

The Palm Beach Post

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FPL customers file suit, saying power outages avoidable

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Power failures that left thousands of Florida Power & Light Co. customers cold and in the dark over the weekend were avoidable, according to a Coral Springs attorney who has filed a lawsuit, asking a judge to force the utility to take steps to assure such outages never happen again.

In the class action lawsuit filed Tuesday in Palm Beach County Circuit Court, attorney Scott Gelfand is seeking damages for the estimated 25,000 FPL customers in Palm Beach and Broward counties who lost power.

"Historical data dating back 70 years indicates that this weekend's cold spell was by no means unprecedented," he said in a prepared statement. "History provides notice to FPL that they needed to be prepared to handle this sort of weather and they were not."

He blames the outages on the Juno Beach-based utility's failure to upgrade equipment.

"Because of FP&L's negligent failure to replace antiquated, undersized or otherwise inadequate transformers and equipment, and otherwise ensure its power grid was capable of persevering through the weather conditions of [the weekend], tens of thousands of Palm Beach County and Broward County homeowners needlessly endured prolonged inconvenience and damage to their homes," he wrote in the lawsuit.

While the lawsuit was filed on behalf of Parkland resident Anthony Stampone, Gelfand is seeking class action status so anyone who lost power during the weekend would be entitled to monetary damages.

In addition to damages, he is seeking a judicial order that would force the state's largest power company to upgrade its system so it can handle a future cold snap.

FPL officials weren't immediately available for comment.

Unrelated to the lawsuit, the utility today is asking the state's Public Service Commission to approve a controversial \$1.4 billion rate hike. The increase charges would enable the company improve its system.

Find this article at:

<http://www.palmbeachpost.com/money/fpl-customers-file-suit-saying-power-outages-avoidable-176670.html>

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