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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20220058-EI

Complaint by Chris Rosa against  
Duke Energy Florida, LLC.

\_\_\_\_\_ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 4

COMMISSIONERS  
PARTICIPATING: CHAIRMAN ANDREW GILES FAY  
COMMISSIONER ART GRAHAM  
COMMISSIONER GARY CLARK  
COMMISSIONER MIKE LA ROSA  
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Tuesday, August 2, 2022

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: DANA W. REEVES  
Court Reporter and  
Notary Public in and for  
the State of Florida at Large

PREMIER REPORTING  
112 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN FAY: All right. Ms. Crawford,  
3 welcome back.

4 MS. CRAWFORD: Thank you. Item 4 is a  
5 complaint by Ms. Rosa against Duke Energy Florida.  
6 In issue one, staff is recommending that Duke's  
7 motion to dismiss be denied. In issue two, staff  
8 recommends that Ms. Rosa's complaint should be  
9 denied. Ms. Rosa is present on the phone and  
10 wishes to address the Commission on this item. And  
11 counsel for Duke is also present. And their  
12 participation is at your discretion.

13 CHAIRMAN FAY: Okay. Great. Thank you.

14 What I would like to do is -- I know we have  
15 Ms. Rosa on the line here, to allow her a few  
16 minutes just to opine. The utility can speak to  
17 any of those comments if they wish to do so. And  
18 then, Commissioners, we can take up -- I know  
19 there's two separate issues here on the item, but  
20 we can take up the item as a whole, or if you want  
21 to separate them out, I'm happy to do so, but just  
22 thought we'd go ahead and let Ms. Rosa speak first.  
23 So, Ms. Rosa, Can you hear me?

24 MS. ROSA: Yes, I can. Thank you so much,  
25 Commissioner.

1           CHAIRMAN FAY: Sure. You're recognize, Ms.  
2           Rosa.

3           MS. ROSA: Okay. The only place where I know  
4           to start is in the memorandum that I received from  
5           the Public Service Commission. I don't know if you  
6           have a copy of that in front of you. I've made  
7           notes so that I can explain my view, my situation.  
8           And you have a copy of that memorandum.

9           CHAIRMAN FAY: Yeah. Ms. Rosa, in the  
10          recommendation we have the materials that our staff  
11          and you have worked through.

12          MS. ROSA: Okay. I'm looking at the first  
13          page where it says case background, and it says  
14          that there was a thorough review. I am going to  
15          have to disagree with that, because if there was a  
16          thorough review, it would be reviewed line item by  
17          line item, each bill, which I did with multiple  
18          customer service reps from Duke, and also with  
19          Margarita Valdez, from the Public Service  
20          Commission. And we did get a lot line item by line  
21          item, but there always came a point where they did  
22          not understand it and said, I'll have to get back  
23          to you.

24          And as far as improper billing, yeah, I  
25          agree -- and I'm looking at page two. The billing

1 was improper. Also, too, it says that my complaint  
2 fails to cite a statute. Well, I'm not an  
3 attorney, although I did read that rule 2522.036,  
4 understood it as best as I could.

5 Really quick, looking at page three, where it  
6 says, Duke's motion to dismiss, well, this is where  
7 this whole situation started. In June of 2019,  
8 when a representative from Duke came to do  
9 something to the meters. They installed what's  
10 called a renewable generation equipment. No one  
11 told me that I had to -- or suggested to either  
12 stay or get off budget billing.

13 Further down in that page, we did go over each  
14 line item again. And people from Duke did not  
15 understand this, though. And I kept telling every  
16 single person that I went through this billing  
17 with, if you don't understand it, I'm not going to  
18 understand it.

19 Looking at page four, and I'm trying to do  
20 this really quick, there's a outstanding balance  
21 with \$370. Again, that includes the budget  
22 billing. The whole thing here is budget billing.  
23 Did I do an extensive documentation? Yes, I've  
24 been working on this over three years. Exactly  
25 three years and two months. I've got an extensive

1 file of dates and names of people I have spoken  
2 with.

3 Also, on page five, analysis number one, it  
4 says that the budget billing was removed in  
5 September. No, it was removed December 31st, 2019,  
6 and the person that did that was a person named  
7 Carla at Duke. And they keep telling me that I  
8 have improper billing. Anyway, I did contact Duke,  
9 finally, to remove the budget billing. And, like I  
10 said, it was December 2019. However, I kept  
11 getting charged. Your paperwork says that I was  
12 removed from budget billing in September, but I was  
13 still getting charged from September to January of  
14 2020.

15 CHAIRMAN FAY: And, Ms. Rosa, I'm just -- I'm  
16 going to need you to conclude up here a minute to  
17 make sure we have -- we let other folks comment.

18 MS. ROSA: Okay. The last one then, item  
19 number seven, it says that you all have no record  
20 that I was advised to stay on budget billing. I  
21 just did not make this up. I was improperly  
22 advised.

23 And I -- the biggest thing is, and I will end  
24 with this, I never agreed to any installment plan  
25 of \$30. It was suggested. Yes, I disagreed and I

1           said, no, I'm not going to pay because I don't own  
2           it -- owe it.

3           CHAIRMAN FAY: Great. Thank you, Ms. Rosa.  
4           Ms. Cuello, if you would like to respond, you're  
5           welcome to.

6           MS. CUELLO: Thank you. This is Stephanie  
7           Cuello on behalf of Duke Energy, and I don't have  
8           any additional comments.

9           CHAIRMAN FAY: Okay. Great. And then,  
10          Commissioners, just before any motions on this, I  
11          just thought I'd give staff any -- anything else  
12          that Ms. Crawford -- or that we should know about,  
13          the recommendation?

14          MS. CRAWFORD: I have nothing. I'll take a  
15          look at technical staff to see if they have  
16          anything they'd like to add.

17          CHAIRMAN FAY: Okay. Great. With that,  
18          Commissioners, I will take a motion on item -- oh,  
19          Commissioner Clark, yes. You're recognized.

20          COMMISSIONER CLARK: I just want to make an  
21          observation in terms of budget billing. And, Ms.  
22          Rosa, I realize I've read as much as I can find on  
23          your case and have looked through it. And I want  
24          to just assure you that our staff is taking a  
25          thorough review of this. We are seeking the truth

1 here to make sure that you have been billed and  
2 treated fairly. And I realize budget billing is  
3 complicated. It seems like a really, really simple  
4 concept. You average the bill, divide it by 12,  
5 and send a person that amount for each month. But  
6 it's a lot more complicated than that when it comes  
7 to truing up the bill and it comes to the other  
8 adjustments, especially when you get behind in that  
9 budget billing cycle. It's very, very complicated.  
10 But, at the end of the day, there are two numbers  
11 on a meter, there's a beginning reading and an  
12 ending reading. And if those two numbers match up,  
13 and those two numbers calculate the number of  
14 kilowatt hours used in that time period,  
15 unfortunately, that is the amount of money that is  
16 owed.

17 And I just want to give you assure I thank you  
18 for communicating with us your concerns. I just  
19 want to assure you that I have every confidence  
20 that the staff reviewed this and made the correct  
21 recommendation here. As difficult as it is to  
22 understand, the utility company is correct in this  
23 case. They have necessarily documented their case  
24 and the amount that it owed appears to be 100  
25 percent accurate.

1           So, Mr. Chairman, with that in mind, I would  
2           move approval of staff recommendation.

3           CHAIRMAN FAY: We have a motion and a second.

4           All in favor, say aye.

5           None opposed.

6           With that, Commissioners, Item No. 4 passes.

7           (Agenda item concluded.)

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CERTIFICATE OF REPORTER

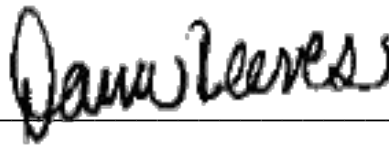
STATE OF FLORIDA )  
COUNTY OF LEON )

I, DANA W. REEVES, Professional Court  
Reporter, do hereby certify that the foregoing  
proceeding was heard at the time and place herein  
stated.

IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

DATED THIS 15th day of August, 2022.



DANA W. REEVES  
NOTARY PUBLIC  
COMMISSION #GG970595  
EXPIRES MARCH 22, 2024