

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 6, 1998

RE: DOCKET NO. 980864-EI - Complaint by Albert Sadaka against Florida Power & Light Company regarding backbilling.

Issue 1: Is there sufficient evidence that meter tampering occurred at the Sadaka residence at 5600 South West 85th Street, Miami, Florida, to allow FPL to backbill the Sadaka account for unmetered kilowatt hours?

Recommendation: Yes. Prima facie evidence of meter tampering documented both in FPL's reports, and during the informal conference, demonstrates that meter tampering occurred.

DENIED

On the Commission's own motion, this case has been set for an administrative hearing.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

[Handwritten signature: J. Terry Deason]

REMARKS/DISSENTING COMMENTS:

Commissioner Deason dissented

DOCUMENT NUMBER-DATE

11261 OCT 12 88

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Issue 2: Is Florida Power & Light Company's calculation of the backbilled amount of \$15,451.79, including investigation charges of \$299.28, for the period March 19, 1991, to March 12, 1997, reasonable?

Recommendation: No. FPL should backbill Mr. Sadaka for the period March 17, 1993, through March 12, 1997, resulting in a charge of \$12,181.26 for unbilled energy. In addition, FPL should bill Mr. Sadaka for investigation charges of \$299.28 for a total amount of \$12,480.54.

DENIED

- See issue 1

Issue 3: Should this docket be closed?

Recommendation: Yes, if no protest is filed within 21 days of issuance of the order.

DENIED

- See issue 1



Public Service Commission

State of Florida

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

DATE: October 27, 1998
TO: Blanca Bayó, Director, Records and Reporting
FROM: Joy Kelly, Chief, Bureau of Reporting
RE: ITEMS 6, 7, 13, 13A AND 13B OF 10-6-98 AGENDA CONFERENCE

DOCUMENT NO. Item 6, Docket No. 980864-EI, 11890, 10-26-98,
Item 7, Docket No. 980896-GU, 11889, 10-26-98
Item 13, Docket Nos. 971004-EG, 971005-EG, 971006-EG and
971007-GU, 11888, 10-26-98,
Items 13A and 13B, 980283-EQ and 980509-EQ, 11887, 10-26-98

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, SOLD

Acknowledged by:

A handwritten signature in cursive script, appearing to be "JK/pc", written over a horizontal line.

JK/pc

PSC/RAR 28 (Rev7/94)

placed with docket # 980864.