

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 18, 2022

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Bianca Lherisson, Senior Attorney, Office of the General Counsel **BYL**

RE: Docket No. 20220038-EI - Complaint by Albert Arcuri against Duke Energy Florida, LLC.

Please see the following Revised Request to Establish Docket for filing to include additional information not previously provided on the original Request.

Thank you.

BYL

REQUEST TO ESTABLISH DOCKET

(Please type or print. File original with CLK.)

Date: 2/18/2022

1. From Division / Staff: Gcl / Bianca Lherisson

2. OPR: GCL

3. OCR: CAO, ECO

4. Suggested Docket Title: In re: Complaint by Albert Arcuri against Duke Energy Florida, LLC.

5. Program/Module/Submodule Assignment: A9

6. Suggested Docket Mailing List

a. Provide NAMES/ACRONYMS, if registered company **Provided as an Attachment**

Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):
EI801	Duke Energy Florida, LLC Stephanie Cuello, 106 E College Ave Suite 800, Tallahassee, FL 32301 stephanie.cuello@duke-energy.com	
N/A	Mr. Albert Arcuri 3202 Colby Street Inverness, FL. 34453 albertnick@hotmail.com	

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):

7. Check one: **Supporting documentation attached** **To be provided with Recommendation**

Comments:

COMMISSIONERS:
GARY F. CLARK, CHAIRMAN
ART GRAHAM
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
KEITH C. HETRICK
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

January 10, 2022

Certified and Regular Mail

Mr. Albert Arcuri
3202 Colby Street
Inverness, FL 34453-3840

Re: Florida Public Service Commission Complaint Number 1377736E

Dear Mr. Arcuri:

This letter is in response to your complaint filed with the Florida Public Service Commission (PSC or Commission).

According to the complaint, you stated that you were told by DEF that it would cost \$2,139.51 to convert your existing overhead facilities to underground facilities. You requested a detailed breakdown of the quoted amount. You stated that the conversion is just your overhead lateral being changed to an underground lateral. On September 17, 2021, you told PSC staff that you believed that DEF charged \$600.00 to install underground facilities for new service; therefore DEF was overcharging you to convert the facilities. PSC staff explained that the charge was determined based on the cost to remove the existing overhead service, the average cost to install underground service, the remaining undepreciated value of the overhead facilities, and the salvage value of the overhead facilities. You are seeking a credit adjustment of \$2,139.51 from DEF.

Because you did not accept the Commission's actions to informally resolve your complaint, it was reviewed by the PSC's Process Review Team (PRT) in accordance with Commission Rule 25-22.032, Florida Administrative Code (F.A.C.). Based on the PRT's review, it does not appear that DEF violated applicable statutes, rules, company tariffs, or Commission orders. Your complaint has been thoroughly reviewed, and the informal complaint process is concluded.

If you disagree with your complaint's conclusion, you may file a petition for initiation of formal proceedings for relief against DEF. The request for formal proceedings must follow the complaint requirements in Rule 25-22.036, F.A.C. - Initiation of Formal Proceedings (enclosed for your review). The Rule can be found online at www.flrules.org.

You may file your petition by mail (address below) or electronically via the Commission's web portal. Access the Electronic Filing Requirements and e-filing instructions at <http://www.floridapsc.com/ClerkOffice/EFilingRequirements>, and the Electronic Filing Web Portal at <https://secure.floridapsc.com/ClerkOffice/EfilingPublic>. The PSC cannot accept this request via fax.

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

DEF can respond to your formal complaint. After considering your complaint and DEF's response, the Commission will rule on your petition. In its consideration, the Commission will consider whether your complaint meets the rule requirements and whether the Commission is able to grant your requested relief.

If your formal complaint application does not meet the requirements specified in Rule 25-22.036, F.A.C., or if the Commission is unable to grant the relief you are seeking, your formal petition may be dismissed. If you have questions about a formal petition or formal proceedings, I can be reached at (850) 413-6630 or blheriss@psc.state.fl.us.

Sincerely,

/s/ Bianca Lherisson

Bianca Lherisson
Senior Attorney

cc: DEF

West's Florida Administrative Code
Title 25. Public Service Commission
Chapter 25-22. Rules Governing Practice and Procedure

Rule 25-22.036, F.A.C.
Fla. Admin. Code r. 25-22.036

25-22.036. Initiation of Formal Proceedings.

Currentness

(1) Application. An application is appropriate when a person seeks authority from the Commission to engage in an activity subject to Commission jurisdiction.

(2) Complaints. A complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction which affects the complainant's substantial interests and which is in violation of a statute enforced by the Commission, or of any Commission rule or order.

(3) Form and Content.

(a) Application. An application shall be governed by the statute or rules applicable to applications for authority. In the absence of a specific form and content, the application shall conform to this rule.

(b) Complaint. Each complaint, in addition to the requirements of paragraph (3)(a), above, shall also contain:

1. The rule, order, or statute that has been violated,

25-22.032

2. The actions that constitute the violation,

THEY TRIPLED THE COST OF UNDER GROUND CONVERSION COMPARED TO NEW INSTALLATION!

3. The name and address of the person against whom the complaint is lodged,

DUKE ENERGY

4. The specific relief requested, including any penalty sought.

REFUND MY MONEY FROM THIS ILLEGAL ACTION!
AND READJUST THIS COST!

1-17-2022

Credits

Adopted Dec. 21, 1981; Transferred from 25-22.36; Amended May 3, 1999, July 17, 2000.

AUTHORITY: 350.01(7), 350.127(2) FS. Law Implemented 120.569, 120.57, 350.123, 364.035, 364.05, 364.057, 364.058, 364.335, 364.337, 366.04, 366.06, 366.071, 366.076(1), 366.8255, 367.031, 367.045, 367.071, 367.081, 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.171 FS.

ALSO MAKE FUNDS AVAILABLE TO FIGHT DUKES ILLEGAL ACTIVITIES, AND THIS BOARD WHO

THEY CONTROL !! [Signature] [Signature] [Signature]

Current with amendments available through December 6, 2021. Some sections may be more current, see credits for details.

Rule 25-22.036, F.A.C., 25 FL ADC 25-22.036

End of Document

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To Whom it MAY CONCERN!

'THIS BOARD SHOULD PROTECT ME,' THE PUBLIC'S
AND YOU DO NOT! YOU PROTECT THE POWERFUL
DUKE ENERGY! THIS WAS A SIMPLE REQUEST!
THEY CHARGED 4 TIMES THE AMOUNT TO
PLACE MY POWERLINE UNDERGROUND COMPARED
TO NEW INSTALLATION. WHICH THE ONLY DIFFERENCE
IS THEY HAVE TO CUT THE OLD POWER LINE DOWN!

THAT'S IT! PLEASE! MAKE FUNDS AVAILABLE
TO PEOPLE WHO CAN'T AFFORD
TO FIGHT DUKE ENERGY
AND/OR THE P.S.C.