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GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

June 28, 2010

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COMMISSION
CLERK

Certified and Regular Mail

Mr. Patrick Ball
9310 S.W. 57th Terrace
Miami, FL 33173

Re: Florida Public Service Commission Complaint Number 896056E

Dear Mr. Ball:

This letter is in reference to your objection to the Florida Public Service Commission (Commission) staff's proposed resolution of your complaint against Florida Power & Light Company (FPL) regarding FPL's bill for prior indebtedness of \$219.63, which amount is the unpaid balance for electric service established in your name and social security number at a prior address. FPL has demanded payment for that amount pursuant to its Commission approved tariff Section 1.5, Prior Indebtedness, which provides as follows:

The Company may refuse or discontinue service for failure to settle, in full, all prior indebtedness incurred by any Customer for the same class of service at any one or more locations of such Customer.

The Commission's customer complaint rules are designed to provide a process for informal staff resolution of complaints that cannot be resolved by the company and the customer. Rule 25-22.032(7), Florida Administrative Code (F.A.C.) provides that a staff Process Review Team will review a complaint to determine further handling if there is an objection to the staff's proposed informal resolution. In accordance with the rule, a Process Review Team met on May 4, 2010, to evaluate all aspects of your complaint. They determined that, as Mr. Forsman explained in great detail in his April 15, 2010 letter to you, it does not appear that FPL violated any applicable statutes, rules, company tariffs, or orders of the Commission in this case.

The Process Review Team agreed with Mr. Forsman that Commission Rule 25-6.102, F.A.C. prohibiting conjunctive billing does not apply to the facts of your complaint because the billings for electric service at your two account addresses did not occur at the same time. The adjective "conjunctive" means: "connective; conjunct; conjoined; being or functioning like a conjunction." It is derived from the noun "conjunction," which is defined as: "the act or instance of conjoining; combination; occurrence together in time or space; concurrence." (See Webster's Ninth Collegiate Dictionary, 1988) The Process Review Team also agreed that the Commission staff and FPL had provided all available documentation regarding the facts of your complaint. It further agreed with Mr. Forsman's view that the scope and effect of the Commission's jurisdiction provided in Chapter 366,

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Mr. Patrick Ball
Page 2
June 28, 2010

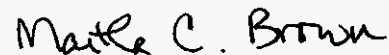
Florida Statutes (F.S.) did not encompass other provisions of Florida law, thereby limiting the Commission's review in this matter to the question of whether FPL violated any statutes, rules, tariffs, or Commission Orders that are within the Commission's jurisdiction to enforce.

The Commission staff has worked to the fullest extent possible to resolve the issues in dispute. Because the facts in this case indicate that FPL has not violated any applicable statutes, rules, company tariffs, or orders of the Commission, the staff cannot provide any additional assistance in this matter under the Commission's informal complaint resolution process. Therefore, your Customer Complaint No. 896056E will be closed. Please be advised that FPL may discontinue your electric service pursuant to Commission rules for failure to pay past due bills.

If you wish to pursue your complaint against FPL further, you may file a formal petition for relief against FPL with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. The formal petition must be filed pursuant to the provisions of Chapter 120, F.S., the Uniform Rules of Administrative Procedure found in Chapter 28-106, F.A.C., and the Commission's procedural rules, in particular, Rule 25-22.036, F.A.C. The company will have the opportunity to respond to your petition, which would be addressed by the Commission pursuant to the statutes and rules cited above.

If you have any questions regarding this letter, you may reach me at (850) 413-6187.

Sincerely,



Martha C. Brown
Senior Attorney

cc: Roseanne Lucas, Florida Power & Light Company
Neal Forsman