	I	FILED APR 17, 2014 DOCUMENT NO. 01748-14	000001							
1	FPSC - COMMISSION CLERK BEFORE THE									
2	FLORIDA PUBLIC SERVICE COMMISSION									
	To the Metters	£.								
3	In the Matter c									
4	DOCKET NO. 130290-EI INITIATION OF FORMAL									
5	PROCEEDINGS OF COMPLAINT NO. 1115382E OF BRIAN J. RICCA AGAINST FLORIDA POWER & LIGHT, FOR FAILING TO PROVIDE REASONABLE SERVICE. /									
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13	PROCEEDINGS:	COMMISSION CONFERENCE AGENDA								
14		ITEM NO. 1								
15	COMMISSIONERS PARTICIPATING:	CHAIRMAN ART GRAHAM								
16		COMMISSIONER LISA POLAK EDGAR COMMISSIONER RONALD A. BRISÉ								
17		COMMISSIONER EDUARDO E. BALBIS COMMISSIONER JULIE I. BROWN								
18	DATE :	Thursday, April 10, 2014								
19	PLACE:									
20	PLACE:	Betty Easley Conference Center Room 148								
21		4075 Esplanade Way Tallahassee, Florida								
22	REPORTED BY:	•								
23		Official FPSC Reporter (850) 413-6732								
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		FLORIDA PUBLIC SERVICE COMMISSION								
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PROCEEDINGS

CHAIRMAN GRAHAM: Okay. We are bringing the meeting to order. Let the record show it is Thursday, April the 10th. This is our Agenda Conference.

Okay. Let's start at the beginning of this. We have several things on the Move Staff List. And I guess, staff, let's just get us through this and we'll come full circle back around for it looks like Number 5, Number 6, and Number 11.

Staff, Number 1.

MS. CORBARI: Good morning, Commissioners. Kelley Corbari, Commission staff. Item 1 concerns a motion to dismiss filed by FPL in Docket 130290, initiation of formal proceedings of complaint of Brian J. Ricca against FPL for failing to provide reasonable service.

Staff is recommending that the Commission grant FPL's motion to dismiss the complaint without prejudice as the complaint fails to demonstrate a cause of action upon which relief can be granted, and that Mr. Ricca be permitted to file an amended complaint.

Oral argument was not requested by either party. Counsel for FPL is present, and staff is available to answer questions.

CHAIRMAN GRAHAM: Thank you, staff.

FLORIDA PUBLIC SERVICE COMMISSION

Commissioners, any questions of staff? Commissioner Balbis.

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COMMISSIONER BALBIS: Thank you, Mr. 3 Chairman. I just have one quick question for staff. 4 In accordance with Rule 25-6.064, Section 9, 5 where it states that if the utility and applicant are 6 7 unable to agree on a CIAC amount, either party may petition the Commission for review. If Mr. Ricca 8 9 simply in his formal pleading would have just asked the Commission to review, we would have proceeded with 10 that, correct? 11 MS. CORBARI: That is correct. The 12 Commission can review the reasonableness of the 13 estimate. However, Mr. Ricca would still have to have 14 had to amend his requested relief. 15 COMMISSIONER BALBIS: Okay. Thank you. 16 17 CHAIRMAN GRAHAM: Any other questions? Can I get somebody to move staff, please. 18 COMMISSIONER EDGAR: Move staff, 19 20 Mr. Chairman. CHAIRMAN GRAHAM: It has been moved and 21 22 seconded, staff recommendation on Item Number 1. Any further discussion? 23 Seeing none, all in favor say aye. 24 (Vote taken.) 25

FLORIDA PUBLIC SERVICE COMMISSION

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000005 1 STATE OF FLORIDA) 2 • CERTIFICATE OF REPORTER 3 COUNTY OF LEON) 4 5 I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard 6 at the time and place herein stated. 7 IT IS FURTHER CERTIFIED that I 8 stenographically reported the said proceedings; that the same has been transcribed under my direct 9 supervision; and that this transcript constitutes a true transcription of my notes of said proceedings. 10 I FURTHER CERTIFY that I am not a relative, 11 employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' 12 attorney or counsel connected with the action, nor am I financially interested in the action. 13 DATED THIS 17th day of April, 2014. 14 ane Faurot 15 JANE FAUROT, RPR 16 Official FPSC Hearings Reporter (850) 413-6732 17 18 19 20 21 22 23 24 25 FLORIDA PUBLIC SERVICE COMMISSION