

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

FILED 12/21/2017
DOCUMENT NO. 10789-2017
FPSC - COMMISSION CLERK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter of:

DOCKET NO. 20170138-EI

PETITION FOR INITIATION OF
FORMAL PROCEEDINGS
PURSUANT TO RULE
25-22.036, F.A.C., BY
DEVONSON A. WALKER.

_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 4

COMMISSIONERS
PARTICIPATING: CHAIRMAN JULIE I. BROWN
COMMISSIONER ART GRAHAM
COMMISSIONER RONALD A. BRISÉ
COMMISSIONER DONALD J. POLMANN
COMMISSIONER GARY F. CLARK

DATE: Tuesday, December 12, 2017

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: ANDREA KOMARIDIS
Court Reporter and
Notary Public in and for
the State of Florida at Large

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN BROWN: Moving to Item 4, which I
3 believe has an oral modification.

4 MS. PAGE: Yes, Chairman Brown. In Item
5 No. 4, staff recommends that the Commission deny a
6 formal complaint filed by Mr. Devonson Walker,
7 concerning his electric-service account with
8 Florida Power & Light Company.

9 In Issue 1, staff recommends that the
10 Commission grant FPL's motion to dismiss in part
11 because Mr. Walker alleges a Fourth Amendment
12 violation, which is a claim not within the
13 Commission's jurisdiction.

14 Staff recommends that the Commission deny
15 FPL's motion to dismiss in part because Mr. Walker
16 alleges that he was billed and overbilled by FPL
17 for electric service; an allegation that is within
18 the Commission's jurisdiction.

19 In Issue 2, staff recommends that Mr. Walker's
20 complaint be denied because FPL properly billed
21 Mr. Walker. Staff would like to make oral
22 modifications to Issue 2 of the recommendation.
23 The oral modifications have been filed in docket --
24 in the docket file for this complaint.

25 On Page 2 of the recommendation and in

1 Issue 2, under staff analysis, in the fourth
2 paragraph on Page 5, and in the conclusion on
3 Page 6, staff would like to replace the word "back-
4 billing" with the word "billing."

5 Also, on Page 2, fifth sentence, first
6 paragraph, staff would like to add the phrase, "On
7 a reasonable estimate of the energy used."

8 In the first sentence, second paragraph on
9 Page 5, staff would like to add that FPL
10 disconnected Mr. Walker's electric service for
11 non-payment.

12 In the same paragraph, staff would like to add
13 the phrase, "Mr. Walker's premises with unmetered
14 electric service" to the beginning of the fifth
15 sentence.

16 And staff would like to add the following
17 sentence to the end of that paragraph, "At this
18 time, Mr. Walker's electric service was
19 disconnected at the pole for non-payment of energy
20 used due to unauthorized jumpers."

21 In the third sentence of the fourth paragraph
22 on Page 5 --

23 CHAIRMAN BROWN: Ms. -- Ms. Page, we have
24 copies of the oral modification. Thank you.

25 MS. PAGE: Yes.

1 CHAIRMAN BROWN: Commissioners, any questions
2 on this item? Seeing none, can I motion to approve
3 with the oral modifications?

4 COMMISSIONER BRISÉ: Move staff with the
5 oral -- with the oral modifications.

6 CHAIRMAN BROWN: Is there a second?

7 COMMISSIONER GRAHAM: Second.

8 CHAIRMAN BROWN: Any discussion?

9 Seeing none, all those in favor, say aye.

10 (Chorus of ayes.)

11 CHAIRMAN BROWN: Motion passes.

12 Thank you, Ms. Page.

13 (Agenda item concluded.)

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED THIS 21st day of December, 2017.



ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #GG060963
EXPIRES February 9, 2021