

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 15, 2021

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel *JSC*

RE: Docket No. 20210001-EI – In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 20210010-EI – In re: Storm protection plan cost recovery clause.

Docket No. 20210097-EI – In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Eta and Isaias, by Duke Energy Florida, LLC.

Please place in the above-captioned dockets the attached Commission Notice of Hearing, filed October 14, 2021, and Florida Administrative Register Notice of Hearing, filed October 15, 2021, in Docket No. 20210158-EI, *In re: Limited proceeding to consider Duke Energy Florida, LLC's unopposed motion to approve rate mitigation agreement.*

The notices address the hearing scheduled on November 2, 2021, for Docket No. 20210158-EI, in which the Commission will consider whether approval of Duke Energy Florida, LLC's (DEF) Unopposed Motion to Approve Rate Mitigation Agreement is in the public interest. The motion was filed on September 3, 2021, in Docket Nos. 20210001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor*, 20210010-EI, *In re: Storm protection plan cost recovery clause*, and 20210097-EI, *In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Eta and Isaias, by Duke Energy Florida, LLC*. The Rate Mitigation Agreement addresses issues or cost recovery associated with the three dockets referenced above, as well as some matters not previously raised in those dockets. Therefore, Docket No. 20210158-EI has been opened to address DEF's Motion and the proposed Rate Mitigation Agreement.

Any questions regarding DEF's Motion, the proposed Rate Mitigation Agreement, or the November 2, 2021, hearing may be directed to Jennifer Crawford, Attorney Supervisor, at (850) 413-6228, or jennifer.crawford@psc.state.fl.us.

JSC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING

TO

DUKE ENERGY FLORIDA, LLC
FLORIDA INDUSTRIAL POWER USERS GROUP
FLORIDA POWER & LIGHT COMPANY
FLORIDA PUBLIC UTILITIES COMPANY
FLORIDA RETAIL FEDERATION
GULF POWER COMPANY
NUCOR STEEL FLORID, INC
OFFICE OF PUBLIC COUNSEL
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC. D/B/A PCS PHOSPHATE
SOUTHERN ALLIANCE FOR CLEAN ENERGY
TAMPA ELECTRIC COMPANY
WALMART, INC

ALL OTHER INTERESTED PERSONS

DOCKET NO. 20210158-EI

LIMITED PROCEEDING TO CONSIDER DUKE ENERGY FLORIDA, LLC'S UNOPPOSED
MOTION TO APPROVE RATE MITIGATION AGREEMENT.

ISSUED: October 14, 2021

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hold a
public hearing in the above-referenced docket at the following time and place:

Tuesday, November 2, 2021

Immediately following the conclusion of the Commission Agenda Conference,
scheduled to commence at 9:30 a.m.

Hearing Room 148, Betty Easley Conference Center

4075 Esplanade Way

Tallahassee, Florida

PURPOSE AND PROCEDURE

The purpose of this hearing is to consider Duke Energy Florida, LLC's (Duke) Unopposed Motion to Approve Rate Mitigation Agreement (Agreement), whether approval of the Agreement is in the public interest, and any motions or other matters that may be pending at

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DOCKET NO. 20210158-EI
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the time of the hearing. The Agreement under consideration addresses issues or cost recovery associated with three dockets referenced by the Agreement, as well as some matters not previously raised in those dockets. The three referenced dockets are Docket Nos. 20210001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor*, 20210010-EI, *In re: Storm protection plan cost recovery clause*, and 20210097-EI, *In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Eta and Isaias, by Duke Energy Florida, LLC*. The Commission may rule on any motions from the bench or may take the matters under advisement.

At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the Agreement. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or 850-413-6770 (Florida Relay Service, 1-800-955-8770 Voice or 1-800-955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

PUBLIC COMMENT

Any member of the public who wishes to offer comment should be present at the beginning of the hearing on Tuesday, November 2, 2021. By providing public comment, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least twenty days before the final hearing, pursuant to the requirements contained in Rule 28-106.205, Florida Administrative Code.

Any member of the public who wants to observe or listen to the proceedings may do so by accessing the live video broadcast the day of the hearing, which is available from the FPSC website. Upon completion of the hearing, the archived video will also be available.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

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DOCKET NO. 20210158-EI
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JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Sections 366.04, 366.05, and 366.06, Florida Statutes. This hearing will be governed by Chapters 120 and 366, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

By DIRECTION of the Florida Public Service Commission this 14th day of October, 2021.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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

JSC

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces a hearing in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: 20210158-EI Limited proceeding to consider Duke Energy Florida, LLC's unopposed motion to approve rate mitigation agreement.

HEARING DATE AND TIME: Tuesday, November 2, 2021, immediately following the conclusion of the Commission Agenda Conference, scheduled to commence at 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to Duke Energy Florida, LLC's (Duke) Unopposed Motion to Approve Rate Mitigation Agreement (Agreement), to determine whether approval of the Agreement is in the public interest, and any motions or other matters that may be pending at the time of the hearing. The Agreement under consideration addresses issues or cost recovery associated with three dockets referenced by the Agreement, as well as some matters not previously raised in those dockets. The three referenced dockets are Docket Nos. 20210001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor*, 20210010-EI, *In re: Storm protection plan cost recovery clause*, and 20210097-EI, *In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Eta and Isaias, by Duke Energy Florida, LLC*. The Commission may rule on any motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

PUBLIC COMMENT: Any member of the public who wishes to offer comment should be present at the beginning of the hearing on Tuesday, November 2, 2021. By providing public comment, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least twenty days before the final hearing, pursuant to the requirements contained in Rule 28-106.205, Florida Administrative Code (F.A.C.).

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapters 120 and 366, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850) 413-6770 (Florida Relay Service, 1-800-955-8770 Voice or 1-800-955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

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Florida Department of State

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Notices Submitted to ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
25140768	10/15/2021	Florida Public Service Commission	Meeting	10/18/2021 Vol. 47/202	10/15/2021

Notices Confirmed by ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
None					

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