

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Glen Webb
Against Florida Power & Light
Company Concerning Tariff Sheet
4.020, Which Allows a Late
Payment Fee to Be Assessed on
Past-due Electric Bills.

DOCKET NO. 990179-EI
ORDER NO. PSC-99-2486-FOF-EI
ISSUED: December 20, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING WITHDRAWAL OF PETITION

BY THE COMMISSION:

On May 24, 1999, Mr. Glen Webb protested Order No. PSC-99-0924-PAA-EI, issued May 10, 1999, in Docket No. 990179-EI. That order denied Mr. Webb's complaint against Florida Power & Light Company (FPL) concerning the application of late charges to balances owed by FPL customers pursuant to tariff sheet 4.020. A time and place were set for a hearing on this matter in the Order Establishing Procedure, Order No. PSC-99-1894-PCO-EI, issued September 23, 1999.

Mr. Webb did not participate in the issue identification conferences, nor did he file direct testimony on October 7, 1999, as required by the Order Establishing Procedure. Based on the petitioner's failure to present an affirmative case, FPL filed a motion to dismiss on October 8, 1999. Mr. Webb filed a letter requesting that his petition be withdrawn on November 10, 1999. Mr. Webb has represented that he has no witnesses and cannot pursue the matter further at this time. The prehearing in this docket was canceled by Order No. PSC-99-2247-PCO-EI, issued November 15, 1999. We hereby acknowledge Mr. Webb's request to withdraw his petition. By acknowledging the withdrawal of Mr. Webb's petition, we find that FPL's motion to dismiss is rendered moot.

DOCUMENT NUMBER-DATE

15457 DEC 20 99

FPSC-RECORDS/REPORTING

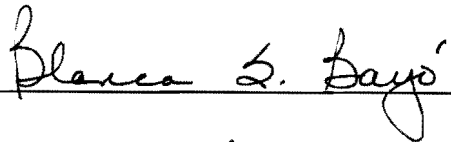
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It is therefore

ORDERED by the Florida Public Service Commission that Mr. Glen Webb's request that his petition be withdrawn in this docket is acknowledged. It is further

ORDERED that this docket be closed 32 days from the issuance of this Order when the time for filing an appeal has run.

By ORDER of the Florida Public Service Commission this 20th day of December, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of

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Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.