

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20210015-EI  
ORDER NO. PSC-2022-0337-PCO-EI  
ISSUED: September 30, 2022

ORDER GRANTING MOTION FOR OFFICIAL RECOGNITION

On September 28, 2022, Florida Power & Light Company (FPL) filed a Motion for Official Recognition of the U. S. Treasury yield curve rates for the calendar year 2022 published on the official website of the U. S. Department of Treasury. Specifically, FPL sought recognition of Treasury yield curve rates for the period February 23, 2022 through August 22, 2022. On September 29, 2022, FPL filed a second motion to request recognition for the U. S. Treasury yield curve rate for August 10, 2021. With the exception of Vote Solar, who did not respond as of the time of filing, all parties to the docket took no position on the September 28<sup>th</sup> motion. With regard to the second motion, Office of the Public Counsel, Florida Retail Federation, Walmart, Inc., the Larsons, Southern Alliance for Clean Energy, Florida Rising, League of United Latin American Citizens of Florida, Environmental Confederation of Southwest Florida, Floridians Against Increased Rates, and CLEO Institute take no position. As of the date of filing, no response was received regarding the second motion from the Florida Industrial Power Users Group, the Federal Executive Agencies, Vote Solar and the Florida Internet and Television Association.

Rule 28-106.213(6), Florida Administrative Code (F.A.C.), states that: “[r]equests for official recognition shall be by motion and shall be considered in accordance with the provisions governing judicial notice in Sections 90.201-.203, F.S.” Pursuant to Section 90.202(12), Florida Statutes (F.S.), official recognition can be granted to: “[f]acts that are not subject to dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned.”

The information for which FPL has requested official recognition is available on the U. S. Treasury Department’s public website, a source whose accuracy cannot be questioned.<sup>1</sup> Thus, the criteria for official recognition has been met.

Based on the foregoing, it is

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that Florida Power & Light Company’s Motion for Official Recognition of the U. S. Treasury yield curve rates for the period February 23, 2022 through August 22, 2022, and the U. S. Treasury yield curve rate for August 10, 2021, is hereby granted.

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<sup>1</sup> *Citizens & Southern Corporation v. Commissioner*, 91 T.C. 463, 503-04, 1988 WL 90987 (1988), affirmed, 919 F.2d 1492 (11 Cir. 1990); *In re: The Matter of Sunny M. Baxter*, 269 B.R. 458, 462 (United States Bankruptcy Court, N.D. Alabama, Northern Division 2001).

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By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 30th day  
of September, 2022.

  
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GARY F. CLARK  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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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.

SBr

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.