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Date:	7/5/2006		Docket No.: EI 060488-EI							
1. Divisio	n Name/Staff Name									
2. OPR:	Office of General C	ounsel	U							
3. OCR:	ECR/Kummer; Divis	ion of Regulatory Compliance	and Consumer Assist./Plescow							
4. Sugge	sted Docket Title:		treamline Hotel a/k/a Daytona Hostelry v. FPL regarding the and has responsibility for the wiring.							
	1767) 	··	·····							
А. В.	Provide NAMES OR Provide COMPLETE	ng List (attach separate shee ACRONYMS ONLY if a regu NAME AND ADDRESS for a representatives (if any):								
Eric C. Do	oyle, Streamline Hote	l, 140 South Atlantic Ave,	Florida Power And Light Company							
Daytona I	Beach, Fl, 32118 Pho	ne:386-258-6937	Natalie Smith, 700 Universe Blvd; (561)691-7207							
·			E-Mail: Natalie_Futch_Smith@Fpl.Com							
2	. Interested perso	ns and their representatives	(if any):							
6. Check	<u>one</u> :	<u></u> iren								
0. Check		ation is attached.	ï							
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I:\2006\streamlinehotelrequestfordocket.lcb.form.doc FPSC-COMMISSION CLERK

Request No. 665167E Name ERIC C. DOYLE	Business Name	STREAMLINE HOTEL, INC.
Consumer Information Name: ERIC C. DOYLE Business Name:STREAMLINE HOTEL, INC. Syc Address: 140 SOUTH ATLANTIC AVENUE	Sent to Agenda: Conf. Agenda Date: / / Form X Date Sent:03/28/2006 Form X Date Due: 04/12/2006 Form X Received Late: N	Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100
Phone: (386)-258-6937 Can Be Reached: (386)-258-6937 City/Zip: Daytona Beach / 32118- Date Transferred to BCO: 11/02/2005 Date Received by BCO: 11/02/2005 Suspense Date: 12/09/2005	Review Settlement Deadline: Review Analyst: JOHN PLESCOW Pre. Conf. Sett. Amount: Pre. Conf. Settement: Informal Conference Deadline: Informal Conf. Sch.: Y Confer	0.00
Utility Information Company Code: EI802 Company: FLORIDA POWER & LIGHT COMPANY Attn. Roseanne Lucas665167E	Date of Informal Conference: 06 Informal Conf. Sett. Amount: Informal Conf. Resolve: Y Post Conf. Sett. Amount: Post Conf. Settement:	0.00 Informal Conf. Settement:

Please review the attached correspondence in which the customer reports the following:

Customer indicates he was required to replace the main line to the meter. Customer indicates that the wires in the equipment owned by FPL were taped together which caused the problems in the hotel.

Per Consumer Complaint Rule 25-22.032, please use the following procedures when responding to PSC complaints.

1. Complaint resolution should be provided to the customer via direct contact with the customer, either verbally or in writing, within 15 working days after the complaint has been sent to the company.

2. A response to the PSC is due by 5:00 p.m. Eastern time, of the 15th working day after the complaint has been sent to the company.

3. The response should include the following:

a) the cause of the problem

equest No. 665167E

Name ERIC C. DOYLE

Business Name STREAMLINE HOTEL, INC.

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b) actions taken to resolve the customer's complaint

c) the company's proposed resolution to the complaint

d) answers to any questions raised by staff in the complaint

e) confirmation that the company has made direct contact with the customer

4. Send your written response to the PSC, and copies of all correspondence with the customer to the following e-mail, fax or physical addresses:

E-Mail - pscreply@psc.state.fl.us Fax - 850-413-7168 Mail - 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 Case taken by Angela Calhoun

09/21/2005 Report received via e-mail. EEstelle

09/23/05 - Customer correspondence received via U.S. mail; forwarded to KMarshall. /ewe

9/23/2005 Customer correspondence reviewed and added to the file. kmarshall

10/05/2005 Objection filed. Customer not satisfied with results of the damage claim. kmarshall

10/05/2005 Customer called for an update on this complaint. I advised that the company's report was received and currently under review. He requests a follow up from KMarshall once a determination has been made on this complaint. I emailed KMarshall to notify her of the customer's call. DFalise

10/27/05 - Mr. DOYLE called @ 3:05 PM and transferred to KMarshall. NForsman

10/27/2005 Mr. Richard Postlewait, Mr. Doyle's partner transferred to me by NForsman. The customer was advised that I am currently reviewing the case. The information that I have reviewed so for concerns a damage claim. Mr. Postlewait was advised that I will call contact him tomorrow. The customer gave me a contact number of 386-316-2746. kmarshall

10/27/2005 Reviewed report. The company reported the following: * FPL records reflect that on August 3, 2005, Mr. Steve Meyers, of Daytona Beach Hostelry, reported the hotel was experiencing partial power.

* A trouble ticket was issued and a Specialist was dispatched. The Specialist determined that the customer would need an electrician to replace a burnt wire in the customer owned equipment.

* The Specialist indicated that the on site Hotel Manager was advised of the findings.

* The Specialist indicated that the Manager requested temporary relieve until permanent repairs could be made. The

Request No. 665167E Name ERIC C. DOYLE Business Name STREAMLINE HOTEL, INC.

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Specialist arranged to return the next day to clean a connection and put tape on the wire with the burnt insulation. The Manager was advised that that procedure possibly will last for a while.

بالكار ومقروما حالب والتحقق والالانا والتحا

* On August 4, the meter man arrived, cleaned the connection and put tape on the burnt wire and left a rubber blanket covering it.

* On August 5, Mr. Meyer's reported smoke coming from the box.

* That day, a trouble ticket was issued. A technician was dispatched and determined that this was customer inside trouble, not in FPL facility.

* On August 9, a meter man removed the lock from meter can to allow customer required repairs.

* On August 11, a disconnect and reconnect was scheduled for the customer's electrician to complete repairs and upgrade customer-owned wiring. kmarshall

11/01/05 Customer called for case update. Connected to KMarshall. mwlivingston

11/01/2005 Mr. Postlewaite was transferred to me by MWLivingston. The customer was advised that the company response was reviewed. We have learned from FPL that the trouble of partial power was a result of customer owned wires that had been burnt and the customer would be responsible for replacing those wires. The customer states that the wires were inside a lock box (belonging to FPL) that his company did not have access to. The customer also states that the company connecting the lines to the pole without a weatherhead. Mr. Postlewaite is seeking further recourse. I have advised him that I would forward the case to my supervisor for further handling. kmarshall

11/02/2005 Case closed. kmarshall

11/02/05: Delivered case file to Process Review. RRoland

November 2, 2005: We received an e-mail at approximately 2:51 p.m. indicating that this case had been assigned to the Process Review Team. The case is closed. Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

November 2, 2005: FAXED TO THE COMPANY: THE CUSTOMER'S CASE HAS BEEN REASSIGNED TO THE PROCESS REVIEW TEAM. PLEASE DO NOT TAKE COLLECTION ACTION ON THE CUSTOMER'S ACCOUNT FOR ANY DISPUTED AMOUNT, IF APPLICABLE, REGARDING THE CASE, PENDING THE OUTCOME OF THE PROCESS REVIEW. A member of the PSC's Process Review Group will be following up with

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the company regarding this case. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

The above message was faxed to the company at approximately 3:04 p.m. Copy of the fax log report has been placed in the case file.

The RCA staff in charge of reviewing this case is John Plescow. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

11-10-2005 - I Called Ms. Lucas with FPL. It appears the demarcation point for commercial service is set by tariff or an agreement.

I requested that Ms. Lucas send me the applicable tariff or agreement. Note, it should specify or define the specific point of connection./JPlescow

11-14-2005 - I received the following via e-mail from FPL:

The point of delivery for commercial customers:

For OH service, it's the same as residential - we connect our service to the customer's wires at the weatherhead. We own and maintain the service and the connectors, the customer owns and maintains the wires from the connectors down to the meter enclosure and into the building. Our crews make the connection between our service and the customer's wires.

For UG service, the customer extends their wires to our source - normally a padmounted transformer or a handhole at the base of the pole. For vaults, the customer's wires are attached to the collector bus if there is no bus stab, if there is a bus stab then we connect our wires to the bus stab. Our crews make the connections in all cases. The customer owns and maintains the service conductors.

For both OH and UG, the customer owns and maintains the meter enclosure(s).

FYI: As far as maintenance agreements on customer facilities, only one known customer - Tropicana in Fort Pierce - in the past they have paid us on a job order basis to maintain/repair their primary voltage distribution system. We also maintain some facilities for other customers that are primary metered under the facility rental agreement. We do not maintain commercial customer "service conductors", the customer owns and maintains the service.

Tariff Sheet 6.030

4.1 Customer's Installation. The Customer's installation consists of and includes all wires, cutouts, switches and appliances and apparatus of every kind and nature used in connection with or forming a part of an installation for utilizing electric service for any purpose, (excepting meters and associated equipment), ordinarily located on the Customer's side of "Point of Delivery," and including "Service Entrance Conductors," whether such installation is owned outright by the Customer or used by the Customer under lease or otherwise.

equest No. 665167E Name ERIC C. DOYLE

Tariff Sheet 6.020

2.3 Point of Delivery. This is the point where the Company's wires or apparatus are connected with those of the Customer. The point of delivery shall be determined by the Company.

Roseanne Lucas (roseanne_lucas@fpl.com) Regulatory Affairs Department (RAD) Florida Power & Light Company (FPL) 9250 W. Flagler St. Room 5886D Miami, FL 33174 305-552-4602 Telephone 305-552-3849 FAX 305-525-1644 Cell /JPlescow

February 16, 2006: A copy of the case has been forwarded to ECR's Connie Kummer. The question presented in this case is: Who is responsible for maintaining the facilities, the hotel or FP&L? A reply will be provided by ECR staff. The results will be reported to the consumer as soon as possible. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

February 21, 2006: The pictures and bills received from the consumer were faxed to the company at approximately 4:41 p.m., per request of the company. The fax log report has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 9, 2006: Tony Velazquez, PSC engineer forwarded an e-mail. PSC engineer Tony Sobrino and Tony Velazquez will be meeting with FP&L and the Streamline Hotel representative on Monday, March 13, 2006, to discuss and investigate the complaint filed by Mr. Doyle. Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 10, 1006: A e-mail has been forwarded to bureau chief Rhonda Hicks as a reply to her question of when will the PSC engineer visit the Streamline Hotel. Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 14, 2006: A copy of a letter dated March 13, 2006, signed by Dr. Mary Bane forwarded to the consumer was received. It has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 14, 2006: Tony Velazquez has provided a report on the results of his meeting with Mr. Eric Doyle, owner of the Streamline Hotel,

Observations made by PSC engineer:

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Name ERIC C. DOYLE

Business Name STREAMLINE HOTEL, INC.

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The installation in question was very old but has recently been upgraded and changed substantially. The original installation was made up of a pole with a three phase bank of transformers and an overhead service drop to the hotel's service mast located at a rear corner of the hotel. The service then continued underground along side the building and entered the basement near the front of the building. In the basement the service entered an enclosure that, prior to the upgrade, housed Current Transformers (CTs). After the CT enclosure, the service conductors continued to the load center where the power is divided out to the various hotel circuits. CT's are devices used in conjunction with standard electric meters to measure electric consumption in most commercial and industrial loads because the large currents associated with these loads are beyond the capacity of conventional meters alone.

Explanation of ownership of equipment:

Mr. Evan's of FP&L stated that the CT enclosure itself, and most of the conductors entering and exiting it, was the customer's property. The CTs and the wires from them to the electric meter, which was located adjacent to the CT enclosure, were FP&L's property. Mr. Evans also stated that the enclosure was secured with an FP&L lock and displayed FP&L decals to prevent unauthorized entry. Exposed high voltage parts housed within the enclosure necessitated this safety measure. CT tampering to alter recorded electric usage was another concern and reason for restricting access. This arrangement is similar to that employed in residential services where the meter enclosure, also known as the meter base, and all wires within it belong to the customer but only the utility can break the seal to open it.

Explanation of what may have occurred at the hotel:

The photos that Mr. Doyle provided indicate that a conductor within the CT enclosure became overheated and began to burn. Mr. Evan stated that during the initial trouble call an FP&L technician measured an extremely large current on this conductor. Exceeding a conductor's current carrying capacity will dangerously overheat the conductor and cause the insulation to break down. The hotel was filled to capacity at the time and could have been operating at maximum load. Improper balancing of circuits in the load center can lead to excessive currents on certain conductors. *Note* Engineer Velazquez is of the opinion that "he does not know if a malfunctioning CT can do the same."

Confusion at the meeting:

According to engineer Velazquez, they experienced some confusion during the meeting because Mr. Doyle had not been informed about the meeting. He just happened to be there that morning. It has been engineer Velazquez' experience that the utility contacts the customer and makes all arrangements, but Ms. Lucas assumed the PSC had made the arrangements. Mr. Doyle was very dissatisfied with the discussion and explanations offered during the meeting.

Request No.	665167E	Name	ERIC C. DOYLE	Business Na	me STREAMLI	E HOTEL,	INC.
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Because Mr. Doyle was not prepared in advance, engineer Velazquez offered to hold another meeting at which his electrician or other representives could be present. Mr. Doyle accepted the offer and engineer Velazquez is waiting to hear back from him.

Copy of the report has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 14, 2006: Engineer Velazquez has forwarded the following information on an e-mail received at the PSC at approximately 2:28 p.m.

Engineer Velazquez has indicated that a repeat meeting will be held on Thursday, March 16, 2006, at 3:00 p.m. Mr. Postlewait, CEO of the Streamline Hotel along with his electrical contractor and maintenance person will be present. FP&L will have the same representatives at the meeting except for Rosanne Lucas who cannot attend.

Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 21, 2006: A report of the second meeting has been received from the PSC engineers. The following has been reported:

"On Thursday, March 16, 2006, Tony Sobrino and I attended a second meeting between FP&L and Streamline Hotel representatives. As in the first meeting, ownership of the CT enclosure and associated conductors could not be agreed upon and the issue remains unresolved."

FP&L representatives reasserted the following:

The CT enclosure, including the CTs, and all conductors entering and exiting the enclosure are the property of the Streamline Hotel and were installed by the hotel's electrician on the original date of installation. An FP&L employee only connected the thin wires exiting the CTs to the terminals of the meter which was located adjacent to the CT enclosure. The meter recorded the hotel's electric consumption via the signals that were carried on these thin wires. The CTs and the enclosure were originally the property of FP&L, but ownership was transferred to the hotel when they were handed over to the electrician. FP&L placed a lock and company decals on the CT enclosure for safety purposes and to maintain the integrity of the meter readings.

Streamline Hotel representatives reasserted the following:

The CT enclosure is clearly marked with the labeled "Property of Florida Power & Light Company" and that the lock prevented them from investigating and rectifying the problem within the enclosure.

Request No. 665167E Name ER

Name ERIC C. DOYLE

Theories of the cause of the trouble:

Theories about the original cause of the trouble were proposed by both parties but none of the theories were irrefutable.

FP&L representatives indicated that the hotel's load center was not properly arranged and pointed to highly unbalanced current reading taken by their technician during the first trouble call. They stated that the reading had been taken in the presence of a hotel maintenance man. The maintenance man was present at the meeting and refuted FP&L's numbers and stated that the current levels reported to him were not unusual. The hotel's electrician, who installed the equipment and conductors currently in place, said he checked for load imbalance when he performed his work and found that the load center did not require re-balancing.

Streamline Hotel representatives believe that a bad connection at the weather head or a faulty transformer on the pole caused the overheating in the CT enclosure. FP&L countered by stating that it was impossible for a heat source to melt insulation on conductors far removed from the heat source and not even scorch the insulation on the conductors in close proximity to the heat source. They also noted that two other homes are served by the transformer and the residents there did not report trouble nor did the service drops to either home show signs of overheating.

Results of the meeting:

None of the proposed theories were flawless or accepted by all parties.

PSC's engineers opinion of the situation:

At this point, it would be extremely difficult, if not impossible, to determine why the conductor within the CT enclosure became so overheated.

Request from the consumer:

Mr. Doyle of the Streamline Hotel requested a copy of the PSC's engineers report.

Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

March 28, 2006: A cover letter and a dispute resolution form have been forwarded to the consumer via certified and regular mail. The completed dispute resolution form is to be postmarked no later than April 12, 2006. Copy of the dispute resolution form has been faxed to the company and a copy placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

lequest No. 665167E

Name ERIC C. DOYLE

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April 3, 2006: The green card belonging to the certified correspondence forwarded to the consumer has been received. The post office delivered the correspondence on March 30, 2006. The green card has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

April 18, 2006: The completed dispute resolution form was received on April 14, 2006. The form also has an addendum page, and five photographs. Copy of the above documentation has been faxed to the company and the originals placed in the case file. The Regulatory Consultant in charge of the informal conference is Kate Smith. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

May 11, 2006: A follow-up letter has been forwarded to the consumer informing him that staff received his completed dispute resolution form and that an informal conference will be scheduled. As soon as the date is available, staff will contact him by mail. Copy of the letter has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

May 19, 2006: The informal conference has been scheduled for Wednesday, June 28, 2006, beginning at 9:30 a.m. The toll free number to call in on the day of the conference is 877-651-3473. Copy of the Meet-me-conference e-mail has been placed in the case file.

An e-mail has been forwarded to bureau chief Rhonda Hicks requesting an attorney from General Counsel's office and a technical staff be assigned to the informal conference. Copy of the e-mail has been placed in the case file.

A letter will be forwarded to the consumer via certified and regular mail informing him of the scheduled informal conference. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

May 22, 2006: An e-mail has been received from Mary Anne Helton indicating that Cochran Keating is the attorney assigned to the informal conference. Copy of the e-mail has been placed in the case file. Carmen Peña - Supervisor Process Review Group (BCR/RCA)

May 26, 2006: I received a request for a complete copy of this file from FPL. It was copies and mailed today. Kate

equest No. 665167E

Name ERIC C. DOYLE

AGE NO: 9

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

STATE OF FLORIDA



DIVISION OF REGULATORY COMPLIANCE AND CONSUMER ASSISTANCE DANIEL M. HOPPE, DIRECTOR (850) 413-6480

ORIGINAL

Hublic Service Commission

FACSIMILE TRANSMITTAL COVER SHEET

RE: Inquiry No. <u>665167E</u>

DATE:

Koseanne Lucas

то:

UTILITY/BUSINESS:

FAX NUMBER:

CARMEN PEÑA DIVISION OF REGULATORY COMPLIANCE AND CONSUMER ASSISTANCE BUREAU OF COMPLAINT RESOLUTION FAX NUMBER (850) 413-6110

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COMMENTS: istomer);

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NUMBER OF PAGES, INCLUDING THIS COVER SHEET:

Commissioners: Lisa Polak Edgar, Chairman J. Terry Deason Isilio Arriaga Matthew M. Carter II Katrina J. Tew

STATE OF FLORIDA



DIVISION OF REGULATORY COMPLIANCE AND CONSUMER ASSISTANCE DANIEL HOPPE, DIRECTOR (850) 413-6480 TOLL FREE 1-800-342-3552

Hublic Service Commission

May 30, 2006

Certified and Regular Mail

Mr. Eric C. Doyle Streamline Hotel, Inc. 140 South Atlantic Avenue Daytona Beach, FL 32118

ORIGINAL

Re: FPSC Inquiry No. 665167E

Dear Mr. Doyle:

Thank you for contacting the Florida Public Service Commission (PSC) about Florida Power and Light Company, Inc. We are proceeding to the next step in the review process. Your informal conference will be held via telephone on Wednesday, June 28, 2006, at 9:30 a.m.

On the day of the conference, please call us at (888-808-6959). The utility will also call in on this number. Once we are all connected, we will begin the informal conference.

I wish to emphasize that this process is informal and the PSC's staff will only act as a facilitator to the discussion. I hope that both sides will participate fully and reach a fair settlement. Both parties have a chance to participate in the decision and outcome of the complaint. For your convenience, I have attached a list of unresolved issues which was taken from the Dispute Resolution form you completed. An explanation of the procedures to be followed at the informal conference is also attached for your review. Please be sure to have both the attachments to this letter with you when you call us.

Sincerely,

1 222

Rhonda L. Hicks, Chief Bureau of Complaint Resolution BCR/RCA

c: Florida Power & Light Company

Internet E-mail: contact@psc.state.fl.us

UNRESOLVED ISSUES Streamline Hotel a/k/a Daytona Hostelry Vs. Florida Power & Light Complaint No. 665167E

ORIGINAL

In accordance with Rule 25-22.032(8)(e) F.A.C., we are sending you a written notice of the unresolved issues from the above-referenced complaint. These are the only issues that will be open for discussion at the informal conference. Please be sure to have the list on hand for easy reference.

- 1. Where is the demarcation point in this building?
- 2. Did FPL's restriction of the access to the Current Transformer room cause the company to hire an electrician to replace the main power line leading to the new outside meter and do rewiring at a cost of \$14,382?
- 3. Is FPL responsible for the loss of business to the hotel when it had to close due to the power failures (\$7,410)?
- 4. Is FPL responsible for damages or compensation for the above losses?

PROCEDURES

TO BE FOLLOWED

AT THE INFORMAL CONFERENCE

ORIGINAL

- 1. Per PSC Rule 25-22.032(8)(f), Florida Administrative Code, the informal conference will be tape-recorded. Copies of the tape are available for \$2 each. Parties may contact the Division of the Commission Clerk and Administrative Services in writing, to request copies. If desired, parties will be responsible for transcribing the tape.
- 2. The customer will be asked to make an introduction and to introduce any parties present with him/her. Introductions should include the individual's name, who he/she represents, and the reason for attending the informal conference.
- 3. All parties are asked to address their comments directly to the PSC moderator and not to each other.
- 4. All parties will be given an opportunity to speak and rebut comments made by an opposing party. Each party will be given 5 minutes at a time to present their concerns or rebuttal.
- 5. Statements should be limited to issues identified on the customer's Dispute Resolution Form.
- 6. Statements by the customer should not raise any new issues not addressed in the initial complaint.

Commissioners: Lisa Polak Edgar, Chairman J. Terry Deason Isilio Arriaga Matthew M. Carter II Katrina J. Tew

STATE OF FLORIDA



DIVISION OF REGULATORY COMPLIANCE AND CONSUMER ASSISTANCE DANIEL M. HOPPE, DIRECTOR (850) 413-6480

新教会

Hublic Service Commission

FACSIMILE TRANSMITTAL COVER SHEET

	RE: Inquiry No665167£
DATE:	April 18, 2006
то:	Roseanne ducas
UTILITY/BUSINESS:	FP+L
FAX NUMBER:	Speed Dial 06

CARMEN PEÑA DIVISION OF REGULATORY COMPLIANCE AND CONSUMER ASSISTANCE BUREAU OF COMPLAINT RESOLUTION FAX NUMBER (850) 413-6110

comments: Cutomer: Streamline ttotel, Inc. Representative: Eric C. Doyle dispute resolution arm an Com en Ve Showina 0 lOP lm Hpril α ate 2006 Mark のて ive \mathbf{O} æ Note Æ lhe eau lator 01 S Cha th into Smith Kate hould ence S DU ase uestions CON Dr $\boldsymbol{\Omega}$ era 8 50 6105 na





FLORIDA PUBLIC SERVICE COMMISSION DISPUTE RESOLUTION FORM

FPSC Complaint Number: 665167E **Utility:** Florida Power & Light Company RECEIVED

APR 1 4 2006

Elandela D. L. .

	Consumer to provide the following information:	Division of RCA
Consumer's Name:	Mr. Eric C. Doyle, Streamline Hotel, Inc	
Address/Apartment:	140 South Atlantic Avenue	
City/State/Zip:	Daytona Beach, FL 32118	
Daytime Telephone N	lumber: 386-258-6937 Home: <u>381</u>	- 253-6561
	FAX: 386-258-6541	COPY
E-mail address:		
Authorized Represent	ative (if applicable): <u>RICHARD</u> P. Po	STLEWAIT
	Utility to provide the following information:	
Account Holder:	E.G. DULLE OWNER	
Utility Contact Person		
Telephone Number:	386 258 6937 FAX: 386	258 6541
E-mail address:		يەر چېچىنى «كەر يېزىكە يېرىكە» يې دەر يېزىكە يېرىكە يېرىكە يېرىكە يېرىكە يېرىكە يېرىكە يېرىكە يېرىكە يېرىكە يې يېرىكى يېرىكى

Please address the following statements using additional pages if necessary.

Describe the facts that gave rise to the complaint and the reason why it appears to be a violation of applicable statutes, rules, company tariffs, and/or orders of the Commission. Statements should not raise any new issues not addressed in the initial complaint. Any new issues will be considered as a separate complaint. THE ORIGINAL INCIDENT, THAT PROMPTED THE ELECTRICAL ROBLEMS TO OUR HOTEL, WAS CAUSED CONDUCTOR BV A (CT) HOUSED IN A "CURRENT TRANSFORMERS" ENCLOSURE. THIS IS THE FIRST POINT OF CONNECTION INSIDE OF OUR BUILDING. THE CONDUCTOR BECAME SO OVERHEATED THAT THE INSTALLATION BEGAN TO BURN. THE INSTALLATION BURN RESULTED IN A COMPLETE FAILURE OF THE ELECTRICAL SERVICE TO OUR HOTEL BUILDING.

dentify the issue(s) to be resolved. THE CT ENCLOSURE WAS "PROPERTY CLEARLU LABELED POWER DRIDA イト HND COMPANY aht AND A WAS PLACED ENCLOSURE DN RuPPE PREVENTER Ł **US** FROM INVESTIGATING AND APDRESSING PROBLEM.S WITHIN The ENCLOSERE INHEN FIRC BEGAN EXPERIENCING PROBLEMS THE SUBSEQUCE POWER FAILURE NECESSITATED ThAT OUR ELECTRICIAN HAD TO REPLACE THE MAIN POWER LINE X6 TO NEW OUTSIDE METER AND RE-WIRING D'T 382.00. THE LOSS OF POWER AND REDAIRS OF \$14 DC GAUSED US TO CLOSE BUILDING OUR RESULTING IN 171251255 APPROXIMATELY DF 10.00 OUR HOTEL \$3.000.00 AND AN ADDITIONAL 10. DUR TWO(BARS. (FOR THE PERCOD WE WERE CLOSED

Identify any specific dollar amount in dispute, if applicable. <u>\$21,792.00</u>

Provide a suggested resolution or the relief sought.

WE ASK THAT THE PSC AGREE WITH OUT CONTENTION THAT SINCE FPEL DECLARES DWNERGHIP DF THE ENCLOSE. THEN OBVIOUSLY THE CONTENTS OF THAT Be Theirs. CONTAINER MUST ALSO SINCE THE FAILURE TOSE CONTENTS CAUSED DUR ELECTRICAL WL ARE THEREFORE BLEMS SEEKING RECOMPENSE POCKET DUR OUT OF DF EXPLASES FOR DSS BUSINESS DF

WE HAVE INCLUDED 4 Photo ENCLOSURES TO SUBSTANTIGTE OUR CLAIM (ONTINUED) NOTICE: This form must be postmarked by April 12, 2006. PSC/CAF 010 (New 01/04)

YEC

APR 1 4 2006

Florida Public Service Commissi Division of RCA

RECEIVED

APR 1 4 2006

Division of RCA Florida Public Service Commission

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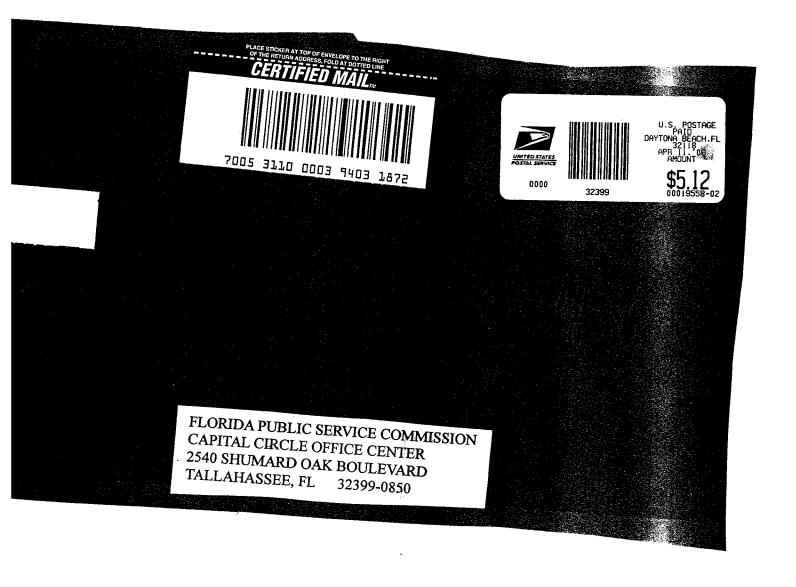
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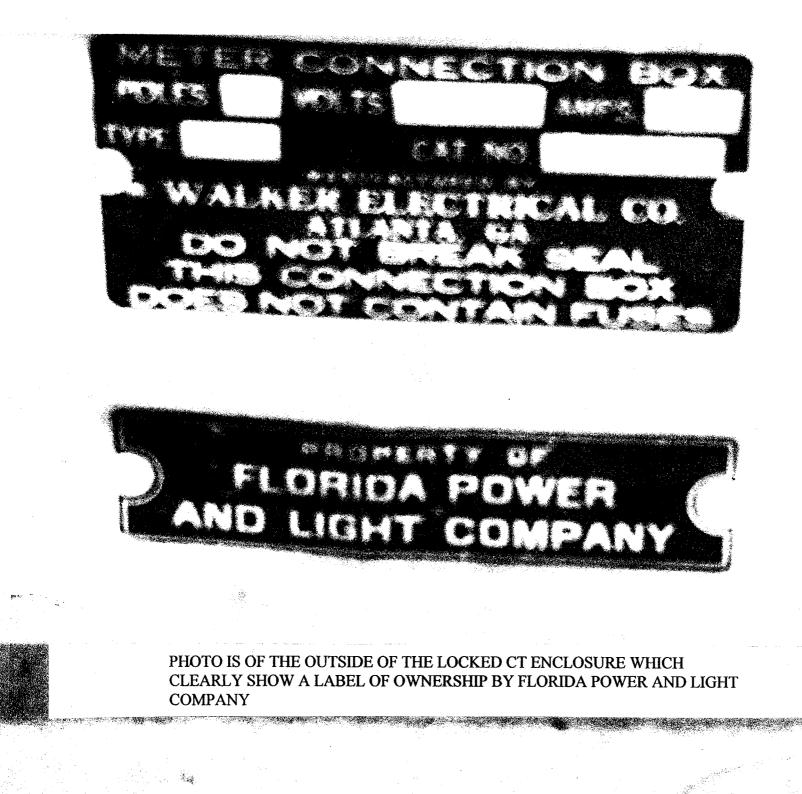
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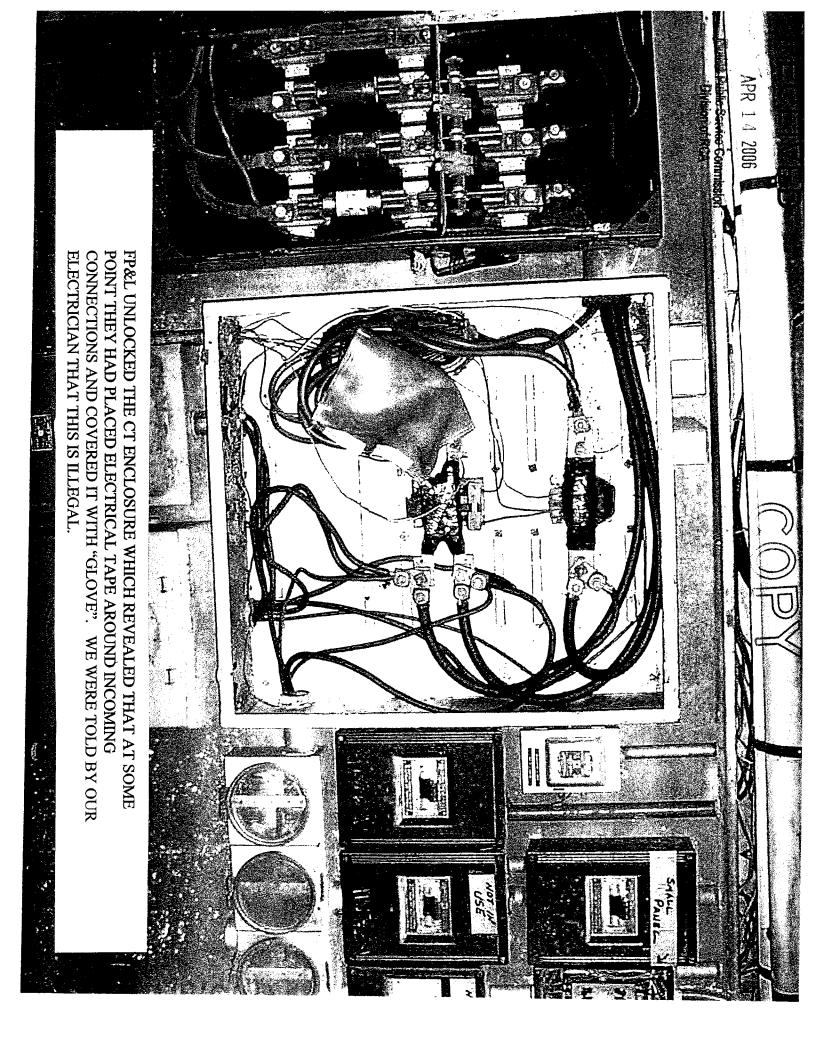


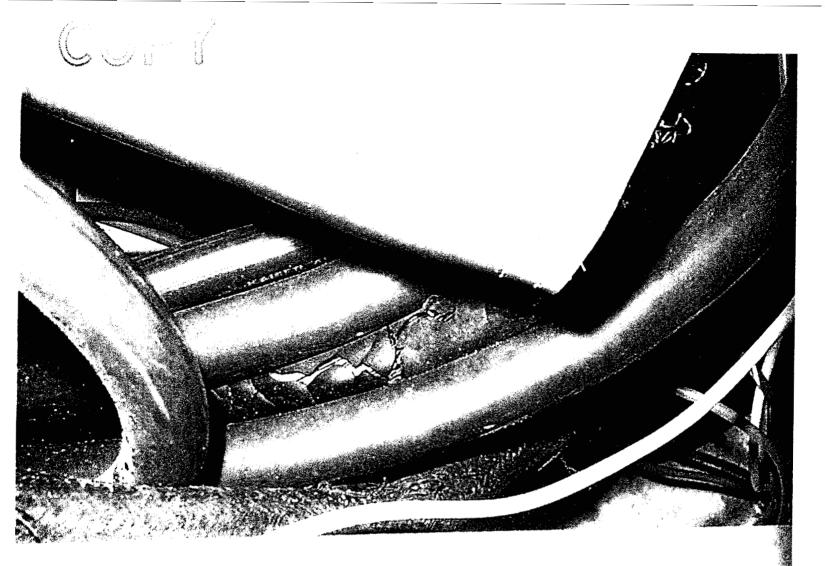
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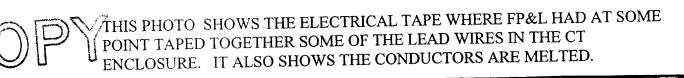
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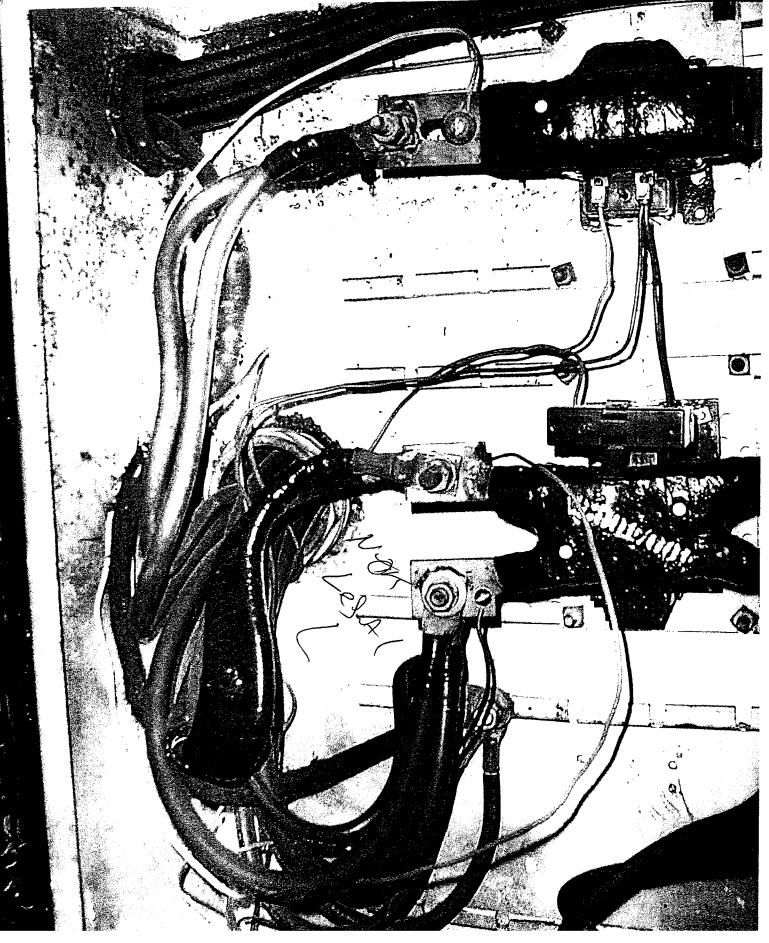




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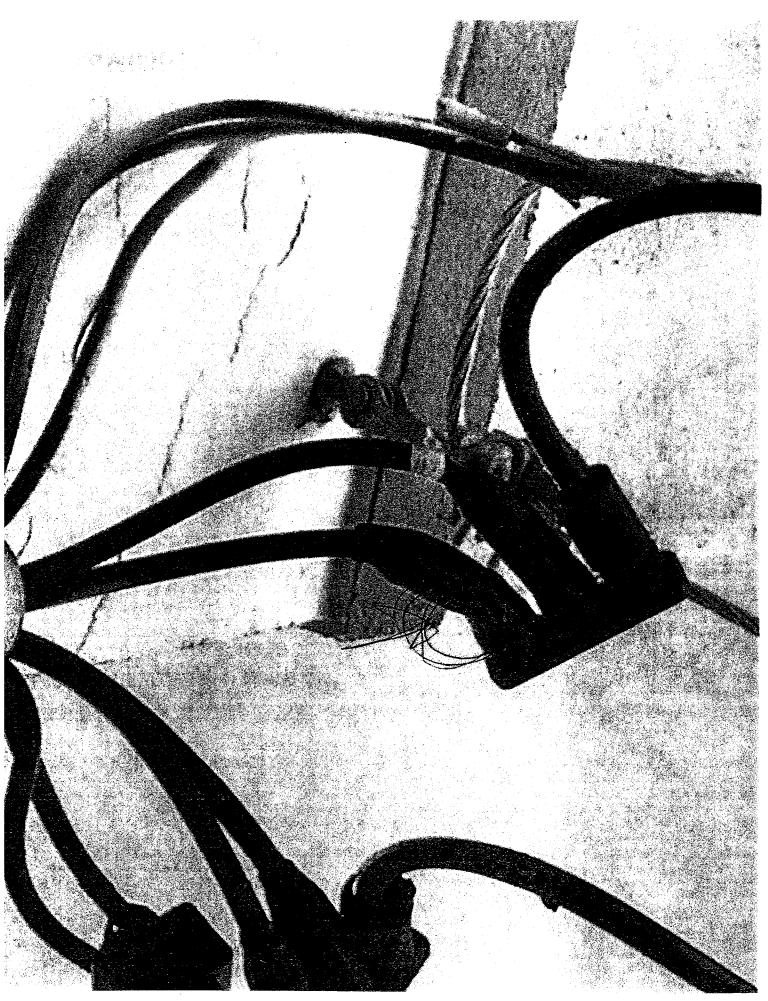


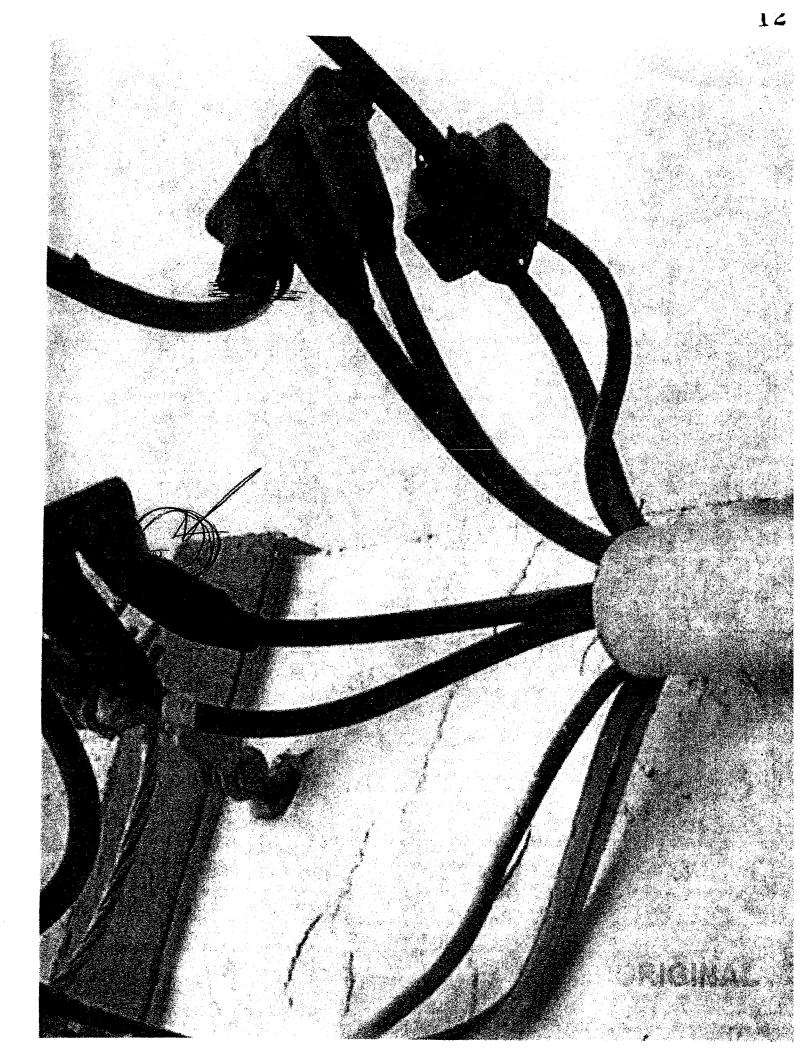


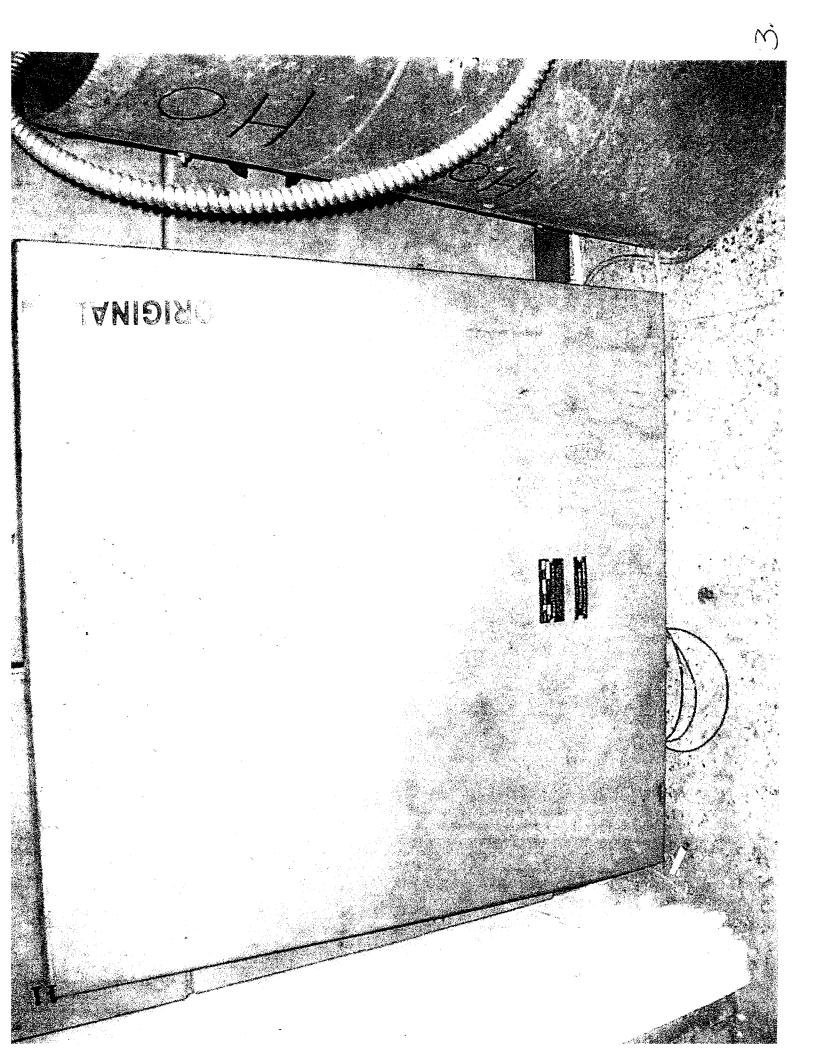
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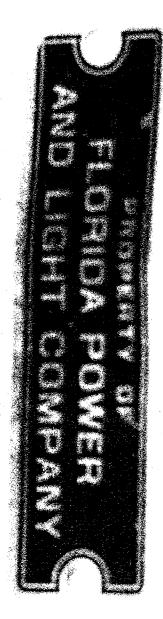
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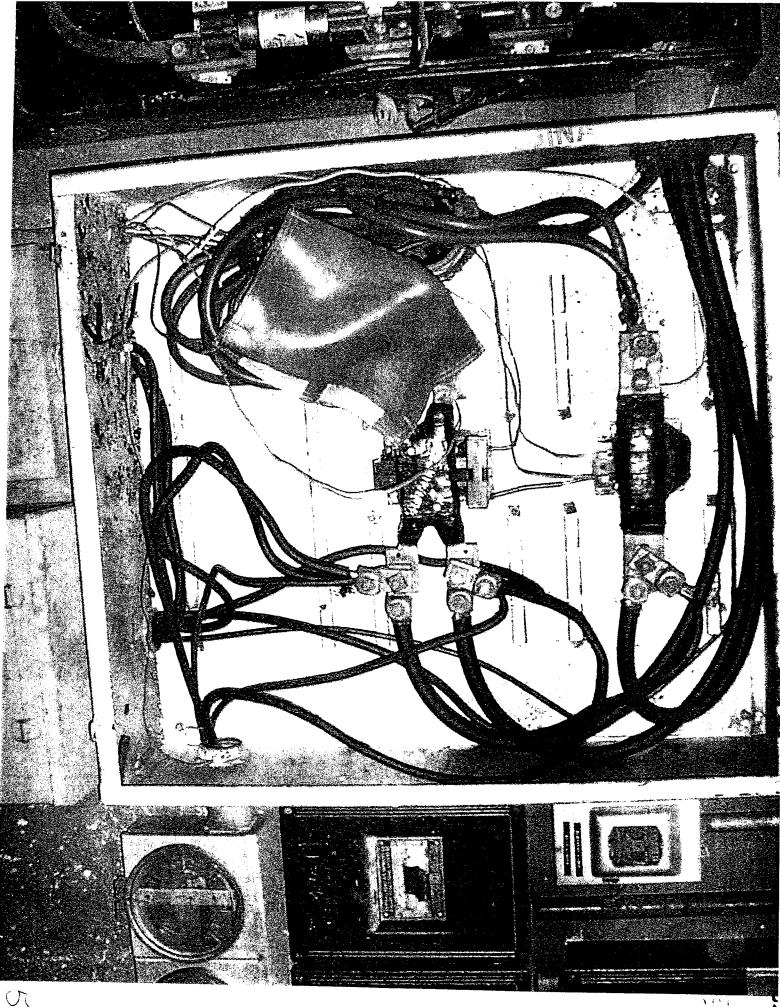




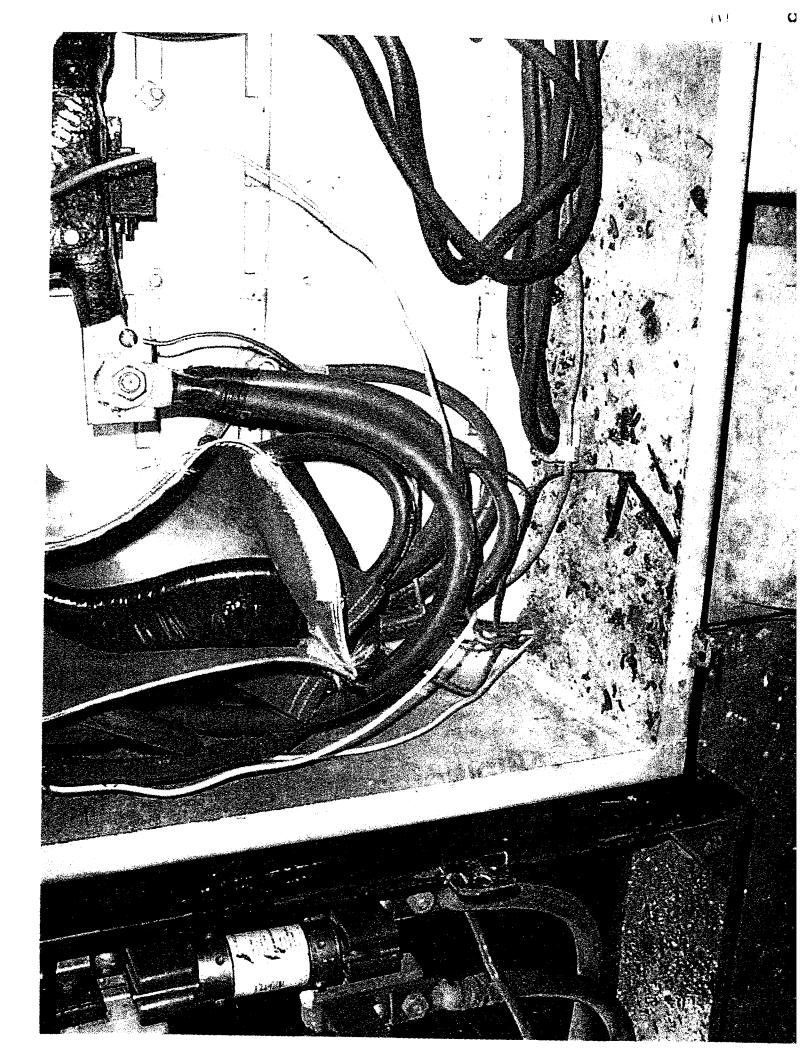
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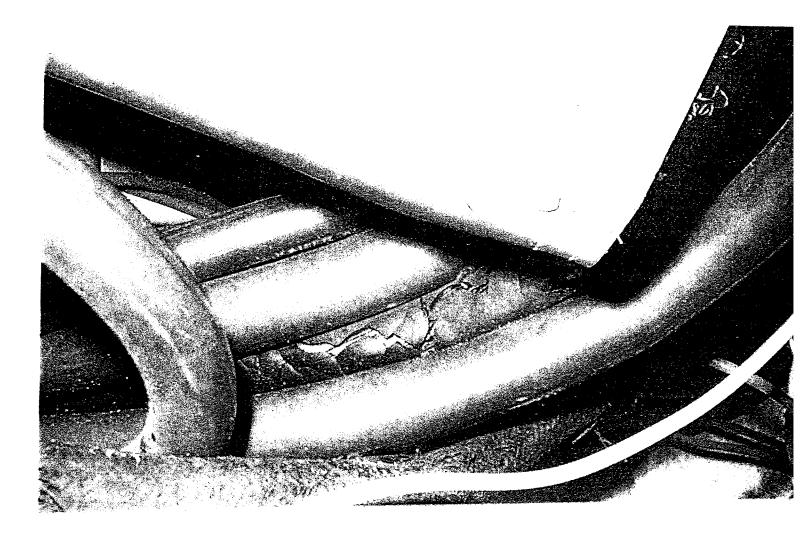


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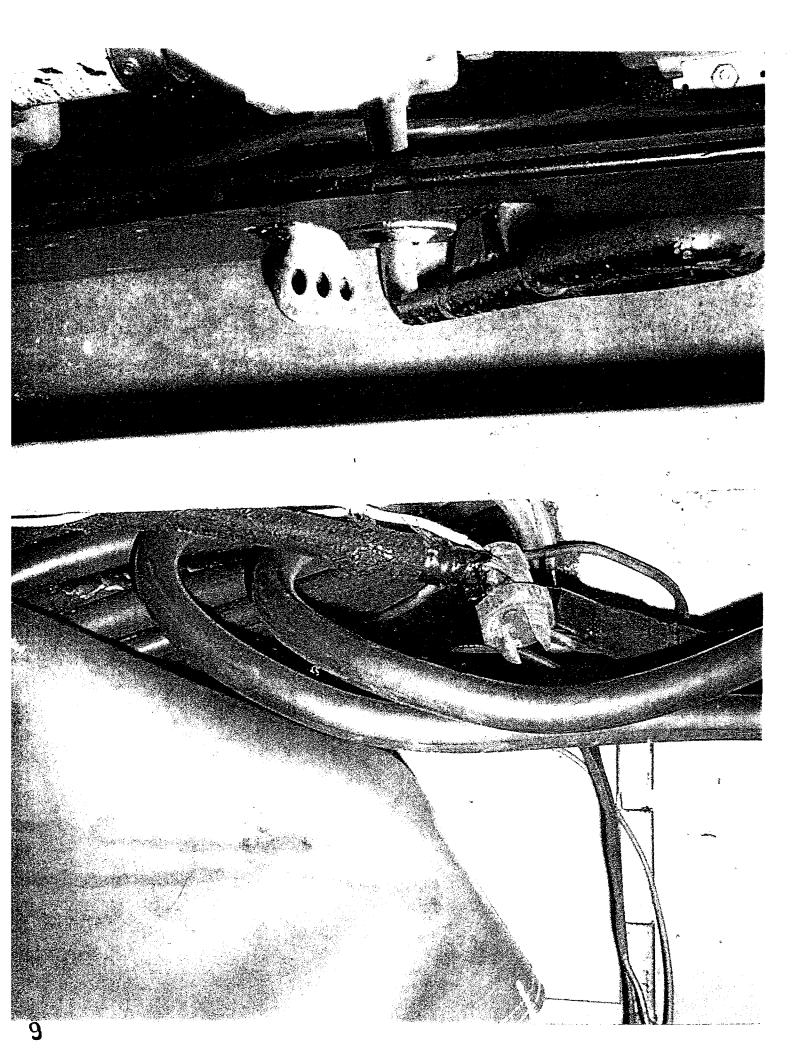


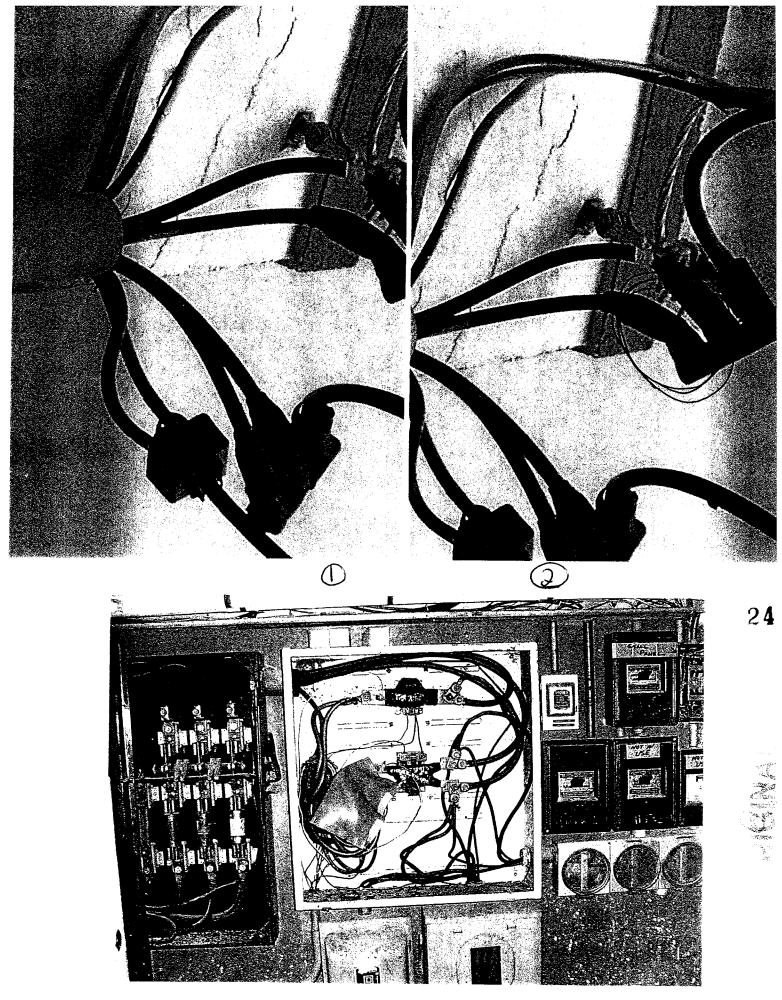
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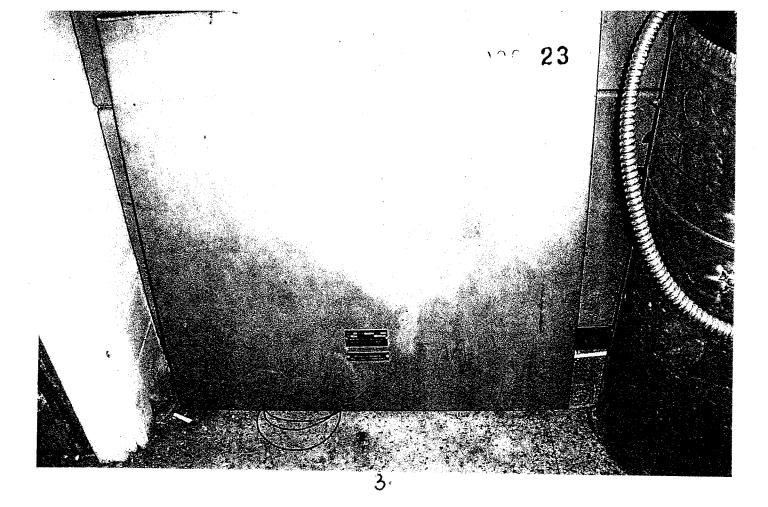


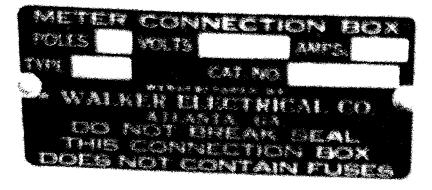




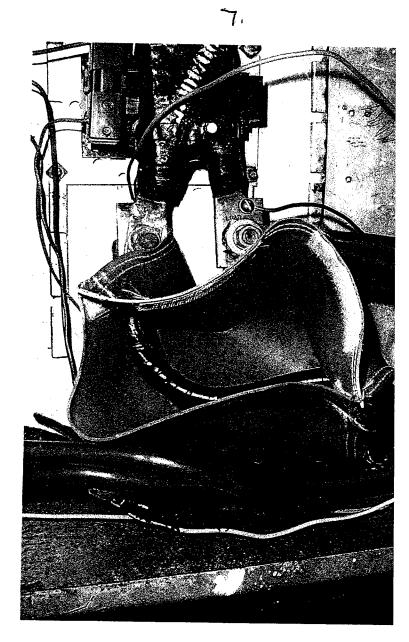














Streamline Hotel Inc.

140 South Atlantic Avenue Davtona Beach, Florida 32118 (386) 258-6937 Fax (386) 258-6541

August 25, 2005

Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Fl. 32399-0850

Dear, Florida Public Service Commission

Thank you for help concerning the problem we are having with Florida Power & Light Company. Are reference number is 665167E.

We have received a letter back from Florida Power & Light Company. It states: That are claim was denied. The Streamline Hotel Inc. believes that this is wrong, due to the fact there was nothing we could do about this problem.

As the Streamline Hotel Inc. has stated in the enclosed letter: There was no problem with the wires until Florida Power & Light Company did the work. We had no access to the pole or the Florida Power & Light Companies locked box. This was all the negligence of the Florida Power & Light Companies.

We are asking for your help with the Florida Power & Light Companies negligence. The Streamline Hotel would like this cost to be returned. Could you please investigate into this matter? Enclosed is the letter to Florida Power & Light Company and pictures that was taken before the job occurred. If you have any questions please contact us at that address and phone listed above.

Respectfully,

Eric G. Doyle President

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September 8, 2005

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ORIGINAL

Daytona Beach Hostelry 140 S Atlantic Ave Daytona Beach, FL 32118

Dear Daytona Beach Hostelry:

Reference: Damage Claim No. WR-1788168

Date of Loss: August 3, 2005

Location of Loss: 140 S Atlantic Ave

Thank you for your recent inquiry concerning your claim. Your concern is very important to us.

As we discussed, I have completed my investigation into your claim and have found no liability on the part of Florida Power & Light Company. Our records reflect the wiring on the customers side needed

to be replaced.. Therefore, I must respectfully deny your claim.

If you should have any further questions, please call me at (877) 552-5383, between the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday. For any other questions concerning your FPL account, please contact Customer Care by calling (800) 375-2434.

Sincerely,

Letre W. Strayer

William W Strayer Claims Representative



Streamline Hotel Inc.

140 South Atlantic Avenue Daytona Beach, Florida 32118 (386) 258-6937 Fax (386) 258-6541

August 25, 2005

Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Fl. 32399-0850

Dear, Florida Public Service Commission

On Thursday, August 11th of 2005, we had to replace the main power line leading to the electric meter at the cost of \$14,437.00. It is our opinion that this is not our responsibility, because the wires ran into a locked box that we did not have access too. This box was clearly marked F.P.L.

After your representatives opened the box, we noticed that two of the wires had been taped together. This with the loose connection outside of the building caused the problem. Neither area has ever been in our control.

The Streamline Hotel had to close. There was an emergency shut down for 24 hours, causing a loss of business in the excess of \$4,500.00. This would bring the total to \$18,937.00.

Enclosed is a copy of the bill from Electrical Energy System, Inc. and the electrical permit to complete this job and pictures of F. P. L.'s negligent work.

Pictures: These are all pictures of F. P. L. work.

1. This is a picture of the wires F. L. P. hook up when new transformers was installed. There was no weather head installed, the loss connection where it is circled and marked in pictures #1 an #2 is where the shorting in the wires started. Over 400 amps was going though that wire with loss and poor connection. This caused the wire from the pole into F. P. L. locked box to start shorting out and start melting down the wires from the over load.

ORIGINAL

Streamline Hotel Inc.

140 South Atlantic Avenue Daytona Beach, Florida 32118 (386) 258-6937 Fax (386) 258-6541

2. Pictures #3 an #4 is the locked cover and tagged that only F. P. L. can get into with the keys. It clearly states Property of Florida Power and Light.

3. Picture #5 This is inside of F. P. L.'s locked box. you can see on the bottom of this box the wires are burned and melting from loss and poor connections. This was due to the poor connections from the pole that F. P. L. hook up and it shorted out.

4. Picture #6 When F. P. L. unlocked this box they stripped the wires back and taped them together, this is illegal and not proper procedures. Then put this cover over it.

5. Picture #7 After these wires were taped together from F. P. L. the wires started to melt down from there box to our box.

6. #8 This is a loss connection inside of F. P. L.'s locked box wear the wires started to melt down with over 300 amp's going though them.

7. #8 Due to this over load the connecter inside F. P. L. locked box was total melted down.

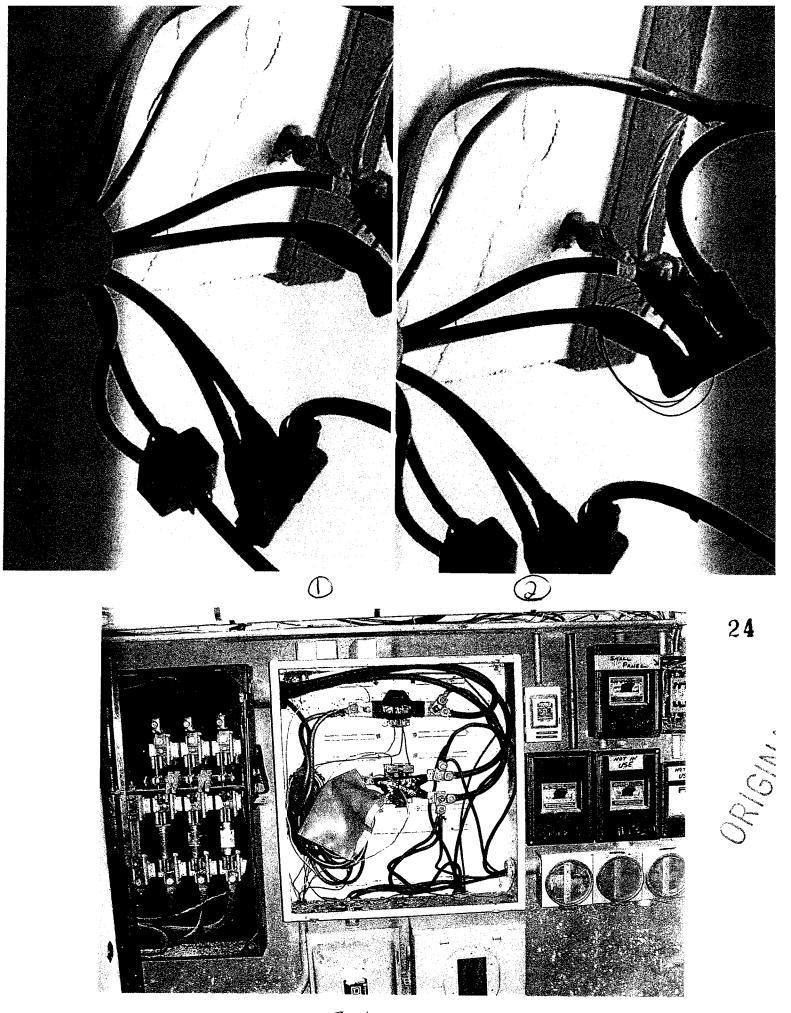
This was all done do to F. P. L.'s negligence when they first installed the transformers. The Streamline Hotel had to hire Electrical Energy Systems "Master Electrician Andy Hunt": Which has stated it was from F. P. L. negligence.

The Streamline Hotel had to replace all the wire from the pole to F. P. L. locked box that F. P. L. did all the work on. Because of this the Streamline Hotel does not believe it should be there responsible to pay for the work that F. P. L. caused. In the Amount of \$14,437.00 and the loss of business of \$4,500.00 for the total of \$18,937.00. We are asking for these expensive to be reimburse. If you have any questions please contact Mr. Eric G. Doyle at the above phone number or address.

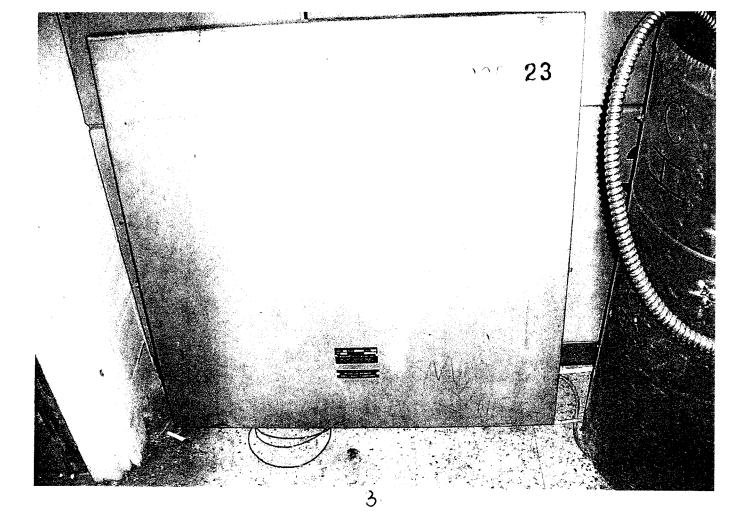
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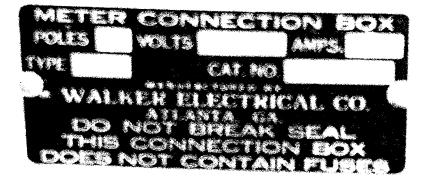
Eric G. Doyle President

C. c. Project Manager Ms. Ryster & Mr. Dick Pope 4277 East Highway 100 Bennell, Fl. 32110



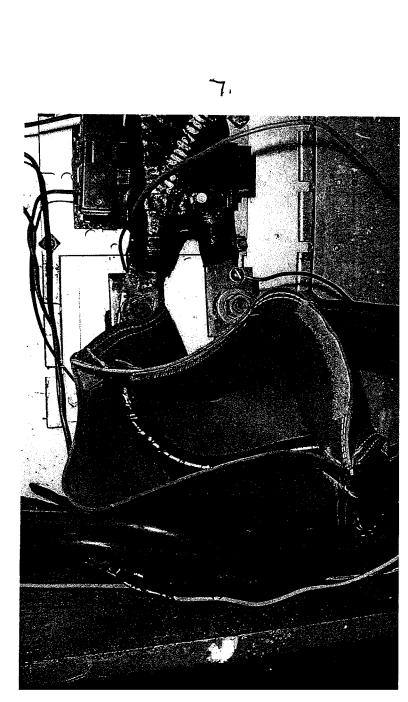
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4.



Eyvonne Estelle

From:	Joni_S_Beugnot@fpl.com
Sent:	Wednesday, September 21, 2005 3:31 PM
To:	PSCREPLY
Subject:	Daytona Beach Hostelry - 665167E Final Response

Attachments: DAYTONA BEACH HOSTELRY - 665167E Final Response.pdf



DAYTONA HOSTELRY - 6

(See attached file: DAYTONA BEACH HOSTELRY - 665167E Final Response.pdf)

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Last / Business Nar	ne: DAYTON	IA BEACH HOSTELR	Y
Alternate Name:	ERICA G	B. DOYLE	
Service Address:	dress: 140 S ATLANTIC AVE		
	DAYTON	NA BEACH, FL 32118	
FPSC Log:	665167E	Received From:	Kaullis
Account #:	87069-26162	Response Type:	Final

Response Comments:

Mrs. Ceil Bruner, Power Systems Coordinator, contacted Mr. Eric Doyle, President of Daytona Beach Hostelry on August 30, 2005 and acknowledged receipt of his FPSC inquiry regarding his request for compensation for electricians cost and loss of business. Mrs. Bruner explained his inquiry was referred to the Claims department for further investigation and provided her name telephone and number should he have any additional concerns.

FPL records reflect on August 3, 2005, Mr. Steve Meyers contacted FPL to report the hotel was experiencing partial power. A trouble ticket was generated and a Restoration Specialist (RS) responded soon after to investigate. The RS spoke with the Manager, who was on site and explained an electrician was needed to replace a burnt wire on the customer's side, which is customer owned equipment. The Manager asked if the RS could do anything to help delay permanent repairs for a few more months due to a full hotel at the time. The RS agreed FPL would come back the next day to take a short outage, clean a connection and put tape on the wire with burnt insulation. The RS explained to the Manager this may only last for a while.

On August 4, 2005, the meterman arrived, cleaned the connection and put tape on the burnt wire and left a rubber blanket covering it.

On August 5, 2005, Mr. Meyer's contacted FPL to report smoke coming from the box. A trouble ticket was issued and a RS responded that same day to investigate. The RS advised customer inside trouble, not FPL facility.

Daytona Beach Hostelry 665167E Page 2 of 2

On August 9, 2005, a meterman responded to remove lock from meter can. Customer was aware of inside trouble and that repairs were required.

On August 11, 2005, a disconnect / reconnect was scheduled for customer's electrician to complete repairs and upgrade customer owned wire.

Mr. Bill Strayer, Claims Specialist, made an attempt to contact Mr. Doyle on August 31, 2005 and left a message with his name and number regarding his claim.

On September 8, 2005, Mr. Strayer spoke with Mr Doyle regarding the outcome of his investigation and advised him there was no liability on the part of FPL. The wiring replaced was on the customer's side, which is the customers responsibility to maintain or replace.

Every effort has been made to satisfy the customer.

It appears FPL is in compliance with 25-6.094.

FPSC RECEIVED: 08/30/05 - FINAL RESPONSE: 09/21/05

Approval Signature:	Juan Khoury	
Approver's Title:	Supervisor	
Date of Approval:	09/21/2005	

UNRESOLVED ISSUES

Streamline Hotel a/k/a Daytona Hostelry Vs Florida Power and Light

Complaint No. 665167E

Unresolved issues from the above referenced complaint. These are the only issues that will be open for discussion during the informal conference.

1. Where is the demarcation point in this building?

The demarcation point on this building is at the weatherhead. The weatherhead is located on the SW corner (outside) of the building. See attached photo of hotel building and location of weatherhead. The two additional photos are close-up pictures of the weatherhead and the point (of service) where FPL connects its service to the customer's wires. (Attachment #1).

Tariff Sheet 6.030

<u>4.1 Customer's Installation</u>. The Customer's installation consists of and includes all wires, cutouts, switches and appliances and apparatus of every kind and nature used in connection with or forming a part of an installation for utilizing electric service for any purpose, (excepting meters and associated equipment), ordinarily located on the Customer's side of "Point of Delivery," and including "Service Entrance Conductors," whether such installation is owned outright by the Customer or used by the Customer under lease or otherwise.

Tariff Sheet 6.020

<u>2.3 Point of Delivery</u>. This is the point where the Company's wires or apparatus are connected with those of the Customer. The point of delivery shall be determined by the Company.

2. Did FPL's restriction of the access to the current transformer room cause the company to hire an electrician to replace the main power line leading to the new outside meter and do rewiring at a cost of \$14,382?

No, the customer owns the utility room, which houses the electrical equipment. This room is secured with a customer owned lock. If FPL needs to gain access to this room, the customer needs to remove their lock and provide FPL access to the metering equipment located inside it. The work performed by the customer's electrician was needed in order to bring the electric service from FPL's point of service into the hotel.

FPL seals the CT cabinets (located in the utility room) to make them safe and to keep the integrity of the metering equipment. FPL installs a seal on all customer owned meter cans for the same reason.

Attached is a photo of the CT cabinet cover, indicating it is the property of FPL. (Attachment #2)

FPL does not own the current transformer cabinet or the load wires (Attachment #3) where the problem occurred. FPL does own the current transformers and the control wire which feeds to meter can. (Attachment #4)

FPL's Service and Meter Rules and Regulations, dated January 1, 1935, (Attachment #5), provides the following explanation of ownership of the wires:

"The consumer shall furnish and install conduit and wiring up to current transformer cabinet, leaving sufficient leads for connection - 1" min conduit between meters and current transformer cabinet."

- 3. Is FPL responsible for the loss of business to the hotel when it had to close due to the power failures (\$7,410)?
- 4. Is FPL responsible for damages or compensation for the above losses?

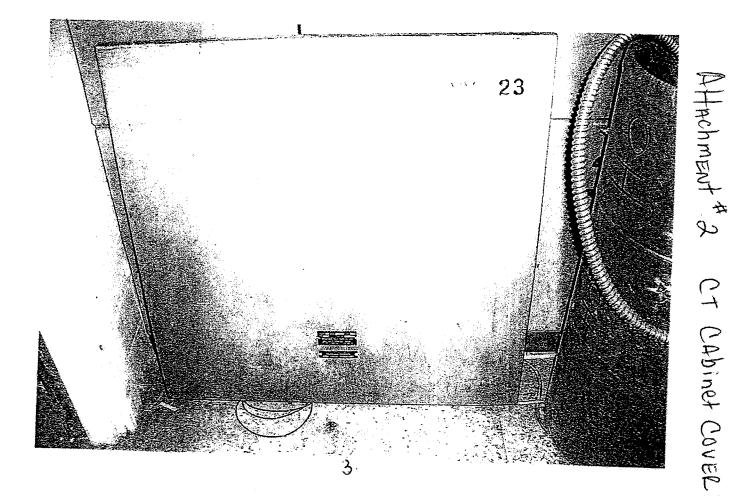
No, based on FPL's Tariff Sheet 6.020, 2.5 and 2.7, FPL is not responsible for either of the above mentioned losses.

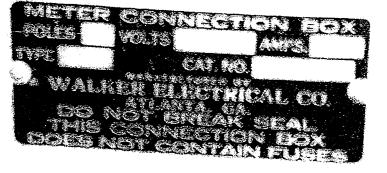
Tariff Sheet 6.020

<u>2.5 Continuity of Service</u>. The Company will use reasonable diligence at all times to provide continuous service at the agreed nominal voltage, and shall not be liable to the Customer for complete or partial failure or interruption of service, or for fluctuations in voltage, resulting from causes beyond its control or through the ordinary negligence of its employees, servants or agents. The Company shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigation, shutdowns for repairs or adjustments, interference by Federal, State or Municipal governments, acts of God or other causes beyond its control.

2.7 Indemnity to Company. The Customer shall indemnify, hold harmless and defend the Company from and against any and all liability, proceedings, suits, cost or expense for loss, damage or injury to persons or property, in any manner directly or indirectly connected with, or growing out of the transmission and use of electricity on the Customer's side of the point of delivery.

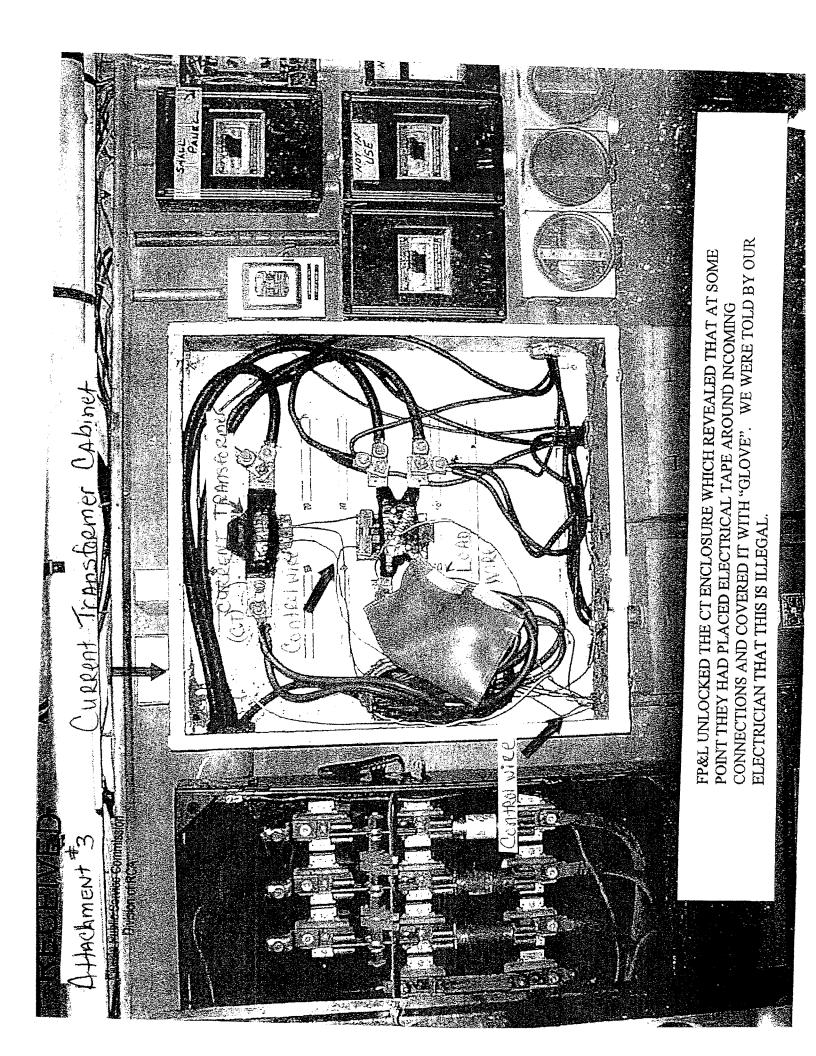
View of Hotel and Wentherhend located an SW corner of building mn ens. Ter se AHAChment * North Sta in de la compañía de 2







4.



THIS PHOTO SHOWS THE ELECTRICAL TAPE WHERE FP&L HAD AT SOME POINT TAPED TOGETHER SOME OF THE LEAD WIRES IN THE CT ENCLOSURE. IT ALSO SHOWS THE CONDUCTORS ARE MELTED.

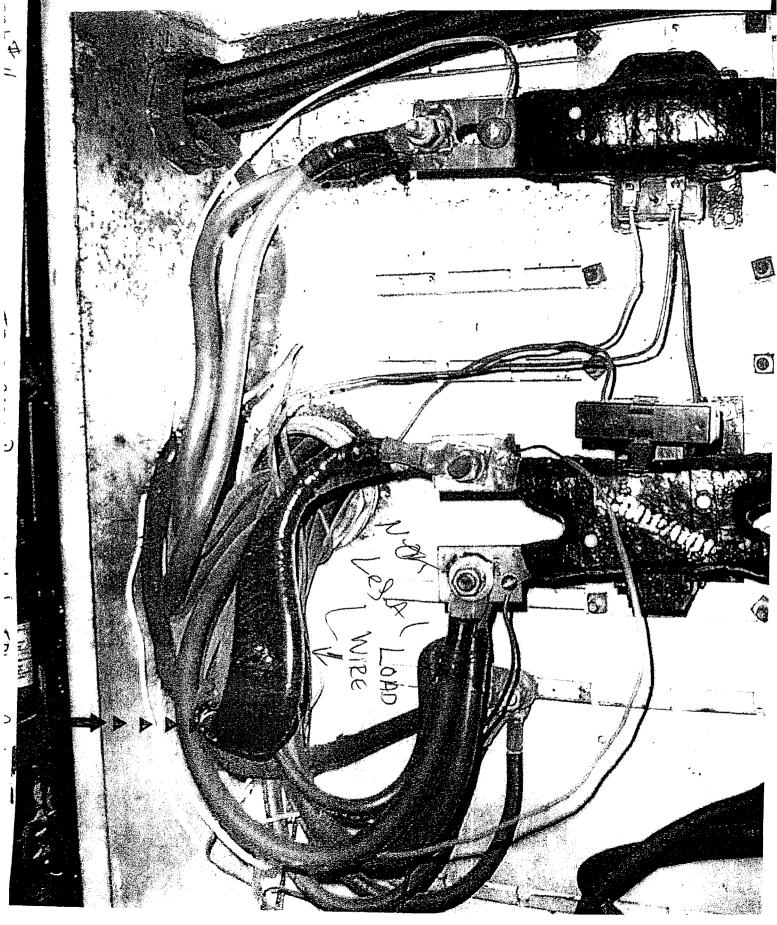
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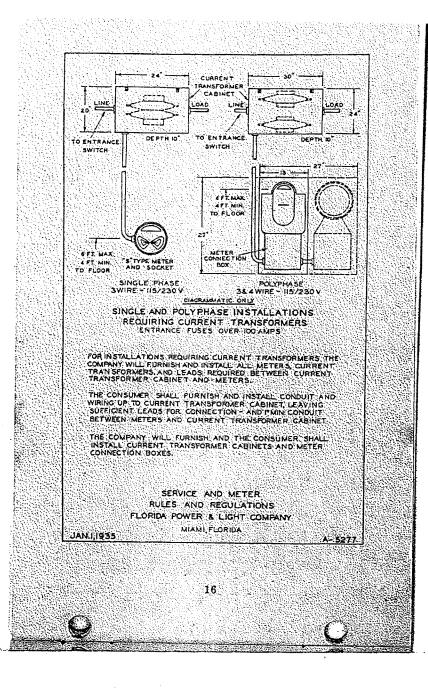
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