

**Antonia Hover**

---

**From:** Ellen Plendl  
**Sent:** Monday, July 25, 2022 1:09 PM  
**To:** Consumer Correspondence  
**Subject:** Docket No. 20220000  
**Attachments:** Re ongoing electrical utility industrial sector machinations; ongoing electrical utility industrial sector electoral machinations; Consumer Inquiry - Florida Power & Light Company

See attached customer correspondence and reply for Docket No. 20220000.

## Antonia Hover

---

**From:** Beatrice Balboa <beatricebalboa@gmail.com>  
**Sent:** Thursday, July 21, 2022 12:03 PM  
**To:** Ellen Plendl  
**Subject:** Re: ongoing electrical utility industrial sector machinations  
**Attachments:** Print.pdf

Thursday 21 July 2022 1200 hours

Ellen Plendl  
Regulatory Consultant  
Florida Public Service Commission  
Office of Consumer Assistance & Outreach  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

To whom it may concern,

I am writing to express my ongoing deepest disappointment that the electrical utility industrial sector continues to mismanage the electrical infrastructure throughout the State of Florida despite given unfettered access to elected and appointed government officials and agencies in the furtherance of policies and agendas in pursuing poorly thought out sourcing of energy resources and a decidedly anti-consumer stance with the rate-paying public across the board. Ongoing investigations continue undercover the long-standing practices by these captains of industry to extract ever larger fees and electrical rates to aggrandize their oversized ambitions by direct and indirect political arrangements in backrooms.

The attached documentation clearly indicates the lengths that the electrical utility industrial sector continues to pursue to ensure their monolithic position in the electricity sector in the State of Florida and letting the electrical infrastructure system put the ratepayers in harm's way..

Please place these observations and articles in the appropriate docket to underscore the overwhelmingly calculated cold-hearted manner that these captains seem to influence the very elected/appointed representatives that should, instead, be seeking to comfort their constituents day-to-day hardships to pay for the aggrandizement of these out sized economic sectors.

Thank you for your time in these matters and hope to hear from you soon.

Sincerely,  
Beatrice Balboa  
1010 South Ocean Boulevard, Unit 1008  
Pompano Beach, FL 33062-6631  
USA

**BUSINESS**

# The Leaning Utility Pole of Coconut Grove

**AJHADA GABRIEL** | JULY 21, 2022 | 9:00AM



Source images by [Boston Public Library](#) (postcard), [McPig](#) (Tower of Pisa) via Flickr Artist conception

For the past three years, Coconut Grove resident Jay Flynn and his wife awoke each morning to a daunting sight: a Florida Power & Light (FPL) utility pole just across the property line in their neighbor's backyard, tilting at a precarious angle over the Flynn's metal roof.

The neighbor declined to comment for this story, but Flynn notes that the adult members of that household, which includes small children shared his and his wife's safety concerns.

FPL, however, did not.

## RELATED STORIES

[Miami Is Hot as Hell and Air-Conditioning Costs Are Rising](#)

[Climate Justice Groups Decry FPL's \\$500 Million Proposal to Prepare for "Extreme Winter Event"](#)

[Waterworld? Five Miami Landmarks That'll Be Better Underwater](#)

Sponsored Content - Levi Wallace previews Steelers 2022 outlook

me

It took countless phone calls before the utility dispatched an electrician to assess the pole's condition, Flynn says. And when the company finally did turn up, the leaning pole was not replaced. Instead, it was anchored to the remains of a decrepit pole alongside it.

"It was scary the way it was leaning, especially with a big transformer on top of it," Flynn recalls, adding that when he asked why the utility wasn't replacing the pole, the electrician told him "they didn't see a problem."

That verdict did not age gracefully.

On **June 6, a powerful tropical weather system** dumped more than ten inches of rain on Miami and knocked out power at some hon in the neighborhood, including the Flynn's house.

Flynn says he read online that power would be restored around 5 a.m. A few hours prior to that, he ventured outside to see whether any FF trucks were in the neighborhood.

The first thing he noticed: the harsh scent of something burning.

"I smelled burning wood like the Everglades fire," Flynn recounts.

It turned out the leaning utility pole had finally fallen, severing a powerline that singed one of his neighbor's trees.



After the storm: FPL finally sent out a crew to shore up the old pole temporarily. **Photos courtesy of Jay Flynn**

"This electrical wire had fallen against a palm tree in my neighbor's yard and completely burned through it. [My neighbor] had removed the tree, but there were other trees that kept the pole from falling completely," Flynn says. "Had it fallen completely, the wire would have hit our metal roof, and I just have to wonder what that would have done."

Power was restored to the Flynn's house and others in the neighborhood the next day, but the fallen pole still was not replaced. Instead, FPL temporarily shored it up by bolting on an angled wooden support.

"We were promised follow-up within a week," Flynn says, explaining that he was told a tree-trimming crew would have to clear the debris before a new pole could be installed. "Not only did that not happen, but repeated follow-up calls to FPL to get something to happen were met with delays and excuses like, 'Well, the problem is this involves two different departments and they're not communicating too well.' Or, 'I'm sorry, that's not done in this department, call this other number,'" he adds.

He says a crew came by on June 23, when no one was home — though they knew his schedule — and left a note saying they couldn't locate the pole.

"When [FPL's] 'vegetation people' were here just after the storm, they cut a minimum of branches — I'd point out branches that were literally *on* the lines — and said another crew would come to clean up, which never happened. They sat in their trucks for an hour talking, waited until quitting time, then left."

The utility, Flynn points out, is **responsible for trimming vegetation that interferes with utility poles**.

FPL finally started the process of replacing the defunct pole on June 29. Flynn theorizes that they were prompted by his neighbor's threats to involve media outlets and take legal action. The job was finished on July 6.



It took three years, a torrential rainstorm, and a month of missed connections, but Jay Flynn and his neighbor finally have a new utility pole. **Photo by Ajhada Gabriel**


"FPL has procedures in place to ensure that our poles are safe and secure for our customers and employees," FPL stated in a comment to *N Times* on July 1, before the repair was completed. "A new pole has already been installed. We are in the process of removing the previous p which has been secured and does not pose a safety or power reliability issue."

*New Times* subsequently followed up with the utility to request comment on the specific problems Flynn and his neighbor faced in the year leading up to the June storm and the weeks that followed, as well as the chronology of work on the damaged pole. FPL acknowledged the

When it comes to reliability, FPL is a perennial contender for industry consultancy PA Consulting's ReliabilityOne Award, winning the honor six out of seven times between 2015 and 2021.

Suffice to say Jay Flynn isn't impressed.

**"It shouldn't take two neighbors to make this many calls and still have to wait a month in hurricane season to get this done."**

[tweet this](#) 

"My dealings with FPL have been absolute nightmares," Flynn says. "With a company making this much money, it shouldn't take two neighbors to make this many calls and still have to wait a month in hurricane season to get this done."

Though the experience left an unpleasant taste, Flynn hastens to point out that some of the FPL representatives he dealt with were diligent and understanding and "had their heart in the right place. They cut through all the bureaucracy, offered zero excuses, and were most instrumental in getting this problem fixed," he says of his dealings with two FPL representatives.

He places the blame for his debacle on FPL's status as a monopoly.



## Antonia Hover

---

**From:** Beatrice Balboa <beatricebalboa@gmail.com>  
**Sent:** Friday, July 22, 2022 1:53 PM  
**To:** Ellen Plendl  
**Subject:** ongoing electrical utility industrial sector electoral machinations  
**Attachments:** Operatives working with FPL plotted primary challenge for Miami senator – Orlando Sentinel.pdf

Friday 22 July 2022 1400 hours

Ellen Plendl  
Regulatory Consultant  
Florida Public Service Commission  
Office of Consumer Assistance & Outreach  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

To whom it may concern,

I am writing to express my ongoing deepest disappointment that the electrical utility industrial sector continues to mismanage the electrical infrastructure throughout the State of Florida despite given unfettered access to elected and appointed government officials and agencies in the furtherance of policies and agendas in pursuing poorly thought out sourcing of energy resources and a decidedly anti-consumer stance with the rate-paying public across the board. Ongoing investigations continue undercover the long-standing practices by these captains of industry to extract ever larger fees and electrical rates to aggrandize their oversized ambitions by direct and indirect political arrangements in backrooms.

The attached documentation clearly indicates the lengths that the electrical utility industrial sector continues to pursue to ensure their monolithic position in the electricity sector in the State of Florida and letting the electrical infrastructure system put the ratepayers in harm's way..

Please place these observations and articles in the appropriate docket to underscore the overwhelmingly calculated cold-hearted manner that these captains seem to influence the very elected/appointed representatives that should, instead, be seeking to comfort their constituents day-to-day hardships to pay for the aggrandizement of these out sized economic sectors.

Thank you for your time in these matters and hope to hear from you soon.

Sincerely,  
Beatrice Balboa  
1010 South Ocean Boulevard, Unit 1008  
Pompano Beach, FL 33062-6631  
USA

# Operatives working with FPL plotted primary challenge for Miami senator

By Annie Martin and Mario Alejandro Ariza  
Orlando Sentinel and Floodlight • Jul 22, 2022 at 6:00 am



## TODAY'S TOP VIDEOS

Top Videos: - Celebrity Makeup Artist Jeanine Lobell's Beauty Secrets

menu

Operatives [working with Florida Power & Light](#) sent the utility a \$3-million-plus plan to discreetly recruit a primary challenger in hopes of ousting one of the utility's biggest foes from the state Senate in 2020 — in the same race that later became central to [Florida's "ghost" candidate scandal](#).

Dan Newman, who had previously worked for the Florida Democrats' legislative campaign arm, wrote the proposal, which called for recruiting a Florida House member to run against Sen. José Javier Rodríguez, who then was a prominent Democratic lawmaker from Miami.

**OS** Top Artic...

READ MORE

**Fried, Crist duke it out in lone Democratic  
governor debate**

Newman drafted the plan at the behest of [operatives at Matrix LLC](#), an Alabama-based political consulting firm that worked for FPL. The firm's operatives would later orchestrate an expensive advertising blitz in 2020 promoting an independent "ghost" candidate with the same last name as Rodríguez who filed to run in his race but did not campaign for the position.

Newman's memo surfaced during [an ongoing investigation by the Orlando Sentinel and Floodlight](#) into Matrix's work for FPL. It shows that an FPL vice president was kept apprised of efforts by a network of operatives to oust Rodríguez, who ultimately lost his race by 32 votes while the independent candidate, Alex Rodriguez, drew more than 6,000.

PAID POST

What Is This? 

## Love the cloud experience?

Open up opportunities across your edges, colos, and data centers with HPE GreenLake edge-to-cloud platform.

[LEARN MORE](#)

Sponsored Content by Hewlett Packard Enterprise

### THE CHALLENGE

The seriousness of this challenge should not be underestimated. Beating an incumbent state senator is very rare and very challenging. Most senators have built up local and regional networks of donors, activists, and community leaders in symbiotic relationships. JJR is no different.

Moreover, because he has had three bare-knuckle, multi-million dollar campaigns (plus a congressional effort in which he was the early favorite), he has a very active, tested core of supporters. Although he has young children and an active law practice, his family and firm will not be fazed by this challenge.

Finally, because he has reliably been among the most progressive members of the legislature, his politics with his base are strong. In all likelihood, he feels no threat of a primary challenge. Research will determine if his confidence is well-founded.

In a memo for Alabama-based political consulting firm Matrix LLC, longtime Democratic fundraiser Dan Newman pitched a plan to recruit a primary challenger for then-Sen. Jose Javier Rodriguez, a prominent Democrat lawmaker.

Alex Rodriguez [has since confessed to having been bribed](#) to enter the race by Frank Artiles, a former state lawmaker [who was also charged by public corruption prosecutors in Miami](#) and has pleaded not guilty. Newman [has been informed by prosecutors](#) that he's a target of the same investigation.

FPL has acknowledged it wanted the veteran senator out of office. He had advocated for environmentally conscious policies the utility opposed and fought plans to expand the Turkey Point nuclear plant in South Florida. The company denies any role in the spoiler candidate scheme.

Newman's June 2019 proposal, addressed to then-Matrix CEO Jeff Pitts, estimated recruiting and promoting a primary challenger for Rodríguez would cost upwards of \$3.8 million, with \$3 million paid by an unnamed "client."

"This will be an extraordinarily expensive program," Newman wrote.

Nobody apparently acted on Newman's plan and no other Democrat challenged Rodríguez, who ultimately was defeated in the general election by Republican Ileana Garcia.

Newman, who said he was a subcontractor for Matrix from 2017 to 2020, claimed this week the memo's purpose was to dissuade Pitts and his colleagues from trying to recruit a primary challenger against Rodríguez.

"Sometimes clients come to a consultant with ideas that are unfeasible or unwise," Newman wrote in a statement to the Sentinel, in response to questions about the memo. "In those circumstances, I aim to satisfy the request while making every effort to dissuade the client by emphasizing the excessive costs, both financial and political, and low likelihood of success."

While Newman's memo did warn that a campaign against Rodríguez would come with a high price tag, he also highlighted the former senator's vulnerabilities, noting that many lobbyists do not like him and might be willing to give money to a challenger.

In a statement, FPL spokesperson David Reuter acknowledged that the utility's vice president of state legislative affairs, Danny Martell, had requested and received the plan.

"While we requested to see the original memo from Matrix once we heard about it, it was not prepared at our request," Reuter said. "Matrix represents many different companies, local, state and federal candidates and other individuals so we cannot speak to whom Mr. Newman is referring to as the 'client' in his memo."

Newman said this week he did not know which Matrix client, if any, had requested the memo.

**Subject:** Items you requested  
**From:** "Ryan Tyson" <[REDACTED]>  
**Date:** 10/3/19, 10:00 AM  
**To:** "Danny Martell" <[REDACTED]>

Danny-

Attached is our original proposal into SD 37 as well as the general election model you requested. It's bleak for an R to win in 37, plain and simple.

Dan Newman's memo was sent to Daniel Martell, a vice president at Florida Power & Light, who requested to see it, according to emails obtained by the Orlando Sentinel.

Joe Perkins, the founder of Matrix, confirmed the authenticity of the memo. Perkins is in a legal battle with Pitts, who he claims along with other "rogue" employees acted without his knowledge while meddling in Florida elections. Pitts, who left the firm in December 2020, says his former boss is selectively leaking documents to smear him.

Martell was sent Newman's memo by Ryan Tyson, a former vice president for big-business lobbying group Associated Industries of Florida, who subject-lined his October 2019 email to the FPL executive "Items you requested."

Tyson runs a dark money nonprofit organization called "Let's Preserve the American Dream," which in 2020 [provided the funding that was used to pay for the ads promoting "ghost" candidates](#) in Rodríguez's Senate District 37 race and two others. Like Newman, Let's Preserve the American Dream has been named as a target in the Miami-Dade State Attorney's Office's investigation into Artiles.

"Attached is our original proposal into SD 37 as well as the general election model you requested," Tyson wrote to Martell. "It's bleak for an R to win in SD 37, plain and simple."

FPL opposed Rodríguez's re-election campaign and supported his Republican challenger during the general election, but was not involved in the recruitment or direct funding of any of his opponents, Reuter wrote in a statement.

Newman's memo warned that beating the veteran lawmaker would be difficult, writing that "the seriousness of this challenge should not be underestimated."

With eight years of experience in the House and Senate, José Javier Rodríguez "looms large" among the five Miami Democrats Newman said he expected to win election to the Senate in 2020. And Senate District 37, which includes downtown Miami and some outlying areas, is "ground zero for Democratic growth," he wrote.

Newman drew extensively upon his experience working as a fundraiser for House Victory, the Democrats' legislative campaign arm, in the memo. Democratic operatives had been "executing a decade-long plan to reshape Miami-Dade politics," he wrote, adding, "I know this because I worked alongside them in the Florida House from 2013 to 2017."

"The prospect of a primary challenge should be kept hidden until (at least) late Spring 2020," Newman wrote. "Because of the need to recruit an opponent, it will be hard to keep it entirely under wraps, but we must try."

The detailed, nine-page memo names state Rep. Nick Duran, a Democrat from Miami, as "the ONLY plausible primary challenger," for Rodríguez. Newman described Duran as "more transactional and business-friendly," than the incumbent. Duran told the Sentinel that nobody approached him about challenging Rodríguez two years ago.

## THE CHALLENGER HOPEFUL

When JJR vacated his House seat to run for the Senate, Nick Duran was elected to the open seat. HD112 is entirely contained within SD37. The seat is comprised of downtown Miami, Coconut Grove, Key Biscayne and parts of Coral Gables.

Duran is an attorney who used to practice with the prominent Miami firm Lydecker Diaz before being hired to handle ACA advocacy and grassroots organizing. He is the son-in-law of Ballard Partners lobbyist Mike Abrams, and the Ballard, Rubin and Book firms have all developed close relationships with him.

Duran campaigns and legislates in a very different manner than JJR, and tends to be more transactional and business-friendly than his predecessor. Their political teams do not overlap and also come from opposite wings of the Democratic community. There is bad blood between the two legislators going back more than four years.

Newman's memo proposed recruiting state Rep. Nick Duran, a Democrat from Miami, to run against fellow Democrat Sen. José Javier Rodríguez. Duran, Newman wrote, would prove "more transactional and business-friendly" than the incumbent, he said.

Newman's proposal also floated the idea of recruiting a third candidate to join the race, though he cautioned he was not certain such a candidate would siphon votes from Rodríguez.

Newman said this week he did not help recruit Alex Rodriguez to run against José Javier Rodríguez and said he counseled Matrix against using spoiler candidates. "I have never been a part of any conversation or plan to recruit or fund" an independent candidate against a Democrat in any campaign, Newman wrote.



### Breaking News

As it happens

Be the first to know with email alerts on important breaking stories from the Orlando Sentinel newsroom.

ENTER YOUR EMAIL ADDRESS



It's not clear if that part of the proposal was the origin of the "ghost" candidate scheme that has rocked Florida state politics during the past two years.

In addition to Artiles and Alex Rodriguez, three Central Florida residents have been charged in connection with the scheme.

[Jestine Iannotti](#), who filed to run as an independent in the state Senate District 9 race, and [political consultant Eric Foglesong](#) have been charged with incorrectly reporting campaign donations. Ben Paris, [who is the chair of the Seminole County GOP](#), has been charged with making a contribution to Iannotti's campaign in his cousin's name.

Iannotti, whose candidacy was promoted in mailers nearly identical to the ones that championed Alex Rodriguez, ultimately received more than 5,000 votes. Republican Sen. Jason Brodeur won the election to represent Senate District 9, which includes all of Seminole and part of Volusia County, defeating Democrat Patricia Sigman by more than 7,000 votes.

Following the 2020 elections, Newman joined Pitts and another ex-Matrix employee to form a new consulting firm, Tallahassee-based Canopy Partners, with FPL among its clients. The utility has said it has since ended its relationship with the firm.

## **Antonia Hover**

---

**From:** Ellen Plendl  
**Sent:** Monday, July 25, 2022 1:08 PM  
**To:** 'Beatrice Balboa'  
**Subject:** Consumer Inquiry - Florida Power & Light Company

Ms. Beatrice Balboa  
beatricebalboa@gmail.com

Dear Ms. Balboa:

This is in response to your July 21 and July 22 emails to the Florida Public Service Commission (FPSC) regarding Florida Power & Light Company (FPL).

We will add your feedback and the articles you shared to our public record.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Consultant  
Florida Public Service Commission  
Office of Consumer Assistance & Outreach  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)