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In re: Petition for increase in rates by Florida Power & Light Company.

DOCKET NO. 080677-EI

In re: 2009 depreciation and dismantlement study by Florida Power & Light Company.

DOCKET NO. 090130-EI

DATED: JULY 27, 2009

COMMISSION
CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one true copy of the Direct Testimony and Exhibits of Rhonda Hicks and one true copy of the Direct Testimony and Exhibits of Kathy L. Welch have been served by U. S. mail this 27th day of July, 2009, to the following:

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CERTIFICATE OF SERVICE
DOCKET NOS. 080677-EI, 090130-EI
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DOCKET NO. 080677-EI Petition for increase in rates by Florida
Power and Light Company.

WITNESS: Direct Testimony of Rhonda L. Hicks, Florida Public
Service Commission; Appearing on Behalf of the Staff of the
Florida Public Service Commission.

DATE FILED: July 27, 2009

DOCUMENT NUMBER-DATE

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DIRECT TESTIMONY OF RHONDA L. HICKS

Q. Please state your name and address.

A. My name is Rhonda L. Hicks. My address is 2540 Shumard Oak Boulevard;
Tallahassee, Florida; 32399-0850.

Q. By whom are you employed and in what capacity?

A. I am employed by the Florida Public Service Commission (FPSC) as Chief of the
Bureau of Consumer Assistance in the Division of Service, Safety, and Consumer
Assistance.

Q. Please give a brief description of your educational background and professional
experience.

A. I graduated from Florida A&M University in 1986 with a Bachelor of Science degree
in Accounting. I have worked for the Florida Public Service Commission for 23 years.
I have varied experience in the electric, gas, telephone, and water and wastewater
industries. My work experience includes rate cases, cost recovery clauses,
depreciation studies, tax, audit, consumer outreach and consumer complaints. I
currently work in the Bureau of Consumer Assistance within the Division of Service,
Safety, and Consumer Assistance where I manage consumer complaints and inquiries.

Q. What is the function of the Bureau of Consumer Assistance?

A. The bureau's function is to resolve disputes between regulated companies and their
customers as quickly, effectively, and inexpensively as possible.

Q. Do all consumers, who have disputes with their regulated company, contact the Bureau
of Consumer Assistance?

A. No. Consumers may initially file their complaint with the regulated company and
reach resolution without the bureau's intervention. In fact, consumers are encouraged
to allow the regulated company the opportunity to resolve the dispute prior to any

1 Commission involvement.

2 Q. What is the purpose of your testimony?

3 A. The purpose of my testimony is to advise the Commission of the number of consumer
4 complaints logged against Florida Power and Light Company under Rule 25-22.032,
5 Florida Administrative Code, Consumer Complaints, from July 1, 2007 through June
6 30, 2009. My testimony will also provide information on the type of complaints
7 logged and those complaints that appear to be rule violations.

8 Q. What do your records indicate concerning the number of complaints logged against
9 Florida Power and Light Company?

10 A. From July 1, 1007, through June 30, 2009, the Florida Public Service Commission
11 logged 14,700 complaints against Florida Power and Light Company. Of those,
12 12,236 complaints were transferred directly to the company for resolution via the
13 Commission's Transfer-Connect Program.

14 Q. What have been the most common types of complaints logged against Florida Power
15 and Light Company?

16 A. During the specified time period, approximately seventy-one (71%) percent of the
17 complaints logged with the Florida Public Service Commission concerned billing
18 issues, while approximately twenty-nine (29%) of the complaints involved quality of
19 service issues.

20 Q. Do you have any exhibits attached to your testimony?

21 A. Yes. I am sponsoring Exhibit RLH-1.

22 Q. Would you explain Exhibit RLH-1?

23 A. Yes. Exhibit RLH-1 is a summary listing of complaints logged against Florida Power
24 and Light Company under Rule 25-22.032, Florida Administrative Code. The
25 complaints, received July 1, 2007 through June 30, 2009, were captured in the

1 Commission's Consumer Activity Tracking System (CATS). The summary groups the
2 complaints by Close Type and within each Close Type, the complaints are segregated
3 by Pre-Close Type. The first grouping is Pre-Close types that are still pending. The
4 remaining groupings are categorized by Close Type codes such as ES-08, ES-14, GI-
5 02, etc.

6 Q. What is a Pre-Close Type?

7 A. A Pre-Close Type is an internal categorization code that is applied to each complaint
8 upon receipt. A complaint is assigned a Pre-Close Type based solely on the initial
9 information provided by the consumer.

10 Q. What is a Close Type?

11 A. A Close Type is also an internal categorization code. It is assigned to each complaint
12 once staff completes its investigation and a proposed resolution is provided to the
13 consumer. In some instances, the Pre-Close Type will differ from the Close Type
14 because staff's investigation reveals facts that were not available upon receipt of the
15 complaint.

16 Q. A great majority of complaints were resolved as Close Type GI-02, Courtesy
17 Call/Warm Transfer. Can you explain this Close-Type?

18 A. Yes. Florida Power and Light Company participates in the Commission's Transfer-
19 Connect (Warm Transfer) System. This system allows the Commission to directly
20 transfer a customer to the company's customer service personnel. Once the call is
21 transferred to Florida Power and Light Company, it provides the customer with a
22 proposed resolution. Customers who are not satisfied with the company's proposed
23 resolution have the option of recontacting the Commission. While the Commission is
24 able to assign a Pre-Close Type to each of the complaints in this category, a specific
25 Close Type is not assigned because the proposed resolution is provided by Florida

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Power and Light Company. Consequently, the assigned Close Type allows staff to monitor the number of complaints resolved via the Commission's Transfer-Connect System.

Q. How many of the complaints summarized on your exhibit has staff determined may be a violation of Commission rules?

A. Of the 14,700 complaints, staff determined that two appear to be violations of Commission rules.

Q. What was the nature of the apparent rule violations?

A. The apparent rule violations were failure to respond to the customer and improperly disconnecting service.

Q. Does this conclude your testimony?

A. Yes, it does.

**TYPE:**

Total Cases For PreClose Type: DEPOSIT	1
Total Cases For PreClose Type: IMPROPER BILLS	14
Total Cases For PreClose Type: IMPROPER DISCONNECTS	3
Total Cases For PreClose Type: OUTAGES	11
Total Cases For PreClose Type: QUALITY OF SERVICE	5
Total Cases For PreClose Type: REPAIR	1
Total Cases For PreClose Type: SAFETY ISSUE	1
Total Cases For Type	36

TYPE: ES-08 FAILURE TO RESPOND TO CUSTOMER

Total Cases For PreClose Type: QUALITY OF SERVICE	1
Total Cases For Type ES-08	1

TYPE: ES-14 SERVICE IMPROPERLY DISCONNECTED

Total Cases For PreClose Type: QUALITY OF SERVICE	1
Total Cases For Type ES-14	1

TYPE: GI-02 COURTESY CALL/WARM TRANSFER

Total Cases For PreClose Type: DELAY IN CONNECTION	467
Total Cases For PreClose Type: DEPOSIT	896
Total Cases For PreClose Type: IMPROPER BILLS	1671
Total Cases For PreClose Type: IMPROPER DISCONNECTS	423
Total Cases For PreClose Type: OUTAGES	300
Total Cases For PreClose Type: PAYMENT ARRANGEMENT	6710
Total Cases For PreClose Type: QUALITY OF SERVICE	1473
Total Cases For PreClose Type: REPAIR	145
Total Cases For PreClose Type: SAFETY ISSUE	151
Total Cases For Type GI-02	12236

TYPE:	GI-03	PAYMENT ARRANGEMENTS		Docket No. 080677-EI Summary of Complaints Exhibit RLH-1, Page 2 of 6
Total Cases For PreClose Type:	IMPROPER BILLS		4	
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		1	
Total Cases For Type	GI-03		5	

TYPE:	GI-05	HIGH BILL	
Total Cases For PreClose Type:	IMPROPER BILLS		92
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		12
Total Cases For PreClose Type:	REPAIR		1
Total Cases For Type	GI-05		107

TYPE:	GI-06	CURRENT DIVERSION	
Total Cases For PreClose Type:	IMPROPER BILLS		48
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		9
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		4
Total Cases For Type	GI-06		62

TYPE:	GI-08	RULES & TARIFFS	
Total Cases For PreClose Type:	DEPOSIT		3
Total Cases For PreClose Type:	IMPROPER BILLS		9
Total Cases For PreClose Type:	QUALITY OF SERVICE		5
Total Cases For PreClose Type:	SAFETY ISSUE		1
Total Cases For Type	GI-08		18

TYPE:	GI-11	HIGH BILL	
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For PreClose Type:	OUTAGES		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For PreClose Type:	REPAIR		11
Total Cases For PreClose Type:	SAFETY ISSUE		2
Total Cases For Type	GI-11		16

TYPE: GI-15 OUTAGES (All Industries)

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Total Cases For PreClose Type: DEPOSIT	1
Total Cases For PreClose Type: OUTAGES	84
Total Cases For PreClose Type: QUALITY OF SERVICE	5
Total Cases For PreClose Type: REPAIR	1
Total Cases For PreClose Type: SAFETY ISSUE	1
Total Cases For Type GI-15	92

TYPE: GI-17 SAFETY ISSUES

Total Cases For PreClose Type: OUTAGES	2
Total Cases For PreClose Type: SAFETY ISSUE	10
Total Cases For Type GI-17	12

TYPE: GI-18 TREE TRIMMING

Total Cases For PreClose Type: QUALITY OF SERVICE	1
Total Cases For Type GI-18	1

TYPE: GI-19 MOMENTARY ELECTRIC OUTAGES(LESS

Total Cases For PreClose Type: OUTAGES	9
Total Cases For PreClose Type: QUALITY OF SERVICE	2
Total Cases For PreClose Type: REPAIR	2
Total Cases For Type GI-19	13

TYPE: GI-25 IMPROPER BILLING (ADDED 7/03)

Total Cases For PreClose Type: DELAY IN CONNECTION	4
Total Cases For PreClose Type: DEPOSIT	1
Total Cases For PreClose Type: IMPROPER BILLS	335
Total Cases For PreClose Type: IMPROPER DISCONNECTS	19
Total Cases For PreClose Type: PAYMENT ARRANGEMENT	1
Total Cases For PreClose Type: QUALITY OF SERVICE	22
Total Cases For PreClose Type: REPAIR	1
Total Cases For Type GI-25	383

TYPE:	GI-26	BILLING WRONG CUSTOMER (ADDED 7/03)	
Total Cases For PreClose Type:	IMPROPER BILLS		2
Total Cases For Type	GI-26		2
TYPE:	GI-28	IMPROPER DISCONNECT (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For PreClose Type:	IMPROPER BILLS		1
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		33
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For Type	GI-28		36
TYPE:	GI-29	DELAY IN CONNECTION (ADDED7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		16
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		4
Total Cases For PreClose Type:	QUALITY OF SERVICE		1
Total Cases For Type	GI-29		21
TYPE:	GI-30	QUALITY OF SERVICE (ADDED 7/03)	
Total Cases For PreClose Type:	DELAY IN CONNECTION		4
Total Cases For PreClose Type:	IMPROPER BILLS		6
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		3
Total Cases For PreClose Type:	QUALITY OF SERVICE		78
Total Cases For PreClose Type:	REPAIR		2
Total Cases For PreClose Type:	SAFETY ISSUE		2
Total Cases For Type	GI-30		95
TYPE:	GI-31	ESTIMATED METER READINGS (ADDED 7/03)	
Total Cases For PreClose Type:	QUALITY OF SERVICE		2
Total Cases For Type	GI-31		2
TYPE:	GI-32	PROCESS REVIEW CASE	
Total Cases For PreClose Type:	IMPROPER BILLS		34
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For PreClose Type:	QUALITY OF SERVICE		3
Total Cases For PreClose Type:	SAFETY ISSUE		1
Total Cases For Type	GI-32		39

TYPE:	GI-72	72 HOUR RULE	
Total Cases For PreClose Type:	DELAY IN CONNECTION		61
Total Cases For PreClose Type:	DEPOSIT		121
Total Cases For PreClose Type:	IMPROPER BILLS		498
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		54
Total Cases For PreClose Type:	OUTAGES		379
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		2
Total Cases For PreClose Type:	QUALITY OF SERVICE		196
Total Cases For PreClose Type:	REPAIR		101
Total Cases For PreClose Type:	SAFETY ISSUE		41
Total Cases For Type	GI-72	1453	
TYPE:	GI-99	OTHER	
Total Cases For PreClose Type:	QUALITY OF SERVICE		2
Total Cases For Type	GI-99	2	
TYPE:	NJ-03	ELECTRIC COOPERATIVE	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For Type	NJ-03	1	
TYPE:	NJ-04	DAMAGE CLAIM	
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		2
Total Cases For PreClose Type:	QUALITY OF SERVICE		3
Total Cases For PreClose Type:	REPAIR		3
Total Cases For Type	NJ-04	8	
TYPE:	NJ-99	OTHER	
Total Cases For PreClose Type:	QUALITY OF SERVICE		2
Total Cases For Type	NJ-99	2	
TYPE:	PR-03	DEPOSITS	
Total Cases For PreClose Type:	DELAY IN CONNECTION		1
Total Cases For PreClose Type:	DEPOSIT		29
Total Cases For PreClose Type:	IMPROPER BILLS		11
Total Cases For PreClose Type:	IMPROPER DISCONNECTS		1
Total Cases For PreClose Type:	PAYMENT ARRANGEMENT		1
Total Cases For Type	PR-03	43	

TYPE: PR-05 BACKBILLING

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Total Cases For PreClose Type: IMPROPER BILLS 5

Total Cases For Type PR-05 5

TYPE: PR-06 RULES & TARIFFS

Total Cases For PreClose Type: DEPOSIT 1

Total Cases For PreClose Type: IMPROPER BILLS 4

Total Cases For PreClose Type: QUALITY OF SERVICE 3

Total Cases For Type PR-06 8

Total Complaints Late Responding: 31

Total Complaints Infraction: 2

Grand Total: 14700

****Category
*I = INFRACTION
*C=NON-INFRACTION**