

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
conservation goals (Florida Power & Light
Company).

DOCKET NO. 20240012-EG
ORDER NO. PSC-2024-0505-FOF-EG
ISSUED: December 18, 2024

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

FINAL ORDER APPROVING NUMERIC CONSERVATION GOALS
FOR FLORIDA POWER & LIGHT COMPANY

APPEARANCES:

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On behalf of Florida Power & Light Company (FPL).

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Justice, 111 S. Martin Luther King Jr. Blvd., Tallahassee, FL 32301
On behalf of Florida Rising, League of United Latin American Citizens, and
Environment Confederation of Southwest Florida (FEL).

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On behalf of Florida Department of Agricultural & Consumer Services (FDACS).

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On behalf of Southern Alliance for Clean Energy (SACE)

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On behalf of Walmart, Inc. (WALMART)

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On behalf of the Florida Public Service Commission (Staff).

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Advisor to the Florida Public Service Commission.

KEITH C. HETRICK, ESQUIRE, General Counsel, Florida Public Service
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Florida Public Service Commission General Counsel

BY THE COMMISSION:

Background

Enacted in 1980, Sections 366.80 through 366.83, and 403.519, Florida Statutes (F.S.), are known collectively as the Florida Energy Efficiency and Conservation Act (FEECA). FEECA requires us to adopt appropriate goals to increase the efficiency of energy consumption and, pursuant to Section 366.82(6), F.S., we must review the goals of each utility subject to FEECA at least every five years.

The six electric utilities subject to FEECA, collectively known as the FEECA Utilities, are Florida Power & Light Company (FPL), Duke Energy Florida, LLC (DEF), Tampa Electric Company (TECO), Florida Public Utilities Company (FPUC), JEA, and Orlando Utilities Commission (OUC). Pursuant to Rule 25-17.0021, Florida Administrative Code (F.A.C.), numeric goals were last established for the FEECA Utilities by Order No. PSC-19-0509-FOF-EU, issued November 26, 2019. Therefore, new goals must be established by January 2025.

By Order No. PSC-2024-0022-PCO-EG, issued February 28, 2024, the dockets for each of the FEECA Utilities were consolidated for purposes of hearing, and controlling dates and a tentative list of issues were established.

We acknowledged the intervention of the Office of Public Counsel (OPC) on February 28, 2024.¹ We acknowledged the intervention of the Florida Department of Agriculture and Consumer Services (FDACS) on April 24, 2024.² The Florida Industrial Power Users Group (FIPUG)³, the Florida League of United Latin American Citizens (LULAC)⁴, and Florida Rising, Inc. (Florida Rising)⁵ were granted leave to intervene on April 25, 2024. The Southern Alliance for Clean Energy (SACE)⁶ and Walmart Inc. (Walmart)⁷ were granted leave to intervene on April 30, 2024. OPC withdrew from the proceeding on May 22, 2024.⁸

Pursuant to Notice and in accordance with Rule 28-106.209, F.A.C., a hearing was held on August 8, 2024, in Tallahassee, Florida, before the above commissioners.

Decision

Legal Background

FEECA directs us to promote four key priorities: (1) reducing and controlling the growth rates of weather-sensitive peak demand and electricity usage, (2) increasing the efficiency and cost-effectiveness of the production and consumption of electricity and natural gas, (3) encouraging demand-side renewable energy systems, and (4) conserving expensive resources, particularly petroleum fuel.⁹ The Legislature emphasized that it is critical to utilize “efficient and cost-effective” conservation systems.¹⁰ Section 366.82, F.S., bifurcates our responsibility under FEECA into two separately docketed proceedings. First, in the goalsetting dockets, we must establish appropriate goals for increasing the efficiency of energy consumption and increasing the development of demand-side renewable energy systems. Following the adoption of goals, in the plan approval dockets, each FEECA Utility must file plans and programs to meet the goals within its service area. The present docket was opened to address the first, goalsetting portion of our FEECA proceedings for FPL.

FEECA requires that we establish goals designed to increase the conservation of expensive resources, such as petroleum fuels; reduce and control the growth rates of electric consumption; reduce the growth rates of weather-sensitive peak demand; and encourage development of demand-side renewable energy resources.¹¹ Section 366.82(3), F.S., prescribes the following criteria for our evaluation of the conservation goals:

¹ Order No. PSC-2024-0051-PCO-EG.

² Order No. PSC-2024-0128-PCO-EG.

³ Order No. PSC-2024-0132-PCO-EG.

⁴ Order No. PSC-2024-0133-PCO-EG.

⁵ Order No. PSC-2024-0135-PCO-EG.

⁶ Order No. PSC-2024-0139-PCO-EG.

⁷ Order No. PSC-2024-0138-PCO-EG.

⁸ DN 00854-2024.

⁹ See Sections 366.81-366.82, F.S.

¹⁰ Section 366.81, F.S.

¹¹ Section 366.82(2), F.S.

In developing the goals, the commission shall evaluate the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems. In establishing the goals, the commission shall take into consideration:

- (a) The costs and benefits to customers participating in the measure.
- (b) The costs and benefits to the general body of ratepayers as a whole, including utility incentives and participant contributions.
- (c) The need for incentives to promote both customer-owned and utility-owned energy efficiency and demand-side renewable energy systems.
- (d) The costs imposed by state and federal regulations on the emission of greenhouse gases.

The Commission implements FEECA for electric utilities through Rule 25-17.0021, F.A.C. Pursuant to that rule, for each FEECA Utility, we establish annual kilowatt (KW) and kilowatt-hour (KWh) goals for Residential and Commercial/Industrial customer classes.¹² The goals are based on (1) an assessment of the technical potential of available conservation and efficiency measures, and (2) an estimate of the total cost-effective KW and KWh savings reasonably achievable through demand-side management (DSM) programs in each utility's service area over a ten-year period.¹³ The goals we establish are annual targets for conservation, with KW goals relating to seasonal—summer and winter—demand savings, and annual KWh goals relating to annual energy savings.

Following the last goalsetting proceedings in 2019, after receiving feedback from the utilities, intervenors, and interested persons, we amended Rule 25-17.0021, F.A.C., to streamline our FEECA process by requiring utilities to file potential conservation programs along with their proposed goals. This allows us to analyze the utilities' proposed goals based upon energy (KWh) and demand (KW) savings from customer participation in potential programs they plan to implement, thus giving us better information as to the appropriateness of the goals. Thus, although utility conservation plans and the underlying programs and measures to implement those plans are not approved at this time, each utility must include sufficient information related to the cost-effectiveness of its potential DSM programs to support the appropriateness of its proposed goals.¹⁴

Analysis

Pursuant to Section 366.82, F.A.C., we must evaluate whether the goals requested by FPL are appropriate. Pursuant to the Prehearing Order, Order No. PSC-2024-0293-PHO-EG, issued August 2, 2024, a final list of issues was established for the consolidated hearing. Issues 1-7 address whether each utility, in developing its proposed goals, adequately addressed the considerations prescribed by statute and Commission rule. Issue 8 addresses, for the purpose of establishing goals for rate-regulated utilities, whether we should consider changing credit levels

¹² Rule 25-17.0021(1), F.A.C.

¹³ *Id.*

¹⁴ Section 366.82(7), F.S., addresses how we must evaluate and approve the utilities' plans to implement the Commission-established goals during the subsequent plan approval proceeding.

for demand response programs in the FEECA goalsetting proceedings or in their base rate proceedings. Issues 9-11 were specific only to FPL's docket. Issues 12 and 13 are the ultimate issues addressing, in light of the preceding issues, what conservation goals we should establish for FPL as required by Section 366.82, F.S.

At the August 8, 2024, hearing and following a robust discovery process, FPL presented us with a series of proposed Type II stipulations¹⁵ (Attachment A) to fully resolve all issues in this docket. FPL, LULAC, Florida Rising, SACE, and Walmart supported the stipulations. FIPUG supported the stipulations on Issues 8A and 8B and took no position on all other stipulations. FDACS took no position on all issues. At the hearing, we approved FPL's proposed stipulations with the exception of the proposed stipulation on Issue 10, which dealt with a proposed conservation program unique to FPL. We allowed the parties to brief Issue 10, and our staff filed a recommendation on the issue. Ultimately, we approved FPL's proposed stipulation on Issue 10 at the December 3, 2024, agenda conference.

We find that each of FPL's stipulations are supported by evidence in the record. We also find that the testimony and exhibits in the record adequately address the statutory considerations required by Section 366.82(3), F.S., and demonstrate that the goals stipulated for Issues 12 and 13, as set forth in Attachment A, will increase the conservation of expensive resources, such as petroleum fuels; reduce and control the growth rates of electric consumption; reduce the growth rates of weather-sensitive peak demand; and encourage development of demand-side renewable energy resources. In particular, we found the testimony and exhibits of FPL witnesses Jim Herndon, John N. Floyd, and Andrew W. Whitley, as well as the discovery responses and legal arguments provided by FPL, support our finding that the stipulated goals are reasonable and consistent with the requirements of Section 366.82, F.S., and Rule 25-17.0021, F.A.C. For these reasons, we find the stipulated goals to be appropriate.

Conclusion

The stipulations listed in Attachment A address all the requirements of FEECA enumerated in Section 366.82, F.S., and satisfy the requirements of Rule 25-17.0021, F.A.C. Further, the conservation goals stipulated in Issues 12 and 13 are appropriate to advance the priorities of FEECA. Therefore, the goals stipulated in Issues 12 and 13 are adopted for FPL for the period 2025-2034.

Based on the foregoing, it is

ORDERED that Florida Power & Light Company shall abide by the stipulations, findings, and rulings herein. It is further

¹⁵ A Type II stipulation is one in which the utility and Commission staff, or the utility and at least one party adversarial to the utility, agree on the resolution of an 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.

ORDERED that Florida Power & Light Company's residential and commercial/industrial summer and winter megawatt (MW) and annual gigawatt-hour (GWh) goals are adopted as set forth in Attachment A, Paragraph 6, Issue 12. It is further

ORDERED that Florida Power & Light Company should continue to implement the provisions of Rule 25-6.065, F.A.C., Interconnection and Net Metering of Customer-Owned Renewable Generation, as an appropriate means to encourage the development of demand-side renewable energy. It is further

ORDERED that this docket shall be closed after the time for filing an appeal has run.

By ORDER of the Florida Public Service Commission this 18th day of December, 2024.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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

JDI/jhr

DISSENT

Chairman Mike La Rosa and Commissioner Andrew Giles Fay dissent from the Commission's decision to approve the stipulation for Issue 10.

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

FILED 8/5/2024
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FPSC - COMMISSION CLERK



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August 5, 2024

VIA ELECTRONIC FILING

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

**Re: Docket No. 20240012-EG – In re: In re: Commission Review of Numeric
Conservation Goals (Florida Power & Light Company)
Amended Stipulations of FPL, FEL, SACE, and Walmart**

Dear Mr. Teitzman:

Enclosed for filing are Amended Stipulations among Florida Power & Light Company, Florida Rising, Environmental Confederation of Southwest Florida, League of United Latin American Citizens, the Southern Alliance for Clean Energy, Inc., and Walmart Inc. These Amended Stipulations supersede and replace the stipulations filed on August 1, 2024 [DN 08162-2024]. Upon approval by the Florida Public Service Commission, the enclosed Amended Stipulations will fully resolve the Parties' respective issues in the above-referenced docket.

If you or your staff have any question regarding this filing, please contact me at (561) 304-5662.

Respectfully submitted,

/s/ William P. Cox

William P. Cox

Enclosures

cc: Certificate of Service

Florida Power & Light Company
700 Universe Boulevard, Juno Beach, FL 33408

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 5th day of August 2024:

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By: s/ William P. Cox
William P. Cox

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission Review of Numeric
Conservation Goals (Florida Power & Light
Company)

Docket No: 20240012-EG

AMENDED STIPULATIONS

Florida Power & Light Company (“FPL” or the “Company”), Florida Rising, Environmental Confederation of Southwest Florida, and League of United Latin American Citizens (collectively, “FEL”), and the Southern Alliance for Clean Energy, Inc. (“SACE”) (hereinafter referred to individually as “Party” or collectively as “Parties”) herby agree to submit for approval by the Florida Public Service Commission (“Commission”) the following amended stipulations to fully resolve the Parties’ respective issues in Docket No. 20240012-EG on the following terms and conditions:

1. The Parties stipulate to having all pre-filed testimony and exhibits filed in this docket entered into the record, specifically the following:
 - a. The Direct Testimony of FPL witnesses John N. Floyd, along with Exhibits JNF-1 through JNF-5, as corrected by July 12, 2024 Errata of John N. Floyd;
 - b. The Direct Testimony of FPL witnesses Andrew W. Whitley, along with Exhibits AWW-1 through AWW-17, as corrected by July 12, 2024 Errata of Andrew W. Whitley ;
 - c. The Rebuttal Testimony of FPL witnesses John N. Floyd, along with Exhibits JN-6 and JNF-7;

- d. The Rebuttal Testimony of FPL witnesses Andrew W. Whitley, along with Exhibits AWW-18 through AWW-21, as corrected by July 12, 2024 Second Errata of Andrew W. Whitley; and
 - e. The Direct Testimony of FEL witness MacKenzie Marcelin, along with Exhibits MM-1 through MM-15, MM-20, and MM-25 through MM-30.
2. The Parties agree to waive cross-examination of all witnesses in Docket No. 20240012-EG and, upon Commission approval, have no objection witnesses being excused from appearing at the hearing.
3. The Parties stipulate to having the following exhibits identified on Staff's Comprehensive Exhibit List entered into the record for Docket No. 20240012-EG: 1-27, 88-102, 107, 112-117, 140-145, 149-165, and 225-228.
4. The Parties stipulate and agree that FPL proposed DSM Goals for the ten-year period of 2025-2034 shall be modified as follows:
 - a. The annual participation level in FPL's proposed low-income program shall be increased from 11,000-12,031 to 17,000 for 2025-2029 and to 18,000 for 2030-2034; provided, however, the Parties agree that FPL's DSM Goals docket and associated participation levels shall be reassessed and reset in the next DSM Goals docket to be filed in 2029.
 - b. The programs included in FPL's DSM portfolio will not be capped or discontinued if the sector-level goals are achieved.
5. The Parties stipulate and agree that the modifications set forth in Paragraph 4 above are a reasonable compromise of competing positions set forth in the testimony and exhibits submitted by the FPL and FEL witnesses.
6. Subject to the modification of FPL's proposed DSM goals as set forth in Paragraph 4 above, the Parties stipulate to the following positions on each of the Issues set forth in Prehearing Order:

- Issue 1: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, are based on an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems.
- Issue 2: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, are based on savings reasonably achievable through demand-side management programs over a ten-year period.
- Issue 3: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to customers participating.
- Issue 4: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to the general body of rate payers as a whole, including utility incentives and participant contributions.
- Issue 5: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the need for incentives to promote both customer-owned and utility-owned energy efficiency and demand side renewable energy systems.
- Issue 6: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs imposed by state and federal regulations on the emissions of greenhouse gases.
- Issue 7: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, appropriately reflect consideration of free riders.
- Issue 8a: The Parties stipulate and agree that, for purposes of FPL only, and for purposes of this specific docket only, this is not the appropriate proceeding to reset the Commercial and Industrial Load Control (CILC) and Commercial Demand Response (CDR) credits for FPL's commercial and industrial demand response programs. The current CILC and CDR credits were set in FPL's 2021 Rate Case Settlement Agreement, which was approved by the Commission in Order Nos. PSC-2021-0446-S-EI, PSC-2021-0446A-S-EI and PSC-2024-0078-FOF-EI. Paragraph 4(e) of the FPL 2021 Base Rate Case Settlement provides, in pertinent part, that the CILC and CDR credits are to be reset in a general base rate proceeding.

- Issue 8b: The Parties stipulate and agree that, for purposes of FPL only, Issue 8b is not applicable. The appropriate demand credits for FPL’s CILC and CDR programs in this proceeding are the credits approved by the Commission in Order Nos. PSC-2021-0446-S-EI, PSC-2021-0446A-S-EI and PSC- 2024-0078-FOF-EI.
- Issue 9: The Parties stipulate and agree that the record supports a Commission finding that the savings associated with FPL’s proposed Residential Low Income Renter Pilot program are known and measurable and should be included in FPL’s proposed DSM Goals.
- Issue 10: The Parties stipulate and agree that the record supports a Commission finding that FPL’s proposed HVAC On-Bill option expands the existing On Call[®] load-management program to allow greater customer access to new energy-saving HVAC equipment in a way that also passes the RIM cost-effectiveness test, and should be included in FPL’s proposed DSM Goals.
- Issue 11: As set forth in Paragraph 4(b) above, the Parties stipulate and agree that the participation for FPL’s non- RIM Test passing programs will not be capped once sector-level goals are achieved.
- Issue 12: The Parties stipulate and agree that to reflect the modifications agreed to in Paragraph 4 above, FPL’s proposed DSM Goals shall be 455MW Summer demand, 337 MW Winter demand, and 1,011 GWh energy reduction for the period 2025 through 2034.

	PROPOSED										Cumulative
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	
Summer MW											
Residential	29.82	30.00	30.32	30.27	30.32	31.02	31.15	31.32	31.52	31.76	307.50
Commercial/Industrial	16.24	16.26	16.28	13.89	13.94	14.00	14.05	14.11	14.17	14.23	147.17
Total ¹	46.06	46.26	46.60	44.16	44.27	45.01	45.20	45.43	45.69	45.99	454.68
Winter MW											
Residential	21.79	22.66	23.74	24.12	24.57	25.22	25.74	26.30	26.89	27.53	248.54
Commercial/Industrial	9.65	9.68	9.71	8.28	8.33	8.38	8.43	8.48	8.54	8.59	88.06
Total ¹	31.44	32.34	33.45	32.39	32.89	33.60	34.17	34.78	35.43	36.12	336.60
Annual GWh											
Residential	51.68	50.82	50.07	48.94	48.37	49.20	48.78	48.42	48.12	47.86	492.26
Commercial/Industrial	48.40	49.13	49.87	50.60	51.37	52.15	52.95	53.76	54.58	55.42	518.24
Total ¹	100.08	99.95	99.94	99.55	99.74	101.36	101.73	102.18	102.70	103.28	1,010.50

¹. Totals may not add due to rounding.

- Issue 13: The Parties stipulate and agree that the record supports a Commission finding that no additional goals should be established for demand-side renewable energy systems.
- Issue 14: The Parties stipulate and agree that approval of the stipulations set forth herein will fully resolve the issues and positions of all Parties to this docket

and, therefore, this docket should be closed upon the issuance of an Order approving these stipulations.

7. The Parties stipulate and agree that FPL's proposed DSM goals, as modified herein, include both RIM- and TRC-passing programs and will deliver meaningful energy-efficiency savings options to all customers including owners, renters, and low-income customers, and should be approved.
8. The Parties stipulate and agree that FPL's proposed DSM Goals, as modified herein, is a reasonable approach to meet the requirements of Section 366.82, Florida Statutes, and Rules 25-17.0021 and 25-17.008, Florida Administrative Code, and will establish DSM Goals at a reasonable and appropriate level for the period 2025 through 2034 and should be approved.
9. The Parties stipulate and agree that the stipulations and positions set forth herein are limited and apply only to FPL's proposed DSM Goals in Docket No. 20240012-EG, and in no way impact or limit any of the positions that Parties may take in any other current or future proceedings before the Commission, including, but not limited to, any other DSM Goals dockets currently pending before the Commission. Further, no Party agrees, concedes, or waives any position with respect to any of the issues identified in the Prehearing Order.
10. The Parties stipulate and agree that these stipulations fully resolve their respective issues in this proceeding and request that they be approved by the Commission.

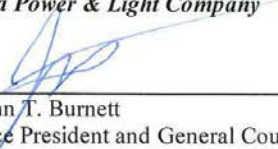
In Witness Whereof, Walmart evidence its acceptance and agreement with Paragraphs 1-5, Issue 1-8b and 11-14 in Paragraph 6, and Paragraphs 7-10 of the stipulations by signature of its counsel, and takes no position on Issues 9 and 10 in Paragraph 6 of the stipulations.

Walmart Inc.

By: _____
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Florida Bar No. 165610
SPILMAN THOMAS & BATTLE, PLLC
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Counsel for Walmart Inc.

In Witness Whereof, FPL, FEL, and SACE evidence their acceptance and agreement with all provisions of these stipulations by their signature.

Florida Power & Light Company

By: 

John T. Burnett
Vice President and General Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

*Florida Rising, Environmental Confederation of Southwest Florida,
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Tallahassee FL 32312

In Witness Whereof, FPL, FEL, and SACE evidence their acceptance and agreement with all provisions of these stipulations by their signature.

Florida Power & Light Company

By: _____
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***Florida Rising, Environmental Confederation of Southwest Florida,
and League of United Latin American Citizens***

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By: _____
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Tallahassee FL 32312

In Witness Whereof, FPL, FEL, and SACE evidence their acceptance and agreement with all provisions of these stipulations by their signature.

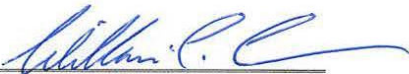
Florida Power & Light Company

By: _____
John T. Burnett
Vice President and General Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

***Florida Rising, Environmental Confederation of Southwest Florida,
and League of United Latin American Citizens***


By: _____
Bradley Marshall/Jordan Luebke
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee FL 32301

Southern Alliance for Clean Energy, Inc.

By: 
William C. Garner
Law Office of William C. Garner, PLLC
3425 Bannerman Rd. Unit 105, No. 414
Tallahassee FL 32312

In Witness Whereof, Walmart evidences its acceptance and agreement with Paragraphs 1-5, Issue 1-8b and 11-14 in Paragraph 6, and Paragraphs 7-10 of the stipulations by signature of its counsel, and takes no position on Issues 9 and 10 in Paragraph 6 of the stipulations.

Walmart Inc.

By: 
Stephanie U. Eaton
Florida Bar No. 165610
SPILMAN THOMAS & BATTLE, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Counsel for Walmart Inc.