Case Assignment and Scheduling Record Section 1 - Division of Records and Report 4 (RAR) Completes Date Docketed: 05/27/1999 Title: Complaint by David E. Roomes against Florida Power & Light Docket No. 990689-EI Company regarding power outages at his residence. Company: Florida Power & Light Company Official Filing Date: Expiration: Last Day to Suspend: **AFA** CAF CMU EAG (GCL) LEG Referred to: RAR RRR WAW ("()" indicates OPR) __X Х Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Program/Module B6 Staff Assignments Current CASR revision level <u>Due Dates</u> OPR Staff Previous Current 3. 4. Staff Counsel OCRs (8. 9. 10.) 11. 12. 13 14. 15.) 16. 17. 18. 19. 20. 21.) 22. 23. 24. 25. 26 . 27 . () 28. 29. 30. 31. Recommended assignments for hearing and/or deciding this case: 32 33. 34. Full Commission Commission Panel Hearing Examiner Staff 35. 36 37 Date filed with RAR: 38. Initials: OPR 39 Staff Counsel 40. Section 3 - Chairman Completes Assignments are as follows: - Hearing Officer(s) . Prehearing Officer Commissioners Hrg. Staff Exam. ALL DS CL JN JC

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

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PSC/RAR-15 (Rev. 1/98)

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket no. 990689-EI Date Docketed: 05/27/1999 Title: Complaint by David E. Roomes against Florida Power & Light Company regarding power outages at his residence.

Company: Florida Power & Light Company

Official Filing Last Day to Susp	Date:	n: _	~~~	-									
Referred to: ("()" indicates	OPR)	ADM	AFA	APP	CAF X	CMU	EAG X	(GCL)	LEG	RAR	RRR	WAW	
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<u>Section 3 - Chairman Completes</u>

Assignments are as follows:

- Hearing Officer(s)

		Comm:	Hrg. Exam.	Staff				
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

	Commissioners									
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Approved:

Date: 06/03/1999

STATE OF FLORIDA

Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JULIA L. JOHNSON E. LEON JACOBS, JR.



GENERAL COUNSEL ROBERT D. VANDIVER

(850) 413-6248

Public Service Commission

June 18, 1999

990689

David E. Roomes 3340 NW 71st Street Coconut Creek, Florida 33073-4800

R. Wade Litchfield Florida Power & Light Company Post Office Box 1400 Juno Beach, Florida 33408-0420

Dear Mr. Roomes and Mr. Litchfield:

I provided you a recommendation by letter of June 4, 1999. Unfortunately, the pagination of the attachments was incorrect. Please substitute the attached revised copy for the original I sent you on June 4, 1999.

I apologize for any inconvenience which this may have caused. As always, feel free to call if you have any questions.

Sincerely,

Robert D. Vandiver General Counsel

RDV:jmb Enclosure

cc:

Lynne Adams

Bev DeMello Blanca Bayo

DOCUMENT NO.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE:

JUNE 1, 1999

TO:

DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM:

GENERAL COUNSEL (ROBERT D. VANDIVER)

RE:

DOCKET NO. 990689-EI - COMPLAINT BY DAVID E. ROOMES AGAINST FLORIDA POWER & LIGHT COMPANY REGARDING POWER

OUTAGES AT HIS RESIDENCE.

AGENDA:

07/27/99 - REGULAR AGENDA - DECISION PRIOR TO HEARING -

INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: Customer to Participate by Conference Call

FILE NAME AND LOCATION: S:\PSC\GCL\WP\990689.RCM

CASE BACKGROUND

Mr. David E. Roomes has been complaining of power outages since the summer of 1997 at his residence at 3340 NW 71st Street, Coconut Creek, Florida. Attachment I (Pages 4-9) is a timeline of Mr. Roomes' complaints. Commission staff have visited Mr. Roomes' home to attempt to locate the problem. Attachment II (Pages 10-13) consists of Ms. Kummer's letter of June 2, 1998 which describes these efforts. Attachment III is a September 30, 1998 FPL letter describing FPL's view of the 1997-1998 incidents. Included in Attachment III is an FPL update on outages up to the date of the informal conference. (Pages 14-19).

Mr. Roomes then requested an informal conference on this matter. See Page 9. Staff held an informal conference with both

DOCKET NO. 990689-21 DATE: June 1, 1999

parties on January 14, 1999. At this conference it became clear that the parties disagreed on factual issues, specifically the number and/or duration of outages. The parties agreed to place monitoring devices at Mr. Roomes' residence to attempt to get a baseline of data to evaluate Mr. Roomes' complaints. Attachment IV (Pages 20-22) is the letter memorializing the January 14, 1999 informal conference.

Attachment V (Pages 23-27) is the FPL report concerning the monitoring devices. Attachment VI (Pages 28-46) is Mr. Roomes' correspondence on this issue for 1999.

ISSUE 1: What action should the Commission take on Mr. Roomes' complaint?

RECOMMENDATION: This case remains a factual disagreement as what actually happened with Mr. Roomes' service. Staff, therefore, recommends that the Commission send this matter to the Division of Administrative Hearings (DOAH) for a hearing to determine what actually occurred.

STAFF ANALYSIS: There is a factual dispute here as to the quality of electric service provided by FPL to Mr. Roomes. Mr. Roomes continues to believe that he is not receiving adequate service. FPL believes that service is adequate. See Pages 23-27. This factual issue should be resolved by a DOAH judge or this Commission.

A PSC safety engineer from the Miami office was assigned to investigate the complaint in April 1998 and was in close contact with both the company and the customer throughout this investigation. He reviewed the results of the monitoring devices and accompanied FPL on a thorough inspection of FPL's facilities serving Mr. Roomes. He also had several conversations with Mr. Roomes to explain FPL's findings. See Pages 10-13. Staff does not believe the fundamental disagreement between the customer and the company will be resolved by additional intervention by Staff. Since there are no quantitative rules setting a limit on the number of duration of outages, there does not appear to be a violation of any rule or tariff by the utility. The basic disagreement is over the outages reported by the company versus the outages the customer maintains he experienced. Therefore

DOCKET NO. 990689-LI DATE: June 1, 1999

Staff recommends that the matter be sent to DOAH for hearing on the disputed facts.

To compare the parties' positions, see Mr. Roomes' letter at Page 33; FPL letter at Pages 24-25. These are the 1999 disputed outages. The 1997-1998 factual dispute over outages can be found at Pages 29-30; Pages 15-9.

The disputes discussed above are for the years 1998-1999. During the course of these complaints, Mr. Roomes also complained about his prior residential FPL service at 3540 Banks Road, Apartment 106. See Attachment VI at 6-15. This period covers 1991-1995. See Attachment VI at page 8. Mr. Roomes did not raise this prior service at the informal conference. Staff believes Mr. Roomes can pursue these claims at the hearing on this matter if he chooses to do so.

The parties held a conference call on May 21, 1999. At that time, due to conflicting schedules, this matter was set for the July 27, 1999 Agenda Conference. Mr. Roomes will participate by telephone hook-up.

RDV/jb Attachments

RECEIVED-FPSC

MEMORANDUM

59 JUL -6 PM 1: 40

July 1, 1999

RECURDS AND REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

ROBERT VANDIVER, GENERAL COUNSEL R

RE:

DOCKET NO. 990689-EI - COMPLAINT BY DAVID E. ROOMES AGAINST FLORIDA POWER & LIGHT COMPANY REGARDING POWER

OUTAGES AT HIS RESIDENCE.

99-1290-PCO

Attached is an ORDER AUTHORIZING QUALIFIED REPRESENTATIVE STATUS, to be issued in the above-referenced docket.

(Number of pages in order - 2)

RV/ALC/dr

MUST GO TODAL

Attachment

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State of Florida -M-E-M-O-R-A-N-D-U-M-

Public Service Commission



DATE: July 29, 1999

TO: DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: OFFICE OF GENERAL COUNSEL (VANDIVER)

RE: DOCKET NO. 990689-EI

99-481-PCO

Pursuant to Commission vote at the July 27, 1999 agenda conference, please issue the attached order at your convenience.

RDV/jb Attachment

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RAR Official Filing: 6/1/01***** 5:01 PM******Linda Williams********1

Linda Williams

From:

25 10 1

Dorothy Menasco

Sent:

Friday, June 01, 2001 4:37 PM

To: Cc: RAR - Orders-Notices

June Ariola; Patsy White

Sensitivity:

Private

The following orders have been transferred to GCOrders for issuance:

Order Granting Approval of Modification

Docket No. 010423-EI File name: 010423or.kw

Order Granting Dismissal Docket No. 990689or.kw File name: 990689or.kw

Atty: Katrina Walker