

FLORIDA PUBLIC SERVICE COMMISSION

Item 4

VOTE SHEET

FILED MAY 09, 2014
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FPSC - COMMISSION CLERK

May 9, 2014

Docket No. 140024-EI – Initiation of formal proceedings on Complaint No. 1109752E of Brenda Rodriguez against Duke Energy Florida, Inc. for alleged improper billing.

Issue 1: Is there sufficient evidence that meter tampering occurred at the Rodriguez residence at 185 Anzio Drive, Kissimmee, Florida 34758, to permit Duke to back-bill the Rodriguez account for unmetered kilowatt hours?

Recommendation: Yes. The results of meter testing conducted at the Rodriguez residence by Duke and Commission staff confirm that meter tampering occurred. Because Ms. Rodriguez is the customer of record, she should be held responsible for a reasonable amount of back-billing.

DEFERRED

*to June 5, 2014 Commission Conference,
per discussion this date.*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

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Issue 2: Is Duke's back-billing period and estimate of usage for a total amount due of \$11,555.14 for unmetered electric usage, and a \$312.40 investigation charge reasonable and appropriate?

Recommendation: Yes. The period back-billed, the estimate of energy used, the amount back-billed, and the investigation charge are reasonable and appropriate.

Issue 3: Should the Commission grant Ms. Rodriguez the relief sought in her petition?

Recommendation: No. Staff recommends that the Commission deny Ms. Rodriguez's petition as it does not demonstrate that Duke's attempt to collect \$7,974.44 violates any statutes, rules or orders or that Duke's calculation of the \$7,974.44 is unreasonable.

Issue 4: Should this docket be closed?

Recommendation: Yes. If no timely protest is filed by a substantially affected person within 21 days of the Proposed Agency Action Order, a Consummating Order should be issued and the docket closed.