



ORIGINAL

Florida Power & Light Company, P. O. Box 029100, Miami, FL 33102-9100

(305) 552-4657

May 5, 1998

Blanca Bayo, Director
Division of Records and Reporting
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: **Complaint of Thomas W. Hart against Florida Power & Light Company
FPSC Docket No. 970047-EI**

Dear Ms. Bayo:

Enclosed for filing please find the original Notice of Filing for the above referenced matter.

Very truly yours,

Robert E. Stone
Attorney

- ACK _____
- AFA _____
- APP _____
- CAF RES:bb
- CMU _____
- CTR _____
- EAG 1
- LEG 1
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Enclosure

cc: Jeremy Koss, Esq.
Grace Jaye, Esq.

DOCUMENT NUMBER-DATE
05255 MAY 11 88
FPSC-RECORDS/REPORTING

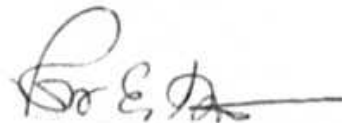
In Re: Complaint of Thomas W. Hart
against Florida Power & Light Company

FPSC Docket No. 970047-EI

NOTICE OF FILING

FLORIDA POWER & LIGHT COMPANY hereby gives notice that on May 5, 1998 the original Settlement Agreement (copy attached) in the above styled docket was sent via federal express to the Division of Consumer Affairs of the Florida Public Service Commission pursuant to Rule 25-22.032 (11)

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 5th day of May, 1998, to: **Grace A. Jaye, Esq.**, FLORIDA PUBLIC SERVICE COMMISSION, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 and **Jeremy Koss, Esq.**, PHILLIPS, EISINGER, KOSS & ROSENFELDT, P.A., Presidential Circle, 4000 Hollywood Boulevard, Suite 265 South; Hollywood, Florida 33021.



Robert E. Stone, Esquire
P. O. Box 029100
Miami, Florida 33102-9100
(305) 552-4657
Attorney for FPL

SETTLEMENT AGREEMENT

In Re: Complaint of Thomas W. Hart
against Florida Power & Light Company

FPSC Docket No. 970047-EI

THIS AGREEMENT is between Florida Power & Light Company (referred to as "FPL"), and Thomas W. Hart (referred to as "Customer").

FPL asserts a claim against Customer, based on the following facts and consideration: FPL backbilled the Customer in the amount of \$9,327.01 for unmetered electric usage and/or investigation charges at 301 NE 6th Court, Dania, FL 33004. The backbilling covered the period from June 21, 1990 through May 13, 1996. Customer has disputed the backbilling.

Both Parties to this Agreement wish to reach a full and final settlement of the backbilling dispute set forth above.

The Parties to this Agreement, in consideration of the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. Customer agrees to pay FPL the total sum of \$4,621.70 (referred to as "Settlement Amount"), as follows:

\$ 460.00 per month due on or before the "New Charges Past Due" date indicated on Customer's regular monthly bills from FPL commencing with the May, 1998 monthly bill and continuing monthly thereafter until the total sum of the Settlement Amount is paid in full. The late payment charge of 1.5% per month on the unpaid balance of the Settlement Amount is waived as long as the Customer does not default on the monthly payments. In the event the Customer defaults on any payment, the entire unpaid balance of the Settlement Amount shall be immediately due and payable, the late payment charge shall then accrue, and FPL may proceed with immediate disconnection of electric service in accordance with its approved tariff and the rules of the Florida Public Service Commission. The Customer understands these payments are in addition to Customer's regular monthly bills from FPL.

2. The parties agree to bear their own attorneys' fees and costs in this proceeding and in DOAH Case No. 97-1850.

3. The Parties agree that a satisfactory resolution regarding FPSC Docket No. 970047-EI has been reached and understand that the settlement is binding on both parties and that the parties waive any right to further review or action by the Florida Public Service Commission.

Dated 5/22/98, 1998.


Thomas W. Hart


Attorney for

Florida Power & Light Company

By: 

Title: INVESTIGATOR

 5/5/98
Robert E. Stone, Attorney for
Florida Power & Light Company