

Antonia Hover

From: Angie Calhoun
Sent: Thursday, December 12, 2019 1:36 PM
To: Consumer Correspondence
Cc: Diane Hood
Subject: FW: To CLK Docket 20190015
Attachments: Hurricane Irma Suit Against FPL To Continue – CBS Miami.pdf

Correspondence for docket 20190015.

Thanks,

Angie Calhoun

From: Consumer Contact
Sent: Thursday, December 12, 2019 1:06 PM
To: Angie Calhoun
Subject: To CLK Docket 20190015

From: Beatrice Balboa [<mailto:beatricebalboa@gmail.com>]
Sent: Thursday, December 12, 2019 10:40 AM
To: Consumer Contact
Subject: Re: FPL machinations

Thursday 12 December 2019

I was reading the latest news media regarding the ongoing lobbying issues and concerns surrounding Florida Power & Light (FPL) (attached documentation). Please continue to keep an extremely close eye regarding FPL machinations with these issues as FPL ratepayers should NOT be "footing the bill" on FPL and/or NextEra out-of-state investment strategies, solar power "monopolization", "tax accounting sleight of hands", safety violations, little to no storm hardening and "pollution" activities. FPL should be devoting all their energies in meeting and/or exceeding the 2017 National Electrical Safety Code® (NESC®) standards (which sets the ground rules and guidelines for practical safeguarding of utility workers and the public during the installation, operation, and maintenance of electric supply, communication lines and associated equipment) for storm hardening of the State of Florida electrical infrastructure that should have already been completed after Hurricane Andrew (1992), Hurricane Irma (2017) and now Hurricane Dorian (2019) with fee requests in the millions/billions of dollars. FPL should NOT be devoting all their energies requesting and lobbying for more storm hardening fees and rate increases as well as other "accounting shenanigans" activities.

I look forward to your offices taking the necessary actions to address hardworking taxpayers citizens' concerns from the City of Pompano Beach, Broward County, State of Florida.

Thank you for your time in this matter.

Sincerely,
Beatrice Balboa
1010 South Ocean Boulevard, Unit. 1008
Pompano Beach, Fl 33062-6631

Hurricane Irma Suit Against FPL To Continue

December 11, 2019 at 4:11 pm Filed Under: [FPL](#), [Hollywood Hills](#), [Local TV](#), [Miami News](#)

FOLLOW US

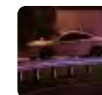
OUR | NEWSLETTER



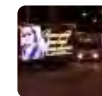
MOST VIEWED



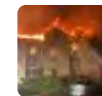
Special Significance Or Cool Coincidence? Final Full Moon Of Decade Peaks On 12/12 At 12:12



Triple Shooting On I-95 Ramp At Miami Gardens Drive



UPS Workers Show Out En Masse To Honor Driver Slain In Miramar Shootout



Miami-Dade Firefighters Battle Massive Blaze At Cutler Bay Apartment Complex



Mother of UPS Driver Frank Ordenez: 'I Want Justice For My Son'



BSO Deputy Fired For Role In DeLucca Rolle Rough Arrest; Union Vows To Fight To Reinstate Him



Diabetes Drug Metformin Investigated For Possible Cancer-Causing Contaminant



Law Enforcement Source: 19 Officers Fired Into UPS Truck, Could Exceed 200 Rounds



Couple Robbed At Gunpoint On Miami Street, Jewelry, Wallets & Cash Stolen

TALLAHASSEE (CBSMiami/NSF) – An appeals court Wednesday declined to dismiss a lawsuit filed against Florida Power & Light by a former resident of a Broward County nursing home that was plunged into sweltering conditions after Hurricane Irma knocked out its air-conditioning system.

A three-judge panel of the 4th District Court of Appeal allowed the case to move forward against FPL, which supplied electricity to The Rehabilitation Center at Hollywood Hills.

Former resident Bernice Moultrie, who was 96 years old at the time of the 2017 hurricane and suffered heat-related injuries, filed the lawsuit last year against FPL and the nursing home.

The case alleged that negligence by FPL contributed to the lengthy outage of the air-conditioning system.

In seeking to dismiss the case, FPL contended that it was immune from lawsuits stemming from “acts of God” under a state-approved “tariff,” which sets out issues such as utility rates and service regulations.

“FPL argues that the rates approved by the tariff depend on FPL being afforded protection and that exposure to suits such as this — for power outages following a hurricane — would undermine the regulatory scheme and risk higher electricity rates for all Floridians,” the appeals court wrote in a footnote Wednesday.

A Broward County circuit judge refused to dismiss the case against FPL, finding that the utility's argument about a limit on its liability requires "factual determinations."

The appeals court said it was not able to procedurally review the argument in such a situation.

"Here, the trial court concluded that dismissal of the complaint was not appropriate because FPL's claim that its tariff limits its liability requires factual determinations," said the ruling, written by appeals court Judge Cory Ciklin and joined by judges Robert Gross and Jeffrey Kuntz.

"Because FPL's claim of immunity turns on disputed facts... review is not available." Authorities have blamed the sweltering conditions for the deaths of residents, and the state moved quickly to shut down the facility.

(©2019 CBS Local Media. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed. The News Service of Florida's contributed to this report.)

Comments



Follow Us

NEWS

Miami News
Local
Business
Consumer
Politics
HealthWatch
Galleries

SPORTS

Miami Sports
Dolphins
Heat
Panthers
Marlins

STATION INFO

CBS4
My TV 33

SEEN ON TV

Miami Weather
Program Guide
Video on Demand
Watch Live
Only CBS
Contact Us
Contests & Promotions

COMMUNITY

Facing South Florida
Focus on South Florida
Neighbors 4 Neighbors

CORPORATE

About Us
Advertise
Connect