BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. | DOCKET NO. 20240001-EIORDER NO. PSC-2024-0481-FOF-EIISSUED: November 22, 2024 |

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman

ART GRAHAM

GARY F. CLARK

ANDREW GILES FAY

GABRIELLA PASSIDOMO

FINAL ORDER APPROVING EXPENDITURES AND TRUE-UP AMOUNTS FOR FUEL

ADJUSTMENT FACTORS; GPIF TARGETS, RANGES, AND REWARDS; AND

PROJECTED EXPENDITURES AND TRUE-UP AMOUNTS FOR CAPACITY COST

RECOVERY FACTORS

APPEARANCES:

MATTHEW BERNIER and STEPHANIE CUELLO, ESQUIRES, 106 East College Avenue, Tallahassee, Florida 32301-7740; and DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg, Florida 33701

On behalf of Duke Energy Florida, LLC (DEF).

MARIA JOSE MONCADA, WILLIAM P. COX, and DAVID M. LEE, ESQUIRES, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, Florida 33408-0420

On behalf of Florida Power & Light Company (FPL).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South Monroe St., Suite 601, Tallahassee, Florida 32301

 On behalf of Florida Public Utilities Company (FPUC).

 MALCOLM N. MEANS, and J. JEFFRY WAHLEN, and VIRGINIA PONDER, ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302

 On behalf of Tampa Electric Company (TECO).

 WALT TRIERWEILER, CHARLES REHWINKEL, PATRICIA A. CHRISTENSEN, MARY WESSLING and OCTAVIO SIMOES-PONCE, ESQUIRES, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400

 On behalf of the Citizens of the State of Florida (OPC).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm, PA, The Perkins House, 118 North Gadsden Street, Tallahassee, Florida 32301

 On behalf of the Florida Industrial Power Users Group (FIPUG).

 ROBERT SCHEFFEL WRIGHT and JOHN T. LAVIA, III, ESQUIRES, Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry & Harper, PA, 1300 Thomaswood Drive, Tallahassee, Florida 32308

 On behalf of the Florida Retail Federation (FRF).

 SUZANNE BROWNLESS and RYAN SANDY, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

Advisor to the Florida Public Service Commission.

Keith hetrick, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

 Florida Public Service Commission General Counsel.

BY THE COMMISSION

BACKGROUND

As part of the continuing fuel and purchased power adjustment and generating performance incentive clause proceedings, an administrative hearing was held on November 5, 2024. We have jurisdiction over this subject matter pursuant to the provisions of Chapter 366, Florida Statutes (F.S.), including Sections 366.04, 366.05, and 366.06, F.S.

 White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs and Nucor Steel Florida, Inc., parties to this docket, were excused from this hearing. All of the issues in this docket for Duke Energy Florida, LLC (DEF), Florida Public Utilities Company (FPUC), and Tampa Electric Company (TECO) have been stipulated to by all of the parties. Likewise, all of FPL’s issues have been stipulated to by all of the parties except Issues 2K-2N, as discussed below.

DECISION

At the hearing, Exhibit Nos. 1-80 were admitted into evidence without objection and the prefiled testimony of all witnesses listed on Page 5 of Prehearing Order, Order No. PSC-2024-0465-PHO-EI, issued October 31, 2024, were admitted into evidence. We approved all of the stipulations contained on Attachment A hereto. Upon approval of the Type 2 stipulations[[1]](#footnote-1) listed in Attachment A, all issues were resolved for DEF, FPUC and TECO and those parties were excused. Likewise, all of FPL’s issues, except Issues 2K-2N, were also resolved by our approval of the Type 2 stipulations contained in Attachment A. The procedural matters associated with FPL’s Issue Nos. 2K-2N were then taken up.

FPL Issue Nos. 2K through 2N

FPL Issue Nos. 2K through 2N[[2]](#footnote-2) concern the replacement power costs for FPL’s St. Lucie Units 1 and 2 for May/June and July of 2024. All parties have agreed that these issues should be deferred from this final hearing to a later date. However, the parties initially disagreed about three additional procedural matters which have been raised by FPL. First, should the hearing be deferred until a date certain, specifically until 2026? Second, should these issues be taken up in this Fuel Clause docket, the 2025 FPL rate case, or spun off into a separate docket? Third, should discovery on these issues be deferred until 2026?

 After oral argument FPL, FRF, and FIPUG were able to reach agreement on these procedural issues as follows: “Resolution of these issues, Numbers 2K-2N, should be deferred to the Fuel Clause hearing in 2026, but discovery on Issue Nos. 2K-2N can begin on April 1, 2025, provided it is limited to Issue Nos. 2K-2N.” OPC took no position on this language but agreed that a Type 2 Stipulation was acceptable. Due to the fact that the prudence of plant operation decisions and replacement fuel costs are traditionally litigated in the Fuel Clause we find that the stipulation to do so here is appropriate. We are also persuaded that deferring the consideration of these issues until 2026, given the extensive time it will take for FPL to prepare and litigate its anticipated rate case, is appropriate. We further find that allowing discovery to start on April 1, 2025, provided that discovery is limited to Issue Nos. 2K-2N, is a reasonable compromise and is approved. That being the case, we approve the Type 2 stipulation as proposed by the parties for Issue Nos. 2K-2N.

All issues, testimony and exhibits having been stipulated to and all stipulations having been approved by this Commission, the hearing was adjourned.

The new fuel adjustment and capacity factors shall become effective as set forth in the stipulations. The new factors shall continue in effect until modified by us. We hereby approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. We direct staff to verify that the revised tariffs are consistent with our decision.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the findings set forth in the body of this order, and Attachment A hereto, are hereby approved. It is further

 ORDERED that Duke Energy Florida, LLC, Florida Public Utilities Company, Florida Power & Light Company and Tampa Electric Company are hereby authorized to apply the fuel cost recovery factors set forth herein during the period January 2025 through December 2025. It is further

 ORDERED that the estimated true-up amounts contained in the fuel cost recovery factors approved herein are hereby authorized subject to final true-up and further subject to proof of the reasonableness and prudence of the expenditures upon which the amounts are based. It is further

 ORDERED that Duke Energy Florida, LLC, Florida Power & Light Company, and Tampa Electric Company are hereby authorized to apply the capacity cost recovery factors set forth herein during the period January 2025 through December 2025. It is further

 ORDERED that the estimated true-up amounts contained in the capacity cost recovery factors approved herein are hereby authorized subject to final true-up and further subject to proof of the reasonableness and prudence of the expenditures upon which the amounts are based. It is further

 ORDERED that the revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding are hereby approved and we direct Commission staff to verify that the revised tariffs are consistent with our decision. It is further

 ORDERED that Issue Nos. 2K-2N shall be deferred to the 2026 Fuel Clause docket and that discovery on those issues shall not begin until April 1, 2025. It is further

 ORDERED that while the Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor docket is assigned a separate docket number each year for administrative convenience, it is a continuing docket and shall remain open.

By ORDER of the Florida Public Service Commission this 22nd day of November, 2024.

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|  | /s/ Adam J. Teitzman |
|  | ADAM J. TEITZMANCommission Clerk |

Florida Public Service Commission

2540 Shumard Oak Boulevard

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SBr

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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| --- | --- |
| In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. | DOCKET NO. 20240001-EIORDER NO. ISSUED:  |

PROPOSED STIPULATIONS

 The following issues are proposed as Type 2[[3]](#footnote-3) stipulations in this proceeding:[[4]](#footnote-4)

**I. COMPANY-SPECIFIC FUEL ISSUES**

**Duke Energy Florida, LLC.**

**ISSUE 1A: Should the Commission approve DEF’s 2025 Risk Management Plan?**

 **Stipulation:** Yes. Approve DEF’s 2025 Risk Management Plan without financial hedging.

**ISSUE 1B: What is the appropriate subscription bill credit associated with DEF’s Clean Energy Connection Program, approved by Order No. PSC-2021-0059-S-EI, to be included for recovery in 2025?**

**Stipulation:** $70,932,763.

**ISSUE 1C:**     **What is the appropriate Clean Energy Impact (CEI) credit, approved by Order No. PSC-2023-0191-TRF-EI, to be included in the fuel clause in 2025?**

**Stipulation:** ($248,300).

**Florida Power & Light Company**

**ISSUE 2A:** **What was the total gain under FPL’s Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL may recover for the period January 2023 through December 2023, and how should that gain to be shared between FPL and its customers?**

**Stipulation:** Total gain was $123,207,265. Customer distribution - $77,103,632, FPL distribution - $46,103,632.

**ISSUE 2B:** **What is the appropriate amount of Incremental Optimization Costs under FPL’s Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for Personnel, Software, and Hardware costs for the period January 2023 through December 2023?**

**Stipulation:** $517,530.

**ISSUE 2C:** **What is the appropriate amount of Variable Power Plant O&M Attributable to Off-System Sales under FPL’s Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for the period January 2023 through December 2023?**

**Stipulation:**  $1,603,947.

**ISSUE 2D:** **What is the appropriate amount of Variable Power Plant O&M Avoided due to Economy Purchases under FPL’s Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for the period January 2023 through December 2023?**

**Stipulation:**  ($76,763).

**ISSUE 2E: What is the appropriate subscription credit associated with FPL’s SolarTogether Program approved by Order No. PSC-2020-0084-S-EI, to be included for recovery in 2025?**

**Stipulation:** $245,377,980.

**ISSUE 2F:** **Should the Commission approve FPL’s 2025 Risk Management Plan?**

**Stipulation:** Yes. Approve FPL’s 2025 Risk Management Plan without financial hedging.

**ISSUE 2G: Are the 2025 SoBRA units proposed by FPL cost effective?**

 **Stipulation:** Yes.

**ISSUE 2H: What are the revenue requirements associated with the 2025 SoBRA Project?**

**Stipulation:** $61,087,293.

**ISSUE 2I:** **What is the appropriate base rate percentage increase for the 2025 SoBRA Project, to be effective when all 2025 units are in service?**

**Stipulation:** 0.667%.

**ISSUE 2J:** **Should the Commission approve revised tariffs for FPL reflecting the base rate percentage increases for the 2025 SoBRA project determined to be appropriate in this proceeding?**

**Stipulation:** Yes.

**Florida Public Utilities Company**

No company-specific fuel issues for Florida Public Utilities Company have been identified at this time. If such issues are identified, they shall be numbered 3A, 3B, 3C, and so forth, as appropriate.

**Tampa Electric Company**

**ISSUE 4A:** **What was the total gain under TECO’s Optimization Mechanism approved by Order No. PSC-2021-0423-S-EI that TECO may recover for the period January 2023 through December 2023, and how should that gain to be shared between TECO and its customers?**

**Stipulation:** Total gain was $10,045,377. Customer distribution - $6,922,689, TECO distribution - $3,122,688.

**ISSUE 4B: Should the Commission approve TECO’s 2025 Risk Management Plan?**

**Stipulation:** Yes. Approve TECO’s 2025 Risk Management Plan without financial hedging.

**GENERIC FUEL ADJUSTMENT ISSUES**

**ISSUE 5:** **What are the appropriate actual benchmark levels for calendar year 2024 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?**

**Stipulation:** DEF: $3,806,475.

**ISSUE 6:** **What are the appropriate estimated benchmark levels for calendar year 2025 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?**

**Stipulation:** *Drop Issue. There are no participating utilities operating under this incentive methodology in 2025.*

**ISSUE 7:** **What are the appropriate final fuel adjustment true-up amounts for the period January 2023 through December 2023?**

**Stipulations:**

**DEF:**  Under-recovery of $19,202,150 (collected through its 2024 Mid-Course Correction as per Order No. PSC-2024-0171-PCO-EI).[[5]](#footnote-5)

**FPL:** $0 (actual 2023 fuel cost true-up over-recovery of $37,290,272 was returned through its 2024 Mid-Course Correction as per Order No. PSC-2024-0091-PCO-EI).[[6]](#footnote-6)

**FPUC:** Over-recovery of $1,633,921.

**TECO:** Over-recovery of $30,397,837 (returned through its 2024 Mid-Course Correction as per Order No. PSC-2024-0172-PCO-EI).[[7]](#footnote-7)

**ISSUE 8: What are the appropriate fuel adjustment actual/estimated true-up amounts for the period January 2024 through December 2024?**

**Stipulations:**

**DEF:**  Over-recovery of $163,946,191.

**FPL:** Under-recovery of $19,030,441.

**FPUC:** Over-recovery of $3,060,756.

**TECO:**  Over-recovery of $63,853,334.

**ISSUE 9:** **What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2025 through December 2025?**

**Stipulations:**

**DEF:** Over-recovery of $8,537,789.

**FPL:** Under-recovery of $19,030,441.

**FPUC:** Over-recovery of $4,694,677.

**TECO:** Over-recovery of $28,431,329.

**ISSUE 10: What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** $1,535,664,540.

**FPL:** $3,112,084,981.

**FPUC:** $52,050,622.

**TECO:** $694,330,891.

**COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES**

**Duke Energy Florida, LLC.**

No company-specific GPIF issues for Duke Energy Florida, LLC have been identified at this time. If such issues are identified, they shall be numbered 11A, 11B, 11C, and so forth, as appropriate.

**Florida Power & Light Company**

No company-specific GPIF issues for Florida Power and Light Company have been identified at this time. If such issues are identified, they shall be numbered 12A, 12B, 12C, and so forth, as appropriate.

**Tampa Electric Company**

No company-specific GPIF issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 13A, 13B, 13C, and so forth, as appropriate.

**GENERIC GPIF ISSUES**

**ISSUE 14:** **What is the appropriate GPIF reward or penalty for performance achieved during the period January 2023 through December 2023 for each investor-owned electric utility subject to the GPIF?**

**Stipulations:**

**DEF:** A reward of $1,603,057.

**FPL:** A reward of $11,145,919.

**TECO:** A reward of $1,830,750.

**ISSUE 15**: **What should the GPIF targets/ranges be for the period January 2025 through December 2025 for each investor-owned electric utility subject to the GPIF?**

**Stipulations:**

**DEF:**

| **Table 15-1** |
| --- |
| **GPIF Targets/Ranges for the period January-December, 2025** |
| **DEF** | Plant/Unit | EAF | ANOHR |
| Target | Maximum | Target | Maximum |
| EAF( % ) | EAF( % ) | Savings ($000's) | ANOHRBtu/kWh | ANOHRBtu/kWh | Savings($000's) |
| Bartow 4 | 90.43 | 93.25 | 1,532 | 7,557 | 7,758 | 5,227 |
| Citrus County 1 | 78.33 | 79.37 | 857 | 6,866 | 6,967 | 2,083 |
| Citrus County 2 | 91.14 | 91.70 | 8 | 6,783 | 6,870 | 2,096 |
| Crystal River 5 | 82.52 | 88.81 | 4,193 | 10,328 | 10,927 | 5,908 |
| Hines 1 | 96.14 | 97.95 | 436 | 7,449 | 7,578 | 1,231 |
| Hines 2 | 82.06 | 83.79 | 109 | 7,831 | 8,111 | 2,412 |
| Hines 3 | 95.21 | 97.45 | 350 | 7,177 | 7,283 | 1,016 |
| Hines 4 | 77.29 | 80.59 | 424 | 7,158 | 7,287 | 1,326 |
| Osprey 1 | 85.26 | 87.16 | 203 | 7,223 | 7,508 | 2,631 |
| Totals |  |  | $8,111 |  |  | $23,931 |

Source: GPIF Target and Range Summary (Exhibit ARB-1P, Page 4 of 94).

**FPL:**

| **Table 15-2** |
| --- |
| **GPIF Targets/Ranges for the period January-December, 2025** |
| **FPL** | Plant/Unit | EAF | ANOHR |
| Target | Maximum | Target | Maximum |
| EAF( % ) | EAF( % ) | Savings($000’s) | ANOHRBtu/kWh | ANOHRBtu/kWh | Savings($000’s) |
| Canaveral 3 | 92.3 | 94.8 | 858 | 6,750 | 6,837 | 1,473 |
| Ft. Myers 2 | 91.2 | 93.7 | 163 | 7,394 | 7,612 | 3,269 |
| Manatee 3 | 90.3 | 92.8 | 670 | 6,899 | 7,057 | 3,503 |
| Martin 8 | 91.4 | 94.4 | 539 | 6,954 | 7,176 | 5,098 |
| Okeechobee 1 | 90.9 | 93.9 | 803 | 6,425 | 6,510 | 2,869 |
| Port Everglades 5 | 76.3 | 78.8 | 1,357 | 6,677 | 6,834 | 3,028 |
| Riviera 5 | 94.3 | 96.8 | 640 | 6,631 | 6,706 | 1,946 |
| Sanford 4 | 93.3 | 95.8 | 116 | 7,312 | 7,414 | 1,454 |
| Sanford 5 | 83.1 | 85.6 | 149 | 7,293 | 7,397 | 1,400 |
| St. Lucie 1 | 82.6 | 85.6 | 4,404 | 10,387 | 10,486 | 368 |
| St. Lucie 2 | 93.6 | 96.6 | 4,375 | 10,341 | 10,438 | 306 |
| Turkey Point 3 | 93.6 | 96.6 | 4,184 | 10,524 | 10,679 | 561 |
| Turkey Point 4 | 84.3 | 87.3 | 4,011 | 10,418 | 10,548 | 399 |
| Turkey Point 5 | 83.6 | 86.1 | 809 | 7,157 | 7,257 | 1,051 |
| West County 1 | 91.0 | 94.0 | 874 | 7,028 | 7,152 | 2,621 |
| West County 2 | 93.5 | 96.0 | 935 | 6,893 | 7,001 | 2,780 |
| West County 3 | 88.0 | 90.5 | 772 | 7,068 | 7,173 | 2,244 |
| Totals\* |  |  | $25,659 |  |  | $34,370 |

Source: GPIF Target and Range Summary, including Errata (Exhibit CRR-2, Pages 8-9 of 46)

**TECO:**

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| --- |
| **Table 15-3** |
| **GPIF Targets/Ranges for the period January-December, 2025** |
| **TECO** | Plant/Unit | Target | Maximum | Target | Maximum |
| EAF( % ) | EAF( % ) | Savings($000's) | ANOHRBtu/kWh | ANOHRBtu/kWh | Savings($000's) |
| Big Bend CC 1 | 93.4 | 94.2 | 2,497 | 6,262 | 6,288 | 843 |
| Polk 2 | 71.9 | 74.3 | 4,818 | 7,456 | 7,871 | 4,747 |
| Bayside 1 | 70.6 | 72.3 | 2,256 | 7,349 | 7,617 | 9,646 |
| Bayside 2 | 93.3 | 94.1 | 247 | 7,723 | 8,638 | 6,317 |
| Totals |  | $9,818 |  | $21,553 |

Source: GPIF Target and Range Summary (Exhibit EBV-2, Document 1, Page 4 of 28).

**Fuel Factor Calculation ISSUES**

**ISSUE 16:** **What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:**  $1,599,414,275.

**FPL:** $3,431,589,874.

**FPUC:** $47,355,945.

**TECO:** $671,420,329.

**ISSUE 17: What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility’s levelized fuel factor for the projection period January 2025 through December 2025?**

**Stipulations:**

**DEF:** N/A.

**FPL:**  N/A.

**FPUC:** 1.000848.

**TECO:** 1.000848.

**ISSUE 18:** **What are the appropriate levelized fuel cost recovery factors for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** 3.918 cents per kWh.

**FPL:** January 2025, 2.748 cents per kWh.

 February-December 2025, 2.710 cents per kWh.

**FPUC:** 5.550 cents per kWh.

**TECO:** January – May 2025, 3.078 cents per kWh.

 June – December 2025, 3.386 cents per kWh.

**ISSUE 19:** **What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?**

**Stipulations:**

**DEF:**

| **Table 19-1** |
| --- |
| **DEF Fuel Recovery Line Loss Multipliers** |
| **for the period January-December, 2025** |
| Delivery Voltage Level | Line Loss Multiplier |
| Transmission | 0.9800 |
| Distribution Primary | 0.9900 |
| Distribution Secondary | 1.0000 |
| Lighting Service | 1.0000 |

Source: Exhibit GPD-3, Part 2, Page 1 of 1.

**FPL:** The appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class are shown in Issue No. 20.

**FPUC:** The appropriate fuel recovery line loss multiplier to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class is 1.00000.

**TECO:**

|  |
| --- |
| **Table 19-4** |
| **TECO Fuel Recovery Line Loss Multipliers** |
| **for the period January-December, 2025** |
| Delivery Voltage Level | Line Loss Multiplier |
| Transmission | 0.98 |
| Distribution Primary | 0.99 |
| Distribution Secondary | 1.00 |
| Lighting Service | 1.00 |

 Source: Exhibit ZDJ-3, Document No. 2, Pages 7-8 of 46.

**ISSUE 20:** **What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?**

**Stipulations:**

**DEF:**

| **Table 20-1** |
| --- |
| **DEF Fuel Cost Recovery Factors for the period January-December, 2025** |
| DeliveryVoltage Level | Fuel Cost Recovery Factors (cents/kWh) | Time of Use(cents/kWh) |
| First Tier | Second Tier | Levelized | On-PeakMultiplier1.137 | Off-Peak Multiplier0.995 | Discount Multiplier0.909 |
| Transmission | -- | -- | 3.847 | 4.374 | 3.828 | 3.497 |
| Distribution Primary | -- | -- | 3.886 | 4.418 | 3.867 | 3.532 |
| Distribution Secondary | 3.630 | 4.700 | 3.925 | 4.463 | 3.905 | 3.568 |
| Lighting Service | -- | -- | 3.829 | -- | -- | -- |

Source: Schedule E1-E (Exhibit GPD-3, Part 2, Page 1 of 1).

**FPL:**

| **Table 20-2** |
| --- |
| **FPL Fuel Cost Recovery Factors for the period January, 2025** |
| Fuel Recovery Factors – By Rate Group (Adjusted for Line Losses) |
| Group | Rate Schedule | Avg. Factor(cents/kWh) | Fuel Recovery Loss Multiplier | Fuel Recovery Factor(cents/kWh) |
| A | RS-1, first 1,000 kWh | 2.748 | 1.00297 | 2.446 |
| RS-1, all additional kWh | 2.748 | 1.00297 | 3.446 |
| GS-1, SL-2, SL-2M, GSCU-1 | 2.748 | 1.00297 | 2.756 |
| A-1 | SL-1, SL-1M, OL-1, PL-1 (1), LT-1, OS I/II | 2.676 | 1.00297 | 2.684 |
| B | GSD-1, GSD-1EV | 2.748 | 1.00290 | 2.756 |
| C | GSLD-1, GSLD-1EV, CS-1 | 2.748 | 1.00181 | 2.753 |
| D | GSLD-2, CS-2, OS-2, MET | 2.748 | 0.99415 | 2.732 |
| E | GSLD-3, CS-3 | 2.748 | 0.97310 | 2.674 |
| A | GST-1 On-Peak | 3.108 | 1.00297 | 3.117 |
| GST-1 Off Peak | 2.593 | 1.00297 | 2.601 |
| RTR-1 On-Peak |  |  | 0.361 |
| RTR-1 Off-Peak |  |  | (0.155) |
| B | GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 On-Peak | 3.108 | 1.00289 | 3.117 |
| GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 Off-Peak | 2.593 | 1.00289 | 2.601 |
| C | GSLDT-1, CST-1, SST-1D(2), HLFT-2 On-Peak | 3.108 | 1.00181 | 3.114 |
| GSLDT-1, CST-1, SST-1D(2), HLFT-2 Off-Peak | 2.593 | 1.00181 | 2.598 |
| D | GSLDT-2, CST-2, SST-1D(3), HLFT-3 On-Peak | 3.108 | 0.99439 | 3.091 |
| GSLDT-2, CST-2, SST-1D(3), HLFT-3 Off-Peak | 2.593 | 0.99439 | 2.579 |
| E | GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) On-Peak | 3.108 | 0.97310 | 3.024 |
| GSLDT-3, CST-3, CILC-1(T), SST-1(T) ISST-1(T) Off-Peak | 2.593 | 0.97310 | 2.524 |
| F | CILC-1(D), ISST-1(D) On-Peak | 3.108 | 0.99459 | 3.091 |
| CILC-1(D), ISST-1(D) Off-Peak | 2.593 | 0.99459 | 2.579 |

Source: Schedule E1-E, (Exhibit AM-5, 2024 FCR Projections, Pages 7 of 174).

| **Table 20-3** |
| --- |
| **FPL Fuel Cost Recovery Factors for the period January, 2025** |
| Seasonal Demand Time of Use Rider (SDTR) Fuel Recovery Factors |
| Group | Rate Schedule | Average Factor(cents/kWh) | Fuel Recovery Loss Multiplier | Fuel Recovery Factor(cents/kWh) |
| B | GSD(T)-1 On-Peak | 3.135 | 1.00290 | 3.144 |
| GSD(T)-1 Off-Peak | 2.698 | 1.00290 | 2.706 |
| C | GSLD(T)-1 On-Peak | 3.135 | 1.00181 | 3.141 |
| GSLD(T)-1 Off-Peak | 2.698 | 1.00181 | 2.703 |
| D | GSLD(T)-2 On-Peak | 3.135 | 0.99439 | 3.117 |
| GSLD(T)-2 Off-Peak | 2.698 | 0.99439 | 2.683 |

Source: Schedule E1-E, (Exhibit AM-5, 2024 FCR Projections, Pages 8 of 174).

| **Table 20-4** |
| --- |
| **FPL Fuel Cost Recovery Factors for the period February-December, 2025** |
| Fuel Recovery Factors – By Rate Group (Adjusted for Line Losses) |
| Group | Rate Schedule | Avg. Factor(cents/kWh) | Fuel Recovery Loss Multiplier | Fuel Recovery Factor(cents/kWh) |
| A | RS-1, first 1,000 kWh | 2.710 | 1.00297 | 2.408 |
| RS-1, all additional kWh | 2.710 | 1.00297 | 3.408 |
| GS-1, SL-2, SL-2M, GSCU-1 | 2.710 | 1.00297 | 2.718 |
| A-1 | SL-1, SL-1M, OL-1, PL-1 (1), LT-1, OS I/II | 2.639 | 1.00297 | 2.647 |
| B | GSD-1, GSD-1EV | 2.710 | 1.00290 | 2.718 |
| C | GSLD-1, GSLD-1EV, CS-1 | 2.710 | 1.00181 | 2.715 |
| D | GSLD-2, CS-2, OS-2, MET | 2.710 | 0.99415 | 2.694 |
| E | GSLD-3, CS-3 | 2.710 | 0.97310 | 2.637 |
| A | GST-1 On-Peak | 3.065 | 1.00297 | 3.074 |
| GST-1 Off Peak | 2.558 | 1.00297 | 2.565 |
| RTR-1 On-Peak |  |  | 0.356 |
| RTR-1 Off-Peak |  |  | (0.153) |
| B | GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 On-Peak | 3.065 | 1.00289 | 3.074 |
| GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 Off-Peak | 2.558 | 1.00289 | 2.565 |
| C | GSLDT-1, CST-1, SST-1D(2), HLFT-2 On-Peak | 3.065 | 1.00181 | 3.071 |
| GSLDT-1, CST-1, SST-1D(2), HLFT-2 Off-Peak | 2.558 | 1.00181 | 2.562 |
| D | GSLDT-2, CST-2, SST-1D(3), HLFT-3 On-Peak | 3.065 | 0.99439 | 3.048 |
|  |  |  |  |
| GSLDT-2, CST-2, SST-1D(3), HLFT-3 Off-Peak | 2.558 | 0.99439 | 2.543 |
| E | GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) On-Peak | 3.065 | 0.97310 | 2.983 |
| GSLDT-3, CST-3, CILC-1(T), SST-1(T) ISST-1(T) Off-Peak | 2.558 | 0.97310 | 2.489 |
| F | CILC-1(D), ISST-1(D) On-Peak | 3.065 | 0.99459 | 3.049 |
| CILC-1(D), ISST-1(D) Off-Peak | 2.558 | 0.99459 | 2.544 |

Source: Schedule E1-E, (Exhibit AM-6, 2024 FCR Projections, Page 4 of 8).

| **Table 20-5** |
| --- |
| **FPL Fuel Cost Recovery Factors for the period February-December, 2025** |
| Seasonal Demand Time of Use Rider (SDTR) Fuel Recovery Factors |
| Group | Rate Schedule | Average Factor(cents/kWh) | Fuel Recovery Loss Multiplier | Fuel Recovery Factor(cents/kWh) |
| B | GSD(T)-1 On-Peak | 3.092 | 1.00290 | 3.101 |
| GSD(T)-1 Off-Peak | 2.661 | 1.00290 | 2.669 |
| C | GSLD(T)-1 On-Peak | 3.092 | 1.00181 | 3.097 |
| GSLD(T)-1 Off-Peak | 2.661 | 1.00181 | 2.666 |
| D | GSLD(T)-2 On-Peak | 3.092 | 0.99439 | 3.074 |
| GSLD(T)-2 Off-Peak | 2.661 | 0.99439 | 2.646 |

Source: Schedule E1-E, (Exhibit AM-6, 2024 FCR Projections, Page 5 of 8).

FPUC:

| **Table 20-6** |
| --- |
| **FPUC Fuel Cost Recovery Factors for the period January-December, 2025** |
| Fuel Recovery Factors – By Rate Schedule Fuel Recovery Factors – By Rate Schedule |
| Rate Schedule | Levelized Adjustment (cents/kWh) |
| RS | 7.849 |
| GS | 7.890 |
| GSD | 7.392 |
| GSLD | 7.176 |
| LS | 5.872 |

Source: Schedule E1, Page 3 of 3 (Exhibit BB-2, Page 3 of 8).

| **Table 20-7** |
| --- |
| **FPUC Fuel Cost Recovery Factors for the period January-December, 2025** |
| Step Rate Allocation For Residential Customers (RS Rate Schedule) |
| Rate Schedule and Allocation | Levelized Adjustment (cents/kWh) |
| RS Rate Schedule – Sales Allocation | 7.849 |
| RS Rate Schedule with less than or equal to 1,000 kWh/month | 7.505 |
| RS Rate Schedule with greater than 1,000 kWh/month | 8.755 |

Source: Schedule E1, Page 3 of 3 (Exhibit BB-2, Page 3 of 8).

**TECO:**

\*The rates shown in Tables 20-8 and 20-9 were calculated using the modified time-of-day periods proposed by TECO in Docket No. 20240026-EI, *Petition for rate increase by Tampa Electric Company*. If the Commission were to deny the proposed time-of-day periods in Docket No. 20240026-EI, then TECO should be required to implement the rates shown in Tables 20-10 and 20-11.

| **Table 20-8** |
| --- |
| **\*TECO Fuel Cost Recovery Factors for the period January-May, 2025****Under Methodology Proposed in Docket No. 20240026-EI** |
| Metering Voltage Level | Fuel Cost Recovery Factors (cents per kWh) |
| Levelized Fuel Recovery Factor | First Tier(First 1,000 kWh) | Second Tier(Over 1,000 kWh) |
| STANDARD |
|  | Distribution Secondary (RS only) | -- | 2.852 | 3.852 |
| Distribution Secondary | 3.083 |  |
| Distribution Primary | 3.052 |
| Transmission | 3.021 |
| Lighting Service | 3.068 |
| TIME OF USE |
|  | Distribution Secondary- On-Peak | 3.238 |  |
| Distribution Secondary- Off-Peak | 3.034 |
| Distribution Secondary- Super Off-Peak | 3.001 |
| Distribution Primary- On-Peak | 3.206 |
| Distribution Primary- Off-Peak | 3.004 |
| Distribution Primary- Super Off-Peak | 2.971 |
| Transmission- On-Peak | 3.173 |
| Transmission- Off-Peak | 2.973 |
|  | Transmission- Super Off-Peak | 2.941 |  |

Source: Exhibit ZDJ-3, Document No. 4, Page 2 of 5.

| **Table 20-9** |
| --- |
| **\*TECO Fuel Cost Recovery Factors for the period June-December, 2025****Under Methodology Proposed in Docket No. 20240026-EI** |
| Metering Voltage Level | Fuel Cost Recovery Factors (cents per kWh) |
| Levelized Fuel Recovery Factor | First Tier(First 1,000 kWh) | Second Tier(Over 1,000 kWh) |
| STANDARD |
|  | Distribution Secondary (RS only) | -- | 3.044 | 4.044 |
| Distribution Secondary | 3.391 |  |
| Distribution Primary | 3.357 |
| Transmission | 3.323 |
| Lighting Service | 3.374 |
| TIME OF USE |
|  | Distribution Secondary- On-Peak | 3.561 |  |
| Distribution Secondary- Off-Peak | 3.336 |
| Distribution Secondary- Super Off-Peak | 3.301 |
| Distribution Primary- On-Peak | 3.525 |
| Distribution Primary- Off-Peak | 3.303 |
| Distribution Primary- Super Off-Peak | 3.268 |
| Transmission- On-Peak | 3.490 |
| Transmission- Off-Peak | 3.269 |
|  | Transmission- Super Off-Peak | 3.235 |  |

Source: Exhibit ZDJ-3, Document No. 4, Page 3 of 5.

| **Table 20-10** |
| --- |
| **TECO Fuel Cost Recovery Factors for the period January-May, 2025** |
| Metering Voltage Level | Fuel Cost Recovery Factors (cents per kWh) |
| Levelized Fuel Recovery Factor | First Tier(First 1,000 kWh) | Second Tier(Over 1,000 kWh) |
| STANDARD |
|  | Distribution Secondary (RS only) | -- | 2.852 | 3.852 |
| Distribution Secondary | 3.083 |  |
| Distribution Primary | 3.052 |
| Transmission | 3.021 |
| Lighting Service | 3.059 |
| TIME OF USE |
|  | Distribution Secondary- On-Peak | 3.227 |  |
| Distribution Secondary- Off-Peak | 3.024 |
| Distribution Primary- On-Peak | 3.195 |
| Distribution Primary- Off-Peak | 2.994 |
| Transmission- On-Peak | 3.162 |
| Transmission- Off-Peak | 2.964 |

Source: Exhibit ZDJ-3, Document No. 2, Page 9 of 46.

| **Table 20-11** |
| --- |
| **TECO Fuel Cost Recovery Factors for the period June-December, 2025** |
| Metering Voltage Level | Fuel Cost Recovery Factors (cents per kWh) |
| Levelized Fuel Recovery Factor | First Tier(First 1,000 kWh) | Second Tier(Over 1,000 kWh) |
| STANDARD |
|  | Distribution Secondary (RS only) | -- | 3.044 | 4.044 |
| Distribution Secondary | 3.391 |  |
| Distribution Primary | 3.357 |
| Transmission | 3.323 |
| Lighting Service | 3.363 |
| TIME OF USE |
|  | Distribution Secondary- On-Peak | 3.549 |  |
| Distribution Secondary- Off-Peak | 3.325 |
| Distribution Primary- On-Peak | 3.514 |
| Distribution Primary- Off-Peak | 3.292 |
| Transmission- On-Peak | 3.478 |
| Transmission- Off-Peak | 3.259 |

Source: Exhibit ZDJ-3, Document No. 2, Page 10 of 46.

**II. Capacity Issues**

**COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES**

**Duke Energy Florida, LLC**

**ISSUE 21A: What is the appropriate amount of costs for the Independent Spent Fuel Storage Installation (ISFSI) that DEF should be allowed to recover through the capacity cost recovery clause pursuant to DEF’s 2017 Settlement for 2025?**

**Stipulation:** $11,525,180.

**Florida Power & Light Company**

No company-specific capacity cost recovery factor issues for Florida Power & Light Company have been identified at this time. If such issues are identified, they will be numbered 22A, 22B, 22C, and so forth, as appropriate.

**Tampa Electric Company**

No company-specific capacity cost recovery factor issues for Tampa Electric Company have been identified at this time. If such issues are identified, they will be numbered 23A, 23B, 23C, and so forth, as appropriate.

**GENERIC CAPACITY COST RECOVERY FACTOR ISSUES**

**ISSUE 24:** **What are the appropriate final capacity cost recovery true-up amounts for the period January 2023 through December 2023?**

**Stipulations:**

**DEF:** Under-recovery of $8,431,790.

**FPL:** Over-recovery of $7,342,001.

**TECO:** Under-recovery of $1,888,665.

 **ISSUE 25:** **What are the appropriate capacity cost recovery actual/estimated true-up**

**amounts for the period January 2024 through December 2024?**

**Stipulations:**

**DEF:** Over-recovery of $1,632,844.

**FPL:** Under-recovery of $6,402,666.

**TECO:** Under -recovery of $9,348,304.

**ISSUE 26:** **What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** Under-recovery of $6,798,946.

**FPL:**  Over-recovery of $939,336.

**TECO:**  Under-recovery of $11,236,969.

**Issue 27:** **What are the appropriate projected total capacity cost recovery amounts for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** $127,743,993.

**FPL:** $121,736,404.

**TECO:** $6,019,725.

**ISSUE 28:** **What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** $146,068,118.

 **FPL:** $116,885,784.

**TECO:** $17,271,328.

**ISSUE 29:** **What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:** Base: 100.000 percent, Intermediate: 95.212 percent, and Peaking: 97.632 percent.

**FPL:** Demand: Transmission 88.7807 percent, Non-Stratified/Base/Solar 96.0110 percent, Intermediate 95.4157 percent, Peaking 94.9428 percent, Distribution 100.0000 percent.

Energy: Non-Stratified/Base/Solar 95.7062 percent, Intermediate 93.9405 percent, Peaking 95.6020 percent.

General Plant: Labor 96.9425 percent.

**TECO:** The appropriate jurisdictional separation factor is 1.00

**ISSUE 30:** **What are the appropriate capacity cost recovery factors for the period January 2025 through December 2025?**

**Stipulations:**

**DEF:**

| **Table 30-1** |
| --- |
| **DEF Capacity Cost Recovery Factors for the period January–December, 2025** |
| **Rate Class** | **Capacity and ISFSI****Cost Recovery Factors** |
| ¢/kWh | $/kW-month |
| Residential (RS-1, RST-1, RSL-1, RSL-2)At Secondary Voltage  | 0.410 |  |
| General Service Non-Demand (GS-1, GST-1) |  |
|  | At Secondary Voltage | 0.357 |
| At Primary Voltage | 0.353 |
| At Transmission Voltage | 0.350 |
| General Service (GS-2) | 0.252 |
| Lighting (LS-1) | 0.107 |
| General Service Demand (GSD-1, GSDT-1, SS-1) |
|  | At Secondary Voltage |  | 1.07 |
| At Primary Voltage | 1.06 |
| At Transmission Voltage | 1.05 |
| Curtailable (CS-2, CST-2, CS-3, CST-3, SS-3) |
|  | At Secondary Voltage |  | 0.72 |
| At Primary Voltage | 0.71 |
| At Transmission Voltage | 0.71 |
| Interruptible (IS-2, IST-2, SS-2) |
|  | At Secondary Voltage |  | 0.88 |
| At Primary Voltage | 0.87 |
| At Transmission Voltage | 0.86 |
| Standby Monthly (SS-1, 2, 3) |
|  | At Secondary Voltage |  | 0.103 |
| At Primary Voltage | 0.102 |
| At Transmission Voltage | 0.101 |
| Standby Daily (SS-1, 2, 3) |
|  | At Secondary Voltage |  | 0.049 |
| At Primary Voltage | 0.049 |
| At Transmission Voltage | 0.048 |

Source: Schedule E12-E (Exhibit GPD-3, Part 3, Page 1 of 1

| **FPL:****Table 30-2****FPL Capacity Cost Recovery Factors (with IRA Refund) for the period** **January–December, 2025** |
| --- |
| **Rate Schedule** | **2025 Capacity Cost Recovery Factors** |
| $/kW | $/kWh | Reservation Demand Charge (RDC) $/kW | Sum of Daily Demand Charge (SDD) $/kW |
|
|  |
| RS1/RTR1 | - | 0.00103 | - | - |
| GS1/GST1 | - | 0.00092 | - | - |
| GSD1/GSDT1/HLFT1/GSD1-EV | 0.32 | - | - | - |
| OS2 | - | 0.00041 | - | - |
| GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV | 0.35 | - | - | - |
| GSLD2/GSLDT2/CS2/CST2/HLFT3 | 0.35 | - | - | - |
| GSLD3/GSLDT3/CS3/CST3 | 0.35 | - | - | - |
| SST1T | - | - | 0.04 | 0.02 |
| SST1D1/SST1D2/SST1D3 | - | - | 0.05 | 0.02 |
| CILC D/CILC G | 0.36 | - | - | - |
| CILC T | 0.36 | - | - | - |
| MET | 0.30 | - | - | - |
| OL1/SL1/SL1M/PL1/OSI/II/LT1 | - | 0.00007 | - | - |
| SL2/SL2M/GSCU1 | - | 0.00065 | - | - |

**TECO:**

| **Table 30-3** |
| --- |
| **TECO Capacity Cost Recovery Factors for the period January–December, 2025** |
| **Rate Class and Metering Voltage** | **2025 Capacity Cost Recovery Factors**  |
| ¢/kWh | $/kW |
| RS | 0.096 | - |
| GS and CS | 0.088 |
| GSD, RSD |  |
| Secondary | - | 0.31 |
| Primary | 0.31 |
| Transmission | 0.30 |
| GSD Optional |  |
| Secondary | 0.075 | - |
| Primary | 0.074 |
| Transmission | 0.074 |  |
| GSLDPR/GSLDTPR | - | 0.26 |
| GSLDSU/GSLDTSU | 0.30 |
| LS-1, LS-2 | 0.018 | - |

Source: Exhibit ZDJ-3, Document No. 1, Page 3 of 4.

**III. Effective Date**

**ISSUE 31:** **What should be the effective date of the fuel adjustment factors and capacity cost recovery factors for billing purposes?**

**Stipulation:**  Revised factors should become effective with the first billing cycle of January 2025.

**ISSUE 32: Should the Commission approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding?**

**Stipulation:** Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be reasonable in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission’s decisions.

**ISSUE 33: Should this docket be closed?**

**Stipulation**: No, this is a continuing docket and should remain open.

1. A Type 2 stipulation occurs on an issue when the utility and staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order. [↑](#footnote-ref-1)
2. Issue 2K: Were FPL’s actions related to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 1 in July 2024 prudent? If not, what actions should the Commission take?; Issue 2L:How much replacement power cost did FPL incur due to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 1 in July 2024?; Issue 2M: Were FPL’s actions related to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 2 in May/June 2024 prudent? If not, what actions should the Commission take?; Issue 2N: How much replacement power cost did FPL incur due to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 2 in July 2024?. [↑](#footnote-ref-2)
3. A Type 2 stipulation occurs on an issue when the utility and staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order. [↑](#footnote-ref-3)
4. The OPC, FRF, PCS Phosphate, Nucor and FIPUG position on each Type 2 stipulation stated herein is as follows:

The OPC, FRF, PCS Phosphate, Nucor and FIPUG take no position on these issues nor do they have the burden of proof related to them. As such, the OPC, FRF, PCS Phosphate, Nucor and FIPUG represent that they will not contest or oppose the Commission taking action approving a proposed stipulation between the Company and another party or staff as a final resolution of these issues. No person is authorized to state that the OPC, FRF, PCS Phosphate, Nucor or FIPUG is a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission or in a representation to a Court. [↑](#footnote-ref-4)
5. Order No. PSC-2024-0171-PCO-EI, issued May 24, 2024, in Docket No. 20240001-EI, In re: *Fuel and purchased power cost recovery clause with generating performance incentive factor*. [↑](#footnote-ref-5)
6. Order No. PSC-2024-0091-PCO-EI, issued April 10, 2024, in Docket No. 20240001-EI, In re: *Fuel and purchased power cost recovery clause with generating performance incentive factor*. [↑](#footnote-ref-6)
7. Order No. PSC-2024-0172-PCO-EI, issued May 24, 2024, in Docket No. 20240001-EI, In re: *Fuel and purchased power cost recovery clause with generating performance incentive factor*. [↑](#footnote-ref-7)