

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 18, 1998

RE: DOCKET NO. 980730-EI - Complaint by Leonardo Ramos against Florida Power & Light Company regarding backbilling for current diversion.

Issue 1: Should the Commission find that an unauthorized meter was found and that meter tampering and current diversion occurred at Mr. Leonardo Ramos' address, 16251 North West 129th Avenue, Miami, Florida?

Recommendation: Yes. FPL's report provides sufficient evidence of an unauthorized meter and meter tampering at Mr. Ramos' address. Pursuant to Rule 25-6.104, Florida Administrative Code, as the customer of record, Mr. Ramos is responsible for a reasonable amount of backbilling.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Deferred to 9/22/98

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Issue 2: Is Florida Power & Light Company's calculation of the backbilled amount of \$17,825.81, which includes investigation charges of \$261.81, reasonable?

Recommendation: No. The backbilled amount of \$17,825.21 is not a reasonable approximation of the unbilled energy plus investigative costs. Based on the circumstances in this case, staff believes that \$1,386.82 is a fair and reasonable amount of backbilling for this address.

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed if no person whose substantial interests are affected by the proposed action files a protest within the 21-day protest period.