



Public Service Commission

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

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**DATE:** April 15, 1999  
**TO:** Blanca S. Bayó, Director, Division of Records & Reporting  
**FROM:** Grace A. Jaye, Attorney, Division of Legal Services  
**RE:** Docket No. 981923-EI - Complaint and Petition of John Charles Heekin Against Florida Power & Light Company

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Attached is a letter dated April 9, 1999, that was received by Commission staff counsel from Mr. John Charles Heekin, Esquire. A copy of this letter was also provided by Mr. Heekin to Mr. Litchfield, attorney for FPL. Please insert this letter into the file for this docket. Thank you.

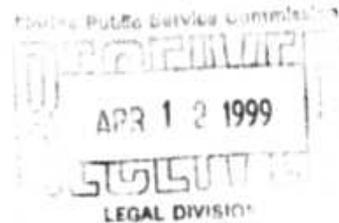
GAJ/js  
cc: David Ging, Division of Electric and Gas  
Attachment  
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- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CHJ \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- MAS \_\_\_\_\_
- OPC \_\_\_\_\_
- RRR \_\_\_\_\_
- SEC \_\_\_\_\_
- WAW \_\_\_\_\_
- OTH \_\_\_\_\_

JOHN CHARLES HEEKIN  
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April 9, 1999

Grace A. Jaye  
Florida Public Service Commission  
Gerald L. Gunter Building  
2540 Shumard Oak Boulevard, Room 370  
Tallahassee, Florida 32399-0850



RE: Heekin v. Florida Power and Light

Dear Ms. Jaye:

I have R. Wade Litchfield's Responses to Interrogatories by the Commission. The question immediately arises, who at FPL prepared the report allegedly drafted by Darrell Caparo. I know Corporal Caparo, and he did not prepare this report. Not only is the format not the sheriff's, but the cites were clearly prepared by someone at FPL and the document was faxed from "corporate security" in the (813) area code, probably the same people who fed the false information to the sheriff in the initial Complaint.

As far as I know, this report is not closed. If it is, I was never notified.

I would like to respond to some of the other allegations and furnish you a copy of the deposition of Sandra Cates taken in an action for injunction by me against her for repeated trespass and stalking. Her deposition testimony, if I recall it correctly, contradicts the hearsay statement contained in "Corporal Caparo's" report. Ms. Cates, in the civil litigation, produced a letter from me which I believe is dated August 18, 1999 telling her her children could not come to my house and play with my children because she could not speak in a civil tone of voice. This letter was in response to a request by her that she be permitted to come over. This directly contradicts the third hand hearsay account of her statement to Darrell Caparo contained in the FPL-drafted "sheriff's report". In any event, Corporal Caparo has never been to my residence, the gate is broken, FPL broke it, and the "new" investigative statement contained in the "Corporal Caparo" report contradicts the physical facts and the previous assertions of FPL. A simple visit to the premises would demonstrate what I am talking about.

As to the repeated assertion by FPL that I was notified to contact their damage people and that I refused to so, this is simply a lie. Joaquin Leon told me that it was "alright with him" if Wally Duffy, a corporate employee who was contacting me directly, communicated with me. I told Mr. Leon that I preferred to speak with him. No one identified Mr. Duffy as someone who wanted to adjust the damage, and his flippant and cavalier attitude of the various discovery events in this matter, at two (2) of which he was pointedly invited to attend

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the premises and review the damages and declined, pretty much speak for the "good faith" of Florida Power and Light. They have never made an effort to make any investigation of this claim, no one from Florida Power and Light, other than the trespasser identified in my initial Answers To Interrogatories, has ever visited the premises, Joaquin Leon and Wally Duffy have been invited to visit the premises twice, have refused twice, and I was never notified to contact anyone else. I noticed FPL to produce to me a copy of their investigation report on the complaint, and they stated that one did not exist. From their response to you, their latest spin on this is that a report does not exist because I never made a complaint. This, too, is a lie.

If you would like me to place these assertions in the form of Amended Answers or a Response to FPL's Answers, I will be happy to do so.

Sincerely,



John Charles Heckin

JCH/st  
cc: R. Wade Litchfield

P.S. The gate is still broken