

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Storm protection plan cost recovery
clause.

DOCKET NO. 20250010-EI
ORDER NO. PSC-2025-0412-PHO-EI
ISSUED: October 30, 2025

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 21, 2025, in Tallahassee, Florida, before Commissioner Gabriella Passidomo Smith, as Prehearing Officer.

APPEARANCES:

J. JEFFRY WAHLEN, MALCOLM N. MEANS and VIRGINIA L. PONDER, ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of Tampa Electric Company (TECO).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South Monroe Street, Suite 601, Tallahassee, Florida 32301
On behalf of Florida Public Utilities Company (FPUC).

CHRISTOPHER T. WRIGHT, ESQUIRE, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, Florida 33408-0420
On behalf of Florida Power & Light Company (FPL).

MATTHEW R. BERNIER and STEPHANIE A. CUELLO, ESQUIRES, 106 East College Avenue, Suite 800, Tallahassee, Florida 32301
DIANNE M. TRIPLETT, ESQUIRE, Deputy General Counsel, 299 1st Avenue North, St. Petersburg, Florida 33701
On behalf of Duke Energy Florida, LLC (DEF).

WALT TRIERWEILER, CHARLES REHWINKEL, PATRICIA A. CHRISTENSEN, MARY A. WESSLING, OCTAVIO SIMOES-PONCE, and AUSTIN A. WATROUS, ESQUIRES, Office of the Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Suite 812, Tallahassee, Florida 32399-1400
On behalf of Office of Public Counsel (OPC).

JON C. MOYLE, JR., ESQUIRE, Moyle Law Firm, P.A., 118 North Gadsden Street, Tallahassee, Florida 32301
On behalf of Florida Industrial Power Users Group (FIPUG).

PETER J. MATTHEIS, MICHAEL K. LAVANGA, and JOSEPH R. BRISCAR, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower, Washington, DC 20007
On behalf of Nucor Steel Florida, Inc. (Nucor).

JAMES W. BREW, LAURA WYNN BAKER and SARAH B. NEWMAN, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Suite 800 West, Washington, DC 20007
On behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (PCS Phosphate).

DANIEL DOSE and SHAW STILLER, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Advisor to the Florida Public Service Commission.

ADRIA HARPER, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

I. CASE BACKGROUND

The 2019 Florida Legislature enacted Section 366.96, Florida Statutes (F.S.), entitled “Storm protection plan cost recovery.” Section 366.96(3), F.S., established a new requirement that each public utility file a transmission and distribution storm protection plan (SPP) covering the immediate 10-year planning period, and explaining the systematic approach the utility will follow to achieve the objectives of reducing restoration costs and outage times associated with extreme weather events and enhancing reliability. Pursuant to Sections 366.96(5) and 366.96(6), F.S., the Florida Public Service Commission (Commission) is required every three years to determine whether it is in the public interest to approve, approve with modification, or deny each utility’s SPP.

In addition to reviewing SPPs at least every three years, the Commission must conduct an annual proceeding pursuant to Section 366.96(7), F.S., to determine a utility’s prudently incurred transmission and distribution storm protection plan costs and allow the utility to recover such costs through a charge separate and apart from its base rates, to be referred to as the storm protection plan cost recovery clause (SPPCRC). The annual SPPCRC proceeding is a rolling three-year review that includes a true-up of costs for the prior year, the calculation of actual/estimated costs for the year of the filing, and projected factors for the following year. If the Commission determines that costs were prudently incurred, those costs will not be subject to

disallowance or further prudence review except for fraud, perjury, or intentional withholding of key information by the public utility.

This docket was opened by Order No. PSC-2025-0010-PCO-EI, issued January 2, 2025, under the authority of Sections 366.96(5), 366.96(6), and 366.96(7), F.S. The purpose of this 2025 annual proceeding is for the Commission to establish the amount of prudently incurred costs each utility shall be allowed to recover through the SPPCRC and the specific terms of that recovery. TECO, DEF, FIPUG, FPL, PCS Phosphate, Nucor, OPC, and FPUC each filed a Notice of Intent to Retain Party Status. No additional parties filed for intervention.

This matter has been scheduled for an evidentiary hearing November 4-7, 2025.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, F.S. This hearing will be governed by Chapters 120 and 366, F.S., and Chapters 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties and Staff has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness's testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose

testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness's direct testimony is adverse to its interests.

VI. ORDER OF WITNESSES

Each witness whose name is followed by an asterisk (*) has been excused from the final hearing. Their prefiled testimonies will be inserted into the record as though read.

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
A. Sloan Lewis*	TECO	1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, and 10
Kevin E. Palladino* <i>(Substituted C. David Sweat Testimony)</i>	TECO	1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, and 10
Brittnee Baker* <i>(Testimony is Adopted and Substituted by Jessica Husted)</i>	FPUC	1C
P. Mark Cutshaw*	FPUC	1C
Jessica Husted*	FPUC	2C-9C
Michael Jarro* <i>(First Supplemental Testimony filed on 7.11.25)</i>	FPL	1A – 4A
Richard L. Hume* <i>(First Supplemental Testimony filed on 7.11.25. Second Supplemental Testimony filed on 9.25.25)</i>	FPL	1A – 9A, and 10
Christopher A. Menendez*	DEF	1D – 9D
Robert E. McCabe*	DEF	1D – 3D

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
Robert Brong*	DEF	1D – 3D
Gabrielle Dearmond*	STAFF	1D

VII. BASIC POSITIONS

TECO: In Order No. PSC-2022-0386-FOF-EI, issued November 10, 2022 in Docket No. 20220048-EI, the Florida Public Service Commission (“Commission”) found that Tampa Electric Company’s (“Tampa Electric”) 2022-2031 Storm Protection Plan (“2022 SPP”) is in the public interest and approved that plan with one modification—elimination of the company’s existing Transmission Access Enhancement Program as of December 31, 2022.

In Order No. PSC-2025-0219-FOF-EI, issued June 19, 2025, in Docket No. 20250016-EI, the Commission found that Tampa Electric’s 2026-2035 Storm Protection Plan (“2025 SPP”) is in the public interest, and approved that plan with one modification to its proposed Distribution Lateral Undergrounding Program. The modification set an annual mileage target of 75 miles of underground conversion per year.

The Commission is currently scheduled to conduct a hearing regarding the Storm Protection Cost Recovery Clause on November 4, 2025, to review and approve the proposed cost recovery factors to be used for the January 2026 through December 2026 period.

The Commission should determine that Tampa Electric has properly calculated its Storm Protection Plan cost recovery true-up and projections and the Storm Protection Plan cost recovery factors set forth in the testimony and exhibits of Tampa Electric witness A. Sloan Lewis during the period January 2026 through December 2026. These calculations were performed in accordance with the requirements of Section 366.96, Florida Statutes, and Rule 25-6.031, Florida Administrative Code. No party has challenged or made any other recommended adjustments to the company’s calculations. The company’s true-up, projections, and factors should accordingly be approved. The Commission should also find that Tampa Electric’s actual 2024 Storm Protection Plan costs were prudently incurred. No party has challenged the prudence of Tampa Electric’s actual incurred costs or made any recommended adjustments to any of the projects or costs included in the 2024 final true-up.

FPUC: The factors proposed by the Company have been developed through projections and calculations made in accordance with Rule 25-6.031, F.A.C., and the

associated depreciation expense has been calculated in accordance with the rates approved in the Company's last approved depreciation study. The factors are based upon actual, prudently incurred costs associated with the implementation of those aspects of FPUC's Storm Protection Plan ("SPP") approved by Order No. PSC-2025-0216-FOF-EI, issued June 19, 2025, as well as reasonable estimates of costs to be incurred in the remainder of 2025 and in 2026. As such, the Company asks that it be allowed to implement its proposed SPPCRC Factors for the January – December, 2026 period.

FPL: FPL's final true-up of its 2024 SPP costs is consistent with the actual/estimated 2024 SPP costs approved by Commission in Docket No. 20240010-EI, consistent with FPL's 2023 SPP approved by the Commission in Docket No. 20220051-EI, applies the methodology and prescribed schedules contained in Commission Forms 1A through 8A, and meets the requirements of Section 366.96, Florida Statutes, and Rule 25-6.031(7)(a), Florida Administrative Code. No parties challenged or made any recommended adjustments to any of the SPP projects, costs, or revenue requirements included in FPL's 2024 SPPCRC final true-up. Therefore, the Commission should approve FPL's total net 2024 final true-up over-recovery amount of \$21,904,884, including interest, to be refunded through the 2026 SPPCRC Factors.

FPL's actual/estimated true-up of its 2025 SPP costs is consistent with the projected 2025 SPP costs approved by the Commission in Docket No. 20240010-EI, consistent with FPL's 2023 SPP approved by the Commission in Docket No. 20220051-EI, applies the methodology and prescribed schedules contained in Commission Forms 1E through 8E, and meets the requirements of Section 366.96, Florida Statutes, and Rule 25-6.031(7)(b), Florida Administrative Code. No parties challenged or made any recommended adjustments to any of the SPP projects, costs, or revenue requirements included in FPL's 2025 SPPCRC actual/estimated true-up. Therefore, the Commission should approve FPL's 2025 actual/estimated true-up under-recovery of \$7,172,014, including interest, to be recovered through the 2026 SPPCRC Factors.

FPL's projected 2026 SPP costs are consistent with the 2026 SPP approved by the Commission in Docket No. 20250014-EI, apply the methodology and prescribed schedules contained in Commission Forms 1P through 7P, and meet the requirements of Section 366.96, Florida Statutes, and Rule 25-6.031(2) and (7)(c), Florida Administrative Code. No parties challenged or made any recommended adjustments to any of the individual 2026 SPP projects or associated costs.

On August 20, 2025, FPL and other signatory parties filed a Joint Motion for approval of the 2025 Rate Case Settlement Agreement, which is currently pending for the Commission's disposition in Docket No. 20250011-EI. If approved, the 2025 Rate Case Settlement Agreement requires changes to the costs and revenue requirements to be recovered through the 2026 SPPCRC Factors. In the event the

Commission approves the 2025 Rate Case Settlement Agreement, the Commission should approve the alternative \$998,817,311 of projected revenue requirements associated with the 2026 SPP programs, which results in a total net projected jurisdictional revenue requirement of \$984,084,441 to be recovered through the 2026 SPPCRC Factors. In the event the Commission declines to approve the 2025 Rate Case Settlement Agreement, the Commission should approve the \$872,763,101 of projected revenue requirements associated with the 2026 SPP programs, which results in a total net projected jurisdictional revenue requirement of \$858,030,231 to be recovered through the 2026 SPPCRC Factors.¹

DEF: DEF's position on specific issues are listed below.

OPC: The Storm Protection Plan Cost Recovery Clause (SPPCRC) is the step in the ratemaking process where the Commission sets the factors necessary for recovery for the annual costs for implementing the Companies' approved Storm Protection Plan. The process of reviewing and implementing an SPP is an indispensable and necessary step in the ratemaking process within the meaning and intent of Section 366.06(1) and 366.96, Florida Statutes. Section 366.06(1), Florida Statutes, establishes the Commission's rate-making procedure for public utilities in the State of Florida. Upon application for a change in rates by a utility,

The commission shall investigate and determine the actual legitimate costs of the property of each utility company, actually used and useful in the public service, and shall keep a current record of the net investment of each public utility company in such property which value, as determined by the commission, shall be used for ratemaking purposes and shall be the money honestly and **prudently** invested by the public utility company in such property used and useful in serving the public, less accrued depreciation, and shall not include any goodwill or going-concern value or franchise value in excess of payment made therefor.

Id. (emphasis added).

The requirement that the Commission evaluate the prudence of investments in all ratemaking requests before the Commission is embedded in the Commission's legislative mandate. The statute does not specify that the Commission must only consider prudence of investments in base rate cases, cost recovery dockets, or any other specified type of rate-setting case before the Commission. If the

¹ In the event that the Commission's final decision in Docket No. 20250011-EI requires modifications to the 2026 SPPCRC Factors, such modifications would be reflected in the ordinary course in FPL's actual/estimated true-up filing to be submitted in 2026.

Commission is setting rates, it must consider, among other things, the prudence of making the investment at issue (including the decisions behind the timing, amount and locations of the investment(s)), regardless of whether that requirement is explicitly stated in the other provisions of chapter 366, Florida Statutes, or the Commission's rules. Section 366.96, Florida Statutes, sets forth the process for review and approval of and implementation of the prudent costs for the SPP. Furthermore, it is worth noting that section 366.96(2)(c), Florida Statutes defines "transmission and distribution storm protection plan costs" as "the reasonable and prudent costs to implement an approved transmission and distribution storm protection plan."

The positions taken by the Public Counsel in this docket are consistent with and informed to the greatest extent possible by the unresolved statutory interpretation issues currently pending before the Florida Supreme Court in Case No. SC 2022-1733 (consolidated).

FIPUG: The petitioners have the burden of proof to establish that expenditures for which cost recovery is sought are prudent. The Commission should reduce the monies sought by the utilities by the amounts for which it finds insufficient proof or for costs not properly within the scope of the state's storm protection plan statute, section 366.96, Florida Statutes, or the Commission's rule, Rule 25-6.030, Florida Administrative Code. The amounts approved in this docket should reflect the sums as modified by FPL after the settlement agreement was filed in docket 20250011-EI, should such settlement agreement be approved.

NUCOR: Rule 25-6.031, F.A.C, details the specific recoverable costs that Duke Energy Florida, LLC ("DEF") may collect through the SPPCRC and provides that such costs must be consistent with the Company's approved Storm Protection Plan. Nucor's basic position is that DEF bears the burden of proof to justify the amount of costs it seeks to recover through the SPPCRC and show that such costs are eligible recovery costs under 25-6.031(6) and are consistent with DEF's approved Storm Protection Plan.

PSC

Phosphate: Florida electric utilities, including in particular Duke Energy Florida, LLC ("DEF"), must satisfy the burden of proving the reasonableness of any expenditures for which recovery or other relief is sought in this proceeding. DEF has filed for recovery of costs of its Storm Protection Plan ("SPP"), which was approved earlier this year.² DEF's approved SPPCRC revenue requirement for 2025 was approximately \$285.6 million before accounting for prior year true-

² Docket No. 20250015-EI, *In re: Review of 2026-2035 Storm Protection Plan, pursuant to Rule 25-6.030, F.A.C., Duke Energy Florida, LLC.*, Final Order Approving With Modifications, Duke Energy Florida, LLC's 2026-2035 Storm Protection Plan, Order No. PSC-2025-0217-FOF-EI (June 19, 2025) ("2025 SPP Approval Order").

ups,³ and its projected period 2026 SPPCRC revenue requirement for 2025 is approximately \$347.8 million before accounting for prior year true-ups.⁴ This is an approximately 22% overall revenue requirement increase and follows several years of similarly large revenue requirement increases.⁵ According to DEF's approved SPP, the utility's SPP investments are supposed to begin generating substantial system benefits in the form of reduced outage events and restoration costs and increased service reliability.⁶ The Commission should begin requiring DEF to include in its annual SPPCRC filings an assessment of system benefits realized by program.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

VIII. ISSUES AND POSITIONS

ISSUE 1A: **What jurisdictional amounts should the Commission approve as FPL's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?**

Proposed stipulation – See Section X.

³ See Docket No. 20240010-EI, *In re: Storm protection plan cost recovery clause*, Final Order Approving Storm Cost Recovery Amounts and Related Tariffs and Establishing Storm Cost Recovery Factors for the Period January 2025 through December 2025, Order No. PSC-2024-0459-FOF-EI at 7 (Oct. 24, 2024).

⁴ See Exh. No. __ (CAM-3), Form 1P at page 1 of 127.

⁵ For example, DEF's approved SPPCRC revenue requirement for 2025 was an increase of approximately 42% compared to the SPPCRC revenue requirement for 2024 of approximately \$201.4 million, which was an increase of approximately 36 percent compared to the SPPCRC revenue requirement for 2023 of approximately \$148 million. See Docket No. 20240010-EI, *In re: Storm protection plan cost recovery clause*, Final Order Approving Storm Cost Recovery Amounts and Related Tariffs and Establishing Storm Cost Recovery Factors for the Period January 2025 through December 2025, Order No. PSC-2024-0459-FOF-EI at 7 (Oct. 24, 2024); Docket No. 20230010-EI, *In re: Storm protection plan cost recovery clause*, Final Order Approving Storm Cost Recovery Amounts and Related Tariffs and Establishing Storm Cost Recovery Factors for the Period January 2024 through December 2024, Order No. PSC-2023-0364-FOF-EI at 16 (Nov. 29, 2023); Docket No. 20220010-EI, *In re: Storm protection plan cost recovery clause*, Final Order Approving Storm Cost Recovery Amounts and Related Tariffs and Establishing Storm Cost Recovery Factors for the Period January 2023 through December 2023, Order No. PSC-2022-0418-FOF-EI at 7 (Dec. 12, 2022).

⁶ See 2025 SPP Approval Order at 11 (including the anticipated benefits of the SPP of “reductions of storm restoration costs, increases in service reliability, and reductions of outage events during both extreme and non-extreme weather Conditions”).

ISSUE 1B: What jurisdictional amounts should the Commission approve as TECO's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 1C: What jurisdictional amounts should the Commission approve as the FPUC's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 1D: What jurisdictional amounts should the Commission approve as the DEF's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 2A: What jurisdictional amounts should the Commission approve as the FPL's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 2B: What jurisdictional amounts should the Commission approve as TECO's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 2C: What jurisdictional amounts should the Commission approve as FPUC's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 2D: What jurisdictional amounts should the Commission approve as DEF's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 3A: What jurisdictional amounts should the Commission approve as FPL's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 3B: What jurisdictional amounts should the Commission approve as TECO's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 3C: What jurisdictional amounts should the Commission approve as FPUC's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 3D: What jurisdictional amounts should the Commission approve as DEF's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

Proposed stipulation – See Section X.

ISSUE 4A: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPL?

Proposed stipulation – See Section X.

ISSUE 4B: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for TECO?

Proposed stipulation – See Section X.

ISSUE 4C: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPUC?

Proposed stipulation – See Section X.

ISSUE 4D: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for DEF?

Proposed stipulation – See Section X.

ISSUE 5A: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPL?

Proposed stipulation – See Section X.

ISSUE 5B: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for TECO?

Proposed stipulation – See Section X.

ISSUE 5C: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPUC?

Proposed stipulation – See Section X.

ISSUE 5D: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for DEF?

Proposed stipulation – See Section X.

ISSUE 6A: What are the appropriate 2026 jurisdictional separation factors for FPL?

Proposed stipulation – See Section X.

ISSUE 6B: What are the appropriate 2026 jurisdictional separation factors for TECO?

Proposed stipulation – See Section X.

ISSUE 6C: What are the appropriate 2026 jurisdictional separation factors for FPUC?

Proposed stipulation – See Section X.

ISSUE 6D: What are the appropriate 2026 jurisdictional separation factors for DEF?

Proposed stipulation – See Section X.

ISSUE 7A: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPL?

Proposed stipulation – See Section X.

ISSUE 7B: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for TECO?

Proposed stipulation – See Section X.

ISSUE 7C: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPUC?

Proposed stipulation – See Section X.

ISSUE 7D: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for DEF?

Proposed stipulation – See Section X.

ISSUE 8A: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPL?

Proposed stipulation – See Section X.

ISSUE 8B: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for TECO?

Proposed stipulation – See Section X.

ISSUE 8C: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPUC?

Proposed stipulation – See Section X.

ISSUE 8D: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for DEF?

Proposed stipulation – See Section X.

ISSUE 9A: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPL?

Proposed stipulation – See Section X.

ISSUE 9B: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for TECO?

Proposed stipulation – See Section X.

ISSUE 9C: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPUC?

Proposed stipulation – See Section X.

ISSUE 9D: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for DEF?

Proposed stipulation – See Section X.

ISSUE 10: Should this docket be closed?

Proposed stipulation – See Section X.

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
<u>Direct</u>			
A. Sloan Lewis	TECO	ASL-1	Schedules Supporting Storm Protection Cost Recovery Factor, Actual for the period January 2024 – December 2024
A. Sloan Lewis	TECO	ASL-2 (Revised 7.10.25)	Schedules supporting cost recovery amount, projected January 2025 - December 2025. (E – Schedules) Schedules supporting costs recovery amount, projected for the period January 2026 – December 2026. (P – Schedules)

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Kevin E. Palladino	TECO	KEP-1 (Revised 6.13.25)	Tampa Electric Company, 2024 Storm Protection Plan Accomplishments
Kevin E. Palladino	TECO	KEP-2 (Revised 7.10.25)	Project List and Summary of Costs
Brittnee Baker (Adopted by Jessica Husted) Mark Cutshaw (Co-Sponsored)	FPUC	BB-1 (Revised 5.2.25)	SPPCRC Schedules 1A-9A
Jessica Husted Mark Cutshaw (Co-Sponsored)	FPUC	JH-1	SPPCRC Schedules E and P
Michael Jarro	FPL	MJ-1	FPL Actual Storm Protection Plan Work Completed in 2024 (Project Level Detail)
Michael Jarro	FPL	MJ-2	List of Explanations of Drivers for Variances in Storm Protection Plan Programs and Projects
Michael Jarro	FPL	MJ-3 (Amended 7.11.25)	Form 6P – Program Description and Progress Report
Michael Jarro	FPL	MJ-4	FPL Actual/Estimated Storm Protection Plan Work to be Completed in 2025 (Project Level Detail)
Michael Jarro	FPL	MJ-5 (Amended 7.11.25)	FPL Storm Protection Plan Work Projected to be Completed in 2026 (Project Level Detail)

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Michael Jarro	FPL	MJ-6 (Supplemental 7.11.25)	Comparison of the Targeted Number of Annual SPP Projects in the Originally Filed 2026 SPP with the Targeted Number of Annual Projects in the Approved 2026 SPP
Richard L. Hume	FPL	RLH-1	Forms 1A through 8A for the FPL 2024 SPPCRC Final True-Up
Richard L. Hume	FPL	RLH-2	Forms 1E through 8E for the FPL 2025 SPPCRC Actual/Estimated True-Up
Richard L. Hume	FPL	RLH-3 (Amended 7.11.25)	Forms 1P through 5P and 7P for FPL's Proposed 2026 SPPCRC Factors (<i>if Commission declines to approve 2025 Rate Case Settlement</i>)
Richard L. Hume	FPL	RLH-4	Retail Separation Factors (<i>if Commission declines to approve 2025 Rate Case Settlement</i>)
Richard L. Hume	FPL	RLH-5 (Supplemental 7.11.25)	FPL 2026 Projection Comparison Summary
Richard L. Hume	FPL	RLH-6 (Supplemental 9.25.25)	Alternative FPL 2026 Projections (<i>if Commission approves 2025 Rate Case Settlement</i>)
Richard L. Hume	FPL	RLH-7 (Supplemental 9.25.25)	Alternative Retail Separation Factors (<i>if Commission approves 2025 Rate Case Settlement</i>)

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Christopher A. Menendez Robert E. McCabe (Co-Sponsored) Robert Brong (Co-Sponsored)	DEF	CAM-3 (Amended 7.11.25)	Projected costs for the SPPCRC for the period January 2026 through December 2026, and DEF's Storm Protection Plan cost recovery factors for the period January 2026 through December 2026. Distribution-related costs associated with DEF's Storm Protection Plan ("SPP") proposed for recovery through the Storm Protection Plan Cost Recovery Clause ("SPPCRC") for 2026. Transmission-related costs associated with DEF's Storm Protection Plan ("SPP") proposed for recovery through the Storm Protection Plan Cost Recovery Clause ("SPPCRC") for 2026.
Gabrielle Dearmond	STAFF	GD-1	Auditor's Report - DEF

X. PROPOSED STIPULATIONS

There are proposed Type 2 stipulations⁷ for all issues as stated below. The Intervenor's (OPC, FIPUG, NUCOR, and PCS Phosphate) position on each Type 2 stipulation stated below is as follows:

The Intervenor's take no position on these issues nor do they have the burden of proof related to them. As such, the Intervenor's represent that they will not contest

⁷ A Type 2 stipulation occurs on an issue when the utility and the staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order.

or oppose the Commission taking action approving a proposed stipulation between the Company and another party or staff as a final resolution of these issues. No person is authorized to state that the Intervenors are a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission or in a representation to a Court.

FPL, TECO, FPUC, DEF, and Commission staff support the proposed stipulations.

A Type 2 stipulation has been proposed as pertains to the impact of FPL's rate case in Docket No. 20250011-EI on the SPPCRC:

STIPULATION:

OPC will facilitate a Type 2 Stipulation on the following: (i) approval of FPL's positions reflected in the prehearing order in this Docket in the event the Commission approves the settlement filed on August 20, 2025 in Docket 20250011-EI ("FPL Rate Case Settlement"); and (ii) approval of figures that reflect the schedules included in FPL's amended July 11, 2025 filing in the event the Commission does not approve the FPL Rate Case Settlement, subject to FPL filing for approval of updated figures that incorporate, for use in rates that will go into effect on January 1, 2026, the Commission's vote in Docket 20250011-EI as soon as practicable after that decision is issued. Nothing in this facilitation shall be used to suggest that the OPC supports approval of the FPL Rate Case Settlement, creates a waiver of its objections to the FPL Rate Case Settlement, or impairs the appellate rights of any party with respect to orders issued in Docket 20250011-EI and any impact such orders have on this Docket. FPL agrees that the willingness of the OPC to facilitate a Type 2 Stipulation on these matters shall obviate the need for the OPC or any other substantially affected party to appeal the final order in this Docket in order for the OPC to preserve its right to require the direct impact, if any, of any final decision by a court of competent jurisdiction related to the FPL Rate Case Settlement to be flowed through to this Docket.

STORM PROTECTION PLAN COST RECOVERY ISSUES

ISSUE 1A: What jurisdictional amounts should the Commission approve as FPL's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

FPL's final total SPPCRC cost incurred for 2024 is \$1,555,096,790, which includes a total operations and maintenance ("O&M") expense of \$126,749,885 (Line 5 of Form 5A, Exhibit RLH-1, p. 5) and a total capital expenditure of \$1,428,346,905 (sum of Line 1a of Form 7A,

Exhibit RLH-1, pp. 9-16).⁸ FPL's SPPCRC final jurisdictional revenue requirement true-up for the period January 2024 through December 2024, including interest, is an over-recovery of \$21,904,884.

ISSUE 1B: What jurisdictional amounts should the Commission approve as TECO's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

The Commission should approve final Storm Protection Plan Cost Recovery Clause prudently incurred jurisdictional revenue requirements of \$83,300,493 and a jurisdictional cost recovery true-up over-recovery amount of \$9,284,909 for the period January 2024 through December 2024 including interest.

ISSUE 1C: What jurisdictional amounts should the Commission approve as the FPUC's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

The final, end of period true up amount to be included in the calculation of the 2026 cost recovery factors is an over-recovery of \$307,988, which reflects the difference between the actual, end of period under-recovery of \$812,316 based on actual expenditures, and the projected 2024 under-recovery of \$1,120,304.

ISSUE 1D: What jurisdictional amounts should the Commission approve as the DEF's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

Investments of \$699,899,439 (System). Over-recovery of \$9,479,063.

⁸ The jurisdictional separation factors are applied to the revenue requirements and not the costs incurred. Therefore, the total jurisdictional cost incurred for the applicable calendar year is not available.

ISSUE 2A: What jurisdictional amounts should the Commission approve as the FPL's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

FPL's total SPPCRC cost estimated for 2025 is \$1,572,388,076, which includes a total O&M expense of \$134,864,800 (Line 5 of Form 5E, Exhibit RLH-2, p. 5) and a total capital expenditure of \$1,437,523,276 (sum of Line 1a of Form 7E, Exhibit RLH-2, pp. 8-15).⁹ FPL's SPPCRC actual/estimated jurisdictional revenue requirement true-up for the period January 2025 through December 2025, including interest, is an under-recovery of \$7,172,014 (Line 4 of Form 1E of Exhibit RLH-2, p. 1).

ISSUE 2B: What jurisdictional amounts should the Commission approve as TECO's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

The Commission should approve actual/estimated Storm Protection Plan Cost Recovery Clause jurisdictional revenue requirements of \$111,005,744 and a jurisdictional estimated cost recovery true-up over-recovery amount of \$9,355,937 for the period January 2025 through December 2025 including interest.

ISSUE 2C: What jurisdictional amounts should the Commission approve as FPUC's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

FPUC projects an end of period 2025 under-recovery of \$1,517,429 based on a revised 2025 revenue requirement of \$6,334,083, which is net of \$215,030 already recovered through base rates prior to implementation of new rates approved in Docket No. 20240099-EI.

⁹ See Footnote 8.

ISSUE 2D: What jurisdictional amounts should the Commission approve as DEF's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

Investments of \$850,521,926 (System). Over-recovery of \$21,779,919.

DEF and Staff agree that the Finding contained in Exhibit GD-1, page 7 of 9, does not constitute a finding that DEF failed to comply with a rule or order of the Commission.

ISSUE 3A: What jurisdictional amounts should the Commission approve as FPL's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

In the event the Commission approves the 2025 Rate Case Settlement Agreement (August 20, 2025 filing):

FPL's total SPPCRC cost projected for 2026 is \$1,243,737,019 which includes a total O&M expense of \$139,870,641 (Line 5 of Form 2P, Exhibit RLH-6, p. 2) and a total capital expenditure of \$1,103,866,378 (sum of Line 1a of Form, Exhibit RLH-6, pp. 4-11).¹⁰ FPL's projected SPPCRC jurisdictional revenue requirement for the period January 2026 through December 2026 is \$998,817,311 (Line 1 of Form 1P, Exhibit RLH-6, p. 1).

In the event the Commission declines the 2025 Rate Case Settlement Agreement (July 11, 2025 filing):

FPL's total SPPCRC cost projected for 2026 is \$1,243,737,019, which includes a total O&M expense of \$139,870,641 (Line 5 of Form 2P, Amended Exhibit RLH-3, p. 2) and a total capital expenditure of \$1,103,866,378 (sum of Line 1a of Form 3P, Amended Exhibit RLH-3, pp. 6-13).¹¹ FPL's projected SPPCRC jurisdictional revenue requirement for the period January 2026 through December 2026 is \$872,763,101 (Line 1 of Form 1P, Amended Exhibit RLH-3, p. 1).

¹⁰ See Footnote 8.

¹¹ See Footnote 8.

ISSUE 3B: What jurisdictional amounts should the Commission approve as TECO's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

The Commission should approve reasonably projected Storm Protection Plan Cost Recovery Clause jurisdictional revenue requirements of \$138,185,043 for the period January 2026 through December 2026.

ISSUE 3C: What jurisdictional amounts should the Commission approve as FPUC's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

FPUC projects total expenditures of \$21.30 million, with a revenue requirement of \$8,377,215.

ISSUE 3D: What jurisdictional amounts should the Commission approve as DEF's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

STIPULATION:

Investments of \$763,445,416 (System). Revenue requirement \$347,807,804.

ISSUE 4A: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPL?

STIPULATION:

In the event the Commission approves the 2025 Rate Case Settlement Agreement (August 20, 2025 filing):

The projected total SPPCRC jurisdictional revenue requirement for the period January 2026 through December 2026, including true-up amounts, is \$984,084,441 (Line 4 of Form 1P, Exhibit RLH-6, p. 1).

In the event the Commission declines the 2025 Rate Case Settlement Agreement (July 11, 2025 filing):

The projected total SPPCRC jurisdictional revenue requirement for the period January 2026 through December 2026, including true-up amounts, is \$858,030,231 (Line 4 of Form 1P, Amended Exhibit RLH-3, p. 1).

ISSUE 4B: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for TECO?

STIPULATION:

The Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing Storm Protection Plan Cost Recovery factors for the period January 2026 through December 2026 is \$119,645,571 after the adjustment for taxes.

ISSUE 4C: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPUC?

STIPULATION:

The total amount upon which FPUC's proposed factors are calculated is \$9,594,785, which is adjusted for taxes.

ISSUE 4D: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for DEF?

STIPULATION:

Revenue requirement \$316,548,823.

ISSUE 5A: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPL?

STIPULATION:

In the event the Commission approves the 2025 Rate Case Settlement Agreement (August 20, 2025 filing):

The depreciation rates for the alternative 2026 SPPCRC Factors set forth in Exhibit RLH-6 are based on the depreciation lives and parameters agreed to in the pending 2025 Rate Case Settlement Agreement. In the event the Commission approves the pending 2025 Rate Case Settlement, those depreciation rates as reflected in Exhibit RLH-6 should be approved to be effective for the period January 2026 through December 2026.

In the event the Commission declines the 2025 Rate Case Settlement Agreement (July 11, 2025 filing):

The depreciation rates for the 2026 SPPCRC Factors set forth in Amended Exhibit RLH-3 are based on the depreciation lives and parameters approved by Commission Order Nos. PSC-2021-0446-S-EI and PSC-2021-0446A-S-EI in Docket No. 20210015-EI. In the event the Commission declines the pending 2025 Rate Case Settlement, those depreciation rates as reflected in Amended Exhibit RLH-3 should be approved to be effective for the period January 2026 through December 2026.

ISSUE 5B: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for TECO?

STIPULATION:

The depreciation rates from Tampa Electric's Depreciation Study, approved by Order No. PSC-2025-0038-FOF-EI issued February 3, 2025, in Docket No. 20230139-EI.

ISSUE 5C: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPUC?

STIPULATION:

The appropriate depreciation rates are those approved in, Order No. PSC-2023-0384-PAA-EI, issued December 21, 2023, in Docket No. 20230079-EI.

ISSUE 5D: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for DEF?

STIPULATION:

DEF should use the depreciation rates that were approved in Final Order No. PSC-2024-0472-AS-EI.

ISSUE 6A: What are the appropriate 2026 jurisdictional separation factors for FPL?

STIPULATION:

In the event the Commission approves the 2025 Rate Case Settlement Agreement (August 20, 2025 filing):

As shown on page 1 of Exhibit RLH-7, FPL's retail jurisdictional separation factors for the period January 2026 through December 2026 are:

DEMAND

Transmission	0.886482
Distribution	1.000000

ENERGY

Total Sales	0.939057
Non-Stratified Sales	0.957002

GENERAL PLANT

Labor	0.969105
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In the event the Commission declines the 2025 Rate Case Settlement Agreement (July 11, 2025 filing):

As shown on page 1 of Exhibit RLH-4, FPL's retail jurisdictional separation factors for the period January 2026 through December 2026 are:

DEMAND

Transmission	0.884813
Distribution	1.000000

ENERGY

Total Sales	0.939057
Non-Stratified Sales	0.957002

GENERAL PLANT

Labor	0.969171
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ISSUE 6B: What are the appropriate 2026 jurisdictional separation factors for TECO?

STIPULATION:

The appropriate jurisdictional separation factors are as follows:

FPSC Jurisdictional Factor: 93.5805%

FERC Jurisdictional Factor: 6.4195%

ISSUE 6C: What are the appropriate 2026 jurisdictional separation factors for FPUC?

STIPULATION:

There is no jurisdictional separation applicable to FPUC.

ISSUE 6D: What are the appropriate 2026 jurisdictional separation factors for DEF?

STIPULATION:

DEF should apply the appropriate jurisdictional separation factors that were approved in Final Order No. PSC-2024-0472-AS-EI.

Distribution: 1.000000

Transmission: 0.703690

ISSUE 7A: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPL?

STIPULATION:

In the event the Commission approves the 2025 Rate Case Settlement Agreement (August 20, 2025 filing):

As shown on Form 5P of Exhibit RLH-6, page 15, the appropriate FPL 2026 SPPCRC factors for each rate class are as follows:

Rate Class	SPP Factor (\$/kW)	SPP Factor (\$/kWh)	RDC (\$/KW)	SDD (\$/KW)
RS1/RTR1		0.00995		
GS1/GST1		0.00927		
GSD1/GSDT1/HLFT1/GSD1-EV	1.80			
OS2		0.02426		
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV	1.81			
GSLD2/GSLDT2/CS2/CST2/HLFT3	1.66			
GSLD3/GSLDT3/CS3/CST3	0.19			
SST1T			0.02	0.01
SST1D1/SST1D2/SST1D3			0.29	0.14
CILC D/CILC G	1.66			
CILC T	0.18			
MET	2.15			
OL1/SL1/SL1M/PL1/OSI/II		0.00320		
SL2/SL2M/GSCU1		0.02623		

In the event the Commission declines the 2025 Rate Case Settlement Agreement (July 11, 2025 filing):

As shown on Form 5P of Amended Exhibit RLH-3, page 15, the appropriate FPL 2026 SPPCRC factors for each rate class are as follows:

Rate Class	SPP Factor (\$/kW)	SPP Factor (\$/kWh)	RDC (\$/KW)	SDD (\$/KW)
RS1/RTR1		0.00868		
GS1/GST1		0.00805		
GSD1/GSDT1/HLFT1/GSD1-EV	1.57			
OS2		0.02118		
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV	1.58			
GSLD2/GSLDT2/CS2/CST2/HLFT3	1.46			
GSLD3/GSLDT3/CS3/CST3	0.17			
SST1T			0.02	0.01
SST1D1/SST1D2/SST1D3			0.26	0.12
CILC D/CILC G	1.46			
CILC T	0.18			
MET	1.89			
OL1/SL1/SL1M/PL1/OSI/II		0.00278		
SL2/SL2M/GSCU1		0.02290		

ISSUE 7B: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for TECO?

STIPULATION:

The appropriate January 2026 through December 2026 cost recovery clause factors utilizing the appropriate recognition of Federal Energy Regulatory Commission transmission jurisdictional separation, revenue tax factors and the rate design and cost allocation as put forth in Docket No. 20240026-EI are as follows:

<u>Rate Schedule</u>	<u>Cost Recovery Factors (cents per kWh)</u>
RS	0.717
GS and CS	0.568
GSD Optional – Secondary	0.493
GSD Optional – Primary	0.488
GSD Optional – Subtransmission	0.483
LS-1, LS-2	0.574

<u>Rate Schedule</u>	<u>Cost Recovery Factors (dollars per kW)</u>
GSD/GSDT/SBD/SBDT – Secondary	2.02
GSD/GSDT/SBD/SBDT – Primary	2.00
GSD/GSDT/SBD/SBDT – Subtransmission	1.98
GSLD/GSLDT/SBLD/SBLDT - Primary	1.35
GSLD/GSLDT/SBLD/SBLDT - Subtransmission	0.11

ISSUE 7C: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPUC?

STIPULATION:

Rate Schedule	SPP FACTORS PER KWH
Residential	\$0.01656
General Service	\$0.02182
General Service Demand	\$0.01093
General Service Large Demand	\$0.00700
Industrial/Standby	\$0.04156
Lighting Service	\$0.18541

ISSUE 7D: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for DEF?

STIPULATION:

Customer Class	SPPCRC Factor
Residential	0.936 cents/kWh
General Service Non-Demand	0.811 cents/kWh
@ Primary Voltage	0.786 cents/kWh
@ Transmission Voltage	0.138 cents/kWh
General Service 100% Load Factor	0.416 cents/kWh
General Service Demand	2.23 \$/kW
@ Primary Voltage	2.19 \$/kW
@ Transmission Voltage	0.41 \$/kW
Curtable	1.44 \$/kW
@ Primary Voltage	1.43 \$/kW
@ Transmission Voltage	1.41 \$/kW
Interruptible	1.97 \$/kW
@ Primary Voltage	1.61 \$/kW
@ Transmission Voltage	0.33 \$/kW

Standby Monthly	0.199 \$/kW
@ Primary Voltage	0.197 \$/kW
@ Transmission Voltage	0.195 \$/kW
Standby Daily	0.095 \$/kW
@ Primary Voltage	0.094 \$/kW
@ Transmission Voltage	0.093 \$/kW
Lighting	0.679 cents/kWh

ISSUE 8A: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPL?

STIPULATION:

The 2026 SPPCRC Factors should become effective for application to bills beginning the first billing cycle in January 2026 through the last billing cycle in December 2026 and continuing until modified by subsequent order of this Commission.

ISSUE 8B: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for TECO?

STIPULATION:

The effective date of the new Storm Protection Plan Cost Recovery Clause factors should be January 1, 2026.

ISSUE 8C: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPUC?

STIPULATION:

The effective date for FPUC's cost recovery factors should be the first billing cycle for January 1, 2026, which could include some consumption from the prior month. Thereafter, customers should be billed the approved factors for a full 12 months, unless the factors are otherwise modified by the Commission.

ISSUE 8D: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for DEF?

STIPULATION:

The factors shall be effective beginning with the specified Storm Protection Plan Cost Recovery Clause cycle and thereafter for the period January 2026 through December 2026. Billing cycles may start before January 1, 2026, and the last cycle may be read after December 31, 2026, so that each customer is billed for twelve months, regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission.

ISSUE 9A: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPL?

STIPULATION:

Yes. The Commission should authorize Staff to approve administratively, revised tariffs reflecting the 2026 SPPCRC factors determined to be appropriate in this proceeding and subject to the Commission's final disposition of the 2025 Rate Case Settlement Agreement pending in Docket No. 20250011-EI.

ISSUE 9B: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for TECO?

STIPULATON:

Yes, the Commission should approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding.

ISSUE 9C: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPUC?

STIPULATION:

Yes. The Commission should approve revised tariffs reflecting the SPPCRC factors determined to be appropriate in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision.

ISSUE 9D: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for DEF?

STIPULATION:

Yes. The Commission should approve DEF's revised tariffs reflecting the Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission's decision. The Commission should grant Staff Administrative authority to approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding.

ISSUE 10: Should this docket be closed?

STIPULATION:

No. This is a continuing docket and should remain open.

XI. PENDING MOTIONS

There are no pending motions at this time.

XII. PENDING CONFIDENTIALITY MATTERS

There are no pending confidentiality matters at this time.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 75 words, it must be reduced to no more than 75 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

XIV. RULINGS

Opening statements, if any, shall not exceed 3 minutes per party.

It is therefore,

ORDERED by Commissioner Gabriella Passidomo Smith, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Gabriella Passidomo Smith, as Prehearing Officer, this 30th day of October, 2025.



Gabriella Passidomo Smith
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.