

FLORIDA PUBLIC SERVICE COMMISSION

Item 3

VOTE SHEET

August 2, 2022

FILED 8/2/2022
DOCUMENT NO. 05164-2022
FPSC - COMMISSION CLERK

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

Issue 1: Should the Commission grant Duke’s Motion to Dismiss Mr. Arcuri’s formal complaint?

Recommendation: No, the Commission should deny Duke’s Motion.

APPROVED

Issue 2: What is the appropriate disposition of Mr. Arcuri’s formal complaint?

Recommendation: Staff recommends that Mr. Arcuri’s formal complaint be denied. Mr. Arcuri’s account was properly billed in accordance with Florida statutes and rules and Duke’s tariffs. Duke did not violate any applicable statute, rule, company tariff, or order of the Commission in the processing of Mr. Arcuri’s account. Further, the Commission lacks equity jurisdiction to award Mr. Arcuri damages.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in blue ink on five lines]

REMARKS/DISSENTING COMMENTS:

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Issue 3: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED