

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company.) Docket No. 20250011-EI
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) Filed: July 29, 2025
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FUEL RETAILERS’ UPDATED PREHEARING STATEMENT

Pursuant to the decisions of the Prehearing Officer and the directions of the Staff Counsel Intervenor Americans for Affordable Clean Energy, Inc. (“AACE”), Circle K Stores, Inc. (“Circle K”), RaceTrac Inc. (“RaceTrac”), and Wawa, Inc. (“Wawa”) (hereinafter, collectively, “Fuel Retailers”) hereby submit the following updates to its prehearing statement in this matter. The following only reflect changes from the originally filed prehearing statement of the Fuel Retailers; matters not changed or updated below are as set forth in the Fuel Retailers’ July 18, 2025 filing. Matters presented below replace the corresponding sections previously filed.

Prehearing Order Requirements

(1) Name of witnesses

Fuel Retailers have prefiled the testimony of the following witness:

Witness	Subject Matter	Issues #
Mr. David Fialkov	Standing of Fuel Retailers; Electric Vehicle (“EV”) issues	1, 110, 111, and 112

(3) Statement of Basic Position

The Fuel Intervenor sought intervention in this matter for three purposes. First, the individual fuel retailer companies that are members of AACE are electric retail customers of FPL, and individually and collectively they seek to ensure that the retail rates and charges of FPL to them as large electric users are fairly and reasonable set. Fuel Retailers support the Office of the Public Counsel (“OPC”) and other parties who are better positioned to advocate positions that will

result in fair, just, and reasonable rates through the setting of an more appropriate debt/equity ratio below that requested by FPL, a reasonable return on equity as proposed by OPC, the removal of certain inappropriate and unnecessary assets from rate base, and the removal of certain expenses that are unnecessary for FPL's provisioning of safe and efficient electric service.

Second, the Fuel Retailers, as providers of electric vehicle ("EV") charging services to the public, have a special interest in the Electric Vehicle Charging Infrastructure Rider GSD-1EV (Sheet No. 8.106) and Electric Vehicle Charging Infrastructure Rider GSLD-1EV (Sheet No. 8.311), as these tariff services facilitate the deployment of EV charging stations by the Fuel Retailers and other businesses whose business purpose is to support the traveling public by providing different kinds fueling options and services. In this regard, the Fuel Retailers are uniquely positioned to address the EV charging issues in this proceeding. Specifically, the Fuel Retailers request that the GSD-IEV and GSLD-1EV pilot tariffs be made permanent with rates and charges set in a manner that facilitates the growth and deployment of EV charging stations for the public consistent with the directives of Florida law.

Third, the Fuel Retailers request that the Commission deny the request to make permanent the FPL public EV Charging Pilot Program, the Utility-owned Public Charging Electric Vehicles (Sheet No. 8.936), as continuation of this program, even at the proposed rate increase, violates the cross subsidization prohibition set forth in section 366.94, F.S. (Chapter 2024-186, Laws of Florida). And even if the program were over its lifetime to recover its costs, which is unproven as proposed, thus far to date and for the foreseeable future monopoly ratepayers will be subsidizing this service. Given that public EV charging is a competitive business, monopoly ratepayers should not be called upon to subsidize or otherwise support this service which has nothing to do with FPL's core business of delivering retail electric service to homes and business, especially when

the private sector is offering this service. The best way for FPL to support public EV charging services is for the GSD-IEV and GSLD-1EV rates to be set in a manner that permits the continued growth of this service, which is a much more appropriate public policy that does not adversely impact monopoly ratepayers. Consistent with this public policy, the Fuel Retailers support the proposal for FPL to establish a “make ready” program for third-party electric vehicle charging stations, which is also a much more appropriate public policy for the support the growth and deployment of public EV charging stations. This make ready program can be funded by the elimination of the Residential Electric Vehicle Charging Service pilot and rider programs, the Commercial Electric Vehicle Charging Services program, and the \$5 million EV slush fund proposed by FPL.

(4) Questions of Fact, Law, and Policy at Issue

ISSUE 110: Should the Commission approve, deny, or approve with modifications the proposed new Residential Electric Vehicle Charging Service Rider, RS-2EV (Sheet No. 8.215) and associated service agreement (Sheet Nos. 9.846-9.848) and close the existing Residential Electric Vehicle Charging Service pilot program, RS-1EV (Sheet No. 8.213) to new customers?

Fuel Retailers Position: The Commission should not approve the proposed new program and should close the existing program. The third party marketplace provides many options for acquiring EV home charging equipment. Like with stoves, water heaters, and other home electric appliances, FPL’s regulated monopoly electric service does not need to be in a competitive business that is more than adequately being served by the marketplace. If FPL wants to be in this business, it should be done outside of its regulated utility without any subsidization by monopoly electric customers. The proposed funding for this should be utilized to establish a make ready program for third party electric vehicle charging stations that would be similar to that which the Commission approved last year for Duke Energy Florida.

ISSUE 111: Should the Commission approve, deny, or approve with modifications FPL’s proposal to make the following riders or pilot programs permanent: Supplemental Power Services (Sheet No. 8.845), Solar Power Facilities (Sheet Nos. 8.939-8.940), Commercial Electric Vehicle Charging Services (Sheet Nos. 8.942-8.943), Electric Vehicle Charging Infrastructure Rider to GSD-1EV (Sheet No. 8.106), Electric Vehicle Charging Infrastructure Rider to GSLD-1EV (Sheet No. 8.311), and Utility-owned Public Charging Electric Vehicles (Sheet No. 8.936)?

Fuel Retailers Position: No Position on Supplemental Power Services (Sheet No. 8.845) and Solar Power Facilities (Sheet Nos. 8.939-8.940). With respect to Commercial Electric Vehicle Charging Services (Sheet Nos. 8.942-8.943), this program should be terminated and certainly not expanded as the private sector is better positioned to meet the needs of this market; monopoly ratepayers should not subsidize this service. The proposed funding for this should be utilized to establish a make ready program for third party electric vehicle charging stations that would be similar to that which the Commission approved last year for Duke Energy Florida. For the Electric Vehicle Charging Infrastructure Rider to GSD-1EV (Sheet No. 8.106) and Electric Vehicle Charging Infrastructure Rider to GSLD-1EV (Sheet No. 8.311), these programs should be made permanent and at rates that support the continued deployment of private sector funding of public EV charging infrastructure. The Utility-owned Public Charging Electric Vehicles (Sheet No. 8.936) should not be made permanent and should be terminated since it violates section 366.094 and because the private sector is better equipped to meet the needs of the traveling public through the well-established vehicle fueling stations that exists across this state. If the FPL public charging is allowed to be continued, the requested kWh rate increase from \$0.30 to \$0.35 should be rejected and a true market rate should be set, at least at \$0.50 per kWh.

ISSUE 112: Should FPL's proposal regarding investing in EV technology and software be approved, approved with modifications, or rejected?

Fuel Retailers Position: No. FPL does not need to be wasting monopoly ratepayer money to educate itself on services and technology that the public sector is better positioned to serve and that it does not need to be in. If FPL wants to learn more about this industry, it can do so at stockholder expense, not ratepayers. To better help the deployment of EV charging, the proposed \$5 million here should be utilized to establish a make ready program for third party electric vehicle charging stations that would be similar to that which the Commission approved last year for Duke Energy Florida.

(5) Stipulated Issues

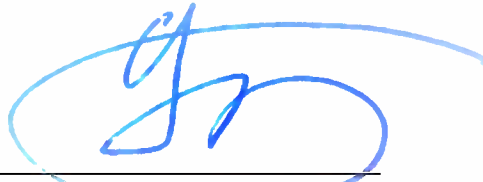
Fuel Retailers propose the following as stipulated matters:

Fuel Retailers request that Mr. Fialkov's prefiled testimony be stipulated and placed in the record without objection.

Fuel Retailers further request that the standing of Americans for Affordable Clean Energy, Inc. ("AAACE"), Circle K Stores, Inc. ("Circle K"), RaceTrac Inc. ("RaceTrac"), and Wawa, Inc. ("Wawa") be stipulated to without objection or the entry of any further information.

Dated this 29th day of July 2025.

Respectfully submitted,



Floyd R. Self, B.C.S. (Fla. Bar No. 608025)

Ruth Vafek, Esq. (Fla. Bar No. 34228)

Berger Singerman LLP

313 North Monroe Street, Suite 301

Tallahassee, Florida 32301

Direct Telephone: (850) 521-6727

Email: fself@bergersingerman.com

Email: rvafek@bergersingerman.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email this 29th day of July, 2025 to the following:

Office of the General Counsel Shaw Stiller, (850) 413-6187 Shaw Stiller (sstiller@psc.state.fl.us) Timothy Sparks, (850) 413-6216 Timothy Sparks tsparks@psc.state.fl.us	Office of Public Counsel (25) Walt Trierweiler/Mary A. Wessling c/o The Florida Legislature 111 W. Madison Street, Suite 812 Tallahassee FL 32399-1400 Trierweiler.walt@leg.state.fl.us wessling.mary@leg.state.fl.us
Florida Power & Light Company Kenneth A. Hoffman 134 West Jefferson Street Tallahassee FL 32301-1713 (850) 521-3901 (850) 521-3939 ken.hoffman@fpl.com	Florida Power & Light Company J. Burnett/M. Moncada/C. Wright/W. Cox/J. Baker 700 Universe Boulevard Juno Beach FL 33408-0420 (561) 304-5253 (561) 691-7135 maria.moncada@fpl.com john.t.burnett@fpl.com christopher.wright@fpl.com will.p.cox@fpl.com joel.baker@fpl.com
Holland Law Firm (25) D. Bruce May/Kevin W. Cox/Kathryn Isted 315 South Calhoun Street, Suite 600 Tallahassee FL 32301 (850) 224-7000 bruce.may@hklaw.com kevin.cox@hklaw.com kathryn.isted@hklaw.com Represents: Florida Energy for Innovation Association	Florida Energy for Innovation Association (25) 1700 Flamingo Drive Orlando FL 32803-1911 (407) 947-0877 Contact@EnergyForInnovation.org Represented By: Holland Law Firm
Florida Industrial Power Users Group (25b) Jon C. Moyle, Jr./Karen A. Putnal c/o Moyle Law Firm 118 North Gadsden Street Tallahassee FL 32301 (850) 681-3828 (850) 681-8788	Federal Executive Agencies (25) L. Newton/A. George/T. Jernigan/J. Ely/M. Rivera/E. Payton 139 Barnes Drive, Suite 1 Tyndall AFB FL 32403 (850) 283-6347 Ashley.George.4@us.af.mil ebony.payton.ctr@us.af.mil

jmoyle@moylelaw.com mqualls@moylelaw.com kputnal@moylelaw.com	Leslie.Newton.1@us.af.mil Michael.Rivera.51@us.af.mil thomas.jernigan.3@us.af.mil james.ely@us.af.mil
Spilman Law Firm (25 NC) Stephanie U. Eaton 110 Oakwood Drive, Suite 500 Winston-Salem NC 27103 (336) 631-1062 (336) 725-4476 seaton@spilmanlaw.com Represents: Walmart Inc.	Spilman Law Firm (25 PA) Steven W. Lee 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg PA 17050 (717) 791-2012 (717) 795-2743 slee@spilmanlaw.com Represents: Walmart Inc.
Garner Law Firm (25) William C. Garner 3425 Bannerman Road Tallahassee FL 32312 (850) 320-1701 (850) 792-6011 bgarner@wcglawoffice.com Represents: Southern Alliance for Clean Energy	Southern Alliance for Clean Energy (25) P.O. Box 1842 Knoxville TN 37901 (865) 637-6055 Represented By: Garner Law Firm
Florida Retail Federation (25) Lorena Holley 227 South Adams St. Tallahassee FL 32301 (850) 222-4082 lorena@frf.org Represented By: Stone Law Firm	Stone Law Firm (25a) J. Brew/L. Baker/J. Briscar/S. Newman 1025 Thomas Jefferson St., NW, Suite 800 West Washington DC 20007 (202) 342-0800 (202) 342-0807 jbrew@smxblaw.com lwb@smxblaw.com jrb@smxblaw.com sbn@smxblaw.com Represents: Florida Retail Federation
EVgo Services, LLC (25) Katelyn Lee/Lindsey Stegall 1661 E. Franklin Ave. El Segundo CA 90245 (213) 500-9092 Katelyn.Lee@evgo.com Lindsey.Stegall@evgo.com Represented By: Keyes Law Firm	Keyes Law Firm (25 Vijaykar) Nikhil Vijaykar 580 California St., 12th Floor San Francisco CA 94104 (408) 621-3256 nvijaykar@keyesfox.com Represents: EVgo Services, LLC
Duane Law Firm (25 CT) Alexander W. Judd 100 Pearl Street, 13th Floor	Keyes Law Firm (25 Moskowitz) Yonatan Moskowitz 1050 Connecticut Ave NW, Suite 500

Hartford CT 06103 (202) 494-2299 AJudd@duanemorris.com Represents: Armstrong World Industries, Inc.	Washington DC 20036 (202) 599-2556 ymoskowitz@keyesfox.com
Electrify America, LLC (25) Stephen Bright/Jigar J. Shah 1950 Opportunity Way, Suite 1500 Reston VA 20190 (781) 206-7979 Steve.Bright@electrifyamerica.com Jigar.Shah@electrifyamerica.com Represented By: Duane Morris Law Firm	Duane Morris Law Firm (25) Robert E. Montejo 201 S. Biscayne Boulevard, Suite 3400 Miami FL 33131-4325 Represents: Electrify America, LLC
Earthjustice (25 Miami) Danielle McManamon/Bianca Blanshine 4500 Biscayne Blvd. Ste. 201 Miami FL 33137 (786) 224-7031 dmcmanamon@earthjustice.org flcaseupdates@earthjustice.org bblanshine@earthjustice.org Represents: League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida/Florida Rising, Inc.	Earthjustice (25 Tall) Bradley Marshall/Jordan Luebkekmann 111 S. Martin Luther King Jr. Blvd. Tallahassee FL 32301 (850) 681-0031 (850) 681-0020 bmarshall@earthjustice.org jluebkekmann@earthjustice.org flcaseupdates@earthjustice.org Represents: Florida Rising, Inc./League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida, Inc.
Environmental Confederation of Southwest Florida (25) 421 Verna Road Sarasota FL 34230 Represented By: Earthjustice	Florida Rising, Inc. (25) 10800 Biscayne Blvd., Suite 1050 Miami FL 33161 Represented By: Earthjustice
League of United Latin American Citizens of Florida (25) 100 South Belcher Road #4752 Clearwater FL 33765 Represented By: Earthjustice	Armstrong World Industries, Inc. (25 FL) Jason Simmons 300 S. Myrick St. Pensacola FL 32505 (850) 429-1342 ijsimmons@armstrongceilings.com Represented By: Duane Law Firm
	Armstrong World Industries, Inc. (25 PA) Brian A. Ardire 2500 Columbia Avenue Lancaster PA 17603

	baardire@armstrongceilings.com Represented By: Duane Law Firm
Gardner Law Firm (25) Robert Scheffel Wright/John T. LaVia, III 1300 Thomaswood Drive Tallahassee FL 32308 (850) 385-0070 (850) 385-5416 jlavia@gbwlegal.com schef@gbwlegal.com Represents: Floridians Against Increased Rates, Inc.	Floridians Against Increased Rates, Inc. 301 Pine Street, Suite 1400 Orlando FL 32801 Represented By: Gardner Law Firm