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# Public Service Commission

May 9, 2014

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COMMISSION CLERK

Mr. Frederick Smallakoff  
6651 Coronet Drive  
New Port Richey, Florida 34655

**Re: First District Court of Appeal Case No. 1D14-0196 – Frederick Smallakoff vs.  
Florida Public Service Commission, PSC Docket No. 060774-EI**

Dear Mr. Smallakoff:

Enclosed is the Amended Index to the record on appeal, reflecting your written request dated April 15, 2014, to add the entire file and records regarding the above-referenced docket. When we receive your payment for preparation of these documents the Amended Index and Appeal Record will be filed with the First District Court of Appeal.

Should you have any questions regarding this Amended Index, please feel free to contact me.

Sincerely,

*Carlotta S. Stauffer*  
Carlotta S. Stauffer  
Commission Clerk

CSS: mhm  
Enclosure

cc: Samantha Cibula, Commission Office of the General Counsel  
Rosanne Gervasi, Commission Office of the General Counsel  
Ken Hoffman, Florida Power & Light Company  
Kathryn Christian, Duke Energy

**AMENDED INDEX (BY DATE)**

**PSC DOCKET NO. 060774-EI**

Pursuant to Rule 9.200(d)(1)(B), Florida Rules of Appellate Procedure (Fla.R.App.P.), each volume has a cover sheet containing the name of the lower tribunal and the style and number of the case.

**Volume 1**

<u>DATE</u>		<u>BATES-STAMP PAGE NOS.</u>
12/01/06	Letter dated November 30, 2006, from Harold McLean, Office of Public Counsel (OPC), to Blanca S. Bayó, Florida Public Service Commission (Commission), with attached complaint material, filed on behalf of Frederick Smallakoff (Smallakoff); letter requests a formal complaint docket be opened to process complaint against Florida Power & Light Company (FPL) .....	1-19
12/04/06	Commission’s notice of complaint to FPL .....	20
12/11/06	Return receipt card from FPL indicating delivery of notice of complaint, from Commission, by U.S. Post Office on December 5, 2006 .....	21
04/06/07	Letter dated April 6, 2007, from Martha C. Brown, Commission, to Smallakoff, providing Florida Administrative Code Rules and 2006 Florida Statutes that govern complaint against FPL .....	22
04/12/07	Letter dated April 6, 2007, from Martha C. Brown, Commission, to Smallakoff, providing Florida Administrative Code Rules and 2006 Florida Statutes that govern complaint against FPL .....	23
	<i>[Clerk note: Letter has notation that it was remailed on April 12, 2007, to a different address.]</i>	
04/17/07	Certified letter dated April 17, 2007, from Martha C. Brown, Commission, to Smallakoff, providing an example of a motion to stay, a copy of Martha C. Brown’s April 6, 2007, letter to Smallakoff, and relevant Florida Statutes and [FAC] Rules that govern complaint against FPL .....	24
04/19/07	Certified letter dated April 19, 2007, from Martha C. Brown, Commission, to Smallakoff, advising staff has revised the schedule for the docket to provide requested additional time to develop information regarding complaint; and advising any documents and information to be considered in the staff recommendation should be received by September 20, 2007 .....	25

04/27/07	Memorandum dated April 27, 2007, from Martha C. Brown, Commission, to Ann Cole, Commission, with attached correspondence from Smallakoff, dated April 22, 2007, and addressed to FPL to be placed in the docket file .....	26-32
09/21/07	Certified letter dated September 20, 2007, from Martha C. Brown, Commission, to Smallakoff, advising staff has revised the scheduled for the docket to provide requested additional time to develop information regarding complaint; requesting any documents and information to be considered in staff recommendation must be received by February 12, 2008, to be considered in the staff recommendation to be addressed at the March 4, 2008, agenda conference .....	33
12/31/07	Docket correspondence of parties and interested persons .....	34-92
09/22/10	FPL’s notice that its September 2, 2010, verified motion to disqualify Commissioner Skop applies to Docket No. 060774-EI, with attached Appendix A .....	93-112
03/26/12	Docket correspondence of administrative actions .....	113-150
11/21/12	Letter dated November 21, 2012, from Martha C. Brown, Commission, to Smallakoff, advising a staff recommendation has been scheduled to be considered by the Commission at the January 24, 2013, Commission conference; requesting supporting information be submitted no later than December 21, 2012.....	151
12/31/12	Letter dated December 31, 2012, from Martha C. Brown, Commission, to Smallakoff, advising letter is staff’s final effort to inform of intent to file a staff recommendation on complaint on January 10, 2013, to be considered by the Commission at its January 24, 2013, Commission conference .....	152
02/21/13	Memorandum dated February 21, 2013, from the Commission’s Office of the General Counsel, Office of Consumer Assistance and Outreach, and Division of Economics to Commission Clerk, providing staff recommendation for the Commission conference, Item No. 1, to be held March 5, 2013 .....	153-165
02/21/13	Letter dated February 21, 2013, from Martha C. Brown, Commission, to Smallakoff, forwarding staff recommendation, advising the billing complaint against Progress will be considered at the March 5, 2013, Commission conference, and invitation to participate at the Commission conference .....	166

03/05/13	Vote sheet from March 5, 2013, Commission conference, Item No. 1.....	167-168
03/11/13	Transcript of March 5, 2013, Commission conference, Item No. 1 .....	169-179
03/13/13	PAA Order PSC-13-0123-PAA-EI denying complaint of Smallakoff.....	180-192
03/18/13	Letter dated March 18, 2013, from Michael Lawson, Commission, to Smallakoff, forwarding copies of PAA orders denying complaints in Docket Nos. 060774-EI and 120176-EI .....	193
03/26/13	Letter dated March 21, 2013, from Smallakoff, to Ann Cole, Commission, with attached documents, which were faxed on March 20, 2013, and placed in the correspondence folder; requesting documents be officially filed and made part of the record for Docket Nos. 060774-EI and 120176-EI [See Volume 2 for continued pages].....	194-200

**Volume 2**

03/26/13	[Continuation of] Letter dated March 21, 2013, from Smallakoff, to Ann Cole, Commission, with attached documents, which were faxed on March 20, 2013, and placed in the correspondence folder; requesting documents be officially filed and made part of the record for Docket Nos. 060774-EI and 120176-EI.....	201-227
04/03/13	Letter dated April 1, 2013, from Smallakoff, to Commission Clerk, protesting and disagreeing with the decision to dismiss, issued by the Commission’s Office of the General Counsel, and Order PSC-13-0123-PAA-EI; and purporting to request a formal proceeding .....	228-233
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09/30/13	Transcript of September 25, 2013, Commission conference, Item No. 2..... <i>[Clerk note: Item Nos. 2 (Docket No. 060774-EI) and 3 (Docket No. 120176-EI) were taken together and one transcript was prepared.]</i>	260-278
10/14/13	Order PSC-13-0467-FOF-EI denying, with prejudice, Smallakoff's second request for a formal proceeding; docket closed.....	279-282
10/29/13	Letter dated October 28, 2013, from Smallakoff, to Ann Cole, Commission, titled motion for reconsideration of Case No. 696236E, Order PSC-13-0467-FOF-EI, issued October 14, 2013 ..... <i>[Clerk note: Docket reopened to address motion.]</i>	283-293
12/05/13	Memorandum dated December 5, 2013, from the Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, and Division of Economics to Commission Clerk, providing staff recommendation for the Commission conference, Item No. 2, to be held December 17, 2013 .....	294-298
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12/19/13	Transcript of December 17, 2013, Commission conference, Item No. 2..... <i>[Clerk note: Item Nos. 2 (Docket No. 060774-EI) and 3 (Docket No. 120176-EI) were taken together and one transcript was prepared.]</i>	300-303
12/20/13	Order PSC-13-0674-FOF-EI denying Smallakoff's motion for reconsideration of Order PSC-13-0467-FOF-EI; docket closed.....	304-306
01/15/14	Smallakoff's notice of appeal with attachment, Order No. PSC-13-0674-FOF-EI .....	307-310
	<i>[Clerk note: Docket reopened and placed in litigation status.]</i>	
01/15/14	Letter dated January 15, 2014, from Jon S. Wheeler, District Court of Appeal, First District, State of Florida (1st DCA), Clerk of the Court, to Carlotta S. Stauffer, Commission, acknowledging receipt of notice of appeal, Case No. 1D14-0196.....	311-312
01/15/14	1st DCA order stating that the appeal shall not proceed until the order of insolvency is filed, as required by Rule 9.430, Fla.R.App.P., or a \$300 fee is paid, as required by Section 35.22(3), F.S. (2011), Case No. 1D14-0196.....	313-314

01/15/14	Letter dated January 15, 2014, from Carlotta S. Stauffer, Commission, to Smallakoff, forwarding a copy of the notice of appeal, with attachment, Order No. PSC-13-0674-FOF-EI, and advising a certified copy of the notice of appeal and attachment is being electronically filed with the 1st DCA.....	315-319
02/20/14	Letter dated February 20, 2014, from Carlotta S. Stauffer, Commission, to Smallakoff, forwarding a copy of the index to record on appeal, Case No. 1D14-0196.....	320-326
04/23/14	Letter dated April 15, 2014, from Smallakoff to Carlotta S. Stauffer, Commission, requesting entire file and records be submitted to the 1st DCA, Case Nos. 1D14-0196 and 1D14-0197.....	327
05/09/14	Letter dated May 9, 2014, from Carlotta S. Stauffer, Commission, to Smallakoff, forwarding a copy of the amended index to record on appeal, Case No. 1D14-0196.....	328-333

**Progress Docket**

Pursuant to Rule 9.200(d)(1)(A), Fla.R.App.P., the document filings index for Docket No. 060774-EI has been incorporated into the record immediately after the index .....	334-336
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