

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Joanne) DOCKET NO. 930571-WS
Friedland against SOUTHERN) ORDER NO. PSC-95-0698-AS-WS
STATES UTILITIES, INC. in Orange) ISSUED: June 12, 1995
County regarding high bills.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING SETTLEMENT
AND CLOSING DOCKET

BY THE COMMISSION:

On February 22, 1993, Ms. Joanne Friedland filed a complaint with the Commission's Division of Consumer Affairs against Southern States Utilities, Inc. (SSU or utility), alleging that her bills from the utility appeared excessive. After Ms. Friedland received several bills for \$120, she disconnected her sprinkler system. However, the bill went up to \$220. SSU then removed her meter and bench tested it. SSU determined the meter was operating 16 percent fast and adjusted the gallonage portion of her bills to credit her \$53.38 for the overbilling.

Ms. Friedland did not consider this to be acceptable so she filed an informal complaint with the Division of Consumer Affairs. Our staff reviewed the complaint and determined that, after making a further adjustment of \$5.34 for taxes, SSU had made the appropriate adjustment to Ms. Friedland's bill and that no other adjustments were necessary.

Ms. Friedland then requested an informal conference which was held on May 27, 1993. The conference did not result in a settlement of the matter. We reviewed the information provided by both SSU and Ms. Friedland, and made a detailed analysis of consumption and billing histories for the residence. By Proposed Agency Action Order No. PSC-93-1165-FOF-WS, issued August 10, 1993, we determined that SSU had made the appropriate adjustment to Ms. Friedland's account. We therefore found that no further action was necessary as to Ms. Friedland's complaint.

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Ms. Friedland filed a protest to the order. Our staff again reviewed the complaint and studied the billing methods used to determine the proper charge for service to Ms. Friedland's residence. After calculating consumption figures, Staff recommended to the parties that the appropriate refund had been made, and suggested that the parties attempt to resolve the matter. When no resolution was made, this Commission referred the matter to the Division of Administrative Hearings (DOAH) for a formal hearing.

The matter was set for hearing on February 23, 1995. On February 20, 1995, SSU and Ms. Friedland filed a joint motion to cancel the hearing and relinquish jurisdiction, on the grounds that they had reached an oral agreement which resolved the dispute. The hearing was cancelled, and on February 28, 1995, DOAH relinquished jurisdiction back to the Commission for final disposition and closed the DOAH file.

On April 6, 1995, SSU and Ms. Friedland filed a written agreement which resolved the billing dispute. SSU agreed to credit \$150, representing the difference between the bill for the month in dispute and an average bill, to Ms. Friedland's current bill. Ms. Friedland agreed to timely pay all of the remaining outstanding balance on her account. This stipulation fully resolves the dispute between the parties. Therefore, we find it appropriate to approve the settlement as the final and complete disposition of this matter.

Because the settlement resolves all disputes between SSU and Ms. Friedland, no further action is necessary, and this docket shall be closed.

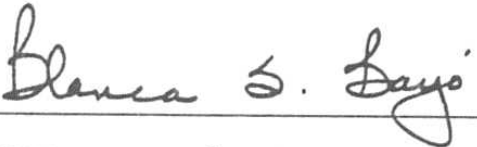
Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the stipulation entered into between Southern States Utilities, Inc. and Joanne Friedland is hereby approved as a complete resolution of the dispute between the parties. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 12th
day of June, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.