

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20240155-EI

Petition for approval of accounting
treatment for the transfer of proportional share
of Plant Daniel Units 1 and 2 to Mississippi
Power Company, by Florida Power & Light
Company.

PROCEEDINGS: HEARING

COMMISSIONERS
PARTICIPATING: CHAIRMAN MIKE LA ROSA
COMMISSIONER ART GRAHAM
COMMISSIONER GARY F. CLARK
COMMISSIONER ANDREW GILES FAY
COMMISSIONER GABRIELLA PASSIDOMO SMITH

DATE: Tuesday, June 3, 2025

TIME: Commenced: 11:00 a.m.
Concluded: 11:15 a.m.

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

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
TALLAHASSEE, FLORIDA
(850) 894-0828

1 APPEARANCES:

2 RUSSELL BADDERS, ESQUIRE, 700 Universe
3 Boulevard, Juno Beach, FL 33408-0420; KENNETH A.
4 HOFFMAN, ESQUIRE, 134 West Jefferson Street,
5 Tallahassee, FL 32301-1713; appearing on behalf of
6 Florida Power & Light Company (FPL).

7 WALT TRIERWEILER, PUBLIC COUNSEL; CHARLES
8 REHWINKEL, DEPUTY PUBLIC COUNSEL, OFFICE OF PUBLIC
9 COUNSEL, c/o The Florida Legislature, 111 West Madison
10 Street, Room 812, Tallahassee, FL 32399-1400, appearing
11 on behalf of the Citizens of the State of Florida (OPC).

12 SHAW STILLER and JENNIFER CRAWFORD, ESQUIRES,
13 FPSC General Counsel's Office, 2540 Shumard Oak
14 Boulevard, Tallahassee, Florida 32399-0850, appearing on
15 behalf of the Florida Public Service Commission (Staff).

16 MARY ANN HELTON, INTERIM GENERAL COUNSEL,
17 Florida Public Service Commission, 2540 Shumard Oak
18 Boulevard, Tallahassee, Florida 32399-0850, Advisor to
19 the Florida Public Service Commission.

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1 P R O C E E D I N G S

2 CHAIRMAN LA ROSA: All right. I think we can
3 go ahead and grab our seats and get started.

4 Good morning still -- it is still June 3rd,
5 2025, and we will go ahead and call this meeting to
6 order.

7 Staff, would you please read the notice?

8 MR. STILLER: By notice dated May 20th, 2025,
9 this time and place has been set for a hearing in
10 Docket No. 20240155-EI. The purpose of this
11 hearing is more fully set forth in the notice.

12 CHAIRMAN LA ROSA: Thank you.

13 Let's go ahead and take appearances, start
14 with FPL.

15 MR. BADDERS: Good morning, Commissioners.
16 Russell Badders on behalf of FPL.

17 CHAIRMAN LA ROSA: Public Counsel.

18 MR. REHWINKEL: Good morning, Commissioners.
19 Charles Rehwinkel and Walt Trierweiler on behalf of
20 the Office of Public Counsel on behalf of FPL
21 customers.

22 CHAIRMAN LA ROSA: Commission staff.

23 MR. STILLER: Shaw Stiller on behalf of
24 Commission staff. I would like to also enter an
25 appearance for Jennifer Crawford.

1 MS. HELTON: And Mary Anne Helton is here as
2 your Advisor.

3 CHAIRMAN LA ROSA: Thank you.

4 Staff, are there any preliminary matters that
5 we need to address?

6 MR. STILLER: Yes, Mr. Chair.

7 By way of background, this docket involves a
8 request by FPL that the Commission approve FPL's
9 proposed accounting treatment for the transfer of
10 its ownership share of Plant Daniel Units 1 and 2
11 to the Mississippi Power Company.

12 The Commission approved FPL's petition in this
13 docket on April 1, 2025, in a PAA order issued
14 April 21, 2025. OPC filed a petition protesting
15 only one specific portion of that PAA order.
16 Because the remaining organizations portions of
17 your PAA order were not challenged, they are not in
18 dispute and, by operation of statute, are
19 considered stipulated for purposes of the hearing
20 today.

21 OPC and FPL have entered into a stipulation
22 and settlement agreement regarding the one disputed
23 portion of your PAA order. The issue before you
24 today is whether that proposed stipulation and
25 settlement should be approved.

1 If this commission does approve the
2 stipulation and settlement, all disputed issues
3 will be addressed and this docket can be closed.

4 There are no other preliminary matters of
5 which staff is aware.

6 CHAIRMAN LA ROSA: Great.

7 Let's hear from the parties regarding the
8 proposed stipulations and settlement. We will
9 start with FPL.

10 Mr. Badders, you are recognized.

11 MR. BADDERS: Thank you, Commissioners.

12 Again, Russell Badders on behalf of FPL.
13 Before you, you have our request of approval of a
14 joint stipulation and settlement between us and
15 Public Counsel. The real issue that it resolves is
16 it sets a cap of \$36 million for the recoverable
17 transfer payment. So, again, if we are able to
18 close this in July of this year, a transfer payment
19 would be \$36 million split as we have set out in
20 the petition. If we go past that date, it would be
21 the actual amount of the transfer payment, rather
22 than the 36 million. I wanted to be clear with.

23 Other than that, there are no other changes in
24 the settlement, and everything that we addressed in
25 the PAA and our petition are still valid.

1 I am available for any questions.

2 CHAIRMAN LA ROSA: Great. Thank you.

3 Mr. Rehwinkel, Office of Public Counsel.

4 MR. REHWINKEL: Thank you, Mr. Chairman.

5 In March, the Public Counsel appeared before
6 you. We raised some concerns. You voted out your
7 decision, as Mr. Stiller has set out. We did some
8 discovery. We spoke with the company informally on
9 discovery. We met with them several times, and the
10 result of our due diligence and conversations with
11 the company is this stipulation.

12 The Public Counsel believes that the result of
13 the stipulation is reasonable, is fair, and it is
14 in the public interest, and we urge that you
15 approve the stipulation as being in the public
16 interest.

17 Thank you.

18 CHAIRMAN LA ROSA: Great. Thank you.

19 Let's go ahead and now having heard the
20 parties regarding the settlement, let's move to
21 staff's recommendation.

22 MR. MASON: Good morning, Commissioners. I am
23 Ian Mason with AFD.

24 Staff has reviewed the settlement and believes
25 it is in the public's best interest to approve the

1 settlement agreement.

2 The settlement agreement does not
3 substantially differ from the staff recommendation
4 previously approved by the Commission at the April
5 Agenda Conference, therefore, staff recommends
6 approval of the settlement agreement provided here
7 today.

8 Thank you.

9 CHAIRMAN LA ROSA: Great. Well, thank you,
10 both the parties and the staff.

11 Commissioners, are there any questions on the
12 proposed settlement agreement or staff's
13 recommendation?

14 Okay. Seeing none. Seeing no further
15 questions, is there a motion on the joint -- or on
16 the approving the stipulations and assessment
17 settlement, is there a motion?

18 COMMISSIONER CLARK: Move to approve the
19 stipulations and the settlement agreement, Mr.
20 Chairman.

21 COMMISSIONER GRAHAM: Second.

22 CHAIRMAN LA ROSA: All right. Hearing a
23 motion and hearing a second.

24 All those in favor signify by saying yay.

25 (Chorus of yays.)

1 CHAIRMAN LA ROSA: Yay.

2 Opposed no?

3 (No response.)

4 CHAIRMAN LA ROSA: Show that the motion
5 passes.

6 Okay. Thank you. Well, that was quick. We
7 still got further business before us, so let's go
8 ahead and we will start Internal Affairs in five
9 minutes, if that's okay. I see staff is ready and
10 to go, but if there is no further business before
11 us for this portion of the meeting, this portion is
12 adjourned.

13 Thank you.

14 (Proceedings concluded.)

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CERTIFICATE OF REPORTER

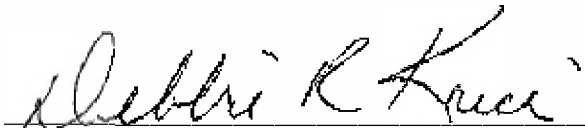
STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED this 17th day of June, 2025.


DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH575054
EXPIRES AUGUST 13, 2028