

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery
Clause with Generating Performance Incentive Factor

Docket No. 20240001-EI

Filed: March 8, 2024

UNOPPOSED MOTION TO STAY REBUTTAL TESTIMONY DEADLINE

Florida Power & Light Company (“FPL”), pursuant to Rule 28-106.204, F.A.C., hereby moves to stay the rebuttal testimony deadline set forth in Order No. PSC-2023-0207-PCO-EI (“Order 0207”) pending the Florida Public Service Commission’s consideration of stipulations that would resolve all issues in this matter. In support of this motion, the Movants state as follows:

1. By Order 0207, issued July 24, 2023, the Commission deferred to this year resolution of issues pertaining to replacement power costs resulting from unplanned outages at FPL’s nuclear sites during 2020, 2021 and 2022 (“the RPC Proceeding”).

2. Order 0207 established a set of deadlines governing the RPC Proceeding. Pursuant to that Order, FPL filed direct testimony on January 5, 2024, and the Office of Public Counsel (“OPC”) and Commission Staff filed opposing direct testimony on February 5, 2024.

3. FPL and OPC have reached agreement on stipulated positions that would resolve all issues that are the subject of the RPC Proceeding. No party¹ opposes the stipulated positions.

4. Under Order 0207, the deadline for FPL to file rebuttal testimony is March 12, 2024. FPL requests a stay of this rebuttal testimony deadline pending the Commission’s consideration of the stipulations.

5. FPL requests that the Commission consider the stipulations on March 26, 2024, which would have been the first day of the hearing in this RPC Proceeding.

¹ Florida Retail Federal (“FRF”) and the Florida Industrial Power Users Group (“FIPUG”) are the only other parties with standing in the RPC Proceeding. FRF and FIPUG have represented that they take no position on the pending issues.

6. In the event the Commission declines to approve the stipulated positions, FPL requests that the Commission establish new deadlines for rebuttal testimony, prehearing statements, hearing, post-hearing briefs and any other necessary matters in this RPC Proceeding.

Conferral

Pursuant to Rule 28-106.204(3), F.A.C., FPL contacted counsel for the parties to the RPC proceeding. OPC advised that it supports the Motion. FRF and FIPUG take no position.

WHEREFORE, Florida Power & Light Company respectfully request that the Commission stay the March 12, 2024 rebuttal testimony deadline established in Order 0207.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Docket No. 20240001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 8th day of March 2024 to the following:

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