

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 1, 2012
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Pauline Robinson, Attorney, Office of the General Counsel *Per AT*
RE: Re: Docket No. 110305-EI - Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

Please include the attached petition from Mr. McDonald in the file for Docket No. 110305-EI.

Thank you.

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COMMISSION
CLERK

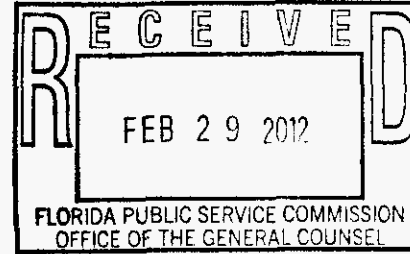
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

2440 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Edward McDonald
7203 N. 41st St.
Tampa, FL 33604
(813) 374-3837

PETITIONER

-and-

DOCKET NO. 110305-E1

Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
(813) 223-0800

RESPONDENT

P E T I T I O N

RE: INITIATION OF FORMAL PROCEEDINGS - ORDER NO. PSC -12-0053-PAA - 2/7/12

1. The petitioner has a SUBSTANTIAL INTEREST as a customer of a regulated Public Utility to have electric service BILLED ACCURATELY. Utilities should exercise DUE DILIGENCE in affording customers the benefits of State and Federal Laws. A PUBLIC UTILITY IS NOT EXEMPT FROM STATUTES IMPACTING DEBT COLLECTION!

2. Petitioner received via certified mail on 10-6-11 a letter dated 10-3-11 concluding that Tampa Electric Company had properly billed the petitioner \$ 915.94 in May 2011 - for a bill allegedly incurred in July 2004 - SEVEN YEARS LATER. NOTICE OF PROPOSED AGENCY ACTION RECEIVED BY MAIL ON 2/10/12.

3. The material facts in dispute: (1) whether TECO properly billed the petitioner \$915.94 for a SEVEN YEAR OLD BILL and (2) whether TECO owes the petitioner \$3500.00 for an overpayment in 2004.

4. Petitioner asserts he does not owe \$915.94 because the collection of a seven year old debt by taking the LEGAL ACTION of ~~interfering with~~ ~~service~~ alleging a right to do so under FPSC Rules is ~~BARRED~~ ~~by~~ ~~05~~ ~~11~~ ~~F.S.~~

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FPSC-COMMISSION CLERK

Furthermore, the \$915.94 was transferred to petitioner's home account and fully paid in June 2005 - under threat of interruption of service by TECO. RECORDS CONFIRM THE TRANSFER AND PAYMENT!.

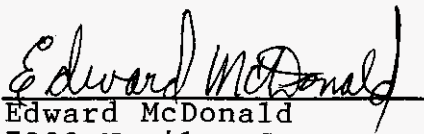
5. FPSC Rule 256.105(5)(g) permits discontinuance of service for "non-payment of bills". This Rule cannot apply when (1) the bill was paid and (2) when collection is barred by statute. The Statute of Limitations (95.11 F.S.) renders the seven year old bill NULL and VOID; Hence there is no non-payment because there is no bill to be paid!

6. Petitioner seeks the following relief: (1) to have the \$915.94 charge removed from his account and (2) to have the \$3500.00 overpayment from 2004 returned to him plus interest.

THERE IS ABSOLUTELY NO EVIDENCE THAT BANK OF AMERICA "RECALLED THE FUNDS". The clear and convincing evidence is TECO RETURNED THE \$3,500.. because of a LACK OF DUE DILIGENCE in accepting the fraudulent credentials of an alleged "Guardian". After 7 years TECO cannot produce documents confirming the legal authority of the "Guardian".

CERTIFICATE OF SERVICE

A copy hereof was forwarded this 25th day of February 2012 via U.S. mail to James Beasley, P.O. Box 391, Tallahassee, FL 32302 and Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL


Edward McDonald
7203 N. 41st St.
Tampa, FL 33604-2425
(813) 373-3837

Via certified mail to FPSC # 7010 1870 0001 8832 4701

Edward McDonald
7203 N 41st St
Tampa FL 33604-2425



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OFFICE OF GENERAL COUNSEL
FLORIDA PUBLIC SERVICE COMMISSION
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