

COMMISSIONERS:
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ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

September 12, 2013

Mr. Frederick Smallakoff
6651 Coronet Drive
New Port Richey, FL 34655

RECEIVED-FPSC
13 SEP 12 PM 2:06
COMMISSION
CLERK

Re: Docket No. 060774-EI - Complaint of Frederick Smallakoff against Florida Power & Light Company concerning alleged improper bills, Case No. 696236E and Docket No. 120176-EI - Complaint of Frederick Smallakoff against Progress Energy Florida, Inc. concerning alleged improper bills, Case No. 1059336E.

Dear Mr. Smallakoff:

Enclosed please find a copy of the staff recommendations in Docket No. 060774-EI, and Docket No. 120176-EI, which address your May 21, 2013 letter to the Commission Clerk.

The Commission will consider whether to grant your request for hearing at its September 25, 2013 Agenda Conference. You are invited to participate in person at the Commission office in Tallahassee. If you do not wish to participate in person and would prefer to do so by phone, please let me know as soon as possible and no later than Friday, September 20, 2013. I will relay your request to the Chairman's office. If your request is granted, a member of the Commission technology staff will contact you to arrange the phone connection the morning of the Agenda Conference.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Crawford".

Jennifer Crawford
Attorney Supervisor for
Michael T. Lawson
Senior Attorney

JSC/ace

Enclosures (2): Staff Recommendation dated September 12, 2013 in Docket No. 060774-EI
Staff Recommendation dated September 12, 2013 in Docket No. 120176-EI

cc: Ann Cole, Office of Commission Clerk (without enclosures)

Fax #
850-717-0114

Frederick Smallkoff
6651 Coronet Dr
New Port Richey FL
34655

March 20, 2013.

Miss Ann Cole
F-PSC office of The
Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, FL
32344-0850

FPSC, CLK CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>11312-07</u>		
DISTRIBUTION: _____		

I request that these documents, faxed to your office, be made a part of the record of my complaints, Docket #120176-EI, Case #1059336E and Docket #060774-EI, Case #696236E. Thank you.

Frederick Smallkoff

32 pages

FAXED TO CLK
3/30/13
processing instructions:

Please place in correspondence per my conversation with Mr. Smallkoff this date. He intends to mail these documents as well, with instructions for us to file them in the official record.
- Ann Cole

To the Commission, PSC
March 4, 2013
Re: Docket # 1201176-FI
Case # 1059 336P

FAX #
1-800-511-0809

contents.

- My letter to the Commission dated March 4/13
5 pages
- my letter to the Commission Clerk
1 page dated June 15/2012.
- My letter to the Commission Clerk
dated Dec. 28/12 3 pages
- My letter to the Division of Regulatory
Compliance dated Oct. 30/06. 1 page.

fax # 1-800-511-0804.

Mr. Frederick Smallkoff
6651 Coronet Dr
New Port-Richey,
FL 34655

March 4, 2013.

The Commission's
Public Service Commission
2540 Silverman Oak Blvd.
Tallahassee, FL 32399

As with the previous Dickett Case addressed
in my letter to the Commission, I also want to correct the
sanitized term used by Progress Energy and the PSC
especially the legal department as to the term 'unproper
bills'.

These were purposefully created charges
and billings so as to cause problems involving targeting
due to the the abuse of power and influence by ex-
ternal third parties as with the other utility, that was
done in the same identical way.

For targeting purposes, one attack is good, two
is even better, that will really tie him up, keep him
going and stretch him out.

Progress Energy seems to be able to create
charges and bills all over the map regardless of the
climate conditions or the actual usage.

In Jan. of 2012 the bill was \$268.90, in November
of 2011, \$109.30. In Jan. of 2010 \$369.17, in Mar. of
2011 \$107.35, in Oct. of 2011, \$104.48

I will refer the Commission to my letter of
of 12/31/12 to Miss Ann Cole, the Commission clerk.
This letter addresses the PSC legal Dept. and M.
Lawson.

This letter (contents of) were never examined by those at the PSC legal Dept, nor were factors and facts ever mentioned by Midawson in his report and recommendation. It was totally ignored and omitted by him and the legal Dept according to what he was told to say by his supervisor, J. Crawford with full knowledge by the Counsel General, C. Haisor.

As to shutting off my electricity in the first instance that was addressed in my Dec. 31/12 letter. J Crawford in cooperation with a Miss Suetanovich of Progress Energy ^{have} ~~force~~ Progress Energy permission to disconnect my ^{power} before the case was closed and ^{with} no notification. Mrs W. Fovsman advised me that she was cited for that violation.

In the second instance their superior tactics and games were played by Progress and the PSC. This was addressed in that same letter. I advised them of it ~~at the time~~.

Many of these facts and issues were addressed in my letter to the Commission Clerk dated June 15/12. These letters were passed on to the PSC, but were ignored. The reason given by Progress Energy to now demand a deposit, because they had to disconnect my power twice! Considering how and why it was done, this non-sensical rationale was supported by Lawson.

The matter of time to provide whatever more information was addressed in these letters at sequential. Progress Energy and the PSC legal dept, then turned him around, so as to close and eliminate my case as soon as possible. During a great period of time, Midawson absented himself from the case and me. He had to be chased down by Mrs. Fovsman to attempt contact me. He did absolutely nothing to investigate the facts and issues beneficial to me and my case as he was told to do by his supervisor at the legal dept. Regarding his "report" to no evidence of meter tampering contained in his paragraph 10.

a couple of years ago a senior meter specialist from Progress Energy inspected the meter while I watched

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He was surprised that the coloured metal tub was not the one he installed, not his. He was disturbed that someone had accessed my meter after he had previously with no report or record being made of it. When questioned further, he stated that all meters can be manipulated. According to Mr. Jackson, staff reported that there was no indication of meter tampering. When I relayed this information to J. Crawford (while she was still mishandling my case), I informed her that if my my opinion that she and Progress Energy would have this honest expert technician without a job if he didn't retract or deny his statements. It turned out to be true, as some time later J. Crawford denied everything.

Some time prior to that, when manual readings were taken, the reader took a reading next door, completely ignored my meter and walked across the street. When I reported it to his supervisor, he stated that he did take the reading "on his mother's phone". When I told him that I had a witness to this event of non-read that was standing right there with me and saw the whole thing. Now he didn't know what to say. He was willing to challenge me, my word against his including his mother's grave comment until I confronted him with a witness who could prove my veracity. At some point subsequent to these events I was asked to have an electrical metering / measuring device placed at the residence to monitor usage. I readily agreed.

This was to be done by an independent electrical contractor (at the cost of \$300/day, I was advised). This device remained at the residence for some 5-6 weeks or so. At the end of this period I asked the technician as to whether he had obtained what was needed for an assessment and report. He responded that he had, and the device could stay there forever. The device was then removed by that same electrician.

Some time later, he pulled out charts, graphs which would rival some NATA presentation and meant to baffle me.

By his manner and statements, the whole presentation seemed disingenuous to me. After getting to the core meaning of it, I asked him to state in plain language as to what the results were, after this extensive, severely technical testing. He now states unequivocally that they found nothing wrong at all with the residence. So as to generate high electricity usage! They went to great expense hoping to find something, anything to justify their high bills and found nothing.

I refer you to Lawson's paragraph six, after I had agreed to the most intricate and technically detailed testing, Mr. Lawson had the gall to make this deliberately false accusation and his statement. A home audit is infamously compared to the extensive testing done already. Mr. Lawson and his "staff" not only deliberately omitted the above stated events, although he and the legal dept. and other depts. within the PSC had full knowledge of it, he chose to avoid stating the blatant facts of my case beneficial to me and instead focused on and accusing me of declining some, infamously Home Audit. He should be held to account for his false and perjorative actions and mistreatment obviously calculated to deceive the Commission into believing his essentially false report and an environment for Progress Energy's benefit.

By showing the Commission with irrelevant "facts" and covering up and omitting the true facts, his reports are false and meaningless and only attempts to bury the truth in paperwork. If the PSC legal dept and PSC had spent 1/1000th of the time revealing and depositing the true facts of this matter, this agenda would not be taking place today, but that is what was not intended.

The PSC legal dept attorneys must also be held to obedience of the Courts & rules of the Florida Bar, regardless of any assurances that there won't be any accountability.

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The same points that were made in my March 11th letter to the Commission as to the other Rocket and Utility copy here.

A few days ago, Mr. Lawson finally called me, to advise me that a mistake had been made in the disputed amount! He was aggressive and confrontational and raised his voice to me. I simply asked him as to what he had investigated the 26 thousand dollar in hard copy and since he stated he would at the outset before he absented himself from the case.

In an amazing statement he said that he doubted that that abundance of paperwork on my was ever generated or that it existed!

This while I was looking at the boxes filled with files sent to me by the Commission Clerk! So much for the veracity of Mr. Lawson and the legal dept. he then hung up on me as called.

His actions and activities have been addressed in other and previous letters. His false and prejudiced "report" generated and biased for the benefit and cover up by Progress Energy should be disregarded by the Commission.

As with the other case piled on together for two 5 minute presentations is impossible task. I will not jeopardize my health and safety for a long drive to Tallahassee for the privilege of a five minute presentation for a docket. I have already addressed the predictable outcome of these cases and as to why, in my previous letter to the Commission.

The only reason that I have agreed to participate in this telephonic agenda, was so I couldn't be accused of defaulting or abandoning the case.

Sincerely,
Theodore S. Mark

To the Commissioners PSC
March 4, 2013
Re: Docket # 060724 E1
Case # 696236 E

Fax #
850-487-
1716

FAX

my letter to the Commissioners dated March 4/13.
14 pages

my letter to Miss Ann Cole, PSC Commission clerk
dated Dec. 31/12
6 pages

my letter to Miss Ann Cole - clerk dated Dec. 28/12
1 page

my Credentials 1 page.

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Mr. Frederick Smalukoff
 c/o 572 RiverView Blvd.
 Daytona Beach
 FL
 32118

File # March 4, 2013.
 850-487-1716.
 1-800-511-0809.

The Commissioners
 PSC
 2540 Shumard Oak Blvd.
 Tallahassee FL 32399.

Re: Docket # 060774-FI
 Case # 696236E

I am a 72 year old man, who suffers from congestive heart failure, have a defibrillator implanted, with serious medical ailments and injuries sustained by a car crash, where I nearly lost my life and was hospitalized for 2 months. All this was known by those at the PSC throughout as well as those utilities involved, throughout.

I want to correct the erroneous and sanitized terms being used in both dockets, by the PSC and the utilities. These charges were knowingly and calculated in a purposeful manner to be borne. They were used as a vehicle or tool to begin the process of targeting for harm at the request of external third parties who have abused power and influence to facilitate this targeting for harm process using those utilities, none better with their enormous clout, influence and power. All they have to do is create a false bill, demand that I pay it or they will disconnect power, electricity which of course everyone needs.

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Battered with vicious slander, character assass-
 nation, libel, hate mongering, instructed to promote
 and permeate the system to any one who would listen
 (actions and activities which are in violation of
 the law and actionable), which allowed their
 employees to behave in a manner vicious and
 out of control, without any fear of accountability.

Certainly not by the PSC

For years, when the bills and charges were
 properly and fairly administered, even a cursory
 examination will show that I have paid my bills,
 on time, every time. The average charges were
 between 45 and 65 dollars. I did not feel that
 FPL chose to ignore and the PSC (attorneys) chose to ignore.
 I have all my receipts and cancelled checks in support
 of this. I also have a stack of threats to disconnect my
 electricity if I did not pay their false bills for July

August and September of 1905. The charges before
 and after, went back to normal with nothing changed
 except during those made up bills which they knew
 that I would complain about and contest. There was
 no factual or technical basis for these false charges
 except the demand payment play games, tricks,
 act badly and run with it for as long as possible.
 To get me through it, that's what the 3 parties
 wanted and it's what was done.

Any and all attempts made by me through many
 phone calls were rebuffed by those coached
 employees at FPL, snuffing me from pillar
 to post, being angry and confrontational by coached
 design, putting me on hold for interminable
 periods of time and the characteristic hanging up
 on me.

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A perfect case in point and example, as Rose Anne Lucas' name is listed in Martha Brown's "report",
 in once again trying to determine who was bombing my
 car, which changed constantly, it was decided that
 Rose Anne Lucas was by the person on driving the
 phone, she literally screamed across the
 room "That the devil want to talk to me!"
 This is typical of the antics, tactics and coached
 behaviour that I had to contend with to try to
 find some resolution and admissions to what they
 were doing, and not the sanitized versions
 promoted in the statements of "reports" and promoted
 by Mrs Brown as fact to be used in her
 "recom mandation" in cooperation with FPL towards
 elimination of the facts and my case. In those
 rare instances when I tried to speak with Martha
 Brown, it was evident that she was spooked by the slanders
 and character assassination that was being promoted and
 refused to listen to the facts and evidence that existed,
 and always ended with her hanging up on me in
 the signature coached disrespect.

This was done countless times, my telephone
 records of my calls to get them to listen and
 properly respond and resolve the matter was
 met with the game playing and disingenuous antics.
 They wanted no part of resolution.

At some point in Sept of 1905, I readily agreed
 to have an FPL Power Quality Engineer, Rolt
 McCormick thoroughly examine and assess my
 power usage and residence condition. This, even
 though the long standing mis low of usage has been
 well established for years with proper billing.
 When completed I spoke to him personally as to
 his findings and the results. He stated unequivocally
 that there was absolutely nothing abnormal as to the
 power usage of the residence and stated that he did not
 know why those bills in question were so high.

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I requested that he put down in his report exactly his findings as he explained them to me with no changes. He assured me that he would. His initial report was beneficial to me, supportive of my contention that those high bills were inaccurate. That didn't happen.

After waiting a considerable period of time for his report, it didn't arrive in what should have been a short process time. I finally received it weeks later and was surprised to find that the original envelope that contained the original report was enclosed in a small manila envelope.

The letter that was in the envelope originally was obviously steamed open; it was obviously played with and doctored with crossed out addresses, stickers and labels so as to try to hide the fact that it was tampered with. The original report as stated to me had been removed and replaced with a benign, meaningless short letter, and not the comprehensive report as he stated to me that he would send unchanged. The original was removed, replaced with this meaningless 2 short paragraph letter, and then, the steamed glue plug was taped over with cellophane tape they sent the shabby replaced letter in the original doctored envelope!

I tried to contact Mr. McConville so that he could explain the monumental discrepancy. I was not allowed to speak with him or contact him. I even went to its facility where he operated from in Williamsport. They were waiting for me. After telling me that he didn't work there, (even though he listed that as his address in this letter, that they didn't know him, or who he was, and in general having a good time constructing me from seeing him, after finally admitting he wasn't there!

The number and character of instructions had even permeated those at this third liberty facility. After pulling through and investigation on my part, the following occurred: upon receiving the T-21 hierarchy, they did not want the original

report, beneficial to me and found no fault with the residence whatsoever; they did not want their original report done by their own report to exist and certainly not sent to me.

FPL requested of the Post Office, that their carrier remove this piece of mail from my mail box and return it to the Post Office and then sent back to FPL. After playing games and being unavailing the Postmaster at the Beach St. facility admitted they had removed the mail from my box, and he refused to give me the name of the carrier involved, and in essence stated that they could do whatever they wanted. They can't, as it is a Federal offense to tamper with or remove mail from a persons mailbox once delivered, by anyone, including the Post Office, who should have known that above anyone. Other departments within the Post Office confirmed that the mail was delivered to my box and should have stayed there and never been removed. Removal of mail and tampering with mail is a severely punishable offense, by Federal Law.

Subsequent comments used by Martha Brown in her "Material" used for her recommendation, about my not having any evidence and/or refusing to provide it, by those within the FPL and the PSC were about this fact in order to cover up and whitewash this serious act. I told this to many in the FPL and PSC, but it was ignored and suppressed so that it didn't happen.

When it was brought up to Heidi Ellenburger after her call, to remove the charges, which never should have been manufactured in the first place, she blurted out that "that's illegal".

In a subsequent conversation with Heidi Ellenburger, after consulting her superiors, she now took the position that "it didn't happen". This, however it was admitted to by those in the Post Office and that I had the doctored envelope in my possession as well as their refusal to allow the technician to speak with me again. So much for their veracity.

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and honesty regarding all aspects of their approach to this matter and the actions and activities throughout. There is only one reason, regardless of how it's twisted and deduced now, as to why this illegal act was perpetrated. There was absolutely nothing wrong with anything on or in the property, to warrant or generate these inordinate and falsely generated high bills, stated verbally and in their original report by their own expert which FPL went to great and illegal lengths to change and cover up using and eliciting the assistance of a federal entity, the Post office to do it. It also clearly shows the abuse of power and influence by those third parties, entities and individuals to effectuate it. They did it with the assistance and cooperation of those within the PSC, especially Martha Brown in refusing to admit to it and certainly by suppressing and avoiding it. She should have listened and paid attention to the facts and evidence of this case, instead of being angry confrontational, cooperative with the FPL, affected by the slanders and defamations introduced by these third parties and hanging upon me day in and day out as she was coached to do. She also is subject to allegiance of the Canons & Ethics of the FL Bar in the performance of her duties as a lawyer.

The very same abuse of power and influence to generate these false charges, to get their foot in door to begin the targeting process.

Her sis Ellenburger states in her letter that FPL does not forget people, a convenient bias which looking at the sleight of mail to hide an honest report and all that this act entailed.

She also stated that if it happens again (it has been done twice already) to call her. My response was that if its primarily, or FPL tells her or anyone in the FPL employ to do it a year, you will. Her response was "well everybody's got a boss!"

if the Commission accepts this type of illicit activity to target an elderly disabled person to extract revenge and retribution by the abuse of Tamil porters with all the false statements, outright lies and fabrications, calculated and coerced abominable behavior by FPL employees and supported by the PSC including their legal department it will be a travesty upon history and the Commission in his missing this case will give them a pass on everything they've done, and surely give them the green light to do it in the future.

The protected sum of \$200, was reduced by my continued payments of those monthly statement periods as a letter to Kate Smith of the PSC, and she questioned how that sum be played ^{out} ~~with~~ ⁱⁿ ~~the~~ ^{protected} the amount being contested and not to be ~~used~~ ^{in protected} or touched. Even Kate Smith was at a loss on why this was being done.

I always continued to make my payments to those periods in which they were generated and never within normal limits again. I have stacks of notices to disconnect, for those false charges, which Mrs. Brown only inserted two under "report" and her recommendation and denied knowledge of the next as an ongoing tactic by FPL.

FPL inserted anything and everything that were outright lies, absurd statements, that they attributed to me in their communications and reports between themselves and the PSC that have no connection with reality. These in futile attempts were meant to insult, demean and ridicule me that went way beyond absurdity. One particular obvious and stupid word rep statement that they took great pains to insert several times was "the FPL reporting system current through his action on his instructions from the Government with whom he is having problems". These vicious false statements should be seen for what they are and humbly rejected. These ridiculous misstatements and lies were accepted by Mrs. Brown and the PSC legal team without question and used in her determination of her "recommendation".

Would the Commission accept this type of
mindless tripe created for harm and disparagement
over and over again in their concerted attempts
to cause harm and ridicule rather than admit
to their tactics

These FPL employees need to hold to account
for making these false absurd misstatements
in their reports and communications with each
other and the PSC. For Mrs. Brown to embrace
and use them is also a travesty, knowing full
well what they were and what was intended.

I have paid those fair bills and charges every
time, on time for years contrary to what is being
misstated by APL. I have all my receipts and
copies of my checks and statements to prove it.

I have made my complaints to the Inspector
General, Steve Stalutz of the PSC who was not
receptive to my valid complaints and was dis-
missive and not as stated in the communications
by Kate Smith and others.

At one point I had expressed my complaint to
him for about an hour and when I was done
he asked me if I had any complaints to make!
Recently, he denied our having this discourse
and that he had no notes on it!

Apparently the only reason he listened, was to hear
"what I had" and pass this information over
to PSC legal and all other depts. I believe that
he is/was aware of what was transpiring at the
PSC and did nothing, as his function requires
of him.

Since what is being presented here by the FPL
and PSC legal is too lengthy and time consuming
to address every false statement made and action
taken, in the five minutes allotted to me by the
Commission for each packet, I categorically
deny and disavow all of these false
misstatements and activities by
this letter to the Commission.

I am prepared to go over, discuss and expose the true facts and issues when afforded the proper time and venue.

At some point some time ago in a discourse with the General Counsel Kurt Krasser, I came to state that I took my valid complaints to their American Regulatory Compliance and Customer assistance headed by Dean Hoppe when their violations and bad behavior occurred. I was shocked to hear him call me a miscreant name for doing so.

When I objected to this name calling insult, because I went to the proper Dept with my complaints, which is where it needed to go.

He did not apologize for calling me names but instead cautioned me against telling anyone that he had done so!

I will take a polygraph as to this event, if he will as well, to prove my veracity of what occurred.

The Counsel General would never respond to my calls to appraise him of what was happening, again.

at that time, when I reminded him that he and his staff of lawyers were required to adhere to and obey the Canons and Ethics of the Florida Bar, he denied that, stating that his position with the ASC excluded him (and his staff) from that.

When I stated that he or any lawyer, regardless of who they were employed by came under the purview of the Canons and Ethics of the Florida Bar. After denying that they had to comply initially, he now had to begrudgingly concede that they did. Why try to give me dis information, this type?

at the beginning of June or so, I made several calls to seek Mr Brown who was supposed to be handling this case. He eventually called me back and left 2 messages on my answering machine saying: "stating on one that, nor recommendation was not finalized at this point and thus I don't know exactly what I'll rely on". As normal it finalized

I'll call you and somehow get the information to you by fax or by letter. This was to my request that she provide the information that she was going to use for her recommendations to Hoff.

Her recordings from her were made at the beginning of January 2013.

In another recorded message she stated that "the date has been changed (from Jan 10/13) and hasn't been reset, tomorrow, after we reset it perhaps we can talk a little bit about how to resolve this complaint without going to Caganda, because to me it's pretty much settled.

This recommendation and Caganda dates were arbitrarily changed with no notice or consideration for me. She later went on to blame me for delaying these dates, when it was the Legal Department and the Commissioners doing.

When I received the packet of material dated Feb. 21/13, I can easily see why she had refused to provide me the information I requested and that would be used for her recommendations until the last minute and any request for an extension rejected by all.

As far as she is concerned the "matter is settled". Forget everything that was done to me over a long period of time and put me through, now, the FDLE wanted it dispensed with, without exposure or analysis or retaliation as to the targeting to begin with.

I was surprised to see that Mrs. Brown CC in her Feb. 21/13 letter to me, Melinda Miguel with the Governors office listed as a partner in Mrs. Brown's actions. It was benign in the extreme. I applied to the Chief Inspector General's office to file a complaint against Gene Aolting, the PSC Inspector General. Mrs. Miguel advised me that she neither requested or wanted what Mrs. Brown sent to her and that her only purpose in contacting the PSC on my behalf was to report the material that Martha Brown was going to use in her recommendation and for an extension of time to deal with it.

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for me. It was a gesture of decency and professional courtesy by Melinda Miguel as Chief Inspector General, that she would make those requests on my behalf to the PSC and that was all.

To make believe that some how the Governor's office was somehow ally with everything that Mrs. Brown and the PSC was dishonest in the extreme and is typical of the manner in which Mrs. Brown has conducted herself towards me and my core throughout.

It is essential to be stated that during my conversations with the Office of Public Counsel their senior experienced long time investigator made the statement several times that "they really hate you, as like you over there (referring to the PSC and the utilities) and they are working hard to glove against you to gether."

It was clear and apparent to me over a long period of time that that condition existed, but now it was certified by a person, as credible witness who was in a position to know. The Office of Public Counsel is aware of the observation and statement made in this regard.

Primarily, this serious revelation should be paid attention to by the Commissioners all of this applies to Docket # 120176-FI core # 105 9 336E as well, explain again

Proper Enquiries

In my efforts to obtain assistance, most recently to obtain information from Mrs. Brown and to obtain an statement, amongst the agencies I contacted was that of Citizen's services about a week ago. They were willing to help, would assign an investigator to the matter and make my requests to the PSC by e mail.

After talking to a Miss Plendl from the Regulatory Dept, Rand Rowland her Supervisor and others in the PSC, they totally shut down and now denied and refused anything. There was no doubt that the same promotion of Harbison, character assassination and hate-mongering was used to spite and obstruct my assistance. This was made by Miss Plendl and Randy Rowland to squish any assistance to me.

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Once again the PSC has gone out of its way to obstruct and thwart any outside assistance that I have sought to obtain.

The Commission should take note of this fact of immoral, dishonest and unconscionable behaviour by those at the PSC, and certainly shows what their position is regarding me and my case. These truthful revelations cannot be dismissed, exposed or ignored.

The supervisor of this Agency was out of control in his antagonistic obstruction, after having "talked to some people at the PSC". At about this same time I sought help from a local politician who at first seemed ready to assist. He subsequently stated that he had spoken with the General Counsel C. Kaiser and the whole atmosphere changed. Arrangements for other things he now refused help and plot out told me that "You are not going to win this one". What it was that I had "won" at any time previously was not stated. It is clear that the General Counsel and the PSC, once again had interfered against me and my case in seeking out & do assist time.

I believe that this Counsel General used that same vicious slander, character assassination, libel and prejudice promoted and inserted by the abuse of power by these third parties, with this politician to thwart any assistance.

These actions and activities are also in violation of the Florida Bar's Rules of Conduct. Section 1.1, 2.1 of the Florida Bar's Rules of Conduct (a) state or imply an ability to influence improperly a government agency or official. (and) engage in conduct that is prejudicial to the administration of justice. It goes on to state that lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of an attorney.

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It certainly shows why the PSC and their legal department allowed these activities to target me with impunity in the manner in which they did at the behest of the abuse of external third parties purely to obstruct damage and harm.

I would suggest that Mr Kaiser and his staff attorneys familiarize themselves with Section 4.84 of the Florida Bus Canons and Ethics deal ing with this conduct.

I was only informed by chance on the Friday before last that these two dockets would be lumped together and I would be afforded the "opportunity" in two 15 minute sessions to "present my cases".

It is an unfortunate task considering the obstructions and everything that was done string out over a long period of time.

Placing the care in hands of senseless paperwork cannot mask the truth of what was done and by whom.

Since these cases have already been predetermined and decided in advance, as clearly shown by the politician who told me I wasn't going to win this one, and Mrs Brown, even prior to submitting her recommendation based on false continued dis-information, in a purposeful way, to no to say in fact she's concerned the matter is settled.

The only reason I agreed to participate in the phone conference agenda, was so that I could not be accused of abandoning my cases.

In summation, I did not owe these created for harm & all charges which were only used as a tool to begin the targeting process.

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I have also enclosed a copy of my credentials, to try to
offset the serious personal attacks perpetrated upon me
by those involved with the FPL and PSC.

It's evident, that the Commission should seriously
consider the true facts of these cases and not the
total falsity that has been and is being promoted by
the FPL and in concert with those of the PSC.

Sincerely,
Y. Kevin G. Galloway



In Appreciation of
Loyal and Dedicated Service,
We Take This Occasion
To Honor

Capt. Frederick Smallakoff

Who Is Retiring
After Serving TWA
With Distinction From
Sept. 7, 1964 To May 1, 1986



Richard J. Kenny
Senior Vice President
Flight Operations

Ronald E. Reynolds
Vice President
Flying

120176-21

12 JUN 19 11:13:05

Mr. Frederick Smaliakoff

6651 Coronet Drive
New Port Richey, Fl 34655
June 15, 2012

RECEIVED-FPSC
12 JUN 19 AM 10:13
COMMISSION
CLERK

FPSC Office of the Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Miss Ann Cole- Director

I wish to file a formal complaint/proceeding against Progress Energy of Florida. My informal complaint #1059336E was summarily dismissed by John Plesko of the Process Review Group without affording me the opportunity to contest the original report and his final report. These reports generated were flawed, inaccurate purposefully misleading and incomplete.

He stated at the outset that he wished to dispense with my complaint rapidly. He accomplished that. He has, in the past, and now, been dismissive and greatly adversarial in any complaints

that I have made and has always taken Progress Energies' position on all points all of time, every time, regardless of the facts. I therefore, disagree with those reports.

I have paid my power bills for years each and every time when Progress Energy has avoided periodic tactics and activities for ongoing harassment purposes. I have only questioned and contested those bills and activities by Progress Energy, in concert with others when they were clearly exhorbitant, false, unfair and inexplicable compared with my historical usage and clearly appear to be created and calculated to cause problems for me.

There are at least 26000+ pages of records in hard copy and disc, that has been created and generated on me and my valid complaints, most, if not all of it self serving, coloured and false which clearly indicated targeting of me as an individual for continued harassment, discord and harm, by Progress Energy in concert with others. This ongoing practice needs to be thoroughly and sincerely investigated to cease.

No other regular customer/consumer with a regular householder account has ever been subjected to the unimaginable gross and inordinate volume of this type of record generation in all of Florida, or anywhere in the entire country for that matter. For what purpose and intent this was done needs to be ascertained. Because I made a few justifiable and valid complaints?

It clearly shows a targeting intent/process and coverup by Progress Energy, assisted by others due to the severity and magnitude of both their legal and moral violations including the abuse of power and the influence to effectuate it.

COMMUNICATIONS SECTION

84002 JUN 19 2012

FPSC-COMMISSION CLERK

I also disagree with the letter dated June 4/12, generated by Jennifer Crawford of the PSC . Any previous attempts to discuss any complaints with her were met with blatant hostility, aggression beyond just rude behaviour and hanging up on me by coached design. I have repeatedly informed those at the PSC that I no longer wished to even attempt to try to communicate with her on any basis.

She had previously written a false report in concert with her "contact" at the executive offices of Progress Energy, during which she took Progress Energies' position on everything, as she always has, including stating that they had observed proper procedures in disconnecting my power due to a disputed bill. It was subsequently proven to be blatantly untrue and she knew it. I have just been recently appraised that Progress Energy was cited for this violation of the rules. So much for Jennifer Crawford's veracity and intent to cover up these violations and actions. She needs to be reminded that she is obligated to observe and obey the Canons and Ethics of the Florida Bar, in spirit and letter, regardless of who employs her or whatever influence exists.

I therefore refute and disagree with her June 4/12 letter and report. Progress Energy, apparently takes great pleasure and satisfaction in setting up false billing and other scenarios and activities and when I have the temerity to question and dispute it, to disconnect my power.

I am seventy three years of age with multiple serious and permanent physical health issues and injuries. It is a fact well known to those at Progress

22


Energy and the PSC, including the use of a heart monitor. Still all parties continue to engage in this prolonged and ongoing creation of incidents and harassment and stress with full knowledge of what they are doing and without any regard to any sense of decency.

It has be observed and stated by arespected State Agency, on several occasions, that there is an intense dislike and animosity widespread with Progress Energy and the PSC towards me. It certainly explains a lot.

Sincerely,



F. Smallakoff

PS. I wish to be a party of record in these formal proceedings/complaint. 

1
 Ref 850-717-0114

Mr. Frederick Suedhoff

6501 Coronet Dr
 Newport Richey Fl.
 34655

Dec. 31/12

Miss Ann Cole

PSC Commission Clerk

2540 Shumard Oaks Blvd.
 Tallahassee, Fl. 32399

This letter is to address a Nov. 20/12 letter created by the PSC legal department and copied by Mike Larson, senior attorney.

It is, I believe a focal point created for which there is no basis, for the purpose of closing the case # 120176.

It appears that this letter was created by those at PSC legal, in concert with Progress Energy to creating a situation in closing any case and dismissing any case without addressing the facts and issues.

There is no other cause or reason for submitting this "requirement" now, as a deadline to comply with an impossible task due to the mis handling of my case and the sheer volume of information required, with no opportunity to address the multiple instances of wrongdoing on the part of Progress Energy with the complicit and cover up by some at the P.S.C.

My informal petition was summarily dismissed with false and fabricated disinformation by John Plakow at that level without providing me the opportunity to respond.

2

My petition (Form 1) was filed in June of 2012. After complaining to Mr. Neil Forsman that no new attorney has made contact or appearance to take over my case, due to the misconduct of the previous attorney, Jennifer Crawford.

Let his initial contact made sometime in mid July of 2012, a month and a half after I had filed my complaint, and at the behest of Mr. Forsman, Mr. Dawson contacted me.

As to my inquiries as to what Mr. Dawson's responsibilities were reference me and my case, it was stated that "he pulls everything together, he conducts an investigation on my behalf, gathers all of the facts, brings everything together, from the Co (Proctor) also, negotiates the facts with their legal people and tries to attain a favorable resolution and issues a recommendation to the Commissioner. That he needs to fully understand the case and needs to be a part of everything on both sides.

When Mr. Dawson contacted me around July 11/2, I went over many of the facts and issues, and locations, his behavior and unethical mis conduct kept some at the PSC and by Progress

Energy;

It was made plain that after their initial conversation; that more conversation and facts would ensue and would be taken and discussed by Mr. Dawson associated with the case and not just billing matters.

It was made clear and understood by him. I was ready, willing and able to continue to supply him with information and facts on the case, but he was unavailable prepared to return my calls and made no contact with me. He was absent for a long period of time.

I complained about this to Mr. Ferguson,

who stated that he would try to trace him down.

"As the investigation in the marriage letter,

we" (meaning his supervisor, J. Lawrence Cotton,

at the Legal Department and with Program Energy

"have no jurisdiction, is his name to me now

and unless, as we do have access to me now

for his shortcoming in not being available and

about.

Mr. Baker, I informed him that from my

receipt of your letter, my letter (plus

pages of document which pointed on me and which

was not to be used with any other documents

of interest. It was unclear why, he stated, he

didn't know and wondered why he didn't have the

letter from the matter that he was referring to.

in his letter. He stated that he did not

that document, and kept it to do with

date he had reviewed this matter. No doubt

he was advised to ignore it by his superiors

the other matter that he received a letter from

Program Energy stating that the document should

deposits were taken with program. When I returned

the matter per a copy, he now stated that he

was not to be seen it, saying "he" - "unassigned it,"

that he would look for it some time. He did not

provide me with a copy.

The supervisor of this additional burden

was obtained by looking by some of the PSC

once for energy. The document given was that

it was impossible because they had to be removed

very soon after in one year. When I returned

in the first instance, after Mr. Cotton

had written a letter report along with Program

Energy and before closing the case, my name

was also included. The persons named me

then he stated a statement and letter

regarding Program Energy for being

4

In the second instance, I was instructed by a PSC representative to only make a partial payment (as only being required) and if Progress Energy turned my power off, to call them (PSC) and that they would have them reconnect it after I made the payment, my power was disconnected.

I called the PSC, they would not allow the representative who gave those instructions to speak with me. The matter was sent to Rhonda Beck (whose antagonism towards me was well known), who denied that this representative gave those instructions, and said to say it, then, even if the best say it - ~~enough~~ ~~making~~ ~~mistake!~~

This calculated tactic, planned in advance by Progress Energy and the PSC as harassment was vicious and unconscionable. In addition to being seventy-three years of age with multiple health problems, I am on a heart monitor that requires electrical power. None of these people has ever held accountable for their actions. For this Progress Energy covered me a deposit requirement.

As to the fair finance, during the initial contact Mr. Dawson understood that it would take time to provide additional information towards the investigation. He stated that he didn't see any problems with granting such time as was necessary. He discounted fees, as unacceptable, or refusing to pay anything while in the process, but so long as I was paying my bills aside from the \$3200 in deposit that Progress Energy could live without that sum, and that it was a non issue as to time needed.

Now, they have come up with the Dec 31/12 deadline or they will close the case!

It was a planned exercise to close and eliminate my case.

5

I believe that the intent of their unreasonable beach line demand in providing material was due to Progress Energy dictating to the PSC in what appears to be a cozy relationship to cooperate with the case, me, and everything that goes along with it; so that there is no public exposure of the true facts and instances of gross misconduct on the part of some at the PSC in concert with Progress Energy.

I have noticed what Mr. Hansen has or has not investigated or what he has in his files. I do know that he has renounced himself as to his obligations as stated at the outset and has taken an adversarial, obstructive position towards me and my case and the issues involved.

As to his statement (Nov. 20/12 letter) that "we" would ask that you submit any and all information (what does he have and what does he have to submit) no later than December 8/12 and wherein before five was no non issue, has now been manipulated to be an (unreasonable) issue.

It is to be noted that the Council General, Ken Curt Stover has repeatedly refused to respond to my calls, as was his assistant Jerry Fleming, who repeatedly stated, "I don't have time to do that," during those calls in which I wasn't disconnected. I called Mr. Kuser as dates last summer, when he also refused to take my calls.

I have also contacted Mr. Steve Slattery, the Inspector General, whose function and duties are clearly defined and approved in the situation, but he was unresponsive and would only comment, "I don't have anything to say."

6

According to the Document being in hand,
the time schedule is tentative and subject
to revision.

If my reasonable and necessary request
~~has~~ more time to deal with this matter and
to preclude further harm, I am requesting a
formal hearing pursuant to Chapter 920
of the Florida Statutes, Florida State
Legisature to hear my complaint, so
as not to have my case expeditiously closed
on December 31/12.

Sincerely
J. Gerhart

Prod # 850-487-1716.

Frederick Smalla Koff
6651 Cornet Dr
New Port Richey, FL
34655

Dec. 28/12.

727 372-8544.

Alan Cole
PSC Commission Clerk
2540 Sheward Oaks Blvd.
Tallahassee, FL
32399-0850.

This inquiry, as of this date, Dec. 28/12 is to attempt to determine if Progress Energy will disconnect my power, without justification as of Dec. 31/12, New Years Eve day, as stated in their notice, received by me on Dec. 24/12, considering the multitude of issues, irregularities and problems existent re: my complaint docket #. 17076.

Those involved within the PSC will not communicate these outstanding matters with me.

As this is Friday, Dec 28/12, an immediate response is required re: the disconnection.

Sincerely,
F Smalla Koff

Eric Fryson

From: Rhonda Hicks
Sent: Tuesday, March 05, 2013 9:01 AM
To: Eric Fryson; Dorothy Menasco
Cc: Ann Cole; Ruth McHargue
Subject: FW: Please advise, Mr. Smallakoff
Attachments: FAX-2013-03-04 14_23_40.tif

FPSC, CLK	CORRESPONDENCE	
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 11312-07		
DISTRIBUTION:		

The attachment should be placed in Docket 060774-EI and 120176-EI. The document appears to be comments that Mr. Smallakoff wants the Commissioners to have. It's two responses to the dockets of which he is a party. Pgs 1-16 are for Docket 060774-EI and Pgs 17-22 are for Docket 120176-EI. You can add it to the correspondence side of the docket.

-----Original Message-----

From: Dorothy Menasco
Sent: Monday, March 04, 2013 4:28 PM
To: Eric Fryson
Cc: Ruth McHargue; Rhonda Hicks; Neal Forsman; Diane Hood; Hong Wang; Ann Cole; Martha Brown
Subject: FW: Please advise, Mr. Smallakoff

Eric, please check correspondence to see if we have any of the attached.

Ruth, Eric is following-up on the attachment. I will let you know if we have any or a portion of his attachments. However, if you wish to file it with the Clerk's Office, please forward to CLK with instructions to Clerk on how to process it (i.e. parties correspondence or document numbered).

-----Original Message-----

From: Ann Cole
Sent: Monday, March 04, 2013 3:45 PM
To: Dorothy Menasco; Hong Wang
Cc: Ruth McHargue; Rhonda Hicks; Neal Forsman; Diane Hood
Subject: FW: Please advise, Mr. Smallakoff

Dorothy,

Please see if we have this already. If not, please give Ruth instructions for filing.

There's a rush on processing this, due to tomorrow's agenda.

Thanks, Ann

-----Original Message-----

From: Ruth McHargue
Sent: Monday, March 04, 2013 3:40 PM
To: Ann Cole
Cc: Rhonda Hicks; Neal Forsman; Diane Hood
Subject: FW: Please advise, Mr. Smallakoff

Hi Ann,

I forwarded this to Neal and he said he thinks this may be a duplicate of correspondence that has already been received.

He suggested I forward this to you to be added to the docket file.

Please let me know if we need to handle differently.

Thanks,

Ruth

-----Original Message-----

From: PSC Fax Server [<mailto:Fax@psc.state.fl.us>]

Sent: Monday, March 04, 2013 2:24 PM

To: Consumer Contact

Subject: FPSC , 22 page(s)

New Fax Received!

You have received a 22 page fax from FPSC ().

It was sent to 8504136362. The fax is attached to this email, open the attachment to view your fax.

To the Commissioners PSC
March 4, 2013
Re: Docket # 060774 E1
Case # 696 236 E

Fax #
850-487-
1716

FAX

my letter to the Commissioners dated March 4/13.
14 pages.

my letter to Miss Ann Cole, PSC Commission clerk
dated Dec. 31/12
6 pages

my letter to Miss Ann Cole - Clerk dated Dec. 28/12
1 page.

my Credentials 1 page.

1

Mr. Frederick Smallehoff
 c/o 572 RiverView Blvd.
 Daytona Beach

FL
 32118

File # : March 4, 2013.
 850-487-1716.

The Commissioners
 PSC
 2540 Shumard Oak Blvd.
 Tallahassee FL 32399.

Re: Docket # 060 774 E.I
 Case # 696 236 E

I am a 72 year old man, who suffers from congenital heart failure, have a defibrillator implanted, with serious medical ailments and injuries sustained by a car crash, where I nearly lost my life and was hospitalized for 3 months. All this was/was known by those at the PSC throughout as well as those utilities involved, throughout.

I want to correct the erroneous and sanitized terms being used in both dockets, by the PSC and the utilities. These charges were knowingly and calculated in a purposeful manner to be taken. They were used as a vehicle or tool to begin the process of targeting for harm at the request of external third parties who have abused power and influence to facilitate this targeting for harm process using their utilities' monopolies with their enormous clout, influence and power. All they have to do, is create a false bill, demand that I pay it or they will disconnect my electricity, which of course everyone needs.

2

Battered with vicious slander, character assassination label, hate mongering, instructed to promote and permeate the system to any one who will listen (actions and activities which are in violation of the law and actionable), which allowed their employees to behave in a manner vicious and out of control, without any fear of accountability. Certainly not by the PSC

For years, when the bills and charges were properly and fairly administered, even a cursory examination will show that I have paid my bills on time, every time. The average charges were between 45 and 65 dollars, I did not feel that FPL chose to ignore and the PSC (attorneys) chose to ignore. I have all my receipts and cancelled checks in support of this. I also have a stack of threats to disconnect my electricity if I didn't pay their false bills for July

August and September of 1905. The charges before and after, went back to normal with nothing changed except during those weeks up bills which they knew that I would complain about and contest. There was no factual or technical basis for these false charges except to demand payment, play games, tricks, act badly and run with it for as long as possible. To put me through it, that's what the 3rd parties wanted and that's what was done.

Any and all attempts made by me through many phone calls were rebuffed by those coached employees at FPL, stripping me from pillars to put them in anger and confrontational by coached designs, putting me on hold for interminable periods of time and the characterizing hanging up on me.

3

A perfect case in point and example, as Rose Anne Lucas' name is listed in Martha Brown's "report", is once again trying to determine who was handling my case, which changed constantly. It was decided that Rose Anne Lucas was by the phone on during the phone, she literally screamed across the room "That the dealer want to talk to me"! This is typical of the antics, tactics and coached behavior that I had to contend with to try to find some resolution and admissions to what they were doing, and not the sanitized version promoted in the statements of "reports" and promoted by Mrs Brown as fact to be used in her "recom mendation" in cooperation with EPL towards elimination of the facts and my case. In those rare instances when I tried to speak with Martha Brown, it was evident that she was affected by the slander and character assassination that was being promoted and refused to listen to the facts and evidence that was presented. And always ended with her hanging up on me in the signature coached disrespect.

This was done countless times. My telephone records of my calls to get them to listen and properly respond and resolve the matter was met with game playing and disingenuous tactics. They wanted no part of resolution.

At some point in Sept of 1965, I readily agreed to have an EPL Power Quality Engineer, Phil McCormick thoroughly examine and assess my power usage and residence condition. This, even though the long standing mis low usage hooker well established by years with proper billing. When completed I spoke to him personally as to his findings and the results. He stated unequivocally that there was absolutely nothing abnormal as to the power usage of the residence and stated that he did not know why those bills in question were so high.

4

I requested that he put down in his report exactly his findings as he explained them to me with no changes. He assured me that he would. His initial report was beneficial to me in spite of my contention that those high bills were inaccurate. That didn't happen.

After waiting a considerable period of time for his report, it didn't arrive in what should have been a short process time. I finally received it weeks later and was surprised to find that the original envelope that contained the original report was enclosed in a small manila envelope.

The letter that was in the envelope originally was obviously steamed open. It was obviously placed with care and doctored with crossed out addresses, numbers and labels so as to try to hide the fact that it had been removed. The original report as stated to me had been removed and replaced with a benign, meaningless short letter, that he would send unchanged. The original was re-lettered, and then, the steamed glue flap was taped over with cellophane tape. They sent the short replaced letter in the original doctored envelope!

I tried to contact Mr. McCormick so that he could explain the monumental discrepancy. I was not allowed to speak with him or contact him. I even went to the facility where he operated from in Williamsport, Pa. They were waiting for me. After telling me that he didn't work there, (even though he stated that on his address in this letter) that they didn't know him, or who he was, and in general, having a good time constructing me from seeing him, after finally asking nothing he consent there!

The number and character dissemination had even permeated those at this Med Lib facility. After follow through and investigation on my part, the following occurred: upon reaching the F-2 hierarchy, they did not want the original

report, beneficial to me and found no fault with the residence whatsoever, they did not want that original report done by their own expert to exist and certainly not sent to me.

FPL requested of the Post Office, that their carrier remove this piece of mail from my mail box and return it to the Post Office and then sent back to FPL. After playing games and being unimpressed the Postmaster at the Beach St. facility admitted they had removed the mail from my box and he passed to give me the name of the carrier involved, and in essence stated that they could do whatever they wanted. They can't, as it is a Federal offense to tamper with or remove mail from a persons mailbox once delivered, by anyone, including the Post Office, who should have known that about anyone. Other departments within the Post Office confirmed that the mail was delivered to my box and should have stayed there and never been removed. Removal of mail and tampering with mail is a severely punishable offense, by Federal Law.

Subsequent comments used by Martha Brown in her "material" used for her recommendation, about my not having any evidence and/or refusing to provide it, by those within the FPL and the PSC regarding about this fact in order to cover up and whitewash this heinous act. I told this to many in the FPL and PSC, but it was ignored and suppressed as though it didn't happen.

When it was brought up to Heidi Ellenburger after her cell, to remove the charges, which never should have been manufactured in the first place, she blurted out that "that's illegal".

In a subsequent conversation with Heidi Ellenburger, after consulting her superior, she now took the position that "it didn't happen". This, even though it was admitted to by those in the Post Office and that I had the doctored envelope in my possession as well as their refusal to allow the technician to speak with me again. So much for their veracity

and honesty regarding all aspects of their approach to this matter and the actions and activities throughout. There is only one reason, regardless of how it is twisted and deduced now, as to why this illegal act was perpetrated. There was absolutely nothing wrong with anything on or in the property to warrant or generate these inordinate and falsely generated high bills, stated verbally and in their original report by their own expert which FPL went to great and illegal lengths to change and cover up using and eliciting the assistance of a Federal entity, the Post office to do it. It also clearly shows the abuse of power and influence by those third parties, entities and individuals to effectuate it. They did it with the assistance and cooperation of those within the PSC, especially Martha Brown in refusing to admit to it and certainly by suppressing and avoiding it. She should have listened and paid attention to the facts and evidence of this case, instead of being angry confrontational, cooperative with the FPL, affected by the slanders and defamations introduced by those third parties and hanging on one way line as she was coached to do. She also is subject to allegiance of the Conans & Ethics of the FL Bar in the performance of her duties as a lawyer.

The very same abuse of power and influence to generate these false charges, to get their part in done to begin the targeting process.

Her sis Ellenburger stated in her letter that FPL does not forget people, a convenient bias which looking at the sleight of mail to hide an honest report and all that this act entailed.

She also stated that if it happens again (it has been done twice already) to call her. My response was that if the hierarchy at FPL tells her or anyone in the FPL employ to do for a gain, you will. Her response was "well everybody's got a boss!"

If the Commission accepts this type of illicit activity to target an elderly disabled person to extract revenge and retribution by the abuse of legal process, including the false statements, outright lies and fabrications, calculated and coached abominable behavior by FPL employees and supported by the PSC including their legal department if will be a travesty upon honesty and the Commission is missing this case will come down upon us everything illegial done, and simply give them the green light to do it in the future.

The protected name of \$300, was reduced by my continued payments of those monthly statement periods in a letter to Kate Smith of the PSC, I am the questioned how that sum he played with as part of the amount being entered and not to be ^{in protected} or touched. Even Kate Smith was not a less one why this was being done.

I always continued to make my payments to those periods in which they were generated and never within normal limits again. I have stacks of notices to disconnect, for these false charges, which was shown only in dated two color "report" on her recommendation and denied knowledge of the next as an ongoing tactic by FPL.

FPL inserted anything and everything that were outright lies, absurd statements, that they attributed to me in their communications and reports otherwise their selves and the PSC that have no connection with reality. These in futile attempts were meant to insult, demean and ridicule me that went way beyond absurdity. One particular obvious and stupid made up statement that they took great pains to insert several times was "the FPL is pouring extra current through his meter on air instructions from the Government with whom he is having problems". These vicious false statements should be seen for what they are and humbly rejected. These ridiculous misstatements and lies were accepted by Mr. Brown and the PSC legal dept without question and used in her determination of her "recommendation".

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Would the Commission accept this type of
 mindless tripe created for harm and dispoagement
 over and over again in their concerted attempts
 to cause harm and ridicule rather than admit
 to their tactics

These PSC employees need to held to account
 for making those false absurd misstatements
 in their reports and communications with each
 other and the PSC. For Mrs. Brown to embrace
 and use them is also a travesty, knowing full
 well what they were and what was intended.

I have paid those fair bills and charges every
 time, on time for years contrary to what is being
 misstated by APL. I have all my receipts and
 copies of my checks and statements to prove it.

I have made my complaints to the Inspector
 General, Steve Blalock of the PSC who was not
 receptive to any valid complaints and was dis-
 misive and not as stated in the communications
 by Kate Smith and others.

At one point I had expressed my complaints to
 him for about an hour and when I was done
 he asked me if I had any complaints to make!
 Recently, he denied our having this discourse
 and that he had no notes on it!

Apparently the only reason he listened, was to hear
 "what I had" and pass this information over
 to PSC legal and all other depts. I believe that
 he is/was aware of what was transpiring at the
 PSC and did nothing, as his function requires
 of him.

Since what is being presented here by the PSC
 and PSC legal is too lengthy and time consuming
 to address every false statement made and action
 taken, in the fair minutes allotted to me by the
 Commission for each docket, I categorically
 deny and disavow all of those false
 misstatements and violating activities by
 this letter to the Commission.

I am prepared to go over, discuss and expose the true facts and issues when afforded the proper time and venue.

At some point some time ago in a discourse with the General Council Kurt Krasser, I came to state that I took my valid complaints to their Division of Regulatory Compliance and Customer Assistance headed by Dean Hoppe when their violations and bad behaviors occurred. I was shocked to hear him call me a "widespread name" for doing so.

When I objected to this name calling insult, because I went to the proper Dept with my complaints, which is where it needed to go.

He did not apologize for calling me names but instead cautioned me against telling anyone that he had done so!

I will take a polygraph as to this event, if he will as well, to prove my veracity of what occurred.

The Council General would never respond to my calls to appraise him of what was happening, again.

at that time, when I reminded him that he, and his staff of lawyers were required to adhere to and obey the Canons and Ethics of the Florida Bar, he denied that, stating that his position with the ASC excluded him (and his staff) from that.

When I stated that he or any lawyer, regardless of who they were employed by came under the canons & ethics of the Canons and Ethics of the Florida Bar. After denying that they had to comply initially, he now had to begrudgingly concede that they did.

Why try to give me this information of this type? at the beginning of June or so, I made several calls to seek Mr. Brown who was supposed to be handling this case the eventuality called me back and left 2 messages on my answering machine saying: "I don't know exactly what you're recommending, nor not I'm not sure at this point and that" I don't know exactly what I'll rely on. As soon as it's finalized

I'll call you and somehow get the information to you by fax or by letter. This was to my request that she provide the information that she was going to use for her recommendation to HEPF.
These recordings from her were made at the beginning of January 2013.

In another recorded message she stated that "the date has been changed (from Jan 10/13) and hasn't been reset, tomorrow, after we reset it perhaps we can talk a little bit about how to resolve this complaint without going to a judge, because to me it's pretty much settled.

This recommendation and Open letter dates were arbitrarily changed with no notice or consideration for me. She later went on to blame me for delaying those dates, when it was the Legal Department and the Commissioners doing.

When I received the packet of material dated Feb. 21/13, I can easily see why she had refused to provide me the information I requested and that would be used by her recommendation, until the last minute and any request for an extension rejected by all.

As far as she is concerned the "matter is settled". Forget everything that was done to me over a long period of time and put me through, now, the FIC wanted it dispersed with, without exposure or analysis or revelation as to the targeting to begin with.

I was surprised to see that Mrs. Brown C.C. in her Feb. 21/13 letter to me, Melinda Miguel with the Governors office listed as a partner in Mrs. Brown's actions. It was obvious in the extreme. I copied to the Chief Inspector General's office to File a Complaint against Anne Blotter, the PSC Inspector General. Mrs. Miguel advised me that she neither requested or wanted what Mrs. Brown sent to her and that her only purpose in contacting the PSC on my behalf was to delay the material that Martha Brown was going to use in her recommendation and for an extension of time to deal with it.

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for me. It was a gesture of decency and professional courtesy by Melinda Miguel as Chief Inspector General, that she made those requests on my behalf to the PSC and that was all.

To make believe that some how the Governor's office was now her ally with everything that Mrs. Brown and the PSC was dishonest in the extreme and is appalled of the manner in which Mrs. Brown has conducted herself towards me and my case throughout.

It's essential to be stated that during my conversations with the office of Public Counsel their senior experienced long time investigator made the statement several times that "they really hate you, its like you over there (referring to the PSC and the utilities) and they are working hard to give a gun to you to gether."

It was clear and apparent to me over a long period of time that their condition existed, but now it was certified by a person, a credible witness who was in a position to know. The office of Public Counsel is aware of the observation and statement made in this regard.

Consequently, their serious revelation should be paid attention to by the Commissioners all of this applies to Packet # 120126-FZ case # 1059336E as well, complaint against Progen Energy.

In my efforts to detain assistance, and most recently to obtain information from Mrs. Brown and to obtain an extension, amongst the agencies I contacted was that of Citizen's services about a week ago. They were willing to help, would assign an investigator to the matter and make my requests to the PSC, by E mail.

After talking to a misplend from the Regulatory Dept, Randy Rowland her Supervisor and others in the PSC, they totally shut down and now denied and refused anything. There was no doubt that the same promotion of Hanker, character assassination and hate mongering was used to stifle and obstruct any assistance. This was made by misplend and Randy Rowland to squish any assistance to me.

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Once again the PSC has gone out of its way to obstruct and thwart any outside assistance that I have sought to obtain.

The Commission should take note of this fact of immoral, vindictive and unconscionable behaviour by those at the PSC, and certainly knows what their position is regarding me and my case. These truthful revelations cannot be dismissed, excused or ignored.

The supervisor of this Agency was out of control in his antagonistic obstruction, after having "talked to some people at the PSC" at about this same time I sought help from a local politician who at first seemed ready to assist. He subsequently stated that he had spoken with the General Counsel C. Kaiser and the whole atmosphere changed. Amongst other things he now refused help and blot out told me that "you are not going to win this one" what it was that I had "won" at any time previously was not stated. It is clear that the General Counsel and the PSC, once again had interfered against me and my case in seeking outside assistance.

I believe that this Counsel General used that same vicious slander, character assassination, libel and prejudice promoted and inserted by the abuse of power by these third parties, with this politician to thwart any assistance.

These actions and activities are also in violation of the Florida Bar's Rules of Conduct. Section 4.04 of the Florida Bar Rules for misconduct (a) state or imply an ability to interfere in improperly a government agency or official, and (d) engage in conduct that is prejudicial to the administration of justice. It goes on to state that lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of an attorney.

13

It certainly shows why the PSC and their department claimed these activities to target with impunity in the manner in which they at the behest of the abuse of external third party purely to effectuate damage and harm.

I would suggest that Mr Kaiser and his staff attorneys familiarize themselves with sections 8.4 of the Florida Bar Canons and Ethics dealing with mis conduct.

I was only informed by chance on the 7th

before last that these two sockets would be lumped together and I would be afforded a "opportunity" in "two brief minute sessions to present my case".

It is an unpardonable task considering the structure and everything that has gone on around a time.

CLK Note: A review of the records finds that this page is displayed in the format that it was received by the Office of Commission Clerk. - ac 3/8/13

14

I have also enclosed a copy of my rebuttals, to try to
offset the serious personal attacks perpetrated upon me
by those involved with the FPL and PSC.

It's evident, that the Commission should seriously
consider the true facts of these cases and not the
total falsity that has been and is being promoted by
the FPL and in concert with those of the PSC.

Sincerely,
Kevin Sullivan



In Appreciation of
 Loyal and Dedicated Service,
 We Take This Occasion
 To Honor

Capt. Frederick Smallakoff

Who Is Retiring
 After Serving TWA
 With Distinction From

Sept. 7, 1964 To May 1, 1986



Richard J. Kenny
 Senior Vice President
 Flight Operations

Ronald E. Reynolds
 Vice President
 Flying

1
 Ref 850-717-0114

Mr. Frederick S. Suddhoff
 West Coast Dr
 New Port Richey Fl.
 34655
 Dec. 31/12

Miss Ann Cole
 PSC Commission Clerk
 2540 Sturward Oaks Blvd.
 Tallahassee, Fl. 32399

This letter is to address a Nov. 20/12 letter created by the PSC Legal Department and signed by Mike Lawson, Senior attorney.

It is, I believe a focal point created for which there is no basis, for the purpose of closing the case # 120176.

It appears that this letter was created by those at PSC Legal, in concert with Progress Energy to creating a situation in closing my case and dismissing my case without addressing the facts and issues.

There is no other cause or reason for submitting this "requirement" now, as a deadline to comply with an impossible task due to the mis handling of my case and the sheer volume of information required, with no opportunity to address the multiple instances of wrongdoing on the part of Progress Energy with the complaint was done by some at the P.S.C.

My informal petition was summarily dismissed with false and fabricated disinformation by John Plakow at that level without providing me the opportunity to respond.

2

My petition (Form 1) was filed in June of 2012.
 After complaining to Mr. Neil Forsman that no
 new attorney has made contact or appearance
 to take over my case, due to the misconduct of
 the previous attorney, Benjamin Crawford.

At his initial contact made sometime in mid
 July of 2012, a month and a half after I had
 filed my complaint, and at the behest of Mr.
 Forsman, Mr. Dawson contacted me.

As to my inquiries as to what Mr. Dawson's
 responsibilities were reference me and my
 case, it was stated that "he pulls everything
 together, he conducts an investigation on
 my behalf, gathers all of the facts, brings
 everything together, from the Co. (Proton) also,
 negotiates the facts with their legal people and
 tries to obtain a favourable resolution and
 issues a recommendation to the Commission.
 That he needs to fully understand the case
 and needs to be abreast of everything on both
 sides.

When Mr. Dawson contacted me around
 July 11/2, I went over on one of the parts and
 issues, violations, misbehavior and unethical
 mis conduct by some at the PSC and by Progress
 Energy.

It was made plain that after this initial
 conversation; that more conversation
 and facts would ensue and would be taken
 and discussed by Mr. Dawson associated
 with the case and not just billing matters.

It was made clear and understood by him
 I was ready, willing and able to continue
 to supply him with information and
 facts on the case, but he was unavailable
 refused to return my calls and made no
 contact with me. He was absent for a long
 period of time.

I complained about this to Mr. Fersman, who stated that he would try to track him down. As to his statement in the Nov. 2012 letter "we" (meaning his supervisor J. Crawford, others at the legal department and with Progress Energy) "have no information from you, is his ingenious and untrue, so as to ~~address~~ blame to me now for his short coming in not being available and absent.

Initially I informed him that I was in receipt of some twenty-six thousand plus pages of documentation generated on me undated him as to why and how this inordinate amount of material was created and why. He stated, he didn't know and wondered why he didn't have it in his files. He stated that he would check that documentation and look into it. To this date he has never addressed this matter. No doubt he was advised to ignore it by his superiors.

He also stated that he received a letter from Progress Energy stating that the amount of the deposit had been withdrawn. When I pursued the matter for a copy, he now stated that he thought he saw it, may "he" - imagined it, that he would look for it some more. He did not provide me with a copy.

The imposition of this additional burden was obtained by trickery by some at the PSC and Pro. Energy. The excuse given was that it was imposed because they had to disconnect my power lines in one year.

In the first instance, after this Crawford had written a false report along with Progress Energy and before closing the case, my power was disconnected. Mr. Fersman advised me that he issued a citation and had taken action against Progress Energy for doing so.

4

In the second instance, I was instructed by a PSC representative to only make a partial payment (as only being required) and if Progress Energy turned my power off, to call them (PSC) and that they would have them reconnect it. After I made the payment, my power was disconnected.

I called the PSC, they would not allow the representative who gave those instructions to speak with me. The matter was sent to Rhonda Hicks (whose antagonism towards me has well known), who denied that this representative gave those instructions, and didn't say it, then even if she did say it - ~~anybody~~ ~~was~~ ~~mistaken!~~

This calculated tactic, planned in advance by Progress Energy and the PSC as harassment was vicious and unconscionable. In addition to being nearly three years of age with multiple health problems, I am on a heart monitor that requires electrical power. None of these people was ever held accountable for their actions. For this Progress Energy arrested me a deposit requirement.

As to the fees from me, during the initial contact Mr. Dawson understood that it would take time to provide additional information towards the investigation. He stated that he didn't see any problems with granting such time as was necessary. He did count on fees, as unacceptable, or refusing to pay anything while in the process, but so long as I was paying my bills aside from the \$3200 in deposit that Progress Energy could live without that sum, and that it was not an issue as to time needed.

Now, they have come up with this Dec 31/12 deadline or they will close the case!

It was a planned exercise to close and eliminate my case.

5

I believe that the extent of this unreasonable beach line demand in providing material was due to Progress Energy dictating to the PSC in what appears to be a cozy relationship to his purse with the case, me, and everything that goes along with it; so that there is no public exposure of the true facts and instances of gross mis conduct on the part of some at the PSC, in concert with Progress Energy.

I believe no one other than Samson has or has not investigated or what he has in his files. I do know that he has renounced himself as to his obligations as stated at the outset and has taken an extremely obstructive position towards me and my case and the issues involved.

As to his statement (Nov. 2012 letter) that "we" would ask that you submit any and all information (what does he have and what does he have to submit) no later than December 5/12 and whereas before time was no issue, has now been manipulated to be an (unreasonable) issue.

It is to be noted that the Counsel General, Ben Kent Fisher has repeatedly refused to respond to my calls, as has his assistant Jerry Fleming, who repeatedly stated, "I don't know what to tell you." During those calls in which I wasn't disconnected, I called Mr. Kavan as he has Ben Sammons, when he also refused to take my calls.

I have also contacted Mr. Steve Slattery, the Inspector General, whose function and duties are clearly defined and approved in the situation, but he was unresponsive and would only comment, that "I don't have anything to say".

6

According to the Document being in fact,
the time schedule is tentative and subject
to revision.

If my reasonable and necessary request
~~has~~ more time to deal with this matter and
to preclude further harm, I am requesting a
formal hearing pursuant to Chapter 920
of the Florida Statutes, Florida State
begs before to hear my complaints, so
as not to have my case expeditiously closed
on December 31/12.

Sincerely

J. Gerardo H.

Kimberley Pena

060774

PARTIES

From: Kimberley Pena
Sent: Monday, December 31, 2007 3:13 PM
To: 'DAVIS.PHYLLIS'
Subject: RE: Name substitution

Per this e-mail, we will make the change in all active docket. Thank you.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

From: DAVIS.PHYLLIS [mailto:DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Monday, December 31, 2007 1:45 PM
To: Records Clerk
Subject: Name substitution

PSC Clerk:

Please substitute Charlie Beck's name with J. R. Kelly. Mr. Kelly was appointed Public Counsel on November 20, 2007. Please contact me at 488-9330 if you have questions.

Thanks,
Phyllis W. Philip-Guide

DOCUMENT NUMBER-DATE

11312 DEC 31 5

FPSC-COMMISSION CLERK