company like FP&L, all kinds of resources -- we have
16 limited resources and most of us have no resources, but we're
17 being, we're expected to help fund this recovery fee when we
18 have so many recovery fees at our homes that we can't take care
19 of. I think it's unfair. I don't think it's right.

20 FP&L top executives earn millions of dollars in
21 salary and stock options. Almost one-third of Floridians earn
22 less than \$20,000 per year. Mind you, FP&L has already got a
23 rate increase. We haven't got one.

24 Many families in South Florida cannot afford their
25 electric bills now. These include single families, children

1 and senior citizens on fixed income, as myself on a fixed
2 income.

3 How dare FP&L not pay the cost of their company doing
4 business and pass along, pass their fees along to their
5 customers. It's not right.

6 We also would like for the PSC to hold hearings to
7 determine how this proposed merger will affect the FP&L people.
8 We would like to know how it's going to affect us. What is our
9 benefit? If this merger takes place, how would it affect us?
10 Is it going to cost us more money? Will we have more options?
11 We want to know, and we want to be in on some of those
12 discussions because we want to know how it's going to go down.

13 And, lastly, I just want to thank you all again for
14 the opportunity to speak with you. And I hope that when you
15 all are making a decision, you will take into consideration
16 that there's a lot of elderly people on fixed incomes, a lot of
17 sick people, and people just don't have the money. Everybody
18 is passing their, their bills, their costs on to us, but we
19 can't pass ours nowhere. We are stuck like Chuck. But you all
20 have options. We have no options. Please take that into
21 consideration. Thank you.

22 CHAIRMAN EDGAR: Thank you, Ms. Lattimore.

23 Mr. Beck.

24 MR. BECK: Margaret Wiggins.

25 Whereupon,

1 MARGARET WIGGINS

2 was called as a witness on behalf of the Citizens of the State
3 of Florida and, having been duly sworn, testified as follows:

4 DIRECT STATEMENT

5 MS. WIGGINS: How y'all doing? My name is Margaret
6 Wiggins, and I live at 1305 Northwest 9th Street, Apartment 2,
7 Fort Lauderdale, and it's 33311. And my number is
8 (954)462-2938.

9 But I'm here to complain because I am on a fixed
10 income. And I have a grandchild which is -- well, a great
11 grandchild that I have custody of, and she's on an asthma
12 machine every day. And which when the storm was here, my
13 electricity was off for three weeks. And when I would call
14 FP&L and I would tell them about the complaint, that I needed
15 my electricity because of that, they told me I should take her
16 to the fire station every day. And I said, "That's
17 inconvenience to me because I have to get her up, get her
18 ready." And then by me having to work sometimes, I was working
19 sometime, I don't work every day, but then that's an
20 inconvenience to me. What if she was to have an asthma attack
21 without no electricity or have an asthma attack at the time
22 that I'm getting her up? What could I do? And they're telling
23 me this is what I should do when the storm was here and my
24 electricity was out for three whole weeks.

25 And I didn't have -- I was cleaned out with my food.

1 I didn't have no kind of food. And right now I'm still -- I
2 have a husband, which my husband, he's on a job where he's not
3 being paid, you know, the money he should be getting for a 16
4 year, hour job -- I mean, 16 years working. And we, we live on
5 a low income and we're not even getting the money that we
6 should, but then we have to pay this high electricity bill.
7 And it's not, you know, I can say it's not right because -- and
8 then with the surcharges, I think it's not right because you do
9 have people that's on fixed income that can't afford it. And I
10 know I can't, we can't afford it. And I'm, I'm speaking on
11 behalf of other people that live in the neighborhood.

12 And when the storm was there, for three whole weeks
13 we was going out looking for water, looking for food. We
14 didn't have no money. And right now my refrigerator is still
15 bare because we don't have the money. And I had to go down to,
16 to, when they had the foods stamps we applied for, they gave me
17 \$399. And they said it was supposed to, I was supposed to get
18 it for like three months. They just gave me only one month.
19 And I don't have food for my, this child here, you know.

20 And I would think it's not fair for, you know -- I
21 can understand because there's a lot of people, you know, the
22 rich people, they got a lot of money. But as far as low income
23 people, we don't have it. And it's not fair for us to just,
24 you know, just, y'all to raise the electricity because, okay,
25 because of the storm. We, we have -- we suffered, I believe,

1 more because of the storm because we didn't have. And, you
2 know, I think y'all should, you know, take y'all really in
3 consideration that we -- it's just not there. Just like my
4 parents used to say, "You can't get blood out of a turnip," and
5 you can't get it. So, you know, please consider it, you know.
6 So this is all that I have to say. And, you know, I wish y'all
7 would just consider us. Okay?

8 CHAIRMAN EDGAR: Thank you, Ms. Wiggins.

9 Mr. Beck, we are about out of time. Where are we on
10 our list?

11 MR. BECK: We have two more people that signed up,
12 Madam Chairman.

13 CHAIRMAN EDGAR: Okay.

14 MR. BECK: The next witness is Nicholas Graber Grace.

15 MR. GRACE: I waive my right to speak. I think Ada
16 Lattimore and Margaret Wiggins said -- I agree with them.

17 CHAIRMAN EDGAR: Thank you, sir.

18 MR. BECK: Bunney Brenneman.

19 Whereupon,

20 BUNNEY BRENNEMAN

21 was called as a witness on behalf of the Citizens of the State
22 of Florida and, having been duly sworn, testified as follows:

23 DIRECT STATEMENT

24 MS. BRENNEMAN: Madam Chairman, members of the
25 Commission, my name is Bunney Brenneman. I am the Chairman of

1 the City of Fort Lauderdale's Utility Advisory Committee.

2 We here in South Florida are suffering from a
3 condition of less. As far as Florida Power & Light is
4 concerned, we have had less than best practices as far as
5 planning is concerned -- the unconscionable number of pole
6 failures, the unconscionable problems in line failures.

7 Florida Power & Light is the only provider in this
8 area of electric services. They should not be held to high
9 standards, they should be held to the highest standards. I
10 would like you as the Public Service Commission standing
11 between Florida Power & Light and the citizens here in South
12 Florida to charge Florida Power & Light with being more
13 responsive to its customers and their needs. And we too are
14 interested in one of the things that you are charged with
15 protecting, uninterrupted utility services. You've heard a lot
16 of things from a lot of people. We definitely feel that there
17 are better ways.

18 The cost of undergrounding at the moment is
19 prohibited. Fort Lauderdale is an older city. The possibility
20 of doing this is staggering. We need basic infrastructure, but
21 there has to be an easier way. The \$25 million amount that has
22 been proffered by Florida Power & Light is a step in the right
23 direction. But each of you by virtue of being appointed to
24 this Commission brings background and experience. We are
25 asking you, I say challenging you, requesting that you come up

1 with a way to do this that is a lot easier. And by working
2 together, maybe we can make the entire utility grid more
3 reliable. Having people here in South Florida in these
4 high-rises, which, to the credit of Florida Power & Light, they
5 did get our Gulf Ocean Mile up and running and our barrier
6 island where we had people who were stranded on high floors of
7 these buildings. The stories are so numerous at this point I
8 won't bore you with them.

9 People, the lowest, the most needy of us are the ones
10 that need to be considered by all of you. There are other
11 people who can provide for themselves.

12 The other thing, you need to send forth a message
13 loud and clear. Each citizen to the best of his or her own
14 ability needs to plan and prepare for the family, the near
15 family, they need to be encouraged to watch out for their
16 neighbors. But it is to you, all five members, that we are
17 looking for solutions. We do not feel that a rate increase
18 should be granted to Florida Power & Light to recover on top of
19 the last rate increase. We feel that instead they should be
20 reinvesting and some of this money should be going into
21 undergrounding and more reliable electric service, more and
22 necessary inspections to eliminate these pole failures, better
23 line inspections.

24 Florida Power & Light got vital infrastructure up and
25 running. It was rapid, they did as best as they could. But to

1 have the entire area without electricity for 16, 17, 21 days.
2 This is 2006. We need uninterrupted utility services,
3 specifically electric power. The technology exists. We are
4 asking you to charge Florida Power & Light to implement the
5 planning and take the responsibility for providing the
6 uninterrupted utility service which every person in the state
7 under Florida Power & Light richly deserves.

8 Thank you so much for the hard work that you do, and
9 we thank you for listening to what we did have to say.

10 CHAIRMAN EDGAR: Thank you, Ms. Brenneman.

11 Mr. Beck.

12 MR. BECK: Ms. Brenneman is the last person who
13 signed up, Chairwoman Edgar.

14 CHAIRMAN EDGAR: Thank you. On behalf of my
15 colleagues, I will say thank you to all of our speakers, thank
16 you to those of you in the audience for your attendance. Our
17 next customer service hearing will be this evening or this
18 afternoon at 4:00 in West Palm Beach. And we are adjourned.

19 (Service Hearing adjourned at 1:04 p.m.)
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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

CERTIFICATE OF REPORTER


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I, LINDA BOLES, RPR, CRR, Official Commission Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 17th DAY OF MARCH, 2006.


LINDA BOLES, RPR, CRR
FPSC Official Commission Reporter
(850) 413-6734

NEWS-PRESS

Published every morning - Daily and Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Kathy Allebach** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a **Display**

In the matter of **Notice of Public Hearings** In the court was published in said newspaper in the issues of

February 21, 2006

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kathy Allebach

Sworn to and subscribed before me this

23rd day of February 2006 by

Kathy Allebach
personally known to me or who has produced

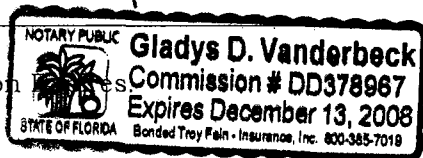
as identification, and who did or did not take an oath.

Notary Public

Gladys D. Vanderbeck

Print Name

My commission



NOTICE OF PUBLIC HEARINGS

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Education Center
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10 a.m. - 1 p.m.

Broward County Governmental Center
Room 422
115 S. Andrews Avenue
Ft. Lauderdale, Florida 33301

Thursday, March 2, 2006
4 p.m. - 7 p.m.

Fulton-Holland Educational
Services Center
Palm Beach County School Board
3300 Forest Hill Blvd., B102
West Palm Beach, Florida 33406

Friday, March 3, 2006
10 a.m. - 1 p.m.

Miami City Hall (Dinner Key Hall)
City Commission Chambers
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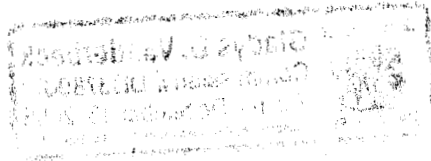


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PUBLICATION**

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The Associated Press

TALLAHASSEE — The medical examiner who ruled last week that a teenager died of natural causes after he was struck by Panama City boot camp guards earlier signed mistake-filled autopsy reports on a man and his adult daughter killed in a September 2004 tornado, their widow and mother said Monday.

Donna Faye Reed's autopsy report, which Dr. Charles F. Siebert Jr. signed, said, "The prostate gland and testes are unremarkable." Those are male organs. The autopsy of her father, James Terry, failed to mention major wounds on his body that were obvious, his widow says.

"I was extremely upset about my daughter having testicles. Any mother or daddy would be," Frances Terry said. "And my husband not having any visible scars really upset me, too."

She said she has been complaining about Siebert to officials for a year, with little success.

Siebert has drawn national criticism since he ruled Thursday that 14-year-old Martin Lee Anderson died last month from hemorrhaging caused by sickle cell trait, a usually benign blood condition that one in 12 African-Americans has.

Security camera videotape taken Jan. 5 at the Bay County juvenile boot camp and released Friday shows that guards struck and kned Anderson several times during a half-hour encounter. He was not cooperating during an exercise drill shortly after he checked in, the guards said.

Siebert did not return calls Monday left at his home and his office, which was closed for Presidents' Day.

Siebert's autopsy report on her son created a stir in the medical community, where some experts said there are rare cases of sudden death after exertion among people with sickle cell trait, but that it would have been unlikely that it alone would have caused Anderson's death.

Terry saw a TV report Saturday that led her to Jones' attorney, Ben Crump, who is suing the Bay County Sheriff's Office and the Department of Juvenile Justice.

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378000E

Sun-Sentinel

Affidavit

STATE OF FLORIDA
COUNTY
OF BROWARD

Before the undersigned authority personally appeared:

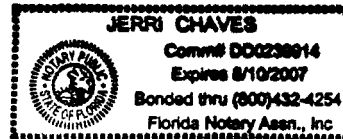
Laura Benedetto

who on oath says that he/she is a National Sales Manager
of the Sun-Sentinel daily newspaper at 200 East Las Olas Boulevard, Fort
Lauderdale, Florida; being in the matter of the FPL ad that ran in said
newspaper in the issue(s) of Tuesday, February 21, on page 9 in Main
News.

Sworn to and Subscribed before me

This 22nd day of February.

A.D. 2006



Laura Benedetto

Sun-Sentinel
National Sales Manager

J. Chaves
Notary Public
State of Florida at Large

My Commission Expires: 2007

enefits

g any side effects.

"There were two surprises," said Dr. Fuad Baroody, who directed the study, and who has received money from Merck. We expected pseudoephedrine [Sudafed] to be effective against congestion, but we underestimated its impact on sneezing, runny nose and itching."

Baroody said researchers did not expect people taking Sudafed to report trouble sleeping, because in previous studies involving Sudafed's main ingredient, patients reported such side effects as nervousness, anxiety, insomnia, dry mouth and palpitations. But neither the Sudafed nor Singulir users in the study reported any significant side effects.

The study results appear in the February issue of *Archives of Otolaryngology-Head and Neck Surgery*.

ancy McVicar can be reached at nmcvicar@sun-tinel.com or 954-356-4593.

meat

in & Hartson. It represents a receipt Foods LLC, a joint venture between Cargill Meat Solutions Corp. and Hormel Foods Corp. that helped pioneer the technology.

Much is at stake. The U.S. market in "case ready" meats — those packaged immediately after slaughter, eliminating the need for butchers at grocery stores — is approaching \$10 billion and growing, said Steve Ly, of *Cattle Buyers Weekly*, which tracks the industry from Ukiah, Calif. Tyson Foods, for example — one of three meat packagers that has received a green light from the FDA to use carbon monoxide — just opened a \$100 million plant in Texas to churn out "pre case-ready" "modified atmosphere" packaged meats, Ly said.

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FPL ACCT#15606316 IN THE MATTER OF AD# 1438256 2X9 LEGAL AD
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IN THE ISSUES OF FEB. 21, 2006

AFFIANT FURTHER SAYS THAT THE SAID THE STUART NEWS AND THE PORT ST LUCIE NEWS
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ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR
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FOR A PERIOD OF ONE YEAR PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT.

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LILLI SENESAC-ADV BILLING/CREDIT MANAGER

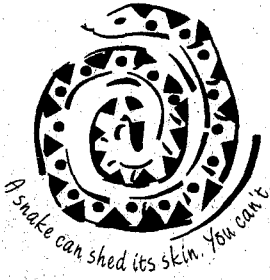
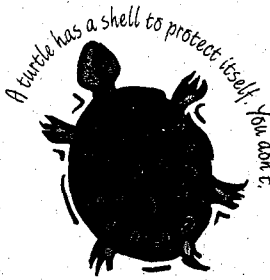
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OR
AREA

PHILIPPINES LANDSLIDE

Excited rescuers: 'We have a sound'

There have been hopeful signs, but so far no survivors have been found where a school was buried by last Friday's landslide.

BY OLIVER TEVES
Associated Press

GUINSAUGON, Philippines — The sounds were tantalizing. Scratching and rhythmic tapping. The farther rescuers descended into the muck, the louder they became.

Nearly four days after a mountainside collapsed and covered this farming village in up to 100 feet of mud, seismic sensors and sound-detection gear brought in by U.S. and Malaysian forces picked up what officials hoped were cries for help deep inside a buried elementary school.

"To me, that's more than enough reason to smile and be happy," South Leyte Gov. Rosette Lerias said Monday. "The adrenaline is high ... now that we have seen increasing signs of life."

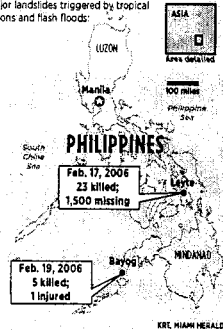
Still, it was hard to imagine there were survivors. No one has been pulled out alive since just a few hours after the Friday morning landslide, which killed up to 1,000 people.

The search has focused on the school because of unconfirmed reports that some of the 250-300 children and teachers may have sent cell

RECENT LANDSLIDES IN THE PHILIPPINES

Annual fatalities from major landslides triggered by tropical storms, typhoons, monsoons and flash floods:

1991	Total: 6,000
1992	
1993	
1994	
1995	Total: 63
1996	Total: 20
1997	
1998	
1999	
2000	Total: 297
2001	
2002	
2003	Total: 183
2004	Total: 1,500
2005	Total: 13



SOURCE: AP

phone text messages to relatives soon after the disaster.

Under the glare of generator-powered lights, a multinational group of troops and technicians used gear like seismic sensors and sound- and heat-detection equipment alongside shovels and rescue dogs. They halted about 3 a.m. Tuesday until daybreak.

A U.S. military spokesman said late Monday that U.S. Marines had found bodies, but no survivors.

"I asked had they received or found any type of survivors, and the answer was no," U.S. Marine Capt. Burrell Palmer said after speaking to the com-

mander of U.S. forces at the disaster site.

The statement discounted an earlier report by Philippine Interior Undersecretary Maribus Corpus that U.S. Marines had found 50 survivors. There was no explanation for how the false report had spread.

"There is a lot of rubble, a lot of large boulders," Palmer said. "On some sides near the river, it's very moist, very soft soil, and you can get stuck up to ... your waistline if you're not careful."

The Marines were eager to discover the origin of sounds detected by seismic sensors. "The farther down we



SEARCH FOR SURVIVORS: U.S. Marines dig for landslide victims as a Taiwanese rescue group in the background waits for its turn in the province of Leyte.

PAT ROGUE/AP

went, the signals grew stronger," U.S. Marine Lt. Richard Neikirk said as he pointed to a spot under a big boulder.

A Malaysian team using sound-detection gear picked up noises, too.

"We have a sound," said Sahar Yunos of the Malaysia Disaster and Rescue Team. "Knocking, something like that."

A rescue dog also stopped three times at one spot away from rescue workers.

There was no visible sign of the school. Rescue workers were digging at two places — one where the school was believed to have sat close to the mountain, the other 200 yards down the hill, where the landslide could have carried it.

Dozens of U.S. Marines and Philippine soldiers, along with local miners, were digging in a watery, boulder-strewn spot around the school's original site, using shovels on the muck and moving it with body bags, while draining the murky water in large bottles.

The search was a painstaking process as the crews went yard by yard. At one of the

highest points, local troops planted a Philippine flag.

The Marines were from the five-man Third Intelligence Ground Sensor platoon, accompanied by 15 armed Marines.

They deployed nine seismic sensors that can detect vibrations underground. With everyone standing still, one man then used a steel bar to hit on a rock several times and waited for any kind of response underground.

Four sensors detected some "noise" or vibration, but the men could not tell what it was.

They were followed by the 15-man Malaysian team using sensor gear called Delsar and employing similar techniques.

Five Taiwanese, who brought heat-imaging equipment, arrived to check for signs of life. Too. Rescuers radioed for water pumps and floodlights to continue working after dark.

President Bush called Philippine President Gloria Macapagal Arroyo Monday to express sympathy and offer condolences, said his press secretary, Scott McClellan.

RISK NO SECRET

According to official records, the government of the Philippines knew as early as last May that the village in the eastern part of the country, where more than 1,000 people may have died in a landslide Friday, was in serious danger.

Police were even in place to avert a pending disaster. Area villages were evacuated late last year and a logging ban, to address the deforestation at the root of the problem, had been adopted more than a decade ago.

But reality was another matter. According to government officials and environmental groups, problems ranging from government corruption and ineffective laws to a lack of money and the political will to enforce the laws contributed to the collapse of the mountainside here in the first place, and allowed it to become a large-scale human tragedy in the second. Even as the rescue work continued, political leaders were already issuing recriminations and demanding reform.

— New York Times Service

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SKANSKA
Regional contractors are invited to attend an international meeting held by Skanska USA Building Inc. to learn more about contracting opportunities with the Gulf Cooperation Council. Project: FPL O&P package includes customer, storm and technical, project status, the service, working capital, demand forecasts, the system and equipment. A 30-day advertising will be held at the International Event Center at 1575 Marine Street, Fort Myers, Florida on February 28, 2006 from 10:00 a.m. - 12:00 p.m. Contact David Harlow at 813-486-5500 pre-qualified and to obtain bid documents. The bid date for this project is currently scheduled for April 1, 2006. Skanska and FPL strongly encourage participation by local, minority and women-owned businesses in this project.

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The Florida Public Service Commission has scheduled four customer service hearings in your area as part of its decision-making process in Docket No. 060038-EL regarding the Petition for Issuance of a Storm Recovery Financing Order by Florida Power & Light Company. Through its petition, FPL proposes to recover prudently incurred storm restoration costs and replenish its storm damage reserve. FPL's primary proposal would replace the current storm surcharge with a slightly smaller charge that would be effective over a twelve-year period.
Service Hearing Schedule
The customer service hearings scheduled in your area will be conducted by the Commission at the times and places indicated below:
Wednesday, March 1, 2006
1 p.m. - 4 p.m.
School Board of Lee County Board Room
Dr. James A. Adams Public Education Center
2055 Central Avenue
Fort Myers, Florida 33901
Thursday, March 2, 2006
10 a.m. - 1 p.m.
Broward County Governmental Center Room 422
116 B Andrews Avenue
FL Lauderdale, Florida 33301
Thursday, March 2, 2006
4 p.m. - 7 p.m.
Fulton-Holland Educational Services Center
Palm Beach County School Board
3300 Forest Hill Blvd., B102
West Palm Beach, Florida 33408
Friday, March 3, 2006
10 a.m. - 1 p.m.
Miami City Hall (Dinner Key Hall)
City Commission Chambers
3333 Park American Drive
Miami, Florida 33133
The purpose of these hearings is to permit members of the public to give testimony regarding the quality and adequacy of FPL's storm restoration activities, FPL's proposed recovery of storm-related restoration costs, and other matters related to FPL's petition for issuance of a storm recovery financing order. All witnesses shall be subject to cross-examination at the conclusion of their testimony. ALL PERSONS DESIRING TO PRESENT TESTIMONY ARE URGED TO APPEAR AT THE BEGINNING OF THE HEARING. IF NO WITNESSES ARE PRESENT TO TESTIFY, THE HEARING MAY BE ADJOURNED EARLY.
Customer comments regarding FPL's request may also be submitted to the Commission at the following address: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Such comments should refer to Docket No. 060038-EL. In addition, customers may contact FPL with questions or comments relating to the request through its Web site at www.FPL.com/stormhearing.
Any person requiring some accommodation at the service hearings because of a physical impairment should call the Division of Commission Clerk and Administrative Services at 1-850-413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD) or 1-800-955-8770 (VOICE).

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Pérfes

Juan Luis Guerra

¡Vuelven uno de los artistas más importantes de la música, además que prepara dos discos nuevos, uno con músicos puertorriqueños y el otro a dúo con colegas hispanos y mexicanos. Juan Luis Guerra y Luis Miguel.

El primero de los álbumes saldrá a principios de marzo, con la participación de músicos de la talla de "Santitas" y se llamará "Mío, Mío". El segundo, el artista de 62 años de edad.



Vuelven los Bee Gees

Los integrantes de Bee Gees, Robin y Barry Gibb, volvieron a los escenarios por primera vez desde la muerte de su hermano Maurice hace tres años, confirmo su regreso ayer.

El dúo regresó al escenario en el aniversario de la ciudad de Miami el sábado destinado a recaudar fondos para un instituto de investigación de la diabetes, presidido el agente de los Bee Gees en Los Angeles, Paul Borch.



Depardieu, el que más gana

Gerard Depardieu fue el actor francés que más ganó en 2005, con unos ingresos de 3,2 millones de euros, según da Jean Reno y Christian Clavier, según una lista publicada ayer por el diario *Le Figaro* sobre los diez actores y escritores galos con más ingresos.

Depardieu, que en el 2005 trabajó en cuatro películas, recuperó la primera posición de la clasificación que había perdido en el 2004 en beneficio de Gérard Jugnot, protagonista del exitoso film *Los chicos del coro*.

Cinco minutos de fama para Luciana

La modelo argentina Luciana Silluzzi ha tenido sus cinco minutos de fama al extenderse los rumores de que ha sido la celebrante de la boda de la cantante colombiana Shakira y el actor argentino Luis Miguel y la escritora Anacely Arribas.

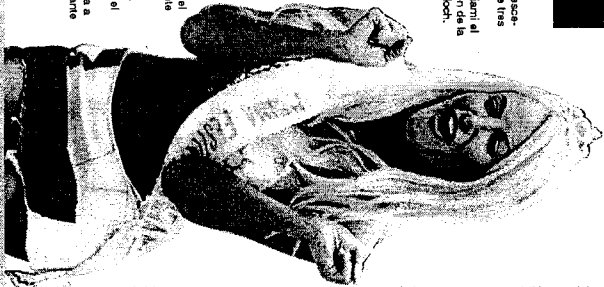
La prensa argentina y chilena han comenzado el rumor de que Arribas y Silluzzi se casarían en la casa del famoso cantante en Argentina donde lo encontró en la cama con la exuberante modelo.



Reyli tocará para Bachetel

Con cientos de proyectos en mente y canciones en la punta de los dedos, el cantante mexicano Reyli anunció ayer que tocará un espacio de su cuidada agenda para cantar el próximo 10 de marzo en Chile en la toma de la ciudad de Valdivia.

Reyli dijo que aceptó la invitación porque la cantante ecuatoriana de la nueva modalidad de la música muy "vulgar".



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La Comisión de Servicios Públicos de la Florida ha programado cuatro audiencias de servicios al cliente en su área como parte de su programa de servicios al cliente. Estas audiencias se realizarán el 20 de febrero de 2006 en los siguientes lugares:

- 11 a.m. - 4 p.m. School Board of Lee County, 1100 N. W. 13th Street, Ft. Lee, FL 32430
- 11 a.m. - 4 p.m. School Board of Volusia County, 2006 Central Avenue, Ft. Payne, Florida 32081
- 11 a.m. - 4 p.m. School Board of Alachua County, 1100 N. W. 13th Street, Ft. Lee, Florida 32430
- 11 a.m. - 4 p.m. School Board of Santa Fe County, 1100 N. W. 13th Street, Ft. Lee, Florida 32430

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La Comisión de Servicios Públicos de la Florida ha programado cuatro audiencias de servicio al cliente en su área como parte de su procedimiento de toma de decisión sobre Sumario de Causas No. 060038-EI, con respecto a la Petición para la Emisión de una Orden de Financiamiento para la Recuperación de Tormentas por Florida Power & Light Company. Con su petición, FPL se propone recuperar costos de restauración de las tormentas incurridos razonablemente y restablecer sus reservas para daños de tormentas. La principal propuesta de FPL substituiría los cargos adicionales actuales de tormentas con un cargo más pequeño que estaría activo por un periodo de doce años.

Horario de Audiencias de Servicio

Las audiencias del servicio al cliente programadas en su área serán conducidas por la Comisión en el horario y lugar indicado a continuación:

Miércoles, 1 de marzo de 2006 1 p.m. - 4 p.m.

School Board of Lee County
Board Room
Dr. James A. Adams Public
Education Center
2055 Central Avenue
Fort Myers, Florida 33901

Jueves, 2 de marzo de 2006 10 a.m. - 1 p.m.

Broward County Governmental Center
Room 422
115 S. Andrews Avenue
Ft. Lauderdale, Florida 33301

Jueves, 2 de marzo de 2006 4 p.m. - 7 p.m.

Fulton-Holland Educational
Services Center
Palm Beach County School Board
3300 Forest Hill Blvd., B102
West Palm Beach, Florida 33406

Viernes, 3 de marzo de 2006 10 a.m. - 1 p.m.

Miami City Hall (Dinner Key Hall)
City Commission Chambers
3500 Pan American Drive
Miami, Florida 33133

El propósito de estas audiencias es permitir que el público dé testimonio respecto a la calidad y suficiencia de las actividades de restauración de FPL durante las tormentas, de la propuesta de FPL sobre los costos de recuperación relacionados con las tormentas, y de otros asuntos relacionados con la petición de FPL para la emisión de una orden de financiamiento para la recuperación de las tormentas. Todos los testigos estarán sujetos a un interrogatorio al terminar su testimonio. **SE LE RECOMIENDA A TODAS LAS PERSONAS QUE DESEEN PRESENTAR SU TESTIMONIO PRESENTARSE AL PRINCIPIO DE LA AUDIENCIA. SI NO HAY TESTIGOS PRESENTES PARA DECLARAR, LA AUDIENCIA PODRÍA CONCLUIR TEMPRANO.**

Los comentarios de los clientes con respecto a la petición de FPL también pueden presentarse a la Comisión, a la dirección siguiente: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Los comentarios deben referirse a Sumario de Causas No. 060038-EI. Además, los clientes pueden comunicarse con FPL para preguntas o comentarios referentes a la petición, a través de su página de Internet en www.FPL.com/stormhearing.

Cualquier persona que requiera algún tipo de acomodo especial en las audiencias debido a una discapacidad física, debe llamar a la Division of Commission Clerk and Administrative Services al 1-850-413-6770 por lo menos 48 horas antes de la audiencia. *Cualquier persona con impedimento auditivo o del habla, favor de comunicarse con la Florida Public Service Commission usando el servicio Florida Relay Service, que puede localizarse llamando al 1-800-955-8771 (TDD) o 1-800-955-8770 (VOZ).*



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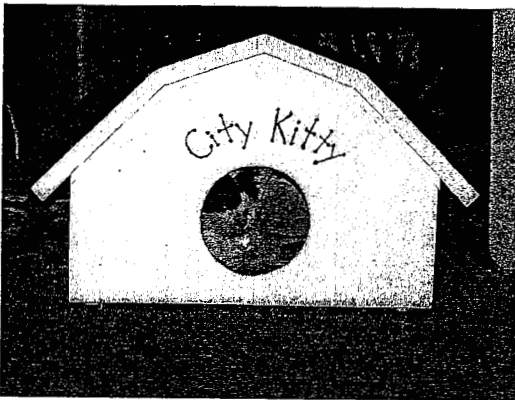
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Naples Daily News



A stray cat known as City Kitty rests in its custom-made house behind Naples City Hall, where she receives food and water. Submitted photo

Kitty

Continued from 18

Facilities Maintenance superintendent built the house. "I felt sorry for the cat," Cunha said. "When the hurricane came along, I was worried about where she was going to go."

At home, he began building a mini City Hall, but wanted something nicer looking and opted for a farmhouse. He also planned to build a copper roof, but then thought City Kitty might like carpentering in case she decided to take a nap above her home (which she does).

But he got sidetracked, put it aside for a month and finally finished it last month. A neighbor who has cats donated towels for the inside, and some toys.

"I started getting calls at night saying she was sleeping inside it," said Cunha, who loves animals, but unfortunately hasn't gotten to know City Kitty because she's severely allergic to cats.

Mayor Bill Barnett, another animal lover, also contributed. His grandchildren, Jacob and Caroline Buckheit, went with his wife,

Chris, to Earth & Fire and spun two clay bowls that are marked "City Kitty and Friends."

"They were feeding her out of a tin and a plastic water dish," he said of city employees.

The water bowl, which has a yellow rim, is white inside with blue fish swimming waves. The food bowl, which has a pink rim, features green paw prints inside.

"She thumbed her nose at chicken," Stephens explained. She also has a hampering for bacon, which Rita Neughton, executive assistant to the city manager, sometimes feeds her as a treat.

City Kitty couldn't win any beauty contests — and she isn't that friendly. She's about 10 years old, has green eyes, with one slightly closed, and a nervous tic. And she's a loner. But she's won the hearts of city employees who gather money to feed her or provide veterinary care.

"Everybody from the city attorney on down donates money and coupons to feed her," Stephens said, adding that the food is kept

in a kitchen, so employees working on weekends can feed her.

"We always make sure it's filled. I'm one of those nature freaks I feel so bad. We took (animal) homes and land away."

Former City Manager Richard Woodruff even paid to have her sprayed, after she had three litters that were all given away.

Other city cats have died off. Poppy Kitty was put to sleep and cremated about five years ago, after everyone gathered money. And Paco died of old age about eight years ago. Both were buried on a grassy hill between City Hall and the fire station.

City Kitty, who is so popular that a photo of her sleeping in her home will soon be prominently displayed at City Hall, spends her days roaming around City Hall, sleeping under the shade of cars, or under the overhang next to the Finance Department, where Stephens works. One day this week, she could be seen lying under a shady overhang, relaxing on wood chips near bushes.

Even though City Kitty may be getting a free ride, she's a working employee and earns her keep around City Hall, Stephens said. "We don't have rats around here anymore."

Mentors

Continued from 18

Natasha said McElroy has helped her grow as well. "It's good to know her," she said. "She makes me feel like I am part of her family. She's rubbed off on me. I like her enthusiasm."

The Big Brothers Big Sisters organization is looking for a few more mentors like McElroy.

The organization serves more than 1000 children in Lee, Collier, Hendry and Glades counties. More than 700 children are enrolled in the Community-Based Mentoring Program, which is the traditional Big Brothers Big Sisters program, and another 300 children in 16 schools are enrolled in the Bigs in School program, which puts volunteers in the schools to help children.

Eliane Connell, chief operating officer of Big Brothers Big Sisters of Southwest Florida, said studies have shown that children who are part of a mentoring program like Big Brothers Big Sisters have increased self-esteem and feel better about themselves.

That is why the organization is looking for a few good mentors in Collier County.

"We have kids on a waiting list," she said. "Not only in Collier County, but also in Lee. People think it requires a lot of time or expertise, but it doesn't. It takes someone who is serious about kids."

Connell said there are currently 285 children in Lee and Collier counties waiting for a Big match. Connell said the organization

looks for people who could donate an hour or two a week to a child and is willing to stay involved with that child as long as possible.

"For a lot of children in the program, the biggest thing they get out of this is knowing that there is someone out there who cares about them," she said. "A lot of kids come from single-parent homes or were raised by their grandparents or have a parent in jail. They just want to know someone is out there who thinks about them."

For those who cannot make that time one-on-one through the Community-Based Mentoring Program, the organization offers spots in the Bigs in School Program.

"The program happens on site at a child's school who will work with the child individually," Connell said. "They work on homework or socialization. It is not as much time required in becoming a mentor should call Big Brothers Big Sisters at (239) 403-0815 or visit the Web site at www.bigsincollier.com."

Once a mentor applies, he or she has to go through a background check and interview with a case manager. Once those are complete, the case manager matches the mentor with his or her "little" based on things like interests, hobbies and geographical location.

Natasha and McElroy spend time going to movies, having dinner, working on Natasha's homework and reading. McElroy is also helping Natasha find money to pay for college. The Golden Gate High School student has

been accepted to Florida Gulf Coast University.

"I hope I have impressed upon her the importance of education and the importance of making the right decisions, about caring for someone else," McElroy said. "The idea is to get these kids early and help them become responsible citizens."

Natasha said she could not possibly thank McElroy for all that she has done.

"She has helped me get with the right groups and meet the right people," she said. "It's good to know her. She is really demanding, but that's what I like about her."

Once a child reaches 18, the organization does not follow the Big Brother Big Sister relationship. But that does not mean the relationship will not continue.

McElroy said she and Natasha have a bond that will last beyond her 18th birthday.

"Just because she's 18 doesn't mean she won't need someone that she can cope with her problems," she said. "My job is to help her be the best she can be. The rewarding part is happening now, seeing how she has grown up and what kind of person she has become."

Natasha said she hopes eventually to become a Big Sister as well.

"I want to help some other kids. I would like to help a child accomplish their goals," she said. "It is one of my goals when I get out of school."

Local

Children suspected in trailer fire

By NICHOLAS P. ALAJAKIS
nalajakis@bournnews.com

Children home from school on a holiday are suspected of starting a fire that gutted a trailer at the Manana Christian RV Park on Monday.

The fire occurred at the north-west corner of the park shortly after 2 p.m. There was no one in the home, and no one saw the blaze start. However, neighbors reported seeing children around the home before it began burning, said Capt. Tim Broughton of the Bonita Springs Fire District.

Firefighters believe the fire started on a mattress that was located just outside the west entrance of the 25-foot trailer.

"We think it was started by children playing with matches, maybe a lighter," Broughton said. "It happens a lot in this area."

Flames from the mattress spread quickly to the home, where they engulfed furniture and cabinetry. Light winds blew some of the flames across a nearby fence, where they slightly charred part of an open field.

Firefighters were able to respond to the fire within three minutes from the district's new Bonita Grande Drive station. No other trailers were affected. Had the trailer been located anywhere else in the park, the western winds have blown flames on to other trailers, Broughton said.

The homeowners, identified only as three men, were at work

at the time of the fire, said Capt. Matt Standa of the Lee County Sheriff's Office. American Red Cross assistance has been provided for them, as the trailer was deemed uninhabitable.

Lee County Schools were closed Monday in observance of Presidents Day. About a dozen children huddled around the gutted trailer Monday as firefighters tore down charred walls. Children at Manana Christian are suspected of starting a fire on the east side of the trailer park three months ago.

It's tough to get clear answers from the children because of language barriers at the predominantly Hispanic park and because they are reluctant to tell on one another, Broughton said.

Tie-up

Continued from 18

of Bonita Springs. Castro was then rear-ended by a truck driven by Alfredo Tuxana, 62, of Naples.

The collision caused Castro's truck to overturn on the shoulder. The other vehicles came to a rest in the wide median.

There were no serious injuries reported. Castro was taken to North Collier Hospital, but was later released.

Tuxana, whose truck is owned by MCM Construction of Miami, said at the scene that the accident happened too fast for him to avoid hitting the other dump truck. He was going about 25 mph because of high traffic volume.

Stephenson, the Acura's driver, was the only driver cited. She was charged with improper lane change.

Crews took more than three hours to clean the spilled fuel and clear away the vehicles in the accident. Parts of the southbound lane were open by noon, but it was not completely opened until 2:30 p.m., said FHP Lt. Lisa Hunter.



Northeastbound traffic on Interstate 75 slows to a crawl after a dump truck accident between Corkscrew and Bonita Beach roads, closing the southbound lane for several hours Monday. Erik Kellar/Staff

much of the southbound traffic on the interstate was diverted at Corkscrew Road. Lee County transportation officials reacted to the tie-up by tweaking signals on U.S. 41. With motorists bailing off the interstate in droves looking to go north, engineers — members of the county Traffic Incident Management team — anticipated where they'd be going.

"We've got people bailing off 75 going to go north, so we put in a timing plan that favors that," said Harry Campbell, director of the county traffic division.

Normal operation is to have traffic signals on U.S. 41 give 120 or 140 seconds of green to northbound traffic. As I-75 north became a virtual parking lot Monday morning the time was lengthened to 180 seconds.

"Traffic flushes out," Campbell said. "I go to a longer cycle and more traffic pushes through. Of course the side streets and all the other movements have to wait longer."

Northeastbound traffic was not spared from delays either. Cars slowed considerably, as motorists took a peek at a longer cycle and more traffic pushes through. Of course the side streets and all the other movements have to wait longer.

Northbound traffic was not spared from delays either. Cars slowed considerably, as motorists took a peek at a longer cycle and more traffic pushes through. Of course the side streets and all the other movements have to wait longer.

Just wanting to get to their destination.

"I've never seen (an interstate) with little exits to turn off, or rest areas," said Mickey Hogan of Thunder Bay, Canada, who was driving south from Port Charlotte. "I need to use the bathroom."

The stop-and-go conditions caused at least two more mid-afternoon accidents on I-75, said FHP Capt. Terry Davis. Worse-than-normal conditions were reported on U.S. 41 and I-75 into the early evening.

Staff writer Charlie Whitehead contributed to this report.

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4 p.m. - 7 p.m.
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Dr. James A. Adams Public
Education Center
2055 Central Avenue
Fort Myers, Florida 33901
- Thursday, March 2, 2006
10 a.m. - 1 p.m.
Broward County Governmental Center
Room 422
115 S. Andrews Avenue
PL Lauderdale, Florida 33301
- Thursday, March 2, 2006
4 p.m. - 7 p.m.
Fulton-Holcomb Educational
Service Center
Palm Beach County School Board
3300 Forest Hill Blvd., #102
West Palm Beach, Florida 33408
- Friday, March 3, 2006
10 a.m. - 1 p.m.
Miami City Hall (Dinner Key Hall)
City Commission Chambers
3500 Pan American Drive
Miami, Florida 33133

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Grievance

Continued from 18

Feb. 2 School Board meeting.

Another employee did make a reference to a provision in the Collier Support Professionals' contract that says "no employee shall work without compensation," but said nothing of a work stoppage.

Areza admitted some employees close to this work Monday which was Presidents Day, but the majority worked.

"The employees are honorable people. They didn't think it was fair to have the children pay the price for the district," he said.

Areza said the union would take the grievance to arbitration. School Board attorney Richard Withers has advised district officials not to comment on the grievance.

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LOCAL FISHING FORECAST
SPORTS
Fridays in ...

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NAPLES DAILY NEWS
Published Daily
Naples, FL 34102

Affidavit of Publication

State of Florida

County of Collier

Before the undersigned they serve as the authority, personally appeared B. Lamb, who on oath says that they serve as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising, being a

PUBLIC NOTICE

in the matter of Public Notice
as published in said newspaper 1


time(s) in the issue February 21st, 2006

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding; the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Signature]
(Signature of affiant)

Sworn to and subscribed before me
This February 27th, 2006

[Signature]
(Signature of notary public)

 **Hcriet Bushong**
MY COMMISSION # DD234687 EXPIRES
July 24, 2007
BONDPROVIDER FARMINSURANCE, INC.

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Room 422
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4 p.m. - 7 p.m.
Fulton-Holland Educational
Services Center
Palm Beach County School Board
3300 Forest Hill Blvd., B102
West Palm Beach, Florida 33406

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10 a.m. - 1 p.m.
Miami City Hall (Dinner Key Hall)
City Commission Chambers
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Miami, Florida 33133

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Received Time Feb. 27. 3:22PM

of Lake Worth, has been charged with first degree homicide, according to the Palm Beach County Sheriff's Office.

Hawaii and New York. California is looking at sweeping road improvements. Property taxes are being targeted in Maryland and Florida.

- From wire reports

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167 W Dearborn St
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NORTHPORT SUN
13644 S Tamiami Trail
North Port, FL 34287
(941) 429-3000

DESOTO SUN
207 W Oak St
Arcadia, FL 34266
(863) 494-2434

PUNTA GORDA
331 Sullivan St
Punta Gorda, FL 33950
(941) 205-1000

SUNLINE
23170 Harborview Rd
Charlotte Harbor, FL 33980
(941) 206-1275

23170 Harborview Road • Charlotte Harbor, Florida 33980 • Phone: (941) 629-2855 • Fax: (941) 629-4499

Affidavit of Performance

Newspaper Name: Charlotte Sun

ID: 54-1040083

Address: 23170 Harborview Rd.

City, State, Zip: Charlotte Harbor, FL 33980

This is to certify that an ROP ad 2X9 FPL was published on 2/21/06 in CHARLOTTE,
DESOTO, ENGLEWOOD AND NORTH PORT editions of the Sun Newspapers.

Signature: Kathy Bishop
National Accounts Supervisor

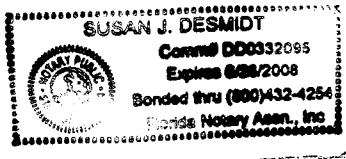
2/22/06
(date)

Notary: Affirmed before me, this 22 day of February, A.D. 2006.

Susan J. Desmond
Notary Signature (date)

Commission expires: 6/26/2008

Notary Seal:



Roberson American Family
Funeral Home.

OUT OF AREA

COOPER, BARBARA E.,
67, of Pevely, Mo., died
Wednesday. Arrangements by
Roberson Funeral Home &
Crematory.

DEATH

Don Paarlberg, 94, presidential adviser

WEST LAFAYETTE, IND. —
Don Paarlberg, an agricultural
policy adviser to three presi-
dents and an architect of
Dwight D. Eisenhower's Food
for Peace initiative, died Feb. 14
in West Lafayette.

The death of Paarlberg, 94,
was announced by a funeral
home in neighboring Lafayette.

Paarlberg, as a special assis-
tant to Eisenhower beginning
in 1958, took over direction of
the fledgling Food for Peace
program and ran it until 1961.

The program provided U.S.
food supplies to the hungry in
postwar Europe and other na-
tions. Since then, it has fed near-
ly 3 billion people in 150 coun-
tries, according to the U.S.
Agency for International De-
velopment, which now over-
sees Food for Peace.

— The Associated Press

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Dear Amy,

I have included the Affidavits and tear sheets for the securitization advertising for your review. This is the same information that I emailed to you yesterday. Please let me know if you need anything else.

Thank you,

Brandon Keller

407-425-6137

CRAMER-KRASSELT

225 E. Robinson Street, Suite 570, Orlando, FL 32801

Print Estimate

Client: FPL (Securitization Hearings) Today's Date: February 16, 2006

Miami Herald/El Nuevo Herald Ad Size Section Net Cost \$7,406.00

Insertion Date: Feb 21st
 Space Feb 17th 3P 2 X 9 B/W Main News
 Materials Feb 17th 5P
 Kim Tepper Ph: 305-376-2776; Fx: 305-995-8017

Net Cost \$6,783.00

Ft. Lauderdale Sun Sentinel

Insertion Date: Feb 21st
 Space Feb 17th 3P 2 X 10.5 B/W Main News
 Materials Feb 17th 3P
 Laura Benedetto Ph: 954-356-4132; Fx: 954-356-4395 modular paper necessitates slightly different size

Net Cost \$499.00

Palm Beach Post

Insertion Date: Feb 21st
 Space Feb 17th 4P 2 X 9 B/W Local News
 Materials Feb 17th 4P
 M. Mastropietro Ph: 561-820-4389; Fx: 561-837-8383

Net Cost \$1,419.08

Ft. Myers News Press

Insertion Date: Feb 21st
 Space Feb 17th 3P 2 X 9 B/W Main News
 Materials Feb 17th 3P
 Kathy Fragassi Ph: 239-335-0259; Fx: 239-334-3219

Net Cost \$775.87

Stuart/Port St. Lucie News

Insertion Date: Feb 21st
 Space Feb 17th 5P 2 X 9 B/W Main News
 Materials Feb 20th 12P
 Dorothy Dix Ph: 772-221-4293; Fx: 772-221-4175

Net Cost \$730.26

Naples Daily News

Insertion Date: Feb 21st
 Space Feb 17th 11A 2 X 9 B/W Main News
 Materials Feb 17th 4P
 Pamela Perrell Ph: 239-263-4832; Fx: 239-263-4703 e-mail ad to legals@naplesnews.com

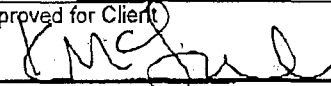
PLEASE NOTE THE EARLY SPACE/MATERIALS CLOSE DATES FOR NAPLES DAILY NEWS!

Port Charlotte Sun Ad Size Section Net Cost \$632.66

Insertion Date: Feb 21st
 Space Feb 17th 5P 2 X 9 B/W Main News
 Materials Feb 17th 5P
 Kathy Bishop Ph: 941-206-1250; Fx: 941-629-4499

Total Cost \$18,245.87

Approved for C-K Date

Approved for Client Date
 2/17/06

THE PALM BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

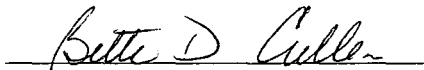
Before the undersigned authority personally appeared **Kristi Morrow**, who on oath says that she is **Customer Service Supervisor** of **The Palm Beach Post**, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **IO #00707** was published in said newspaper in the issues of **February 21, 2006**. Affiant further says that the said **The Post** is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before 21st day of February A.D. 2006



Bette D. Cullen
My Commission DD198605
Expires March 31, 2007



Personally known XX or Produced Identification _____
Type of Identification Produced _____

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PALM BEACH NEWSPAPERS, INC.

The Palm Beach Post
2751 S. Dixie Hwy., West Palm Beach, FL 33405
Phone: (561) 820-3106 Fax: (561) 820-4340
FED ID # 58-1633719
legals@pbpost.com

Legal Advertising Invoice

Account #	201302	Advertising Deadlines	
Ad #	378050	<u>Publish</u>	<u>Deadline</u>
Description:	Not: IO #00707	Monday	Friday 3PM
Size:	2 x 9 = 18 "	Tuesday	Friday 3PM
Amount:	\$586.98 GROSS	Wednesday	Monday 3PM
Published:	February 21, 2006	Thursday	Monday 3PM
		Friday	Wednesday 3PM
		Saturday	Thursday 3PM
		Sunday	Thursday 3PM

Cramer-Krasselt
Chris Hastings
225 E. Robinson Street
Orlando, FL 32801

