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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery clause.	DOCKET NO. 20260002-EG ORDER NO. PSC-2026-0392-PHO-EG ISSUED: October 29, 2026

AT 10/30/26

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 20, 2026, in Tallahassee, Florida, before Commissioner Gary Clark, as Prehearing Officer.

APPEARANCES:

JOEL T. BAKER, MARIA JOSE MONCADA, and WILLIAM P. COX, ESQUIRES, 700 Universe Boulevard, Juno Beach, Florida 33408
On behalf of FLORIDA POWER & LIGHT COMPANY (FPL).

DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg, Florida 33701
MATTHEW R. BERNIER, and STEPHANIE A. CUELLO, ESQUIRES, 106 East College Avenue, Suite 800, Tallahassee, Florida 32301
On behalf of DUKE ENERGY FLORIDA, LLC (DEF).

J. JEFFRY WAHLEN, MALCOLM N. MEANS, and MATTHEW J. JONES, ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of TAMPA ELECTRIC COMPANY (TECO).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South Monroe Street, Suite 601, Tallahassee, Florida 32301
On behalf of FLORIDA PUBLIC UTILITIES COMPANY (FPUC).

WALT TRIERWEILER, CHARLES J. REHWINKEL, and AUSTIN WATROUS, ESQUIRES, c/o The Florida Legislature, 111 West Madison Street, Suite 812, Tallahassee, Florida 32399
On behalf of the OFFICE OF PUBLIC COUNSEL (OPC).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm, P.A. 118 North Gadsden Street, Tallahassee, Florida 32301
On behalf of FLORIDA INDUSTRIAL POWER USERS GROUP (FIPUG).

JAMES W. BREW, LAURA WYNN BAKER, and SARAH B. NEWMAN, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower, Washington, D.C. 20007
On behalf of WHITE SPRINGS AGRICULTURAL CHEMICALS INC. d/b/a PCS PHOSPHATE – WHITE SPRINGS (PCS Phosphate).

PETER J. MATTHEIS, MICHAEL K. LAVANGA, and JOSEPH R. BRISCAR, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower, Washington, D.C. 20007
On behalf of NUCOR STEEL FLORIDA, INC. (Nucor).

JACOB IMIG, ESQUIRE, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399
On behalf of FLORIDA PUBLIC SERVICE COMMISSION STAFF (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.

ADRIA E. HARPER, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

I. CASE BACKGROUND

The Energy Conservation Cost Recovery Clause allows public utilities to seek recovery of costs for energy conservation programs on an annual basis, pursuant to Sections 366.80–366.83, Florida Statutes (F.S.), and Rule 25-17.015, Florida Administrative Code (F.A.C.). As part of the Florida Public Service Commission's (Commission) continuing energy conservation cost recovery proceedings, a hearing is set for November 3-6, 2026.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

The Commission is vested with subject matter jurisdiction to approve conservation cost recovery pursuant to Section 366.80 – 366.83, F.S. This hearing shall be governed by Chapters

120 and 366, F.S., and Chapters 25-6, 25-22, 28-106, and 28-109, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

(1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

(2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties (and Staff) has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness' direct testimony is adverse to its interests.

All parties must refer to the Exhibit Number established by the Comprehensive Exhibit List when referencing an exhibit during cross-examination.

VI. ORDER OF WITNESSES

Each witness whose name is preceded by a plus sign (+) will present direct and rebuttal testimony together.

Witness	Proffered By	Issues #
Direct		
Richard L. Hume	FPL	1-7, 10
Lonzelle S. Noack	FPL	1-2; 4-5
Karla Rodriguez	DEF	1

Witness	Proffered By	Issues #
Karla Rodriguez	DEF	2-6
Karla Rodriguez	DEF	7
Karla Rodriguez	DEF	10
Robert G. Johnston	TECO	1-10
Kira I. Lake	FPUC	1
Kira I. Lake	FPUC	2-7, 10

If the parties and Staff are later willing to excuse witnesses, Staff shall confirm with each hearing Commissioner whether a particular witness may be excused. If no Commissioner has any question for those witnesses, then the witnesses may be excused from the hearing with his or her testimony entered into the record as though read and exhibits admitted.

VII. BASIC POSITIONS

FPL: FPL's Conservation Cost Recovery Factors for the January 2027 through December 2027 recovery period, which include the 2025 net final true-up for FPL and the 2026 actual/estimated true-up for FPL, are appropriate and reasonable and should be approved.

DEF: The Commission should determine that DEF has properly calculated its conservation cost recovery true-up and projection costs and should approve the conservation cost recovery factors for the period January 2027 through December 2027 set forth in the testimony and exhibits of witness Karla Rodriguez.

TECO: The Florida Public Service Commission ("Commission") should determine that Tampa Electric Company ("Tampa Electric") has properly calculated its conservation cost recovery true-up and projections and the conservation cost recovery factors set forth in the testimony and exhibits of witness Robert G. Johnston for the period January 2027 through December 2027.

The Commission should approve the Contracted Credit Value in accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034-EI for the GSLM-2 and GSLM-3 rate riders for use during the period January 2027 through December 2027.

The Commission should also approve the Residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric for the period January 2027 through December 2027 as set forth in witness Johnston's testimony and exhibits.

FPUC: The Commission should approve Florida Public Utilities Company's final net true-up for the period January through December 2025, the estimated true-up for the period January through December 2026, and the projected conservation program expenses for the period January through December 2027.

OPC: The utilities bear the burden of proof to justify the recovery of the costs that they request in this docket and must carry this burden regardless of whether or not the intervenors provide evidence to the contrary. Further, the utilities bear the burden of proof to support their proposal(s) seeking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of a cost, factor, or adjustment as meeting the Commission's own requirements, the utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory test(s) and are reasonable in amount and prudently incurred. Further, the utilities bear the burden of proof to support that all costs sought to be recovered through this clause are correctly clause recovery costs and not base rate costs. Further, recovery of all costs is constrained by the Commission's obligation to set fair, just, and reasonable rates, based on projects that are prudent in purpose and scope and costs that are prudently incurred pursuant to Section 366.01, Florida Statutes. Additionally, the provisions of Chapter 366, Florida Statutes, must be liberally construed to protect the public welfare.

FIPUG: The amounts approved in this docket should reflect the sums as set forth in the approved Settlement Agreement in docket 20250011-EI.

PCS Phosphate: PCS Phosphate generally adopts the positions taken by the Florida Office of Public Counsel ("OPC") unless a differing position is specifically stated.

NUCOR: Nucor's basic position is that Duke Energy Florida, LLC ("DEF") bears the burden of proof to justify the costs it seeks to recover through the ECCRC and any other relief DEF requests in this proceeding.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

VIII. ISSUES AND POSITIONS

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: **What are the final conservation cost recovery adjustment true-up amounts for the period January 2025 through December 2025?**

FPL: FPL's final conservation cost recovery adjustment true-up amount for the period of January 2025 through December 2025 is an under-recovery of $1,860,013. (Hume)

DEF: The adjusted net true-up for the period January 2025 through December 2025 is an over-recovery of $1,083,297. (Rodriguez)

TECO: A net over-recovery of $1,706,139 including interest. (Johnston)

FPUC: The final end of period adjustment true-up amount is an over-recovery of $177,690. (Lake)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the final conservation cost recovery adjustment true-up amounts for the period January 2025 through December 2025 proposed for recovery from customers can necessarily be deemed reasonable and prudent.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 2: **What are the appropriate total conservation adjustment actual/estimated true-up amounts for the period January 2026 through December 2026?**

FPL: FPL's conservation adjustment actual/estimated true-up amount for the period of January 2026 through December 2026, including interest, is an over-recovery of $12,304,409. (Hume)

DEF: $17,218,175 adjusted net true-up over-recovery. (Rodriguez)

TECO: A net over-recovery of $2,297,254 including interest. (Johnston)

FPUC: The estimated conservation true-up amount for the period January 2026 to December 2026 is an over-recovery of $262,989. (Lake)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the conservation adjustment actual/estimated true-up amounts for the period January 2026 through December 2026 proposed for recovery from customers can necessarily be deemed reasonable or prudent.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 3: **What are the appropriate total conservation adjustment true-up amounts to be collected/refunded from the period January 2027 through December 2027?**

FPL: FPL's total conservation adjustment true-up amount to be refunded in the period January 2027 through December 2027 is $10,444,396. (Hume)

DEF: $18,301,472 adjusted net true-up over-recovery. (Rodriguez)

TECO: A refund of $4,003,392 including interest. (Johnston)

FPUC: The estimated conservation true-up amount to be collected during the period January 2027 to December 2027 is an over-recovery of $440,679. (Lake)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the total conservation adjustment true-up amounts to be collected/refunded during the period January 2027 through December 2027 and proposed for recovery from customers can necessarily be deemed reasonable or prudent.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 4: **What are the total conservation cost recovery amounts to be collected during the period January 2027 through December 2027?**

FPL: FPL's total conservation cost recovery amount to be collected between January 1, 2027 and December 31, 2027 is $158,816,131 (including prior true-up amounts). (Noack)

DEF: $132,066,436 (Rodriguez)

TECO: $46,205,293. (Johnston)

FPUC: FPUC seeks to recover $351,571 over the period January 2027 through December 2027. (Lake)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the total conservation cost recovery amounts to be collected during the period

January 2027 through December 2027 and proposed for recovery from customers can necessarily be deemed reasonable.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 5: **What are the conservation cost recovery factors for the period January 2027 through December 2027?**

FPL: The appropriate FPL conservation cost recovery factors for the period January 2027 through December 2027 are:

RATE CLASS SUMMARY	Conservation Recovery Factor ($/kW)	Conservation Recovery Factor ($/kWh)	Reservation Demand Charge ($/kW)	Daily Demand Charge ($/kW)
RS1/RTR1/RS-2EV		0.00130		
GS1/GST1		0.00127		
GSD1/GSDT1/HLFT1/GSD1-EV	0.43			
OS2		0.00072		
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD-1EV	0.48			
GSLD2/GSLDT2/CS2/CST2/HLFT3/GSLD-2EV	0.48			
GSLD3/GSLDT3/CS3/CST3/LLCS-1/LLCS-2	0.48			
SST1T			0.05	0.02
SST1D1/SST1D2/SST1D3			0.05	0.02
CILC D/CILC G	0.50			
CILC T	0.50			
MET	0.40			
OL1/SL1/SL1M/PL1/OSI/II		0.00043		
SL2/SL2M/GSCU1		0.00089		

(Hume)

DEF:

Customer Class	ECCR Factor
Residential	0.356 cents/kWh
General Service Non-Demand	0.311 cents/kWh
@ Primary Voltage	0.308 cents/kWh
@ Transmission Voltage	0.305 cents/kWh
General Service 100% Load Factor	0.253 cents/kWh
General Service Demand	0.99 $/kW
@ Primary Voltage	0.98 $/kW
@ Transmission Voltage	0.97 $/kW
Curtailable	1.17 $/kW
@ Primary Voltage	1.16 $/kW
@ Transmission Voltage	1.15 $/kW
Interruptible	1.01 $/kW
@ Primary Voltage	1.00 $/kW
@ Transmission Voltage	0.99 $/kW
Standby Monthly	0.100 $/kW
@ Primary Voltage	0.099 $/kW
@ Transmission Voltage	0.098 $/kW
Standby Daily	0.048 $/kW
@ Primary Voltage	0.048 $/kW
@ Transmission Voltage	0.047 $/kW
Lighting	0.130 cents/kWh (Rodriguez)

TECO: For the period January 2027 through December 2027 the cost recovery factors for the rate design and cost allocation as put forth in Docket No. 20240026-EI are as follows:

Rate Schedule	Cost Recovery Factors (cents per kWh)
RS	0.261
GS and CS	0.228
GSD Optional–Secondary	0.186
GSD Optional–Primary	0.184
GSD Optional–Subtransmission	0.182
LS-1, LS-2	0.062

Rate Schedule	Cost Recovery Factors (dollars per kW)
GSD-Secondary	0.76
GSD-Primary	0.75
GSD-Subtransmission	0.74
SBD–Secondary	0.76
SBD–Primary	0.75
SBD–Subtransmission	0.74
GSLD-Primary	0.77
GSLD–Subtransmission	0.73

(Witness: Johnston)

FPUC: The Company asks for approval of a consolidated levelized conservation cost recovery factor for this period of $.00057 per KWH. (Lake)

OPC: The factors should be based on costs deemed reasonable or prudent after a hearing.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 6: **What should be the effective date of the new conservation cost recovery factors for billing purposes?**

FPL: The factors shall be effective for meter readings that occur on or after January 1, 2027. These charges shall continue in effect until modified by subsequent order of this Commission. (Hume)

DEF: The new factors should be effective beginning with the first billing cycle for January 2027, and thereafter through the last billing cycle for December 2027.

The first billing cycle may start before January 1, 2027, and the last billing cycle may end after December 31, 2027, so long as each customer is billed for twelve months regardless of when the factors became effective. (Rodriguez)

TECO: The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2027 through December 2027. Billing cycles may start before January 1, 2027, and the last cycle may be read after December 31, 2027, so that each customer is billed for 12 months regardless of when the factor became effective. (Johnston)

FPUC: The factor should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2027 through December 2027. Billing cycles may start before January 1, 2027 and the last cycle may be read after December 31, 2027, so that each customer is billed for twelve months regardless of when the adjustment factor became effective. (Lake)

OPC: The effective date for any rate change should be the first day of the first billing cycle in January 2027.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

ISSUE 7: **Should the Commission approve revised tariffs reflecting the energy conservation cost recovery amounts and energy conservation cost recovery factors determined to be appropriate in this proceeding?**

FPL: Yes. The Commission should approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission's decision. (Hume)

DEF: Yes. The Commission should approve DEF's revised tariffs reflecting the energy conservation cost recovery amounts and energy conservation cost recovery factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission decision. (Rodriguez)

TECO: Yes, the Commission should approve revised tariffs reflecting the energy conservation cost recovery amounts and energy conservation cost recovery factors determined to be appropriate in this proceeding. (Johnston)

FPUC: Yes. The Commission should approve revised tariffs reflecting the energy conservation cost recovery amounts and establishing energy conservation cost recovery factors determined to be appropriate in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision. (Lake)

OPC: The tariffs ultimately approved should be based on costs deemed reasonable or prudent in a hearing.

FIPUG: Adopt position of OPC.

PCS Phosphate: Agree with OPC

NUCOR: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

STAFF: Staff has no position at this time.

COMPANY SPECIFIC ISSUES – TAMPA ELECTRIC COMPANY

ISSUE 8: **What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric for the period January 2027 through December 2027?**

FPL: No position.

DEF: No position.

TECO: In accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034, the Contracted Credit Value by Voltage Level for the forthcoming cost recovery period, January 2027 through December 2027, for the GSLM-2 and GSLM-3 rate riders will be:

Voltage Level	Contracted Credit Value (dollars per kW)
Secondary	11.75
Primary	11.63
Subtransmission	11.52

(Johnston)

FPUC: No Position.

OPC: The OPC is not in agreement at this time that Tampa Electric Company has demonstrated that it has met its burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2027 through December 2027 can necessarily be deemed to be correct or reasonable.

FIPUG: No position.

PCS Phosphate: No position.

NUCOR: No position.

STAFF: Staff has no position at this time.

ISSUE 9: **What are the Residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric Company for the period January 2027 through December 2027?**

FPL: No position.

DEF: No position.

TECO: For the period January 2027 through December 2027 the Residential Price Responsive Load Management (RSVP-1) rates are as follows:

Rate Tier	Cents per kWh
P4	34.094
P3	5.999
P2	(1.259)
P1	(2.634)
(Johnston)	

FPUC: No position.

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric Company for the period January 2027 through December 2027 can necessarily be deemed to be reasonable

FIPUG: No position.

PCS Phosphate: No position.

NUCOR: No position.

STAFF: Staff has no position at this time.

ISSUE 10: Should this docket be closed?

FPL: This docket is an on-going docket and should remain open. (FPL witness Hume)

DEF: No. While a separate docket number is assigned each year for administrative convenience, this is a continuing docket and shall remain open.

TECO: No. While a separate docket number is assigned each year, this is a continuing docket and should remain open.
(Johnston)

FPUC: Recognizing that this is an ongoing cost recovery docket, this docket should remain open with a new docket number assigned for the following year.

OPC: No position at this time.

FIPUG: No position.

PCS Phosphate: No position.

NUCOR: No position.

STAFF: Staff has no position at this time.

IX. EXHIBIT LIST

Witness	Proffered By	Exhibit No.	Description	Issue No.
Direct				
Richard L. Hume	FPL	LSN-1	2025 Final True-up Schedules CT-1 and CT-4	1
Richard L. Hume	FPL	LSN-1	2025 Final True-up Schedules CT-2 and CT-3	1
Lonzelle S. Noack	FPL	LSN-1	2025 Final True-up Schedules CT-2 and CT-3	1
Lonzelle S. Noack	FPL	LSN-1	2025 Final True-up Schedules CT-5 and CT-6	1
Richard L. Hume	FPL	LSN-1	2025 Final True-up Capital Structure/Cost Rates	1
Richard L. Hume	FPL	LSN-2	2027 Projection Schedule C-1	3-5
Richard L. Hume	FPL	LSN-2	2027 Projection Schedule C-2	4-5
Lonzelle S. Noack	FPL	LSN-2	2027 Projection Schedule C-2	4-5
Richard L. Hume	FPL	LSN-2	2027 Projection Capital Structure/Cost Rates	4
Richard L. Hume	FPL	LSN-2	2026 Actual/Estimated Schedule C-3	2
Lonzelle S. Noack	FPL	LSN-2	2026 Actual/Estimated Schedule C-3	2
Richard L. Hume	FPL	LSN-2	2026 Actual/Estimated Capital Structure/Cost Rates	2

Witness	Proffered By	Exhibit No.	Description	Issue No.
Richard L. Hume	FPL	LSN-2	2026 Actual/Estimated Schedule C-4	2
Lonzelle S. Noack	FPL	LSN-2	Schedule C-5	4-5
Karla Rodriguez	DEF	KR-1T	ECCR Adjusted Net True-Up for January-December 2025, Schedules CT1 – CT6	1-7
Karla Rodriguez	DEF	KR-1P	Estimated/Actual True-Up, January – December 2026 and ECCR Factors for Billings in January – December 2027, Schedules C1 – C6	1-7
Robert G. Johnston	TECO	RGJ-1 *(filed May 5, 2026)*	Schedules supporting cost recovery factor, actual January 2025 – December 2025	1
Robert G. Johnston	TECO	RGJ-2 *(filed August 3, 2026; Supplement filed September 18, 2026)*	Schedules supporting conservation costs projected for the period January 2027 – December 2027	2-10
Kira I. Lake	FPUC	KIL-1 (composite)	Schedules CT-1, CT-2, CT-3, CT-4, CT-5 and CT-6	1
Kira I. Lake	FPUC	KIL-2 (composite)	Schedules C-1, C-2, C-3, C-4, and C-5	2-7

X. PROPOSED STIPULATIONS

There are no proposed stipulations at this time.

XI. PENDING MOTIONS

There are no pending motions.

XII. PENDING CONFIDENTIALITY MATTERS

There are no pending confidentiality matters.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

XIV. RULINGS

Opening statements, if any, shall not exceed 3 minutes per party.

Staff shall have administrative authority to excuse witnesses as set forth in Section VI of this Order.

It is therefore,

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 29th day of October, 2026.



GARY F. CLARK
Commissioner and Prehearing Officer
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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.

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.