

# Holtzman Vogel

HOLTZMAN VOGEL BARAN TORCHINSKY & JOSEFIK PLLC

August 6, 2024

**VIA ELECTRONIC FILING**

Mr. Adam J. Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 20240016-EG – In re: In re: Commission Review of Numeric Conservation Goals (JEA) - Amended Stipulations of JEA, Florida Rising, and Southern Alliance for Clean Energy and Acceptance of Walmart

Dear Mr. Teitzman:

Enclosed for filing are Amended Stipulations among JEA, Florida Rising and the Southern Alliance for Clean Energy, Inc., in the above-referenced docket. The Amended Stipulations correct certain references to exhibits to correspond with the numbering in the final Comprehensive Exhibit List prepared by Commission Staff. Also enclosed is Walmart Inc.'s signed acceptance of certain of those stipulations. Upon approval by the Commission, the enclosed stipulations will fully resolve those parties' respective issues in the above-referenced docket.

If you or your staff have any questions regarding this filing, please contact me at (850) 567-5762.

Respectfully submitted,

Holtzman Vogel Baran Torchinsky & Josefiak PLLC

By:



Gary V. Perko  
119 S. Monroe St., Suite 500  
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*Counsel for JEA*

Enclosure  
cc: Certificate of Service

**CERTIFICATE OF SERVICE**

I certify that on August, 6, 2024, a true and correct copy of the foregoing has been furnished by electronic mail to the following:

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/s/ Gary V. Perko  
Attorney for JEA

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission review of numeric  
conservation goals (JEA)

DOCKET NO.: 20240016-EG

FILED: August 6, 2024

**AMENDED STIPULATIONS**

JEA, Florida Rising, and the Southern Alliance for Clean Energy, Inc. (“SACE”) (hereinafter referred to individually as “Party” or collectively as “Parties”) hereby agree to submit for approval by the Florida Public Service Commission (“Commission”) the following stipulations to fully resolve the Parties’ respective issues in Docket No. 20240016-EG on the following terms and conditions:

1. The Parties stipulate to having all pre-filed testimony and exhibits filed in this docket entered into the record, specifically the following:
  - a. The Direct Testimony of JEA witness Brian Pippin, along with Exhibits BP-1 through BP-8;
  - b. The Direct Testimony of JEA witness Bradley E. Kushner, along with Exhibits BEK-1 and BEK-2;
  - c. The Rebuttal Testimony of JEA witness Brian Pippin, along with Exhibit BP-9; and
  - d. The Direct Testimony of Florida Rising witness MacKenzie Marcelin, along with Exhibits MM-1 through MM-10, MM-12 through MM-14, MM-18, MM-23, MM-25, and MM-36.
2. The Parties agree to waive cross-examination of all witnesses in Docket No. 20240016-EG and, upon Commission approval, have no objection to witnesses being excused from appearing at the hearing.

3. The Parties stipulate to having the following exhibits identified on Staff's Comprehensive Exhibit List entered into the record for Docket No. 20240016-EG: 25-27, 58-73, 88-97, 99-101, 105, 110, 112, and 123.
4. The Parties stipulate and agree that JEA's proposed DSM Goals for the ten-year period of 2025-2034 shall be modified as follows:
  - a. The annual participation level in JEA's proposed low-income Neighborhood Energy Efficiency ("NEE") program shall be increased from 1,273 to 2,000 for 2025 and continue at 2,000 for the 2025-2034 period; provided, however, the Parties agree that JEA's DSM Goals and associated participation levels shall be reassessed and reset in the next DSM Goals docket to be filed in 2029.
  - b. JEA's proposed DSM Goals shall be adjusted in accordance with the stipulation in subparagraph a. above.
5. The Parties stipulate and agree that the modifications set forth in Paragraph 4 above are a reasonable compromise of competing positions set forth in the testimony and exhibits submitted by the JEA and Florida Rising witnesses.
6. Subject to the modification of JEA's proposed DSM Goals as set forth in Paragraph 4 above, the Parties stipulate to the following positions on each of the Issues set forth in the Prehearing Order:
  - Issue 1: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, are based on an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems.
  - Issue 2: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, are based on savings reasonably achievable through demand-side management programs over a ten-year period.
  - Issue 3: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to customers participating.

- Issue 4: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to the general body of rate payers as a whole, including utility incentives and participant contributions.
- Issue 5: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, adequately reflect the need for incentives to promote both customer-owned and utility- owned energy efficiency and demand side renewable energy systems.
- Issue 6: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, adequately reflect the costs imposed by state and federal regulations on the emissions of greenhouse gases.
- Issue 7: The Parties stipulate and agree that the record supports a Commission finding that JEA's proposed DSM Goals, as modified herein, appropriately reflect consideration of free riders.
- Issue 8a: This issue is not applicable to JEA.
- Issue 8b: This issue is not applicable to JEA.
- Issue 9: This issue is not applicable to JEA.
- Issue 10: This issue is not applicable to JEA.
- Issue 11: This issue is not applicable to JEA.
- Issue 12: The Parties stipulate and agree that to reflect the modifications agreed to in Paragraph 4 above, JEA's proposed DSM Goals shall be as follows:

Year	Residential			Commercial/Industrial			Total		
	Summer Peak Demand Reduction (MW)	Winter Peak Demand Reduction (MW)	Annual Energy (MWh)	Summer Peak Demand Reduction (MW)	Winter Peak Demand Reduction (MW)	Annual Energy (MWh)	Summer Peak Demand Reduction (MW)	Winter Peak Demand Reduction (MW)	Annual Energy (MWh)
2025	0.68	0.88	3,788	0.44	0.37	3,346	1.12	1.25	7,134
2026	0.84	0.99	4,278	0.47	0.39	3,562	1.31	1.38	7,840
2027	1.03	1.11	4,857	0.50	0.41	3,771	1.53	1.52	8,628
2028	1.26	1.25	5,510	0.53	0.42	3,975	1.79	1.67	9,485
2029	1.50	1.38	6,193	0.56	0.44	4,169	2.06	1.82	10,362
2030	1.73	1.51	6,827	0.58	0.45	4,334	2.31	1.96	11,161
2031	1.90	1.60	7,302	0.60	0.46	4,444	2.50	2.06	11,746
2032	1.96	1.65	7,512	0.60	0.46	4,470	2.56	2.11	11,982
2033	1.89	1.63	7,403	0.59	0.46	4,403	2.48	2.09	11,806
2034	1.70	1.57	7,019	0.57	0.45	4,257	2.27	2.02	11,276

Issue 13: The Parties stipulate and agree that the record supports a Commission finding that no additional goals should be established for demand-side renewable energy systems.

Issue 14: The Parties stipulate and agree that approval of the stipulations set forth herein will fully resolve the issues and positions of all Parties to this docket and, therefore, this docket should be closed upon the issuance of an Order approving these stipulations.

7. The Parties stipulate and agree that JEA’s proposed DSM Goals, as modified herein, will deliver meaningful energy-efficiency savings options to all customers including owners, renters, and low-income customers, and should be approved.
8. The Parties stipulate and agree that JEA’s proposed DSM Goals, as modified herein, is a reasonable approach to meet the requirements of Section 366.82, Florida Statutes, and Rules 25-17.0021 and 25-17.008, Florida Administrative Code, and will establish DSM Goals at a reasonable and appropriate level for the period 2025 through 2034 and should be approved.
9. The Parties stipulate and agree that the stipulations and positions set forth herein are limited and apply only to JEA’s proposed DSM Goals in Docket No. 20240016-EG, and

in no way impact or limit any of the positions that Parties may take in any other current or future proceedings before the Commission, including, but not limited to, any other DSM Goals dockets currently pending before the Commission. Further, no Party agrees, concedes, or waives any position with respect to any of the issues identified in the Prehearing Order.

10. The Parties stipulate and agree that these stipulations fully resolve their respective issues in this proceeding and request that they be approved by the Commission.

In Witness Whereof, JEA, Florida Rising, and SACE evidence their acceptance and agreement with all provisions of these stipulations by their signature.

**JEA**

By: 

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**Florida Rising**

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**Southern Alliance for Clean Energy, Inc.**

By: \_\_\_\_\_

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*Counsel for Southern Alliance for Clean Energy, Inc.*

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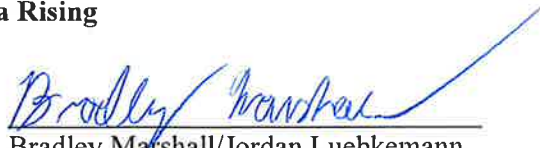
**JEA**

By: \_\_\_\_\_

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**Southern Alliance for Clean Energy, Inc.**

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JEA

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In Witness Whereof, Walmart evidences its acceptance and agreement with Paragraphs 1-3 and Issues 1-6 and 12 in Paragraph 6 of the stipulations by signature of its counsel, and takes no position on Paragraphs 4 and 5 of the stipulations. Walmart further agrees that Issues 8a – 11 in Paragraphs 6 are not applicable to JEA, and therefore has no position as to those Issues with respect to JEA.

***Walmart Inc.***

By:  \_\_\_\_\_

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