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STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
CARLOTTA S. STAUFFER
COMMISSION CLERK
(850) 413-6770

Public Service Commission

NOTICE OF COMPLAINT

TO

DUKE ENERGY FLORIDA, INC.
106 EAST COLLEGE AVENUE, SUITE 800
TALLAHASSEE, FLORIDA 32301-7740
(via Certified Mail No. 7011 3500 0001 5977 6482)

Re: Docket No. 150144-EI -- Complaint by Barbara Robinson against Duke Energy Florida, Inc.

Notice is hereby given, via certified U.S. mail, that the above-referenced complaint was filed with the Public Service Commission on May 15, 2015, a copy of which is attached.

You may file a response to this complaint with the Office of Commission Clerk at the address below, with a copy sent to the complainant. The Commission also accepts documents for filing by electronic transmission provided the electronic filing requirements are met. For information regarding these requirements, visit the Commission's website at www.floridapsc.com.

Noticed this 19th day of May, 2015.

Carlotta S. Stauffer
Carlotta S. Stauffer
Commission Clerk

CSS/amc
Enclosure

cc: Barbara Robinson
Office of Public Counsel
Office of General Counsel
Office of Consumer Assistance & Outreach
Docket File

REQUEST TO ESTABLISH DOCKET (Please type or print. File original with CLK.)		
Date:	5/15/2015	
1. From Division / Staff:	GCL	
2. OPR:	GCL	
3. OCR:	ECO & ENG	
4. Suggested Docket Title:	<u>Complaint by Barbara Robinson against Duke Energy Florida, Inc.</u>	
5. Program/Module/Submodule Assignment:	A9	
6. Suggested Docket Mailing List		
a. Provide NAMES/ACRONYMS, if registered company		<input type="checkbox"/> Provided as an Attachment
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):
EI801	Duke	
b. Provide COMPLETE NAME AND ADDRESS for all others (match representatives to companies)		
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):
	Barbara Robinson P.O. Box 332 Ocoee, FL 34761	
7. Check one:	<input checked="" type="checkbox"/> Supporting documentation attached	<input type="checkbox"/> To be provided with Recommendation
Comments:		

04/27/2015

OFFICE OF CLERK OF COMMISSION

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-085

Reference to Public Service Commission Inquiry #: 1159046E

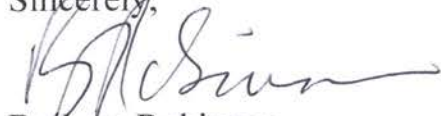
Dear Sir/ Madam,

Please initiate formal proceedings into Duke Energy of Florida(DEF)
lack of sustainable service as follows:

- Delay in Service
- Improper Billing
- Service Outages
- Repairs

I Hope to hear from you.

Sincerely,



Barbara Robinson
407-530-5241

e-mail:bjm726@gmail.com

Address for mailing:

P.O. Box 332
Ocoee, FL. 34761

CC: Neal Forsman, Regulatory Administrator-PSC

: Attorney General-PamBondi

RECEIVED-FPSC
15 MAY - 8 AM 9: 03
COMMISSION
CLERK

04/27/2015

ATTORNEY GENERAL
THE CAPITAL PL-01,
TALLAHASSEE, FL. 32399-1050

PSC Inquiry : 1159046E

ATT: PAM BONDI - Attorney General
Certified mail #: 7014 3490 0001 9480 2000

I, customer, is adamantly requesting your office to , Please address this matter to resolve DEF passive attitude displayed to Ignore or to cover up the obvious Negligence of proper service from the Duke Energy Florida(DEF) in a sustainable way , which resulted in a constant high energy bill, as if there were no interruptions of energy service at all. This totally contradicts any service notations about the DEF on expertise will help achieve more efficiency to deliver affordable, reliable service with integrity.

The negligence of proper service showed lack of Safety being DEF's top priority, that should help you keep family and homes safe from electrical accidents caused unsafe conditions, totally contradicting their implied service standard to "**look for and correct electrical safety hazards in their homes.**"

I, customer, initiated a complain to The Public Service Commission (PSC) on 09/11/2014. The PSC has been given three(3) chances to provide a substantial resolution to dispute with Duke Energy Florida(DEF).- who has been in Denial. As, based on my complaints; See also, **Exhibit-1; and Exhibit-2.**

While The basis of the complaints falls on and around the borderline of applicable status and rules, *id.* To be consistent with FPSC R. 25-6.062, and, FPSC R. 25-6.037, F.A.C.-" the Extent of system which utility shall operate"-- this still gives rise to violation of ethical service calls and procedures and service Negligence from the DEF.

Because, if DEF does not contact the third party vendor contracted by them for authorized home wiring inspection and service, WHO else will? Even if the customer calls the vendor, it is after the information has been given by DEF, who still should initiate the service request for home wiring service.

There was too many days passed before, the home wiring service request was done by DEF; and it was after I, the customer, had to wearisome tug my way into enquiring about my fear of the frequent banging power outages, from an out source electrical company, who, after inspection, immediately warned me that my house was in Fire hazard state of condition and to stop using electricity; and, turn off the electrical power breaker panel; and, call DEF immediately to attend to the home wiring service .

It seems that the scope of the dispute issues falls outside the jurisdiction of the PSC, and thus, the relief sought cannot be provided by the PSC. As per their responses, See, **Exhibit-1A; Exhibit-2-A; & Exhibit-3-A.**

Additionally, each successive response from PSC shows their effort to alter and fabricate time sequence chronology,(with a detouring of generally accessible theoretical information), of DEF's poor service response in a sustainable way.

It would be good for DEF and PSC to explain why the Energy check was not done at all???, and , especially, closely to a time period of the problem.

The RELIEF SOUGHT

That my DEF account be credited an amount equal to at least \$150.00(and not \$59.90 credit for hypothetical 378 kWh conclusion for only six(6) days[June10-16, 2014]), for the ELECTRICAL problems suffered that resulted in extenuating circumstances of significant and prolonged reduction into other electrical services at the home at 240 Wall Rock Drive, Ocoee, FL. 34761. As follows:

1. A bad meter; that was eventually installed and the date range of credit given was hypothetically done from the date the DEF service order call given(06/13/2014-06/16/2014); and not from the dates previous before, that, I, the customer had frequently called in about the electrical outage problems, in 05/2014. Or say, the complaint call continued on 06/17, because the bad outage problem continued after the new meter was installed on 06/16/2014.
2. After, the meter was replaced, the electric outages did not stop. And, I, the customer called DEF a few more times for help; because the outages still came with a very Loud bang and boom sound and a big power jerk.

The Issue

1. This case involves issues of Service negligence and lack of Timely Responses, based on the serious nature of my frequent calls of power outages.
2. At no time I, the customer is disputing the audit and the meter reading. It is a new meter that was installed, so there could be nothing wrong about its reading.
3. In so much, , **the FIRST meter reading pertaining to this problem, and audit was done in September 2014, almost 3 months after the service problems to June 27, 2014.**
4. **More so, DEF administrator did not communicate with me until about 25th of August 2014.**
5. Therefore, the PSC response dated 04/16/2015, on chronology of times, has been altered, and the PSC will continue to try to alter and possible fabricate timing sequence of the problems, in their denial.
6. In so much, that PSC must be reminded that, in Pursuant to the **FPSC R. 25-6.062**, the Inspection of wires and equipment, needed an initiation call from DEF agent/ representative. . Whether to tell the customer to directly call the DEF's home wiring service department, or, the DEF agent connect the service call to their home wiring service, based on the severity of the power outages call complaints; either way, it is DEF who will make the first call to vendor who is authorized to inspect.
7. The customer mostly is UNAWARE of who the contracted third party vendor is, nor, what is the basis of such problematic outages. As far as the customer is knowingly concerned, is that DEF manages the home wiring service that customer pays for in the utility bill.

As stated in my complaint response, See, **Exhibit-3**, first page, I have made infrequent calls to DEF before May into the end of May and into June 2014, complaining about the frequent power outages and the loud bang noise that give a heavy jerks at the outages.

Because I, the customer was so absolutely oblivious about the indications of this kind of outages, at no time, I would have thought the home wiring service would become the denominator of all this power outages service problems.

But, why is the customer paying for this home wiring service again??? --Can your office remind DEF!?

Additionally, to make note, that even if DEF uses a Contracted Third party vendor to do service check and repair of the Home wiring service; the DEF frontline customer service staff obviously lacked, the know your product, for optimum service to customers; especially when there is more complaint power outages calls after a new meter was installed, as in my case.

Based on the nature of my complaint calls, regardless of which DEF technician came to the home site; there should have been an indication, or a flagged sign that a service for my electrical home wire service should be looked into.

Is it that all severe power outages call is confined to meter and voltage reading?

The customer definitely does not know it all(especially me); and if DEF is putting out there high pressure advertisement to sign up for home wiring service, then , DEF Must stand to follow through on the indications of its service problems. Especially, when the call complaint continued severe outages continued after a new meter was installed.

Based on my June 13th, 2014 upset and frustrated complaint call about the loud banging from the power outages that finally generated a documented service call, DEF had meter replaced on June 16th.

I called back in on 06/17/2014, to complain that the outages did not stop' after the meter was replaced.. And there was NO Service call response from DEF. Because the outages were getting me scared and now affecting the AC unit; having poor power on .

It was I, the customer, who had to call on 06/24/2014, an outsourced electrical company to help see what is happening with the constant power outages as this was recommended by my neighbor.

Please note that the outsourced company came the same day(06/24/2014) in the evening. They did their problem check and discovered that the electrical disconnect box was burnt out badly, and that I need to call DEF immediately, to service the home wiring problem!

The outsource electrical company also warned me to turn off my power breaker box, because my house is at Fire hazard condition.

I did the call to DEF and complained for sure about the banging sounds and requested an Emergency service technician from the home wiring service to attend to the problem.

The DEF franchised company eventually came on 06/27/2014, who also checked the AC unit, and found no problems. After, the Home wiring box was replaced, and the power breaker got turned back on; then, the power outages loud banging was not frequent in the same day as before, and, the AC unit started running on its standard power.

Please note, all problems happened beyond the customer's control. However, a timely response and a "know your product" representative from DEF and, or technician could have minimize both the time it took to really discover the core problem for the power outages and the time to service the problem.

DEF and PSC have not taken into consideration for a resolution, (-i)---the time periods before June13th when I have called about the banging power outages;-(ii)---did not take into consideration the complain calls for the same problem after the meter was replaced, and the outages continued;- (iii)-- did not factor in the report from their(DEF outsourced)electrician who had to turn back on the power and AC unit from the breaker box;- thus, with no power for a few days in the summer, and then turn back on the power and the AC unit to cool down a hot house on 06/27/2014. The meter would read a high consumption or an average summer reading, by the time meter is read on or about July 05/2015.

Please note: that back in September/October 2013, I did sign up with DEF for the Surge protector.

This installation gave rise to loud noise at power outages(even when there was no thunder storm and lightening). I called DEF a few times and since no one could give an explanation, I eventually called DEF to disconnect this surge protector item within 40 days.

I informed the DEF administrator in September 2014 about this, during the initial investigative call, but, since DEF has been in denial and have tried to cover up their untimely service call response and service negligence; there has been no further probe into the remnants of the disconnect surge protector product.

THE MATTER

I, the customer, just want the DEF and PSC to acknowledge that the resolution needs to factor in earlier dates for proper credit to the account; and, that, DEF is accountable for the home wiring service and indication or flag signs that require a home wiring technician to come to the site (even if it is not a DEF technician that checks the home wiring service).

If the outsource company can make a service call in a day (06/24/2014), and they have lots of client too, ; then why must it took DEF three(3days) to respond to an emergency electrical problem service call ?(DEF got emergency problem electrical call on 06/24/2014 and their franchised electrical company responded on 06/27/2014), (plus the calls earlier days before).

Also, the fact that there was no power in the home because power had to shut off due to home being in a Fire hazard condition. When DEF outsource technician turned power back on and AC started to run again, the AC would have worked overtime to cool down a 2,518 sq. ft hot house. The meter will show increase to a normal full summer month consumption. DEF and PSC needs to factor this point in, to give credit to account. This problem occurred beyond the customer's control. Plus DEF failed to recognize a home wiring problem indication and untimely responded.

To reiterate, DEF is in contradiction to their implied service standard to **"look for and correct electrical safety hazards in their homes."**

1. *******Please make note of this Negligence of problem check from DEF*****
To help protect the customer from electrical accidents by taking a few minutes to explore the **depth of my complaint of "loud, Banging, sounds and bang jerks" when the frequent power outages occur;** The DEF service checked only the meter which discovered a bad meter. And, it stopped there for DEF. Because, I, the customer would not have known or could not have called the DEF's franchise electrical company. So, I, the customer, did the correct process of calling DEF.
2. **The Poor DEF service check(which includes DEF should have refer the call to their vendor electrical company to at least check out the issue), OR, did not take the extra few minutes to even check the "DEF Disconnect box,**

which resulted to being another faulty wiring equipment,(apart from the meter), that has been included in my(the customer's)monthly bill.

- 3. More so, not even an Energy check was done during the time of complaints, or during and after service call and checks.**
- 4. As a matter of fact, from the evening of June 27 through to July 25, DEF avoided all of my inquiries about the old meter and the new meter that was installed on June 16,2014 and Inquiry to credit audit-as the credit department refused to communicate with me leaving agents at customer service as third hand communications with always changing stories.**
- 5. The matter was taken up with DEF Administration on August 25, 2014 from my complaint to the Orange County's Commissioner's office here in Orlando, FL.**

Hence, the crux of my disagreement is not about the after the fact audits, and the New meter testing and readings, that occurred three(3) months after the problem period. Plus, what could go wrong with a new meter reading?

The Crux lies in the lack of transparency of DEF and PSC admitting to the cause and effect of the untimely responses to very serious electrical call complaints.

Must every call about electrical outages problem be confined to only a meter check?

It was not the customer who recommended to have the home wiring service. So, if DEF staff is not trained to recognize the severity of complaints to indicate to the third party vendor for an electrical service check; then most customers(who are blinded to electrical facts), would not understand to do so.

In the crux of the matter, is that the DEF administrator only wanted to give \$50.00 credit for a small accounted period of June13- June16, 2015- the date the DEF rep. document the request order for service, to the day meter was replaced.(The \$50.00 has not yet even applied to my account).

DEF have not considered the calls for service many weeks before the June 13th order for service.

It is certainly not the customer's fault, if the DEF reps. took that long to request service after so many problem calls.

Remember, Energy check was never done, at all.

So, If PSC does not have any jurisdiction to help regulate the Home wiring service that DEF strongly recommend customers to have and is paid for in their account, Then this Monopoly company(DEF), will undoubtedly be able to violate any service standard procedures connected to the home wiring service!

All of the responses I received from PSC have been overrated theoretical pinpoints, in their denial, and not Practical. I could have called in to get a audit of payment history.

But, I am not disputing bill payment or the meter readings. It is the Cause and Effect of untimely responses and DEF lack of knowledge in service standard regarding Home wiring service . That caused the power breaker to be turned off for a couple of days. And, of course, when the power breaker got turned back on, and the electrical items, like the Ac got running again, to cool down a HOT 2,518 sq. ft house in summer 2014.

Even though PSC does not monitor home wiring service plans from DEF. PSC is commissioned to help regulate DEF established services. And , *id.* "Regulate"- means to help enforce service standards to deliver reliable service with integrity and help keep family and homes safe from electrical accidents and unsafe conditions.

DEF is in violation of any service notations about the DEF on expertise will help achieve more efficiency to deliver affordable, reliable service with integrity.

The negligence of proper service showed lack of Safety being DEF's top priority, or, simply, carelessness, to help you keep family and homes safe from electrical accidents caused unsafe conditions.

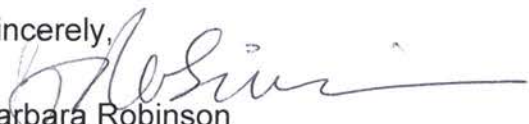
I would appreciate the Attorney General's office to pointing PSC in the positive direction of understanding that this is not about the paper work audit comparison and new meter reading test results that was done Three(3) months after the problem period, to derive a conclusion. Because DEF first reading response was in September 2014, the situation requires to the extent more humane practical than theoretical decision.

This is about the fact that not even an Energy check was done at all. And that the time periods involve to deduce a true and correct credit to the customer account, which should have involve from the first complaint call about electrical outages(which was from May 2014), long before the June 13th documented service order request.

Therefore, since PSC response lacks transparency, this shows the cliché in bureaucracy; so, no point contacting the office of Commission clerk for PSC.

I do look towards a soon reply.

Sincerely,



Barbara Robinson

bjm726@gmail.com

P.O. Box 332

Ocoee, FL., 34761

407-530-5241

CC: **ATT:** Neal Forsman

Public Service Commission Regulatory Administrator,

2540 Shumard oak blvd.,

Tallahassee, Fl. 32399-0850

10/21/2014

**PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA, 32399-0850**

RE: PSC Inquiry: 1159046E

ATT: RANDY- Supervisor

Please I am requesting this matter/ issue for not agreeing to give a proper Dollar credit amount of \$155.00 back to customer, be thoroughly attended to.

The response from Regulatory Specialist, Shonna McCray(**SM**), shows lack of reasoning to the core issue of why I sent this matter to be addressed by the Public Service Commission. The response is devoid of any facts that would inform the customer(me) to not receiving at least \$155.00 credit back from the problems occurred with electric power for the periods of June10-June27, 2014; and, the conclusion in the response from Shonna Mccray(**SM**) is ambiguous and misleading.

I am tired of calling back trying to explain for some one to understand the valid rational of the core reasons to issue me at least a \$155.00 credit. As follows:

1. **SM** showed her misunderstanding of this matter in her *para 1*. This is not a concern regarding high electric bill.

This is a core matter of not receiving proper Credit dollars amount for problematic electric issues, that stemmed from inefficient/insufficient follow through service /maintenance check. Anything that uses electric power will effect the electric bill.

To concisely review, a meter was replaced on June 16, after frequent calls about loud, noisy boom sounds with frequent power outages. On the evening of 06/17, I called back Duke energy to complain again of the frequent power outages and WHEN the lights switches on , the lights flickers to dim.

I informed Duke Energy of my concern that the AC motor is running but no air is cooling and that the wall outlets reset button on the wall sockets plugs are not working.

Rep. stated she will send someone out to check meter. But no one came.

So I called my electric company who came a few days later. I explained the entire scenarios . The first place they checked was the Disconnect box.

And, BINGO! The electrician saw that my home wires were burned out literally, and advised me to immediately shut off my circuit power breaker panels located in the

Get it bit 'i'

garage. And, that I must call Duke energy home wire service immediately to come out and fix the issue. And not to turn on any power at all. My house was in fire hazard zone! So, I made the call on about 06/24.

On 06/27, the Duke energy outsourcing electric company person came and eventually installed a new disconnect, after checking the AC unit. This person confirmed there was no problem with the AC unit, after turning on back all circuit breaker panel power.

The AC was now blowing cool air and the wall outlets reset buttons worked and so far, the loud boom noisy sounds stopped when there are power outages.; since the power outages became infrequent.

I called Duke energy immediately and told them I am expecting credit dollars amount for the period from June10-June27. I have called to speak to the credit department who avoided every call, and I and got the run around with different stories to a valid credit dollars amount.

I escalated the matter to our Orange County Commissioner's office who had Duke Energy, Admin. Named, Andrea to oversee the matter.

In short, Duke Energy Admin only wants to credit a small time frame of June10-16(June 16, is the day the meter was replaced)for 378 kwh amounting \$50.00... WHICH PER Andrea--Duke Energy Admin.-- was an estimation weighted on usage compared to same time period from 2013

I have disagreed as this is obviously victimization.

I am sure I do not have to review that even though the new meter was installed , there still exists was still electrical issues. And the worst part, is that electric power/ currant was still being absorbed and read by the new meter.

PLUS, after the new disconnect box was installed, the AC had to cool down a house that has been hot for 13 days. So of course, the electric bill for the period will show high bill consumption as if the usage was normal! . And it was no ways normal usage .

Now, the meter tested results was never an issue. Even though test was done on September 02, 2014. It is more likely test results would be probably be accurate, as it covers a period of normal usage. And, even if weighted on the problematic period of June 10-27, 2014, the test would still have a probable accurate rating, Because electric power was still being absorbed even when the AC was running and not cooling, the wall outlets sockets plug reset buttons did not work. Remember, I had to turn off power in Breaker Panel until Duke energy replaced the home wire service.

Exhibit '1'

Your office can try to go around that home wiring service has nothing to do with the meter. Well, the meter reads electricity usage in any form or ways.

2. **In Last para., SM** states ambiguous and misleading review of my account activity statement for period of November 28, 2012-September 25, 2014, as if I was disputing past bill periods.

Proper review will show and indicate that I have had PAYMENT ARRANGEMENTS, which will skip the current month and the arranged payments to be paid in the next or following month. The payment arrangements have been fulfilled.

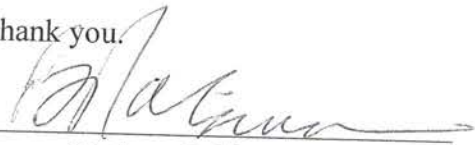
Based on Shonna Mccray's(SM) lack of sufficient review to ensure the core issue of the customer's complaint of not receiving at least \$155.00 dollar credit amount for the Disruption in electrical power service was not addressed.

Please, I request a review that will address this credit dollar amount\$155.00, that the customer(me) deserves. And, listing valid reasons why the period of disruption in electricity service of June10-June27,2014, must be neglected.

Please consider that this is the response due to your office by October 31, 2014.

I sure do look towards a response from you soon.

Thank you.



Barbara Robinson
240 WallRock Drive, Ocoee, Florida, 34761
Ph:407-703-5216

Cc: Pam Bondi
Attorney General

12/12/14

**ATTORNEY GENERAL
THE CAPITAL PL-01,
TALLAHASSEE, FL. 32399-1050**

PSC Inquiry : 1159046E

ATT: PAM BONDI - Attorney General

Good day Ms. Bondi,

Please refer to complaint response dated 10/21/2014 from me, the customer; Response dated October 16, 2014, from agent(Shonna MCcray) To generated complaint filed on 09/10/2014; and report dated 12/09/14 from regulatory Consultant.

Please address this matter to resolve DEF passive attitude displayed to Ignore or to cover up the obvious Negligence of proper service from the Duke Energy Florida(DEF) , which resulted in a constant high energy bill, as if there were no interruptions of energy service at all. This totally contradicts any service notations about the DEF on expertise will help achieve more efficiency to deliver affordable, reliable service with integrity.

The negligence of proper service showed lack of Safety being DEF's top priority, help you keep family and homes safe from electrical accidents caused unsafe conditions..

At no time, did I, the customer, complained about the meter readings. But the ineffective, and lack of a thorough service check, resulted and impacted in a high energy bill; when in fact, the bill should have been low energy July 2014 reading. As follows:

- 1. I, the customer complained towards the end of May 2014 into June 2014 of loud, banging/ jerk noisy sound when there were frequent power outages. Some outages a few seconds and some into minutes long.**
- 2. It was on June 13, 2014, that my frustrated complaint generated a documented work order, that had the meter replaced on June 16, 2014.**
- 3. *****Please note that after the meter was replaced on 06/16/2014, , I called into DEF , about June 17, 2014, about more loud noise power outages problem. The agent who answered the call noted to send out a technician.. Actually, no DEF maintenance technician person returned.**
- 4. In as much, that I had to call back in on June24, about the banging jerk noisy problem with the power outages. These outages were a few seconds out and then the lights jerk back on.**
- 5. This left me without cool Air conditioning(AC)and the frequent lights flickering, PLUS, the electrical wall outlet sockets were not working. I was puzzled and afraid.**

Spit 2

6. I had to call an outsourced electrical company to check the issue . They came out on June 24, 2014. The out sourced technicians alerted me the House was in a Fire hazard state of condition and to immediately shut off the power switches in Breaker box; and not to use any electrical appliance, since I had an extremely faulty wiring Disconnect box ; and I needed to call DEF immediately. Which I did on June 24, 2014.
7. *******Please make note of this Negligence of problem check from DEF.....>** To help protect the customer from electrical accidents by taking a few minutes to explore the **depth of my complaint of "loud, Banging, jerky sounds" when the frequent power outages occur;** The DEF service checked only the meter which discovered a bad meter. And, it stopped there for DEF.
8. **The Poor DEF service check did not take the extra few minutes to even check the "DEF Disconnect box, which resulted to being another faulty wiring equipment,** that has been included in my(the customer's)monthly bill, to **"look for and correct electrical safety hazards in their homes."**
9. **More so, not even an Energy check was done during the time of complaints, or during and after service call and checks.**
10. **As a matter of fact, from the evening of June 27 through to July 25, DEF avoided all of my inquiries about the old meter and the new meter that was installed on June 16,2014 and Inquiry to credit audit-as the credit department refused to communicate with me leaving agents at customer service as third hand communications with always changing stories.**
11. **The matter was taken up with DEF Administration on August 25, 2014 from my complaint to the Orange County's Commissioner's office here in Orlando, FL.**

I, the customer, have had to endure the tiresome and wearisome experience of the DEF and now the Public Service Commission(PSC), railroaded me in attempt to surreptitiously ignore and avoid the crux of the matter, that the Negligence of DEF service, devoid of a reliable, proper and Thorough Energy check, which would have ultimately led not only discovery of a bad meter, but in additional, an extremely faulty Electrical Disconnect box.

The PSC allowed DEF to do an audit and meter testing, done couple months after the problem period of June 2014; which is only used to buffer their report of estimations to derive a summary conclusion of 378 KWH amounting to \$59.90 credit dollars amount is sufficient(from DEF admin. worker, Andrea)

Fundamentally, **on page 4, para. 2, PSC Regulatory consultant, Magarita Valdez** response dated 12/09/14, expressed my concerns and complaints, but Still is not addressed. Even though, PSC does not regulate the Disconnect box home wire service ; PSC regulates DEF service missions on reliability standards(which is not only inclusive of meter readings) and established guidelines.

The meter testing on September 02, 2014 was on a new meter on the normal operating consumption time periods. What could go wrong with test results???? duh?!!

Exhibit '2'

Due to the blank meter reading from the old meter, The estimation time should have been measured farther back from at least June 01,2014,(if not earlier) and not as of June 13,2014.

It was on June 13, 2014, that I had to make a frustrated call to DEF to emphatically inform that this boom loud bang and jerk with the frequent power outages needs attention and so the bill. Because , especially in the summer time, when the electricity goes out, so does the AC unit. And when the AC units cycle back on, it is working extra energy flow back into its cool cycle. This applies to even short time periods of power outages.

This is why the impact of high energy consumption for periods of June 13- June 27,2014), is important to me; as the energy interruptions began before June13, 2014;and, when the faulty wiring Disconnect box was replaced;--all Must be accounted for by DEF. **I am paying for Home wiring service included in my electricity bill, that was neglected from taking the extra time to do a thorough service check, based on the complaints of loud BOOM sound noise and Jerks during power outages.**

Hence, the estimated time period of June13-16, to derive a credit dollar amount of \$59.00 to me, the customer is insufficient.

Also, regardless of how many late payments in my billing history, There is always a payment arrangement that has been fulfilled. Therefore, this has no bearing on the fundamental fact that DEF has been Negligent and unreliable to the service call check, based on the customer's verbiage in complaint.

The worst part of DEF trying to cover up the Negligence of problem service check, is that, the consumption for June 16-27, 2014, reads a normal Summertime energy consumption. *And, the consumption was not Actually normal during the time period of June16-27,2014.* Because, of actual loss of electric usage. But, that one day of turning back on the power breaker panel and AC unit and resetting the wall outlets impacted another high summertime energy bill.-- As summertime energy consumption is higher than fall or spring energy usage, as PSC allowance of the DEF audit showed, what the customer already knows. The customer should not have had to pay for out source service to have discovered that the disconnect box was extremely faulty and my home was in a fire hazard state of condition, if it was not for the Outsourced electrical company technician discovery.

If the out sourced electrical company was able to detect the problem issue immediately, based on the same complaint that was reported to DEF.

Hence, it is only essential and valid to state and alleged that DEF was Negligent and did not provide problem check in a reliable and sustainable way.

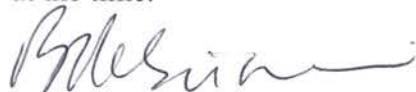
Exhibit "2"

To prevent any more ambiguity, what needs to remain clear is that the DEF technicians failed to provide or serve this customer, in the community, reliable commitment to protect the customer, according to service plan(which include home wiring service); to provide service in a sustainable way with Integrity, credibility and excellent performance.

To reiterate, I am not in contention with any meter readings. Even though this should have been done expeditiously during and quickly after the problem periods of June 1-13 and on June 16-27, 2014.--As I have complained about the specific boom sounds and jerk when I have outages.

How DEF and PSC want to run the clock and time of estimation still does not erase the negligence of a reliable service check with integrity, that impacted the usage of high energy bill in a problematic period from faulty home wiring that has FREE WARRANTY REPLACEMENT from DEF.

I do look forwards to a soon reply relieving me, the customer the credit dollar amount of \$155.50, due to Negligence and unreliable service check(For example, no expeditious energy check was done, and still not done), and Lack of timely response overall to my home being in a fire hazard state at the time.



Respectfully submitted.

BARBARA ROBINSON, 240 Wallrock Drive, Ocoee, FL. 34761

CERTIFICATE OF SERVICE

True copy of foregoing mailed on December 15, 2014

PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BLVD.,
TALLAHASSEE, FL. 32399-0850

ATT: Cynthia L Muir - Director- PSC
: Magarita Valdez- Regulatory Consultant- in response.

By : Barbara Robinson

Exhibit "2"

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF
CONSUMER ASSISTANCE & OUTREACH
CYNTHIA L. MUIR
DIRECTOR
(850) 413-6482

Public Service Commission

October 16, 2014

Ms. Barbara Robinson
240 Wallrock Drive
Ocoee, FL 34761

Re: PSC Inquiry #1159046E

Dear Ms. Robinson:

This is in response to your inquiry with the Florida Public Service Commission (PSC) regarding Duke Energy Florida, Inc. (Duke Energy). You expressed concerns regarding high electric bills.

In an effort to assist you, we contacted Duke Energy and requested a detailed report regarding your concerns. Duke Energy reports on June 13, 2014, you contacted the company and expressed concerns regarding voltage issues. An order was issued to check the voltage at your residence. On June 16, 2014, the voltage check was completed. The technician noted there were no voltage issues, but the meter display was blank. Meter #1756972 was removed with a reading of 00000 and replaced with meter #1524844 with a reading of 00000.

Due to the blank reading obtained at the time the meters were changed, an estimated usage of 378 kilowatt hours (KWH) for the period of June 10, 2014 through June 16, 2014 was billed to your account. The company later agreed to credit your account for 378 KWH billed for this period. You requested the company issue an additional credit through June 27, 2014. The company denied your request and offered to do an onsite meter test. Meter #1524844 was tested on September 2, 2014. The meter test results indicated a weighted average accuracy of 100.14 percent.

Florida Administrative Code (F.A.C.) 25-6.052 requires electric meters to register a weighted average accuracy rating of between 98% and 102%. If a meter is found to register more than the maximum allowed, the PSC requires the utility to credit the customer's bill. The meter tested within the limits set by the F.A.C.

A review of your Account Activity Statement for the period of November 28, 2012 through September 25, 2014, indicates no payments or partial payments were being made in some months. Your account has reflected a past due balance since May 30, 2013. Your account currently has a balance due of \$402.35, as of September 25, 2014. It appears your account has been billed appropriately.

Exhibit "1A"

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Ms. Barbara Robinson

Page 2

October 16, 2014

Thank you for the opportunity to address your concerns, if you have questions or concerns, please contact me by October 31, 2014. You may reach me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,



Shonna D. McCray
Regulatory Specialist III

Exhibit 'A'

Supervisor:

Randy Roland.
Randy Supervisor

COMMISSIONERS:
RONALD A. BRISÉ, CHAIRMAN
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF
CONSUMER ASSISTANCE & OUTREACH
CYNTHIA L. MUIR
DIRECTOR
(850) 413-6482

Public Service Commission

December 9, 2014

Certified and Regular Mail

Ms. Barbara Robinson
240 Wallrock Drive
Ocoee, FL 34761-4447

Re: FPSC Complaint Number 1159046E

Dear Ms. Robinson:

This letter is a follow-up to complaint number 1159046E filed with the Florida Public Service Commission (FPSC) on September 10, 2014, against Duke Energy Florida (DEF) regarding your concerns about not receiving a proper credit adjustment. I appreciate the opportunity to assist you.

When you indicated that you were not satisfied with the proposed disposition of your case against DEF, your complaint was forwarded to FPSC's Bureau of Consumer Assistance (BCA) Process Review Group and assigned to me to determine if there was any way the FPSC could further assist you.

I have taken the opportunity to thoroughly review your case file. In brief, I concur with the findings of Mrs. Shonna McCray's investigation and her conclusions as expounded in her letter to you dated October 16, 2014.

Complaint Summary

When you filed this complaint you stated that you were without electric service for 14 days from June 13, 2014, to June 27, 2014, due to repairs completed to your home wiring and your heating, ventilating, and air conditioning (HVAC) unit. You continued to state that the billing statement you received for that service period was estimated, and that the meter was replaced due to frequent outages. You indicated that a credit adjustment was applied to your account for estimated electric consumption of 378 kilowatt-hour (kWh), which totaled approximately \$50. However, you expressed your belief that this was not a fair estimate, and that the estimate should be based on an average daily usage of 63 kWh, for at least 10 days, which would equal 630 kWh. You further expressed your belief that the credit adjustment should be in the amount of \$155.50.

DEF has investigated and responded to your complaint. Following is a summary of account activity and documented actions taken by DEF in response to your complaint. Upon careful review of the utility's reports, I believe the following information addresses all of your concerns.

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Outages, Low Voltage, and Meter Issues

The following is a chronological summary of actions and activity concerning the outages and low voltage you experienced and reported to DEF.

- DEF's records indicate that your residence experienced the following outages in the past 12 months:

Date	Duration	Cause/Device
02/18/14	42 minutes	Defective Equipment / Circuit Recloser
05/02/14	49 minutes	Tree/Over Head Switch
07/27/14	64 minutes	Underground Primary Cable / Feeder
08/30/14	215 minutes	Tree / Circuit Recloser

DEF reported that its records do not show any outages after August 30, 2014.

- On June 10, 2014, an actual meter reading of 44350 was obtained from meter number 1756972, servicing your account at the time. That same day, a regular billing statement was issued in the total amount of \$507.55, which included \$301.64 for service used from May 9, 2014, to June 10, 2014, a \$4.99 Home Wire Service charge, a \$5 late payment charge, and \$195.92 past due balance.
- On June 13, 2014, you contacted DEF's customer service to report that your home was experiencing voltage issues. An order was issued to investigate the voltage at your home.
- On June 16, 2014, a DEF "trouble-man" visited your residence and completed a voltage check. DEF reported that the following standard procedure is utilized by its trouble-man when investigating voltage issues at a customer's service address:

"First, the trouble-man checks and records voltage readings at both the top and bottom of the meter while the meter is in place. Next, the trouble-man pulls the meter and does further testing to check the integrity of the service cable. This includes testing of both hot legs and the neutral cable. If the testing indicates an issue with the incoming power, DEF will de-energize the cable and execute further testing which includes testing back to the pedestals or transformers."

DEF stated that the final step was not needed at your residence because the voltage check revealed no issues with the power supply. DEF has clarified that its trouble-man checks DEF equipment only, and would not check the customer-owned HVAC disconnect. The trouble-man found that the display of meter number 1756972 was blank and he removed the meter. When a meter is removed from the meter socket to be serviced, tested, or retired, an "out meter reading" must be obtained. Because the meter display was blank, an estimated final out meter reading of 44728 was noted. This represented estimated usage of 378 kWh from the last actual meter reading obtained on June 10, 2014; in other words, an estimated average daily usage of 63 kWh. A new meter, meter number 1524844, was installed with a meter reading of 00000. A door-hanger was left with the results of the voltage check.

- On June 17, 2014, DEF contacted you and informed you of the findings of the voltage check.

Exhibit '2A'

ORIGINAL

- On June 23, 2014, you contacted DEF to request assistance with your fuse panel. DEF's records reflect that you explained to the representative that the wires were burnt, and were not making a connection, thereby causing power surges. Because you were subscribed to DEF's Home Wire program, you insisted that the fuse panel and wiring be replaced.
- On June 24, 2014, a representative from DEF's Home Wire department spoke with you regarding your service request. You were informed that a technician from Advance Electric (AE) would visit your home on June 25, 2014.
- On June 25, 2014, an AE technician visited your residence, and found a burnt HVAC disconnect; the disconnect was replaced. DEF reported that the technician explained to you that the disconnect was repaired and that air was blowing from the vents; however, the air itself was not cool, and suggested that you contact an HVAC repair person. DEF's records show that later that day, you contacted DEF's Home Wire department, indicating that the technician did not work on your HVAC or repair the disconnect. The representative explained to you that DEF does not work on HVAC units, and that you would need to contact an HVAC repair person for assistance. The representative further explained to you that the disconnect was replaced because you participated in DEF's Home Wire program.
- On June 26, 2014, you spoke with DEF's Home Wire department to express your dissatisfaction with the repair. You also expressed your belief that DEF caused your HVAC issues. Again, it was suggested that you contact an HVAC repair person to address the cooling problem. Later that day, DEF's Billing Department was informed that meter number 1524844 was servicing your residence, and that the present meter reading was 00358. This represented actual consumption of 358 kWh in 10 days, an average daily consumption of 35.8 kWh.

Billing Accuracy and Credit Adjustment

In order to better understand your kWh consumption history, I reviewed DEF's electric consumption history for your account from January 2013 to December 3, 2014. For analytical purposes, I prepared the following Electric Consumption Comparison Chart, which reflects a side-by-side comparison of your billed electric consumption for the identified period.

As reflected in Chart 1, in 2013, for the 365-day billing period of January 2, 2013, through December 3, 2013, your total electric consumption was 17,168 kWh (line 13, column B), an average daily usage of 47 kWh (line 13, column D). As reflected in Chart 2, in 2014, for the corresponding 342-day billing period of January 2, 2014, through November 10, 2014, your total electric consumption was 13,197 kWh (line 13, column F), an average daily usage of 38.6 kWh. This reflects a slight decrease from the previous year; such a variance is expected. It is normal for electric consumption to deviate from month to month, and year to year due to temperature and seasonal variances, appliance usage, etc. Your electric usage shows no indication of any unusual trends or anomalies that would indicate skewed or disproportionate kWh consumption. In fact, the comparison chart reflects a relatively consistent usage pattern.

Exhibit "2A"

ORIGINAL

Electric Consumption Comparison Chart								
Chart 1				Chart 2				
2013				2014				
A	B	C	D	E	F	G	H	
Billing Date	Billed Electric Usage (kWh)	Number of Days	Average Daily Usage (kWh)	Billing Date	Billed Electric Usage (kWh)	Number of Days	Average Daily Usage (kWh)	
1	01/02/13	1081	30	36.0	01/02/14	727	30	24.2
2	02/01/13	832	30	27.7	02/03/14	1196	32	37.4
3	03/04/13	1197	31	38.6	03/04/14	646	29	22.3
4	04/03/13	1017	30	33.9	04/09/14	980	36	27.2
5	05/03/13	1129	30	37.6	05/09/14	1278	30	42.6
6	06/04/13	1606	32	50.2	06/10/14	2008	32	62.8
7	07/03/13	1821	29	62.8	07/25/14	1781	31	57.5
8	08/02/13	1930	30	64.3	08/11/14	1181	31	38.1
9	09/03/13	2349	32	73.4	09/10/14	1634	30	54.5
10	10/03/13	1914	30	63.8	10/10/14	1038	30	34.6
11	11/01/13	1411	29	48.7	11/10/14	728	31	23.5
12	12/03/13	881	32	27.5				
13	TOTALS	17168	365	47.0	TOTALS	13197	342	38.6

In any case, it is important to note that your billing statements reflect the kWh usage registered on the meter serving your premises. It is not always possible for FPL or any other utility to identify and explain the increase or decrease in a customer's electric consumption. FPSC rules do not require FPL to show how energy was consumed. Only customers have the ability to control how their electric service is used and manage the amount of consumption.

Through the course of this complaint, it has been your contention that your home continued to have electric issues after the meter was replaced, and up to the point that the HVAC disconnect was repaired. You have stated that due to DEF's negligence to solve the problem from the beginning, you were unable to use your air conditioner (A/C) and had very limited use of lights and appliances during those 10 days. You further stated that when the HVAC disconnect was repaired, your house was very hot for 13 days. As such, your A/C unit had to work continuously for days in order to cool down the temperature in your home, which resulted in an abnormally high consumption during the subsequent days until your home temperature reached 78 degrees. You have expressed your belief that had DEF technicians addressed the HVAC disconnect problem when you first reported voltage issues, your A/C would have operated normally every day from June 13, 2014, through June 26, 2014. Subsequently, you would have not had extreme erratic consumption, which you allege resulted in higher than normal billing. You expressed your belief that your account should be credited for the difference in usage, and that the credit adjustment should be based on the average daily usage of 63 kWh, for at least 10 days, which would equal 630 kWh.

As previously stated, the only components examined during DEF's voltage check are the meter, both hot legs, neutral cable, and, if necessary, the pedestals or transformers; all these components are utility-owned. DEF technicians will not check customer-owned equipment. DEF's Home Wire program, in which you participate, provides repairs to the home's electrical wiring and components, such as outlets, switches, fuses, breakers, and inside wiring. When you contacted DEF on June 23, 2014, to request

Exhibit 2A

ORIGINAL

Mrs. Barbara Robinson
FPSC Complaint Number 1159046E
December 9, 2014
Page 5 of 8

assistance with your fuse panel, an AE technician visited your residence and replaced the HVAC disconnect that was burnt. It is important to mention that neither the Home Wire service program nor Advance Electric is regulated by the FPSC.

- On July 10, 2014, DEF issued the July 2014 billing statement for \$611.00 (\$325.56 estimated electric + \$4.99 Home Wire Service + \$5.00 late payment charge + \$275.45 past due balance), with a due date for the current bill of August 1, 2014.
- On July 15, 2014, DEF received a payment in the amount of \$150, reducing the total balance to \$461.
- On July 22, 2014, DEF issued the July 2014 billing statement in error due to correcting the meter number on the account. The billing statement reflected charges totaling \$517.77 (\$382.33 electric + \$4.99 Home Wire Service + \$5.00 late payment charge + \$125.45 past due balance), with a due date for the current bill of August 13, 2014.
- On July 25, 2014, DEF issued the corrected July 2014 billing statement for \$461.00 (\$325.56 electric + \$4.99 Home Wire Service + \$5.00 late payment charge + \$125.45 past due balance), with a due date for the current bill of August 18, 2014.
- On July 29, 2014, DEF received a payment in the amount of \$160, reducing the total account balance to \$301.
- On August 25, 2014, Ms. Andrea Cleland, DEF Consumer Affairs Specialist, explained to you that an actual reading of 44350 was obtained on June 10, 2014, on meter number 1756972, and that estimated usage of 378 kWh was calculated when meter number 1756972 was removed due to a blank display. Ms. Cleland agreed to credit the 378 kWh of estimated usage from June 10, 2014, to June 16, 2014, which would result in a credit adjustment of \$59.90. You expressed dissatisfaction with the amount and indicated that the adjustment period should be extended through June 27, 2014. Ms. Cleland explained that DEF was unable to credit actual usage. The \$59.90 credit adjustment to your account was completed on September 9, 2014.

As a reminder, customers are billed for the electric service provided as metered. From June 16, 2014, when meter number 1524844 was installed, through June 26, 2014, when the HVAC disconnect was replaced, your actual usage was 358 kWh, which was registered on an accurately working meter, which is illustrated in a later section of this letter. Whether or not you were able to use the lights only and not the A/C, or to operate your A/C and all appliances in your home at once during the time period in question, meter number 1524844 registered each kWh provided by DEF to your home. In accordance with FPSC rules and DEF's tariff, the utility is permitted to bill you for service rendered and all electricity consumed.

Additionally, a review of the 24-month billing period from November 2012 through November 2014 shows an irregular payment pattern of late or partial payments. Consequently, a past due amount was reflected on almost each monthly billing statement. DEF assesses a late payment charge of \$5 or 1.5%, whichever is greater, each month that an unpaid balance is carried forward. Sixteen late payment charges were also assessed to your account during the referenced 24-month period. As these additional charges

Exhibit 2A

ORIGINAL

accrue, your account balance substantially increases. DEF's records show that two late payment charges totaling \$10 were waived on June 5, 2014.

Meter History

DEF's records reflect that service was established in your name at 240 Wallrock Drive, Ocoee, Florida, effective April 20, 2010, under account number 76157-08530. At that time, meter number 1756972 was servicing the account.

On June 16, 2014, meter number 1756972 was replaced with meter number 1524844 due to a blank meter display.

Meter Testing

A defective or malfunctioning electric meter can contribute to unusually high or low electric bills. Metering devices are fundamental to fair and accurate customer billing and are the foundation of the FPSC's billing rules for regulated electric utilities. As such, meter reliability standards and guidelines have been established in order to ensure billing accuracy.

Section 366.05(3), Florida Statutes, authorizes the FPSC to prescribe meter testing requirements for investor-owned electric utilities. Prior to installation, meters are tested for accuracy in accordance with the American National Standard for Electric Meters, Code for Electricity Metering (ANSI 12). Each investor-owned utility is required to submit its test plan for review and approval by the FPSC. Each test plan must address adjustment limits, test points, test duration, type of tests and description of the steps involved.

- FPSC Rules and Regulations section 25-6.052, Florida Administrative Code (FAC), Accuracy Requirements and Test Plans for Metering Devices, requires that electric meters must register a Weighted Average accuracy rating of between 98 percent and 102 percent. If a meter is found to register more than the maximum allowed, the utility is required to credit the customer's account.

On September 2, 2014, meter number 1524844, the meter currently servicing your account, was tested at your premise for accuracy. The meter measured a Weighted Average Registration of 100.06 percent, which is within FPSC-approved tolerances.

On October 28, 2014, DEF's meter shop was able to locate and test meter number 1756972, which was removed on June 16, 2014. The meter measured a Weighted Average Registration of 99.91 percent, which is within FPSC-approved tolerances of 98 percent and 102 percent.

- FPSC Rule 25-6.060, F.A.C., Meter Test - Refereed Dispute, allows for a refereed meter test, during which the meter test will be witnessed by a representative of the FPSC. I requested that a witnessed meter test be coordinated between the FPSC, DEF, and you.

On November 14, 2014, a witnessed meter test was performed on meter number 1524844 using DEF's testing equipment and FPSC's testing equipment. Present for the testing from the FPSC, was Michel Germain, FPSC Engineer Specialist, and from DEF was Jeff Lenhart, DEF Meter Technician. You were not present. The meter measured a Weighted Average Registration

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ORIGINAL

of 100.09 percent on both tests, which is within FPSC-approved tolerances of 98 percent and 102 percent.

On December 5, 2014, meter number 1756972 was tested using DEF's testing equipment and FPSC's testing equipment. Present for the testing from the FPSC, was Tony Velazquez, FPSC Engineer Specialist Supervisor, and from DEF was R. Sabin, DEF Meter Technician. You were not present. Following are the results of all the tests performed on meters numbers 1524844 and 1756972:

Meter Number	Date Meter Was Tested	Test Performed By	Full Load (%)	Light Load (%)	Weighted Average (%)
1524844	09/02/2014	DEF	100.16	100.06	100.14
1756972	10/28/2014	DEF	99.93	99.83	99.91
1524844	11/14/2014	DEF	100.11	100.00	100.09
1524844	11/14/2014	FPSC	100.11	100.00	100.09
1756972	12/05/2014	DEF	99.84	99.85	99.84
1756972	12/05/2014	FPSC	100.00	99.88	99.98

In summary, the meter test results for meters numbers 1524844 and 1756972 reflect that both meters were operating within the acceptable tolerances of 98 percent and 102 percent.

Conclusion

When complaint number 1159046E was filed, a disputed amount of \$155.50 was established. In accordance with FPSC Rule 25-22.032(3), F.A.C., while your complaint is open and under investigation, your account is protected from disconnection for non-payment of that disputed amount. However, DEF may require you to pay that part of your outstanding balance above the disputed amount. Based on the information currently available, you are currently being billed correctly. Your account balance is **\$420.44**. This amount is higher than your complaint's established disputed amount. Subsequently, unless you make a payment of at least \$264.94, or secure acceptable payment arrangements with DEF your electric service is subject to immediate disconnection pending proper notice.

It is important to note that, in accordance with FPSC Rule 25-22.032, F.A.C., once complaint number 1159046E is closed, your account will no longer be protected from disconnection for the disputed amount, and any remaining account balance will be subject to immediate payment or your service will be subject to interruption after proper notice.

In conclusion, your complaint has been reviewed to ensure that DEF has complied with applicable statutes, rules, tariffs, and orders of the FPSC. Within the scope of legislated FPSC authority and jurisdiction, FPSC staff members have worked to the fullest extent possible to resolve your dispute.

While it is my hope that every complaint filed with the FPSC can be satisfactorily resolved to the complete expectation of the consumer, this is not always achievable. Please understand that the

Exhibit 2A'

ORIGINAL

Mrs. Barbara Robinson
FPSC Complaint Number 1159046E
December 9, 2014
Page 8 of 8

FPSC's inefficacy to provide you a more favorable conclusion to this matter is the result of statutory limitations, not a lack of concern for your situation.

If you have any questions or concerns, please contact me by December 24, 2014, 15 days from the date of this letter. I can be reached via toll-free number 1-800-342-3552, or my direct number 1-850-413-6113, or via e-mail at mvaldez@psc.state.fl.us.

Sincerely,



Margarita Valdez
Regulatory Consultant
BCA Process Review Group

c: Duke Energy Florida

Exhibit 2A ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
JULIE I. BROWN
JIMMY PATRONIS



OFFICE OF
CONSUMER ASSISTANCE & OUTREACH
CYNTHIA L. MUIR
DIRECTOR
(850) 413-6482

Public Service Commission

April 16, 2015

Certified and Regular Mail

Ms. Barbara Robinson
117 Dorchester Court
Kissimmee, FL 34758-3155

RE: Florida Public Service Commission Complaint Number 1159046E – Service Address 240 Wallrock Dr., Ocoee, FL 34761

Dear Ms. Robinson:

This letter is in further response to Florida Public Service Commission (FPSC) complaint number 1159046E, initially filed with the FPSC on September 10, 2014, against Duke Energy Florida (DEF). The purpose of my letter is to apprise you of the findings and conclusion of my administrative review in this matter. It also serves as follow-up to Shonna McCray's letter to you dated October 16, 2014, and Margarita Valdez' letter to you dated December 9, 2014. This letter is also in response to our telephone conversation on December 16, 2014, concerning your letters to Pam Bondi, Florida Attorney General dated December 12, 2014, and your E-mail correspondence to Cynthia L Muir, Director, FPSC Office of Consumer Assistance & Outreach dated December 16, 2014. For your information and review, I have enclosed a copy of Ms. McCray's and Ms. Valdez' letters.

Summary

In response to Ms. Valdez' letter, you voiced continued disagreement with actions taken by DEF to resolve your complaint. Furthermore, you expressed dissatisfaction with the FPSC's investigative efforts and its conclusion of your complaint. Subsequently, in contemplation of your further queries concerning final disposition of this case, I have taken the opportunity to carefully review your case file and analyze the presented documentation in correlation with applicable FPSC Rules as set forth in the Florida Administrative Code (F.A.C.). I have also reviewed and discussed the details of Ms. Valdez' investigation and findings with her. After thoroughly examining the details and facts presented in this matter, I believe that Ms. Valdez' investigation of this matter has been capaciously conducted to assure that all of your documented concerns and issues have been addressed.

To emphasize and clarify what was previously explained in Ms. Valdez' letter, I would like to recapitulate the facts that have led to FPSC staff's conclusions in this matter. Following is a summation of my analysis, which I believe addresses each of the concerns you have identified regarding this matter.

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Exhibit 3A

Unreliable, Faulty, and Unsafe Electrical Service Facilities and Wiring

After reviewing the details of your issues and concerns, it appears that the crux and focus of your complaint is your continuing assertion that DEF failed to properly respond to, investigate, and safely address your reports of electric problems and frequent electric outages. In your December 12, 2014, correspondence to Attorney General Pam Bondi you reported that near the end of May 2014 and into June 2014 you complained several times of what you described as "loud, banging/ jerk noisy" sounds. During our telephone conversation on December 16, 2014, you also stated that before DEF changed your electric meter on June 16, 2014, and up until your faulty air handling disconnect box was replaced on June 25, 2014, you experienced and reported many more electric outages than were documented in Ms. Valdez' letter or reported by DEF.

My review of your case file indicates that Ms. Valdez thoroughly investigated and addressed these matters in her referenced letter. However, in the interest of historically identifying and understanding customer service activity documented in your account, I asked DEF to again prepare a report of customer service activity documented in your account. Although somewhat redundant, I would like to further clarify and expound on the information provided by Ms. Valdez. From DEF's reports, I extrapolated all documented activity and actions related to and associated with your expressed concerns and prepared the following chronology for the 24-month period of January 2013 through December 2014.

- **June 29, 2013** - DEF documented that three transmission related power outages occurred in a 24-hour period in the Central Region that impacted service at your residence.
- **July 26, 2013** - DEF's records reflect that you called its Customer Service Department and requested a billing adjustment due to power outages. However, DEF indicated that there were no service outages other than transmission problems that occurred on June 29, 2013; therefore, no credit adjustment was warranted.
- **August 19, 2013** - DEF's records reflect that you contacted DEF and requested that a meter base protector be installed at your home. At that time, you enrolled in DEF's Surge Protection Program.
- **September 4, 2013** - DEF's records reflect that you contacted DEF and requested cancellation of the Home Wire Program and Surge Protection Program.
- **September 6, 2013** - DEF's records reflect that you contacted DEF to request an Energy Audit.
- **September 9, 2013** - DEF's records reflect that you contacted its Surge Protection Department to request the removal of your meter base protector and all associated charges. DEF's representative advised you that he would waive all fees, and have the meter base protector removed.

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- **September 10, 2013** - DEF's records reflect that its representative called you to schedule an Energy Audit. A voicemail message was left asking you to return the call. DEF waived all fees for the base protector on your account.
- **October 12, 2013** - DEF cancelled your Energy Audit request because you did not return DEF's call requests.
- **October 28, 2013** - DEF's records reflect that you contacted DEF regarding feeder operations and power surges. DEF's representative explained that feeder operations do not cause power surges.
- **February 18, 2014** - DEF's records reflect that you contacted DEF and reported a power outage. DEF's representative explained that the outage had already been reported. The outage, number AP1402180016, was determined to be caused by a malfunctioning B Phase re-closer. The re-closer was bypassed and the service was restored within 30 minutes.
- **June 13, 2014** - DEF's records reflect that you contacted DEF's customer service to report that your home was experiencing voltage issues. The representative issued an order for its technical staff to test the voltage at your residence.
- **June 16, 2014** - DEF technical staff completed a voltage test at your residence. DEF's technician noted that there were no voltage issues. However, your electric meter display was blank. Subsequently, meter number 1756972 was removed. In its place, meter number 1524844 was installed with a reading of 00000. The technician left a door-hanger with the results of the voltage check, indicating that the voltage was within acceptable limits.
- **June 17, 2014** - DEF's records reflect that its staff contacted you with the findings of the voltage test.
- **June 23, 2014** - DEF's records reflect that you contacted DEF's customer service to request assistance with your "fuse panel." You reported that the wires were burnt and not making a connection, **thereby causing power surges**. Because you subscribed to DEF's Home Wire Program, you insisted that your fuse panel and wiring be replaced. DEF's representative issued an order for DEF's Home Wiring Department to contact you.
- **June 24, 2014** - DEF's records reflect that a representative from its Home Wire Department spoke with you regarding your service request. You were informed that a technician from Advance Electric (Advance) would visit your home on June 25, 2014.
- **June 25, 2014** - DEF reported that an Advance technician visited your residence and found a burnt air handling disconnect; the air handling disconnect was replaced. DEF reported that the technician explained to you that the air handling disconnect was repaired and that although air was blowing from the vents, the air itself was not cool. The technician explained that Advance is not responsible for air conditioner equipment and suggested that you contact an air conditioner repair person.

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DEF's records reflect that later that day you contacted its Home Wire Department, indicating that the technician did not work on your air conditioner or repair the air handling disconnect. The representative explained to you that DEF does not work on air conditioner units, and that you would need to contact an air conditioner repair person for assistance. The representative further explained to you that the air handling disconnect was in fact replaced as part of its Home Wire Program, which you were enrolled in.

- **June 26, 2014** - DEF reported that you spoke with its Home Wire Department to express your dissatisfaction with the repair. You also expressed your belief that DEF caused your air conditioner malfunction problems. Again, it was suggested that you contact an air conditioner repair person to address the cooling problem.

As summarized in the chart provided on page two of Ms. Valdez letter, DEF's records reflect that there were only four power outage occurrences documented in its grid system servicing your residence during the period of February 18, 2014, through August 30, 2014. There were no documented or reported outages at your residence on DEF's electric grid servicing your residence after August 30, 2014.

It is your further contention that DEF neglected to perform "*a thorough service check*" or "*energy audit*" when its staff completed a voltage test and changed your electric meter at your residence on June 16, 2014. It is your position that by not do so, DEF failed to discover or recognize an existing dangerous wiring condition in your air handling disconnect. Subsequently, you alleged that by allowing this obvious fire hazard to perpetuate, DEF compromised your safety and protection of your property.

Facilities, Equipment, and Wiring Standards Responsibility

In your complaint, you have repeatedly implied that DEF was in violation of existing regulations concerning facilities, equipment and wiring standards. In order to properly address your concerns, it would be helpful to first explain FPSC rules and regulations concerning facilities, equipment, and wiring standards responsibility. The expressed purpose of FPSC Rule 25-6.0345 - Safety Standards for Construction of New Transmission and Distribution Facilities is to establish safety standards for construction of **new transmission and distribution facilities** by regulated utilities. The FPSC has adopted and incorporated the 2012 edition of the National Electrical Safety Code (ANSI C-2), as the applicable safety standards for transmission and distribution facilities subject to the FPSC's safety jurisdiction. Each investor-owned electric utility, rural electric cooperative and municipal electric system shall, at a minimum, comply with the standards in these provisions.

FPSC Rule 25-6.062 - Inspection of Wires and Equipment applies to requests for electric service connections to newly constructed homes or structures where no previous electric service existed. Under the provisions of this rule, "*where inspection is required by law to insure that the wiring and equipment of the customer is installed and maintained in accordance with National Code, local and utility requirements, the utility shall not make service connection until approval is granted by the authorized inspecting authority.*" However, the responsibility for inspecting and ensuring that a customer's wiring and equipment meet established standards, codes, and requirements is that of the

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authorized inspecting authority. It is not the responsibility of the regulated utility providing the electric service. Approval for the service connection is granted by the appropriate municipal authority. This rule is not applicable to your situation since electric service had previously been supplied to your residence and you were an existing customer-of-record.

Most applicable in your situation is FPSC rule 25-6.037, F.A.C. - Extent of System Which Utility Shall Operate and Maintain. It is important to clarify that pursuant to FPSC rule 25-6.037, F.A.C., each regulated utility is responsible for all facilities and equipment used in connection with the production, transmission, distribution, regulation, and delivery of electricity to any customer **up to the point of delivery**, which is the first point of connection between the facilities of the serving utility and the premise wiring. Wiring and equipment beyond the point of delivery, or inside wiring, is the responsibility of the customer or property owner, not the electric utility or the FPSC. Neither the utility nor the FPSC investigates the functionality of inside wiring or the impact improper wiring may have on electric safety or consumption.

As for voltage matters, FPSC Rule 25-6.046 (1)(a) - Voltage Standards, states Florida Administrative Code (F.A.C.), Voltage Standards, states:

"Each utility shall adopt standard nominal voltages conforming to modern usage, as may be required by the design of its distributing and transmission system for its entire service area or for each of the districts into which its system may be divided. (a) For service rendered to customers whose principal consumption shall be for lighting and/or residential purposes, the voltage at the point of delivery shall not exceed 5% above or below the standard voltage adopted."

In compliance with rule 25-6.046 (1)(a), DEF's Tariff Section No. IV, Seventh Revised Sheet No. 4.001 - Appendix: Requirements for Electric Service and Meter Installations, states that *"Customers located in predominantly residential areas shall normally be provided with only single phase 120/240 volt service."*

As my previous chronology reflects, and as Ms. Valdez stated on page two of her letter, in response to your trouble call on June 10, 2014, a DEF serviceman responded to your service address on June 16, 2014, and tested the levels of incoming voltage to your residence. The serviceman's tests verified that the incoming voltage was within guidelines (120 Volts, with a plus or minus 5 percent tolerance). During the voltage testing, the serviceman found that the display window of meter number 1756972 was blank, and he was unable to obtain a meter reading. Subsequently, meter number 1756972 was replaced with new meter number 1524844.

During her investigation of your complaint, Ms. Valdez asked DEF to provide the procedure that is utilized by utility technicians when performing voltage testing. On page two of her letter, Ms. Valdez quoted DEF's response to her inquiry as follows:

"First, the trouble-man checks and records voltage readings at both the top and bottom of the meter while the meter is in place. Next, the trouble-man pulls the meter and does further testing to check the integrity of the service cable. This includes testing of both hot legs and the neutral cable. If the testing indicates an issue with the incoming power, DEF will de-energize the cable and execute further testing which includes testing back to the pedestals or transformers. The final step

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was not needed at Ms. Robinson's premise as the voltage check revealed no issues with the power supply."

It is important to reiterate and clarify that utility staff checks only the utility's facilities and equipment used in connection with the production, transmission, distribution, regulation, and delivery of electricity to any customer **up to the point of delivery**, which is the first point of connection between the facilities of the serving utility and the premise wiring. As Ms. Valdez explained on page four of her letter, the only utility owned facilities and components examined during voltage testing are both hot legs, neutral cable, and if necessary, the pedestals or transformers. Wiring and equipment beyond the point of delivery is the responsibility of the customer or property owner, not the electric utility. Therefore, whether performing a voltage check, replacing a meter, or restoring disrupted service, utility staff would not perform a "service check" of your air handling disconnect or any other equipment or customer wiring. There is no FPSC rule, F.A.C. regulation, or utility tariff, policy or procedure requiring a utility to check the customer's wiring or equipment upon completion of voltage testing or meter replacement. DEF's repairman was under no obligation to check your wiring or equipment during or upon completion of his voltage testing and meter replacement. As such, DEF was not in violation of any FPSC rule nor its tariff by not checking your air handling disconnect box and wiring.

HomeWIRE Protection Plan

As a service to its qualified residential customers, DEF offers the option of enrolling in DEF's HomeWIRE Protection Plan (HomeWIRE). HomeWIRE is a fee based home wiring service repair plan that provides enrolled residential customers specified, limited electrical repairs for homeowner owned wiring and electrical components. All qualified service and repairs covered under HomeWIRE are performed by contracted third-party electrical contractors – not DEF staff. It is important to clarify that although DEF bills for HomeWIRE on your monthly electric billing statement, HomeWIRE is not regulated or sanctioned by the Florida Public Service Commission. As such, all billed HomeWIRE charges are non-regulated. Furthermore, the FPSC has no regulatory authority over the third-party electrical contractors hired by DEF to perform HomeWIRE services. Such contractors are independent electricians that contract directly with the utility. In your case, Advance Electric, Inc. (Advance) is the licensed electrical contractor that DEF uses for its non-regulated HomeWIRE Protection Plan in your area.

Advance was dispatched by DEF to your residence on June 25, 2014, in response to your documented HomeWIRE trouble call on June 23, 2014. In your complaint, you suggested that when the Advance electrician replaced your air handling disconnect, he may have damaged your air conditioner unit, thus making DEF responsible for the damage. In that regard, it is important to clarify that Advance has no association with DEF's regulated electric service, nor is the company regulated by the FPSC. Subsequently, there is no jurisdictional relief that can be granted by the FPSC against Advance or DEF's use of Advance as a contracted third-party contractor. As such, the FPSC is unable to provide further assistance in this non-regulated matter. If you wish to take further action against Advance, or DEF's use of Advance, you may contact The Florida Department of Agriculture and Consumer Services as follows:

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The Florida Department of Agriculture and Consumer Services
Mediation & Enforcement
2005 Apalachee Parkway
Tallahassee, Florida 32399-6500
1-800-HELP-FLA (435-7352)

<http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services/Consumer-Resources/Consumer-Protection/File-a-Complaint>

Since Advance is a licensed electrical contractor, you may also wish to contact The Florida Department of Business and Professional Regulation as follows:

The Florida Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, FL 32399
(850) 487-1395

The contact information for Advance is:

Advance Electric, Inc.
PO Box 121142
Clermont, FL 34712
888-847-7111

Account Audit Summary (AAS)

In order to properly investigate your complaint, I conducted an audit of DEF's billing statements and ledger for account number 76157-08530 for the period of May 3, 2013, through February 25, 2015. Subsequent to my audit, I prepared the enclosed Account Audit Summary (AAS) for your account, which reflects all transactions applied to your account during the identified time period. To assist you in more clearly understanding the spreadsheet, there are some significant facts that have been emphasized in the following chronology in reference to data on the spreadsheet.

- **May 3, 2013 – July 8, 2014** - Specific identified electric account debits and credits during this period of time are reflected on lines 1 - 68. My audit indicates that these debits and credits were properly applied to your account and that your account balance of \$280.45 as of July 8, 2014, (line 68, column J), is accurate.
- **July 10, 2014** – As reflected on lines 69 and 70, columns E – G, your account was issued an **estimated** billing statement for the period of June 10, 2014 – July 10, 2014, totaling \$330.55 (line 70, column G). That amount included **estimated** consumption charges of \$325.56 (line 69, column E) for **estimated** consumption of 2159 kWh (line 69, columns D), and Homewire Basic charges of \$4.99 (line 70, column F). It should be noted that this billing statement reflected estimated usage on meter number 1756972 for the entire billing period of June 10, 2014 – July 10, 2014. On July 11, 2014, DEF attempted to correct this error by cancelling the estimated billing reflected on line 69. This transaction is explained in the chronology entry for that date.

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- **July 11, 2014** - Meter number 1756972, which was removed from your residence on June 16, 2014, was only in use for the 6-day period of June 10, 2014, through June 16, 2014. However, due to human oversight, new meter number 1524844, which was installed at your residence on June 16, 2014, was not entered into DEF's billing system in a timely manner. Hence DEF's billing system erroneously generated an estimated billing statement. To correct your billing, **electric service charges** of \$325.56 that were billed on line 69, column E, were credited to your account as reflected on line 71, column I, in order to remove meter number 1756972 from your account and correctly associate meter number 152484 with your account. This adjustment yielded an accurate account balance of \$285.44 as reflected on line 71, column J. NOTE: The \$325.56 credit adjustment does not include the Homewire Basic charges of \$4.99 that were accurately billed to your account (line 70, column F).
- **July 15, 2014** – As reflected on line 72, column H, a payment of \$150 was credited to your account, which yielded an accurate account balance of \$135.44 as reflected on line 72, column J.
- **July 22, 2014 – July 25, 2014** – As reflected on line 73, columns E & G, due to a billing system error, electric service charges of \$382.33 were mistakenly applied to your account. It is important to note, however, that no billing statement was ever issued for this amount. On July 25, 2014, as reflected on line 74, column I, a reversal credit adjustment was applied to your account thereby removing the erroneous electric service charges of \$382.33. This adjustment yielded an accurate account balance of \$135.44 as reflected on line 74, column J.

To correct its previously explained inaccurate billing statement issued on July 10, 2014, DEF issued a second billing statement for the billing period of June 10, 2014 – July 11, 2014. This re-issued statement included electric service charges totaling \$325.56, as reflected on line 75, columns E & G, for 2159 kWh, as reflected on the billing statement you received, and on line 75, column D. The referenced re-billing statement reflects total kWh consumption of 2159 - 378 kWh usage recorded on your old meter number 1756972, and 1781 kWh usage recorded on your new meter number 1524844.

For the purposes of clarification and thoroughness, it should be noted that DEF's referenced re-billing statement indicates an "actual" present reading of 044728 on your old meter, therefore actual total kWh consumption of 378. However, the data provided in DEF's narrative reports to the FPSC states that an actual final "out meter" reading of 44728 was estimated due to the blank display. Based on that estimated reading, DEF stated that it calculated estimated usage of 378 kWhs. FPSC Rule 25-6.100(2)(a), F.A.C. states that each customer's billing statement must reflect "The meter reading and the date the meter is read, in addition to the meter reading for the previous period. If the meter reading is estimated, the word "estimated" shall be prominently displayed on the bill." The word "estimated" is absent from the billing and is therefore in violation of FPSC Rule 25-6.100(2)(a).

If, during the course of an informal complaint investigation, it appears that a utility may have committed a rule infraction, tariff breach, or violated a FPSC Order, the complaint is assigned a designated infraction code upon closure. The infraction code allows the FPSC to monitor

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and track regulated utility violations. When complaint number 1159046E is closed, it will be assigned an infraction code for violation of FPSC Rule 25-6.100(2)(a).

- **July 29, 2014 – September 4, 2014** - Specific identified electric account debits and credits during this period of time are reflected on lines 76-80. My audit indicates that although these debits and credits were properly applied to your account, your account balance of \$321.53 as of September 4, 2014, (line 80, column J), is inaccurate. NOTE: Your account balance was corrected on September 9, 2014, and will be explained later in this chronology.
- **September 9, 2014** – My investigation revealed that the last actual reading of 0446350 for meter number 1756972 was obtained by DEF on June 10, 2014. As previously explained, on June 16, 2014, due to blank meter display, meter number 1756972 was removed and replaced with new meter number 1524844. DEF's technician was unable to obtain an actual final "meter out" reading on meter number 1756972 at the time of removal. However, based on kWh usage data, DEF estimated that 378 kWh were consumed during the six-day period of June 10, 2014, through June 16, 2014.

As Ms. Valdez addressed on page five of her letter, with the hope of providing a fair and reasonable resolution to your complaint, during your telephone conversation with Andrea Cleland, DEF Consumer Affairs Specialist on August 25, 2014, she agreed to not bill your account for the estimated 378 kWh consumption for the period of June 10, 2014, through June 16, 2014. Subsequently, as reflected on line 81, your account was issued a credit adjustment of \$325.56 that removed the previously described modified billing statement charges that were billed to your account on July 25, 2014, as reflected on line 75, column G. Furthermore, as reflected on line 82, an account debit adjustment entry was applied to your account. The account adjustment entry debited your account only for electric consumption charges of \$265.66 (line 82, columns E & G) for 1781 kWh usage (line 82, column D) that were actually recorded on new meter 1756972 for the period of June 16, 2014, to July 11, 2014. As the AAS reflects, you were not billed for the estimated 378 kWh associated with old meter number 1756972, which is the equivalent of a credit adjustment totaling \$59.90. These adjustments corrected your account balance, thereby yielding an accurate account balance in the amount of \$261.53 as reflected on line 82, column J.

- **September 10, 2014 – February 17, 2015** - Specific identified electric account debits and credits during this period of time are reflected on lines 83-100. My audit indicates that these debits and credits were properly applied to your account and that your account balance of \$350.45 as of February 17, 2015, (line 100, column J), is accurate.
- **February 20, 2015** – DEF reported that service for account number 76157-08530 was cancelled effective February 20, 2015. As reflected on line 101, column G, a final billing statement was issued on that date including \$36.92 for 252 kWh usage for the period of February 9, 2015, through February 20, 2015. This transaction yielded an accurate account balance of \$387.37 as reflected on line 101, column J.
- **February 25, 2015** – As reflected on line 102, column H, a payment of \$105 was applied to your account, which yielded an accurate account balance of \$282.37.

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- **March 16, 2015** – DEF reported that effective February 6, 2015, electric service was established in your name at 117 Dorchester Court, Kissimmee, Florida under account number 80878-40344. As reflected on line 103, the unpaid account balance of \$282.37 from account number 76157-08530 was transferred to your new account (account number 80878-40344). Subsequently, closed account number 80878-40344 reflected a zero balance (line 103, column I).

Utility Complaint Resolution

As I previously explained, and as Ms. Valdez addressed on page five of her letter, with the hope of providing a fair and reasonable resolution to your complaint, during your telephone conversation with Andrea Cleland, DEF Consumer Affairs Specialist on August 25, 2014, she agreed to not bill your account for the estimated 378 kWh consumption for the period of June 10, 2014, through June 16, 2014. Subsequently, as reflected on line 81, your account was issued a credit adjustment of \$325.56 that removed the previously described modified billing statement charges that were billed to your account on July 25, 2014, as reflected on line 75, column G. Furthermore, as reflected on line 82, an account debit adjustment entry was applied to your account. The account adjustment entry debited your account only for electric consumption charges of \$265.66 (line 82, columns E & G) for 1781 kWh usage (line 82, column D) that were actually recorded on new meter 1756972 for the period of June 16, 2014, to July 11, 2014. As the AAS reflects, you were not billed for the estimated 378 kWh associated with old meter number 1756972, which is the equivalent of a credit adjustment totaling \$59.90. These adjustments corrected your account balance, thereby yielding an accurate account balance in the amount of \$261.53 as reflected on line 82, column JAs

Throughout the investigation of your complaint, during your previous conversations with Ms. Valdez, and during our telephone conversation on December 16, 2014, you expressed your continuing contention that the credit adjustment amount provided by DEF in this matter is insufficient. It is your position that by not performing a "service check" or "energy audit," DEF placed you and your home in an avoidable and hazardous fire and safety risk, and caused your residence to be without adequate electricity for an extended period of time. As a result, you further allege that your air conditioner was damaged, causing you to not be able to fully utilize your air conditioning and other appliances and equipment in your residence. You indicated that your damaged air conditioner ran continuously blowing out warm air only. You further indicated that once it was repaired, it ran incessantly in order to fully cool off your hot home, furniture, and inside building structure and materials. Consequently, it is your belief that you were forced into a position of having to consume more electricity than usual. Therefore, it is your position that DEF should further compensate you by crediting your account at least \$155.50.

In accordance with FPSC rules and DEF's tariff, the utility is allowed to bill you for all kWh usage that registered on a properly working electric meter. As indicated in FPSC Rule 25-6.103, F.A.C., the utility is obligated to demonstrate that the energy consumed was recorded accurately. DEF is required to make an adjustment only in the event of meter error. The FPSC cannot require DEF to issue an adjustment to your account unless it can be demonstrated that your billing statements were based on an improperly functioning meter. In your case, as explained on pages six and seven of Ms. Valdez'

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letter, DEF's meter testing indicated that the meters servicing your residence (meters number 1524844 and 1756972) were functioning properly and accurately recorded your kWh usage. All actual kWh consumption before and after the estimated period for which you were credited was recorded on meter number 1524844 or meter number 1756972 and billed appropriately. As such, DEF is under no obligation to credit you for service you could have used but did not use or for excessive use of electricity caused by faulty customer-owned equipment, appliances or wiring. The FPSC does not have the authority to compel a utility to apply credit adjustments beyond the terms of its tariff or FPSC rules. FPSC rules do not require regulated utilities to show how energy was consumed. Only customers have the ability to control how their electric service is used and manage the amount of consumption. There is no basis for further credit adjustments to your account.

FPSC Complaint Process

FPSC Scope of Authority and Powers

You have expressed your dissatisfaction with how FPSC staff investigated this complaint and its inability to take action against DEF by commanding the utility to resolve this complaint to your satisfaction. In response to these issues, I would like to provide clarification regarding the FPSC's scope of authority and powers and the FPSC complaint process.

The Florida Legislature has established and defined the jurisdiction of the FPSC in Florida Statutes Chapter 366.04 - Jurisdiction of Commission. The powers of the FPSC have also been established and defined in Florida Statutes Chapter 366.05 - Powers. The FPSC can act only within its scope of authority and powers as elucidated in these statutes. Under that authority, the FPSC has jurisdiction to regulate and supervise each public utility with respect to its rates and service. Specifically, for electric utilities, the FPSC regulates rates and charges, meter and billing accuracy, reliability of electric line and electric service up to the meter, new construction safety code compliance for transmission and distribution, territorial agreements and disputes, and need for certain power plants and transmission lines. Except for safety oversight, the FPSC does not regulate such matters as the level of rates and adequacy of services provided by municipally owned and rural cooperative electric utilities, electrical wiring inside the customer's building, taxes on the electric bill, physical placement of transmission and distribution lines, damage claims, right of way, and physical placement or relocation of utility poles.

Regarding the FPSC's complaint process, it is the FPSC's intent that complaints and disputes between a regulated utility and its customers be resolved as quickly, effectively, and inexpensively as possible. FPSC Rule 25-22.032, F.A.C. - Customer Complaints, establishes informal customer complaint procedures that are designed to address disputes, subject to the FPSC's jurisdiction, that occur between regulated utilities and individual customers. The rule provides expedited processes for customer complaints that can be resolved quickly by the customer and the utility. As set forth in section (2)(a) of FPSC Rule 25-22.032, F.A.C., any customer of an FPSC regulated utility may file a complaint with the FPSC whenever the customer has an unresolved dispute with the utility concerning electric, gas, water, wastewater and limited telecommunication service that is subject to the Commission's jurisdiction. For your information and review, I have enclosed a copy of FPSC Rule 25-22.032, F.A.C.

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Current Account Status

When complaint number 1159046E was filed, a disputed amount of \$155.50 was established. In accordance with FPSC Rule 25-22.032(3), F.A.C., while your complaint is open and under investigation, your account is protected from disconnection for non-payment of that disputed amount. However, DEF may require you to pay that part of your outstanding balance above the disputed amount.

DEF reported that effective February 6, 2015, electric service was established in your name at 117 Dorchester Court, Kissimmee, Florida under account number 80878-40344. Your electric service for 240 Wallrock Drive, Ocoee, Florida (account number 76157-08530) terminated on February 20, 2015. At that time, a final billing statement in the amount of \$387.37 was issued for account number 76157-08530. On March 16, 2015, the unpaid account balance of \$282.37 was transferred to new account number 80878-40344.

Currently, DEF's records reflect that as of April 8, 2015, your unpaid account balance for account number 80878-40344 is \$342.44, which is comprised of the past due balance of \$282.37 transferred from closed account number 76157-08530, and current usage charges of \$60.07. This amount is higher than your complaint's established disputed amount. Subsequently, unless you make a payment of at least \$186.94, or secure acceptable payment arrangements with DEF your electric service is subject to immediate disconnection pending proper notice.

Once complaint number 1159046E is closed, your account will no longer be protected from disconnection for the established disputed amount. At the time of closing, any remaining account balance will be subject to immediate payment or your electric service will be subject to interruption after proper notice. Therefore, you may wish to seek acceptable payment arrangements with DEF. Please be advised that the FPSC does not have the authority to compel a utility to make payment arrangements for services provided. Such arrangements are at the discretion of the utility.

Conclusion

In conclusion, I concur with the findings of Ms. Valdez' investigation and her conclusions as expounded in her letter. Within the boundaries of the referenced Florida Statutes and Florida Administrative Code, and with the hope of providing an equitable and reasonable resolution to your complaint, I can assure you that your case has been carefully and thoroughly investigated and reviewed to assure that DEF has complied with all applicable statutes, rules, tariffs, and orders of the FPSC. I and other participating FPSC staff have a full and extensive understanding of every issue and concern you have expressed. All of your expressed issues and concerns have been specifically addressed in great detail, and all questions raised by you have been precisely and methodically answered. Throughout the investigation of this matter, it was verified that all data submitted by DEF was supported by account records and documentation. When clarification and additional facts were needed, it was properly sought by FPSC staff, appropriately provided by DEF, and aptly acted upon. All facts and documentation were capaciously deliberated and analyzed before final recommendations and conclusions were established. Although you have sought more immediate and favorable

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resolutions and actions, the FPSC must follow the process as prescribed by Florida Statutes and Florida Administrative Code.

My administrative review and resultant conclusion of these matters indicates that your account was properly billed in accordance with FPSC rules and DEF's tariffs and that no credit adjustments are warranted. Based on documentation provided, an audit of your account verifies that your account balance is accurate. I have found nothing to indicate that DEF was non-responsive to your service requests and trouble calls. Nor have I found any evidence to support your contention of unreliable, incompetent, and unsafe service in violation of any specific jurisdictionally applicable provision of the Florida Statutes, the Florida Administrative Code, FPSC Order, or DEF's tariff. Furthermore, there is nothing to support that you, as customer of record, are not responsible for payment in full of your account balance. Therefore, the FPSC is unable to grant you the redress you are seeking from DEF. Subsequently, at this point, all due consideration has been given to your complaint and the informal complaint process as specified in FPSC Rule 25-22.032, F.A.C., Customer Complaints, has been concluded.

If you disagree with the disposition of your complaint, you may file a petition for initiation of formal proceedings for relief against DEC. The request for formal proceedings must follow the complaint requirements in Rule 25-22.036, Florida Administrative Code (F.A.C.) - Initiation of Formal Proceedings. You may view this rule via the following link: ([https://www.flrules.org/gateway/RuleNo.asp?title=RULES GOVERNING PRACTICE AND PROCEDURE&ID=25-22.036](https://www.flrules.org/gateway/RuleNo.asp?title=RULES%20GOVERNING%20PRACTICE%20AND%20PROCEDURE&ID=25-22.036)). For your information and review, I have enclosed a copy of Rule 25-22.036, F.A.C.

If you wish, you may file your petition for initiation of formal proceedings by mail with the FPSC's Office of Commission Clerk at the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Alternatively, and preferably, you may file your petition and all accompanying documents electronically via the FPSC's electronic filing web portal. You may access the FPSC's Electronic Filing Requirements and e-filing instructions via the following link: (<http://www.floridapsc.com/dockets/e-filings/instructions2.aspx>). You may access the Electronic Filing Web Portal via the following link: [https://secure.floridapsc.com/\(S\(fqysgv3tm4qy3545xfnr04j2\)\)/e-filings/efiling.aspx](https://secure.floridapsc.com/(S(fqysgv3tm4qy3545xfnr04j2))/e-filings/efiling.aspx). A request for formal proceedings cannot be received via fax.

The utility will have the opportunity to respond to your complaint. After considering your complaint and the utility's response, the Commission will rule on your complaint. As part of its consideration, the Commission will consider whether your complaint meets the requirements of Rule 25-22.036, F.A.C., and whether the Commission is able to grant the relief you are seeking. If you have further questions regarding filing an application for formal proceedings, please call the FPSC's Office of Commission Clerk at 850-413-6770.

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If you have any questions or concerns, please do not hesitate to contact me. This complaint will be closed on May 4, 2015, 18 days from the date of this letter. I can be reached via toll-free number 1-800-342-3552, my direct line 850-413-6459, or via E-mail at – nforsman@psc.state.fl.us.

Sincerely,



Neal E. Forsman
Regulatory Program Administrator
Process Review Group
Florida Public Service Commission
Office of Consumer Assistance &
Outreach
Bureau of Consumer Assistance

cc: Duke Energy Florida
Enclosure

Exhibit '315'