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13 MAY 21 AM 9:30

COMMISSION
CLERK

Office of the Commission Clerk
2540 Sherman Cor Blvd.,
Tallahassee, Florida
32399-0850

Mr. Frederick Smallakoff
16651 Coronet Dr
New Port Richey, Florida
34655

May 18, 2013.

Re: Case against
Progress Energy, Decret
120176-EL
Order # PSC-13-0182
PCO-ET.

Addressing the order denying my
Mr Frederick Smallakoff's request
for a formal Proceeding.

There is no valid excuse for denying my
request for a formal Proceeding on my complaints against
Progress Energy and PCL.

That refusal, as with all other obstructions
emanating from the PSC all along is a calculated
sham, poorly disguised, as somehow my sub-
mission did not precisely comport with your
myriad of "rules"

From the outset the PSC and all involved
employees, including the legal Dept staff and
General Counsel have totally violated the Rules,
Laws and Charter of the PSC in the complete
mis handling of my cases.

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Under what and whose authority allows the PSC, legal Dept. and Commissioners to mix function in this way?

I am sure that the Florida Legislature did not intend or allow the PSC to disregard the Rules, laws and truth and total misconduct in violating the laws and processes in covering up for the utilities involved and just as importantly not involve those third party individuals, entities abusing power and influence through the deliberate introduction of false and odious slander, defamation libel and character assassination, as well as extreme prejudice to distribute it en masse throughout the "system" of the PSC and the utilities themselves who were asked to create and execute the entire process, the purpose of which was to cause as much harm as possible to me.

They couldn't do it without the assistance and cover up by those within the PSC, all departments, including those Watchdogs as with the Inspector General, whose primary job is to keep it from happening, but deliberately failed to do what was required.

A good example is the fact that a file of some 20,000 plus pages on paper and disc was created by the PSC and the Utilities against one elderly consumer in poor health.

A fact that I brought up many times, and was ignored many times without explanation.

a PSC lawyer, stated to me that this file did not exist and didn't happen, even though it was sent by the Commission Clerks office and is my possession. What then, is sacred to the truth, Rules and Laws when this can be done?

There was a lot of damage done, some of it nearly fatal (and in one instance it was) that has been perpetrated by these Third Parties, aside from the personal attacks by the utilities in this regard. Is this what the PSC wants to associate itself with?

Is this what the PSC, in its entirety wants to cooperate with, associate with and shield as in denying a formal Hearing?

If that's the case and it appears to be, then its a sorry state of affairs and exposure at some point is mandatory.

I have repeatedly stated the truthful facts and events, verbally and in print to all concerned. All this information has been virtually ignored and dismissed without comment much less attempting to address and investigate these truthful facts, as to why this targeting process was allowed to take place and those responsible held to account, allowed to continue by the PSC with total obstruction and total cover up by the PSC, the Commissioners and the PSC legal Dept. and their staff.

I stand by this truthful statement and an ultimately sincere investigation will prove me to be accurate and factual.

The introduction of false slander, defamation, character assassination, libel, demonization and hate mongering embraced by the PSC is not only a gross violation of the law, and certainly no justification for the PSC, its employees, Legal Department, Commissioners and all concerned within the PSC for what has been done. Reference these personal attacks and totality of actions and activities taken against me, with devastating consequences and results.

It is my contention that due to the mis-conduct of the Commissioners themselves, that they have been and are, fully aware of the truthful facts, the involvement of those external third parties (with full knowledge of who they are and what they've done).

Just prior to the March 5/13 telephonic "hearing", I attempted to obtain the records to be used for the "decision" by the lawyers for the PSC, under the guidance and instructions by the general counsel, and to seek a minor extension of time to deal with it. My reasonable requests for said these items were summarily dismissed, and treated badly in my attempts.

I was subjected to the most outrageous, out of control performance by a Commission Member, Broulio Baez, who engaged in yelling and screaming at me (telling me he was very emotional?), and making statements that "he was going to set me free".

No doubt, after having absorbed the introduction of slander, defamation and hate mongering of me within the system, he felt he could do or say anything to me and get away with it.

It was pure gross baiting and harassment in the extreme and it certainly shows that all the Commissioners were totally cognizant of what was going on and what was being done in its totality.

If there is a recording of this 'event' by the PSC I would request a copy of it as a sorry example of the type of mentality of prejudice and hate-mongering that exists within the PSC.

I will take a polygraph as to this event as I relayed it in this letter as to its veracity. He should be required to take one also.

If indeed if the Commissioners have knowledge of those individuals, entities who have initiated and caused these targeting actions and activities internally and externally, abusing the laws as well as distorting the processes, as I believe they have, then, they are obligated to reveal it and be held accountable.

They are in no position to sincerely be the judges, to manipulate the rules and system processes, so as to prejudice a false outcome harmful to me, the truth and my cases or to any other individuals consumer, individually or collectively.

To address the stated "non compliance, referred to in the the Refusal of Formal Hearing. Firstly, it took a month for the Commission and all others to decide on how to refuse my request for a Formal Proceeding. They only provided me with 3 weeks, to comply with what they came up with as an excuse, to deny. In dealing with according to their letter Rule 28.106.201, Subparts (b)(c) & (f) and (g).

Regarding the "not meeting the requirement of
subpart (c) "how the petitioner received notice of the
agency decision". It has to be a joking matter.

The Agency sent me the notice by mail, and I
received it by mail! They must have a record of what
they did. What is not a complaint about that?

As to (d), I have repeatedly over a long period of
time stated, and restated the truthful facts in
both cases in depth and detail. As stated previously
all have been covered up and ignored by the
PSC, Legal Dept. so as to be non-existent, much
less sincerely investigated and addressed. As
truthful believable facts.

Enclosed are my letters dated April 1/13
addressed to the Commission Clerk's office and
officially recorded. Addressing FPL and Progress
Energy cases.

There are more than sufficient issues of
"disputed" facts contained therein. There are
other letters on file, officially recorded that the
Commission has access to. To put me through
this repeated exercise of what you already
have is time consuming harassment and
absurd.

Enclosed are copies of both letters dated
April 1/13 directed towards FPL and Progress
Energy. If you wish to ignore these again, which
I believe you will, then let it be a matter of exposure
and public record, as well as accountability.

As to (e) the above statement covers that as
well - as previously stated, the billings were created
false and contrived, so as to provide the beginning
of the targeting process.

The meters falsely charged, the time playing
disconnections and reconnections under duress

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must be returned, as well as any and all other charges assessed, including the deposit, late charges ect. All must be eliminated and returned to me.

The genesis, reasons, tactics and actions have been transparently used by both Utilities has been identical in all respects. That is clearly evident, damning and dispositive

All these types of targeting actions and activities, including that of falsely contrived billings must be discontinued as well as any other forms of future harassment conceived by both utilities.

Since the Commission has my statements verbal and written, as well as a room full of lawyers, along with the General Counsel (whose actions and activities have been highly questionable and will be addressed further, regardless of any further obstruction or denials by the PSC and Commission they should be able to (if they have any observance and obedience of the Canons and Ethics of the Florida Bar), as well as the Charter of the PSC as to their duties and responsibilities, exactly as to how the facts and truths presented by me relate to the specifics, the rules and the statutes.

The same applies to the Inspector General. I am not a lawyer and do not have a staff as the ASC, FPL & Progress Energy does.

I am a 74 year old man, with multiple serious permanent health problems. This refusal is done purely for harassment purposes involving the inordinate consumption of time. Even if ~~there~~ there was sufficient time allotted the complexity of which would again be determined as "non compliant" and subject to rejection.

g.

It is the obligation of those in the PSC legal Dept. to seek and promote the truth and accurate facts. Let them try it for a change, it may start a trend in the proper direction, assuage their consciences collectively and even benefit the general public. It will certainly benefit my cases.

Regarding the reference to sections 120.57 and 120.68 as stated by you: "This notice should not mean all requests for an administrative hearing or judicial review will result in the relief sought or be granted."

What should it be construed to mean? If the truth and truthful facts are to be suppressed and ignored at a formal proceeding is that a good (we've got the small abusive card to stifle any thing at any time) enough reason to cancel or consumers right to an honest presentation and exposure because how can, and will?

I will request a Judicial Review by the Florida Supreme Court

Regarding the consideration of motions for reconsideration to reverse.
Since I anticipate obstructive whitewash of my rejection of the Commission's denial for a formal proceeding, regardless of what I say or do, considering that this proceeding would involve witnesses who must testify under oath, as to the truth and facts is some thing that the PSC and Commissioners will not allow to happen.

That being the case, I will apply for Judicial Review, and any other forum available believing that the final solution will not provide an adequate remedy.

Florida Statutes: Title XXVII ch 366.
366.03 - ~~The~~ public utility shall make or give any
undue or unreasonable prejudice or disadvantage
or preference to any person or locality, or subject
the same to any undue or unreasonable prejudice
or disadvantage in any respect.

Both the FPL and Progress Energy have
been in violation of this statute and the DSC
is in violation in knowingly allowing the
utilities to effectuate this idea of unreasonable
prejudice and disadvantage.

As to 35-6494

The utility shall make a full and
prompt investigation of all consumer complaints
and service reports.

Both utilities are in violation of this
statute in their prejudicial actions and activities
and no proper, sincere investigation.

Sincerely,



in sections:

copies of my letters dated April 1/13
officially recorded by the Commission
clerk.

One the case against FPL

Docket # 060774-E1

Order # PSC-13-0123

PAA-EI

The second

to case against

Progress Energy

Docket # 120176-EI

Order # PSC-13-0124

PAA-EI.

Copy of this letter addressing
the denial of Formal Proceedings
to J.R. Kelly

Office of Public Counsel

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13 MAY 21 AM 9:30

COMMISSION
CLERK

Office of the Commission Clerk
2540 Steward Oak Blvd.,
Tallahassee, FL 32399-
0850

Mr. Frederick Smallcock
6651 Corbett Dr
New Port Richey, FL
34655

April, 2013.

Case against Progress
Energy.

Docket #120176-EI

Order # PSC-13-0124-
PAA-EI

This letter is to protest and disagree with
the decision to dismiss issued by both the
PSC legal department and the Order # PSC-13-
0124-PAA-EI by the Commission.

I have addressed in minute detail through
17 contained in the rationale to dismiss as well as
all the other mistaken information contained
therein, provided by Mr. Jackson and the legal
staff and involving other individuals and
departments within the PSC, as to the truth
of what actually occurred and why.

My statements and true factual analysis
dealing with most, if not all issues involved
with this case can be found in letters in my
official file at the Clerk's Office.

Showing this case with bushels of irrelevant
paperwork, misstatements and false facts
is what has been offered by the PSC and especially
their legal dept.

One has only to read my letters and true
factual analysis and truthful facts to see
that, point by point all of what was stated
as a basis for dismissal, by the PSC legal
dept., by the PSC and by the Commission
was not truthful or factual.

I have discussed and written as to the misconduct of C. Kauler, the General Counsel, Steve Staffing, the Inspector General, J. Crawford and Mike Johnson as to their suspect and violative activities with my case.

All these points preferred by the PSC legal and other departments have been addressed in my letters which are officially on file, part of the record of my case and easily accessible for study, investigation and review.

This includes the blatant misconduct of those in the legal and other departments within the PSC who have had their hands on my case. If they were not read, analyzed and investigated or paid attention to before, which they were not, then they must be drawn by restating and addressing every point again.

Since the basic causes and reasons responsible for this forgetting process were identical not only by Progress Energy, but by IPE as well. Therefore all Plea facts and Statements contained in my letter against the FPL Docket # 060774-EI, equally apply to Progress Energy. The facts causes and reasons are identical and interchangeable. That include the deep involvement of third parties.

In addition to proceeding further, I will my money refunded as to the false charges penalties and disconnections.

The relief I seek in addition to proceeding to the next level is the return of my money that was deliberately inflated, including all penalties, reconnection charges, fines. In addition I want Progress Energy not to target me on behalf of themselves or third parties, to stop any future actions in this regard.

of course I cannot comply with the
specific statutes as stated in the Notice of
Further Proceedings and Judicial Review
(20-106-201) or any others.

I am not a lawyer and have no
knowledge of these specific statutes as applied
to each and everyone of my complaints

Sincerely
F. Smallcraft