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STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ADAM J. TEITZMAN  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## NOTICE OF COMPLAINT

TO

**Duke Energy Florida, LLC**  
**106 E. College Avenue, Suite 800**  
**Tallahassee, FL 32301**  
(via Certified Mail No. 7017 1000 0000 4194 3898)

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

Notice is hereby given, via certified U.S. mail, that the above-referenced complaint was filed with the Public Service Commission on February 18, 2022, 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](http://www.floridapsc.com).

Noticed this 21st day of February, 2022.

Sincerely,

A handwritten signature in blue ink, appearing to read "AJT", enclosed in a blue oval.

Adam J. Teitzman  
Commission Clerk

AJT/lms

Enclosure

cc: Albert Arcuri  
Office of Public Counsel  
Office of General Counsel  
Office of Consumer Assistance & Outreach  
Docket File

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-**

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**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.

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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.)

<b>Date:</b>	2/18/2022	
<b>1. From Division / Staff:</b>	Gcl / Bianca Lherisson	
<b>2. OPR:</b>	GCL	
<b>3. OCR:</b>	CAO, ECO	
<b>4. Suggested Docket Title:</b>	In re: <u>Complaint by Albert Arcuri against Duke Energy Florida, LLC.</u>	
<b>5. Program/Module/Submodule Assignment:</b>	A9	
<b>6. Suggested Docket Mailing List</b>		
<b>a. Provide NAMES/ACRONYMS, if registered company</b>		<input type="checkbox"/> <b>Provided as an Attachment</b>
<b>Company Code, if applicable:</b>	<b>Parties (include address, if different from MCD):</b>	<b>Representatives (name and address):</b>
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>b. Provide COMPLETE NAME AND ADDRESS for all others (match representatives to companies)</b>		
<b>Company Code, if applicable:</b>	<b>Interested persons, if any, (include address, if different from MCD):</b>	<b>Representatives (name and address):</b>
<b>7. Check one:</b>	<input checked="" type="checkbox"/> <b>Supporting documentation attached</b>	<input type="checkbox"/> <b>To be provided with Recommendation</b>
<b>Comments:</b>		

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](http://www.flrules.org).

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

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](mailto: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 UNDERGROUND 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!*

Credits

*AND READJUST THIS COST!*

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*

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*THEY CONTROL !!* *AL* *ARCURI*

*1-17-2022*

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

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End of Document

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TO Whome it MAY CONCERN!

'THIS BOARD SHOULD PROTECT ME,' THE PUBLIC!  
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!

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