



BEN ALBRITTON
President of the Senate

**STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL**

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
SUITE 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

EMAIL: OPC_WEBSITE@LEG.STATE.FL.US
WWW.FLORIDAOPC.GOV



DANIEL PEREZ
*Speaker of the House of
Representatives*

April 23, 2025

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

RE: Re: Docket No. 20250000-OT, Docket No. 20240155-EI & Docket No. 20250011-EI

Dear Mr. Teitzman,

The Public Counsel is a participant in, or our clients are affected by, multiple pending matters in the dockets listed below as well as other matters yet unforeseen. In Docket No. 20250011-EI, the staff held a noticed meeting on April 22, 2025 to discuss a change in methodology in the way it wants the Commission to view the appropriateness of proposed or planned resource additions (see Attachment 1). This new process is referred to as “Stochastic Loss of Load Probability (“SOLP”) methodology.” The meeting was held in the current rate case docket (No. 20250011-EI), but as was noted in the meeting, the change in methodology, if adopted, has the potential to impact analyses like that performed for development of the Ten Year Site Plan (“TYSP”) and perhaps the pending Plant Daniel matter in Docket No. 20250155-EI.

During the meeting, staff indicated that they were interested in seeing more support for the proposed methodology change including information bearing on how the prudence of resource additions is supported using the SOLP methodology as well as under the existing methodology. Staff’s view, shared by the Public Counsel, seems to be that there is a foundational gap between the current reserve margin-based resource planning methodology and the proposed SOLP methodology. FPL appeared to agree to provide additional information related to Staff Interrogatory Nos. 41, 42, 44, and 45 in order to meet this concern in supplemental written discovery and/or in deposition format. In the meeting, the OPC’s expert inquired about the nature of this additional information. While it was not clear that this inquiry was directly answered, the company did indicate that it was willing to work with the stakeholders (staff and OPC included) to provide the responsive information in advance of or in aid of the deposition of FPL witness Andrew Whitley, on May 7, 2025.

In furtherance of this cooperative goal and to make the discovery and deposition process more efficient, the OPC offers its overlay of desirable information that we believe is needed to

begin to properly evaluate the proposed methodology change.¹ Accordingly, our expectation with respect to what FPL should provide in any supplemental response to Staff Interrogatory Nos. 41, 42, 44, and 45, is a complete copy of each requested analysis in these interrogatories as is further described below the text of the Staff requests which are reproduced here:

Staff Interrogatory No. 41:

Did FPL compare the SLOLP methodology to any other resource planning methodology(s) or model(s), including FPL's prior planning methodologies? If so, please provide a summary of the results of the comparison(s). If not, how did FPL evaluate the SLOLP methodology?

Staff Interrogatory No. 42:

Did FPL create a resource plan after the 2024 TYSP using its prior planning methodology that included the period 2027 through 2030? If so, provide a summary of the results, describe how they compare to the resource plan determined by the SLOLP methodology. If not, please explain why not.

Staff Interrogatory No. 44:

Provide a resource plan for the period 2026 through 2035 using FPL's prior resource planning process, including the use of an econometric demand model and the TIGER program to determine probabilistic LOLP as described in the Utility's 2024 TYSP. As part of your response, provide the following information for each year of the period and a comparison of these values to the resource plan generated by FPL's new resource planning process using the SLOLP methodology:

- a. Seasonal Peak Demand Forecasts (including the total peak demand net firm peak demand accounting for energy efficiency, demand response, curtailable load, and other factors);
- b. Planning and Generation Only Reserve Margins;
- c. LOLP and Expected Unserved Energy;
- d. Resource Plans (including identifying each resource & capacity [non-firm and firm contributions] change); and
- e. New resource financial information

Staff Interrogatory No. 45:

For the same time period FPL used to evaluate its proposed generation resource additions, provide a seasonal peak demand forecast, resource plan, and reserve margin value using FPL's prior resource planning process, including the use of an

¹ It should be noted that the OPC does not concede that, given the significant impact on the Ten-Year Site Plan process and the other electric utilities' (and their customers') substantial interests, a rate case that affects only one company may not be the appropriate place to evaluate and consider this matter. Regardless, we will engage in the dialogue now since the issue has been at least raised here.

econometric demand model and the TIGER program to determine probabilistic LOLP as described in the Utility's 2024 TYSP.

The OPC believes that the supplemental information contained in complete responses to the Staff's questions should include, but not be limited to, the following:

1. The 2025 TYSP that would have resulted if FPL continued to rely on the 20% planning reserve margin and TIGER LOLE analysis methods FPL relied on for its 2024 TYSP. This should include providing alternate versions of Schedules 7 through 9 of the TYSP.
2. Versions of Mr. Whitley's Exhibits AWW-5 through AWW-8 based on the 20% planning reserve margin and TIGER LOLE analysis methods FPL relied on for its 2024 TYSP such that the exhibits only make the proposed solar and battery additions necessary to meet a 20% planning reserve margin and a 1 day in ten year LOLE using TIGER analysis.
3. Year-by-year CPVRR results for Item No. 2 (above).
4. A full enumeration of the specific additional risks that FPL believes it will be exposed to by not adding resources to the level proposed by FPL based on the E3 stochastic LOLE analysis on top of those it would have been proposed to be added based on the 20% planning reserve margin and TIGER LOLE analysis methods FPL relied on for its 2024 TYSP.

We are providing this information as early as possible for several reasons. First, we think it will be helpful to provide our thoughts in writing to the parties and FPL in order to set expectations and understand if there is a meeting of the minds as to the expectations and availability of the data and analyses. Second, an exchange of information and the opening of communications will be efficient and will lead to conversations on this matter. Finally, providing the information in this manner promotes transparency and allows others not associated with the rate case docket and who might monitor the "0000" docket to be aware of the potential changes affecting the TYSP process and others in the future.

This letter is being served on the parties in the contested cases and submitted for filing in the undocketed matters file.

Should there be any questions from the Commission or other interested parties, please feel free to contact me at 850.488.9330.

Sincerely,

/s/ Charles J. Rehwinkel
Charles J. Rehwinkel
Deputy Public Counsel
Florida Bar No.: 527599

CERTIFICATE OF SERVICE
DOCKET NOS. 20240155-EI & 20250011-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 23rd day of April, 2025, to the following:

Jennifer Crawford
Shaw Stiller
Timothy Sparks
Florida Public Service Commission
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
jcrowfor@psc.state.fl.us
sstiller@psc.state.fl.us
tsparks@psc.state.fl.us

Kenneth A. Hoffman
Florida Power & Light Company
134 West Jefferson Street
Tallahassee, FL 32301-1713
ken.hoffman@fpl.com

Russell Badders
John T. Burnett
Maria Moncada
Christopher T. Wright
Joel Baker
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
russell.badders@fpl.com
john.t.burnett@fpl.com
maria.moncada@fpl.com
christopher.wright@fpl.com
joel.baker@fpl.com

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
mqualls@moylelaw.com

Bradley Marshall
Jordan Luebke
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee, FL 32301
bmarshall@earthjustice.org
jluebke@earthjustice.org
flcaseupdates@earthjustice.org

Danielle McManamon
Earthjustice
4500 Biscayne Blvd., Suite 201
Miami, FL 33137
dmcmanamon@earthjustice.org

Leslie R. Newton
Ashley N. George
Thomas A. Jernigan
Michael A. Rivera
James B. Ely
Ebony M. Payton
Federal Executive Agencies
139 Barnes Drive, Suite 1
Tyndall Air Force Base, FL 32403
leslie.newton.1@us.af.mil
ashley.george.4@us.af.mil
thomas.jernigan.3@us.af.mil
michael.rivera.51@us.af.mil
james.ely@us.af.mil
ebony.payton.ctr@us.af.mil

James W. Brew
Laura Wynn Baker
Joseph R. Briscar
Sarah B. Newman
Stone Mattheis Xenopoulos & Brew
1025 Thomas Jefferson St., NW
Suite 800 West
Washington, D.C. 20007
jbrew@smxblaw.com
lwb@smxblaw.com
jrb@smxblaw.com
sbn@smxblaw.com

Stephanie U. Eaton
Spilman Law Firm
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
seaton@spilmanlaw.com

William C. Garner
Law Office of William C. Garner
3425 Bannerman Road
Unit 105, No. 414
Tallahassee, FL 32312
bgarner@wcglawoffice.com

Nikhil Vijaykar
Keyes & Fox LLP
580 California St., 12th Floor
San Francisco, CA 94104
nvijaykar@keyesfox.com

Katelyn Lee
Lindsey Stegall
EVgo Services, LLC
1661 E. Franklin Ave.
El Segundo, CA 90245
katelyn.lee@evgo.com
lindsey.stegall@evgo.com

Stephen Bright
Jigar J. Shah
Electrify America, LLC
1950 Opportunity Way, Suite 1500
Reston, Virginia
steve.bright@electrifyamerica.com
jigar.shah@electrifyamerica.com

Robert E. Montejo
Duane Morris LLP
201 S Biscayne Blvd., Suite 3400
Miami, FL 33131-4325
remontejo@duanemorris.com

Steven W. Lee
Spilman Thomas & Battle
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
slee@spilmanlaw.com

/s/ Charles J. Rehwinkel
Charles J. Rehwinkel
Deputy Public Counsel
rehwinkel.charles@leg.state.fl.us

Attachment 1

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: April 16, 2025

TO: All Parties of Record & Interested Persons

FROM: Shaw Stiller, Special Counsel, Office of the General Counsel *SPS*

RE: Docket No. 20250011-EI - Petition for rate increase by Florida Power & Light Company.

Please note that an informal meeting between Commission staff and interested persons to the above-captioned docket has been scheduled for the following time and place:

Tuesday, April 22, 2025 at 3:00 p.m.
Gerald L. Gunter Building, Room 105
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The purpose of the meeting is to discuss Florida Power & Light Company's Resource Adequacy Study (Prepared by E3) and shift to a stochastic loss of load probability as proposed in this docket.

If settlement of the case or a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation 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 emailing me at sstiller@psc.state.fl.us.

SPS/crv

cc: Office of Commission Clerk