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GENERAL COUNSEL
MICHAEL G. COOKE
(850) 413-6248

COMMISSIONER
CLERK

07 AUG 28 AM 11:21

RECEIVED-FPSC

Public Service Commission

August 28, 2007

Mr. M. Kenneth Merideth
917 Iron Bend Trail
Osteen, FL 32764

CERTIFIED MAIL:
7002 0860 0001 1757 4518

Re: Customer Complaint No. 728410E

070000

Dear Mr. Merideth:

The Commission has received your letter dated August 2, 2007, in which you state that the letter is a formal complaint against Florida Power & Light Company for damages to your electrical appliances caused by a faulty transformer. It is my understanding that your informal complaint referenced above was closed recently on the grounds that FPL complied with its tariffs and standard operating procedures when working on the transformer.

I am writing to explain that the Commission cannot open a formal complaint on the basis of your letter because it does not comply with Florida's Administrative Procedure Act, the Uniform Rules of Administrative Procedure, or the Commission's procedural rules. If you wish to pursue your complaint you will need to file a formal petition for relief against FPL with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. The formal petition must be filed pursuant to the provisions of Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Commission Rules, specifically Rule 25-22.036, Florida Administrative Code, Initiation of Formal Proceedings. I have enclosed copies of the relevant portions of those regulations for your convenience.

Please see especially Rule 25-22.036(3)(b)(4), Florida Administrative Code. That provision requires that your formal complaint include the specific relief requested, including any penalty sought. I bring that requirement to your attention because it is unclear from your letter what relief you are requesting. As Ms. Smith has informed you, the Commission does not have jurisdiction to entertain negligence claims or award damages.

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

Mr. M. Kenneth Merideth

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When the Commission Clerk has received your formal complaint in proper form, the Commission will proceed with processing your complaint. If you have any questions regarding this letter, please call me at (850) 413-6187.

Sincerely,



Martha Carter Brown
Senior Attorney

Attachments

cc: Division of Consumer Affairs (Hicks w/o attachments)
Office of Commission Clerk (w/o attachments)