

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 120015-EI

In the Matter of:

PETITION FOR INCREASE IN RATES
BY FLORIDA POWER & LIGHT COMPANY.

PROCEEDINGS:

FT. MYERS SERVICE HEARING

COMMISSIONERS
PARTICIPATING:

CHAIRMAN RONALD A. BRISÉ
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER ART GRAHAM
COMMISSIONER EDUARDO E. BALBIS
COMMISSIONER JULIE I. BROWN

DATE:

Thursday, May 31, 2012

TIME:

Commenced at 6:02 p.m.
Concluded at 7:59 p.m.

PLACE:

School Board of Lee County
Board Room
Lee County Education Center
2855 Colonial Boulevard
Ft. Myers, Florida 33966

REPORTED BY:

JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

1 APPEARANCES:

2 PATRICK BRYAN, ESQUIRE, Florida Power & Light
3 Company, 700 Universe Blvd., Juno Beach, Florida 33408,
4 appearing on behalf of Florida Power & Light Company.

5 ROBERT SCHEFFEL WRIGHT, ESQUIRE and
6 JOHN T. LaVIA, III, ESQUIRE, Gardner Law Firm, 1300
7 Thomaswood Drive, Tallahassee, Florida 32308, appearing
8 on behalf of the Florida Retail Federation.

9 J.R. KELLY, ESQUIRE, Office of Public
10 Counsel, c/o The Florida Legislature, 111 W. Madison
11 Street, Room 812, Tallahassee, Florida 32399-1400,
12 appearing on behalf of the Citizens of Florida.

13 THOMAS SAPORITO, 177 US Hwy 1N, Unit 212,
14 Tequesta, Florida 33469, appearing pro se.

15 LARRY HARRIS, ESQUIRE, FPSC General Counsel's
16 Office, 2540 Shumard Oak Boulevard, Tallahassee,
17 Florida 32399-0850, appearing on behalf of the Florida
18 Public Service Commission Staff.

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EXHIBITS

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P R O C E E D I N G S

1
2 **CHAIRMAN BRISÉ:** We are going to officially
3 call this customer service hearing to order. And we're
4 going to introduce ourselves up here. My name is Ronald
5 Brisé, and I have the privilege of serving as the
6 Chairperson for this Commission. And we will introduce
7 ourselves from right to left at this time.

8 **COMMISSIONER BALBIS:** Thank you.

9 Welcome, everyone. I'm Eduardo Balbis with
10 the Public Service Commission.

11 **COMMISSIONER EDGAR:** Hello. Lisa Edgar, and
12 I'm glad to be here. Thank you for coming out.

13 **COMMISSIONER GRAHAM:** Hello. My name is Art
14 Graham. Thank you for attending.

15 **COMMISSIONER BROWN:** Good evening. My name is
16 Julie Brown, and it's great to be here. I was born and
17 raised in Fort Myers, and I'm happy to be home.

18 **CHAIRMAN BRISÉ:** All right. So today we are
19 dealing with Docket Number 120015-EI.

20 Mr. Harris, would you read the notice.

21 **MR. HARRIS:** Pursuant to notice issued May
22 2nd, 2012, this time and place has been set for a
23 customer service hearing in the docket just referenced:
24 Petition for Rate Increase by Florida Power and Light
25 Company.

1 **CHAIRMAN BRISÉ:** Thank you very much.

2 At this time we're going to take appearances
3 from counsel.

4 **MR. BRYAN:** Good evening. My name is Patrick
5 Bryan, appearing on behalf of Florida Power and Light
6 Company.

7 **CHAIRMAN BRISÉ:** Thank you.

8 **MR. KELLY:** Good evening. My name is J.R.
9 Kelly. I'm with the Office of Public Counsel, and we
10 have the honor and privilege of representing the
11 customers of Florida Power and Light.

12 **CHAIRMAN BRISÉ:** Thank you.

13 **MR. WRIGHT:** Thank you, Mr. Chairman.

14 Robert Scheffel Wright. I have the privilege
15 of representing the Florida Retail Federation in this
16 case.

17 **CHAIRMAN BRISÉ:** Thank you, sir.

18 Any other intervenors that would like to make
19 an appearance?

20 **MR. SAPORITO:** Thank you, Mr. Chairman.

21 My name is Thomas Saporito. I'm representing
22 myself as a private citizen.

23 **CHAIRMAN BRISÉ:** Thank you very much.

24 **MR. HARRIS:** Mr. Chairman, Larry Harris on
25 behalf of staff.

1 **CHAIRMAN BRISÉ:** Thank you very much.

2 Did we miss anyone that is an intervenor or of
3 counsel for any intervening group? Okay. Seeing that
4 we're not, I want to thank you for making your
5 appearance.

6 Let me begin by thanking you for taking time
7 out of your busy schedule to be here this evening. We
8 appreciate your interest in the petition that has been
9 filed by Florida Power and Light. We are here because
10 we simply want to hear from you. This meeting is about
11 listening to you, the customers. We are interested in
12 your concerns and your various interests and comments
13 related to the company's request.

14 We also have company representatives that are
15 present outside and representatives from the Public
16 Service Commission which are here, and let me introduce
17 you to a few of them that are here.

18 We have Mr. Willis. We have Mr. Maurey. We
19 have Mrs. Draper. We have Cindy Muir that is outside.
20 She's the one that probably helped you sign in. And we
21 also have Mr. Durbin who's present here, and we have our
22 court reporter who is present with us who's going to
23 keep all of our information on the record for us.

24 This is an official hearing that will be
25 transcribed as part of our official record. So,

1 therefore, everything that will be provided by testimony
2 will be part of the record and made part of the broader
3 record so that we can look at it at a later time. So
4 with that in mind, before you testify at a later time
5 during this evening's meeting, we will swear you in so
6 that all of your information can be put into the record.

7 Just bear in mind that as you come up, that
8 after you make your comments or statements that you may
9 be questioned by either the Commissioners or any one of
10 the intervenors that is present here today. You will be
11 called up by Mr. Kelly from the Office of Public
12 Counsel, and we generally call by twos so that you are
13 aware that you'll be up next.

14 We do have a time limit. We try to make sure
15 that everyone has an opportunity to speak, so we are
16 doing about two minutes per person so that that will
17 give you an opportunity to say what you need to say. We
18 have this little device that is present here, a green
19 light, a yellow light, a red light which will be
20 available to you at your stand when you come up to
21 speak. Be aware that when the light is green, you're
22 free to talk; when it turns yellow you have 15 seconds
23 left; and when it turns red, we would appreciate if you,
24 you know, bring your comments to an absolute close.

25 Now some of you may not be comfortable

1 speaking in public, so therefore feel free to put your
2 comments on the form that was provided to you; that is
3 just as good as the comments that are made at the
4 microphone. And if for some reason you didn't sign up
5 to speak, or on your way out you're thinking about
6 something that you would have liked to say, you can go
7 ahead and mail that information back to us so that we
8 can have the information that we need to have before us
9 as we go through the process of making our decisions.

10 So at this time I will invite the attorneys
11 for the parties to make brief opening statements. The
12 parties will have eight minutes. And what I mean by the
13 parties, we have FPL, which will have eight minutes; we
14 have the Office of Public Counsel, which will have eight
15 minutes, as well; and the other intervenors will have
16 five minutes each.

17 Since FPL is the one that is bringing the
18 petition, they will have the ability to use a portion of
19 their eight minutes at the beginning and a portion at
20 the end of the opening statements if they feel there is
21 a need for them to do so.

22 So at this time FPL can come forward.

23 Mr. Bryan.

24 **MR. BRYAN:** Thank you, Mr. Chairman and
25 Commissioners. I apologize; my back is to you.

1 Good evening. Again, my name is Patrick
2 Bryan. I'm an attorney for Florida Power and Light
3 Company. I want to first thank you all for coming out.
4 Your comments are very important to us and we do take
5 them very seriously.

6 In a moment you will hear from FPL's
7 Vice-President of Customer Service, Marlene Santos. She
8 will explain to you what we are asking for in this rate
9 case and why we are asking for it. But before she does
10 that, I also wanted to inform you that we brought
11 several customer service representatives here with us
12 tonight. If you have any question or problem about your
13 bill or your electric service, please feel free to talk
14 to them. They are in a customer service room outside
15 the chambers. They have computers so they can access
16 your account information, and they will do their best to
17 resolve your question or issue tonight while you're
18 here.

19 We have some FPL representatives in the
20 room -- if you would raise your hand -- who would be
21 happy to assist you to the customer service room. With
22 that, then I would like to introduce Marlene Santos.

23 **MS. SANTOS:** Good evening, Commissioners.
24 Thank you very much. With your permission, I'll be
25 turning my back to you.

1 **CHAIRMAN BRISÉ:** Sure.

2 **MS. SANTOS:** Thank you.

3 Thank you all for coming today. Like the
4 Commissioners, we are here to listen to you, so I will
5 be brief. I'm proud to be among the 10,000 FPL
6 employees who provide affordable, reliable, clean
7 electricity for you. FPL's typical residential bill is
8 the lowest of the state's 55 electric utilities. A
9 typical FPL residential customer saved \$357 last year
10 compared to the Florida utility average. Our service
11 reliability ranks in the top 25 percent of comparable
12 utilities nationwide. Our mission's profile is one of
13 the cleanest in the country, and our customer service
14 has been ranked number one by a leading national study
15 eight years in a row.

16 We have accomplished this by investing in
17 clean cost-efficient technologies and keeping our
18 operating costs down. For example, our investments in
19 efficient natural gas power plants has saved our
20 customers \$5.5 billion in fuel costs since 2001. Those
21 savings are the result of greater fuel efficiency, not
22 lower fuel prices, and that money goes right into the
23 pockets of our customers. It's like trading in your old
24 clunker for a new hybrid car. Savings from lower fuel
25 prices are above and beyond the \$5.5 billion.

1 In addition, our strategy to switch to natural
2 gas helps our environment and keeps your money here in
3 America instead of buying foreign oil. Our investment
4 in smart meters is providing our customers with better
5 information about their usage, while our investments in
6 the smart grid and hardened infrastructure have helped
7 make our service more reliable and efficient. In fact,
8 because of our investments and our focus on keeping
9 operating costs down, FPL is more efficient than
10 90 percent of the nation's utilities which translates
11 into lower bills for you.

12 We also work hard to be sensitive to the needs
13 of our less fortunate customers. Our care-to-share
14 program, which is funded by shareholders, employees, and
15 customers, helps our customers who are unable to pay
16 their electric bills. Approximately 68,000 Florida
17 families have received help through this program. And
18 in just the last five years, more than 350,000
19 residential customers have benefited from our home
20 energy survey program.

21 Our current rates are the result of a
22 multi-party settlement approved by the Commission in
23 2010 which expires at the end of the year. It
24 effectively froze our base rates for three years,
25 allowed cost-recovery for a new power plant, and

1 temporarily addressed our return on equity needs.

2 To help us continue our successful performance
3 for you, we are asking for an increase of \$7.09 a month,
4 or 23 cents a day on the base portion of a typical
5 residential bill. With the latest estimates for lower
6 fuel prices -- for lower fuel use, I'm sorry, by our
7 power plants and also lower fuel prices, this would
8 actually result in a bill increase of \$1.41 a month on
9 the total bill, or about five cents per day. For the
10 small businesses that make up more than 80 percent of
11 FPL's commercial customers, the net impact is expected
12 to be negligible, and in some instances will actually
13 result in a net reduction.

14 So what will the increase pay for? First, is
15 a new clean energy center at Cape Canaveral. We will
16 have spent about a billion dollars on this facility when
17 it goes into service in June of 2013. This plant more
18 than pays for itself primarily due to fuel savings
19 estimated at more than a billion dollars over its
20 30-year operational life.

21 Second is the impact of the accelerated
22 amortization of so-called surplus depreciation which was
23 ordered by the Commission in 2010. While this provided
24 a temporary way to avoid a base rate increase at that
25 time, the surplus depreciation essentially runs out in

1 2013.

2 Third, we anticipate adding 100,000 new
3 customer accounts that we have a duty to serve, so our
4 request includes the cost of the infrastructure such as
5 the poles and the wires needed to serve them. Our
6 request also includes an adjustment to our return on
7 equity, or ROE. Our current rates are based on an
8 authorized ROE midpoint of 10 percent, which is the
9 lowest of Florida's investor-owned utilities and in the
10 bottom third of the country, despite providing our
11 customers with the lowest typical residential bills in
12 the state and reliability that is among the best in the
13 nation.

14 We are asking for an allowed ROE midpoint of
15 11.25 percent and a performance incentive of one-quarter
16 of one percent that would be allowed only if we maintain
17 Florida's lowest typical residential bill. We think
18 having the lowest bill in the state matters to our
19 customers.

20 An appropriate ROE is crucial to our ability
21 to finance the billions of dollars in improvements that
22 keep our reliability high and our bills low and that
23 create thousands of jobs for you and your neighbors. On
24 average, over the past five years our capital
25 investments have far exceeded our net earnings. In

1 fact, FPL is the biggest investor in Florida with plans
2 to invest roughly \$15 billion over the period 2010
3 though 2014. We are a major taxpayer, too. Last year
4 alone FPL paid more than one billion dollars in taxes to
5 the state and local governments.

6 I know this is a lot of information. You can
7 learn more by reading the fact sheet available at the
8 door. It's important to note that even with our
9 request, our 2013 bill will be 11.5 percent lower than
10 it was in 2006. Compare that to food and healthcare
11 costs, which are both up 20 percent, or to gasoline
12 prices which are up 40 percent. We are proud of keeping
13 bills low and making Florida an even better place to
14 live, work, and raise a family, and we ask for your
15 support to continue doing so.

16 We have asked a few local customers who have
17 said they value our service if they would be willing to
18 share their thoughts today. We also want to hear from
19 anyone who has a complaint. We are a company of human
20 beings, so we are not perfect. If that's what has
21 brought you here, our customer advocates are here to
22 help you.

23 We appreciate your business. We respect your
24 opinion. In closing, I assure you that we are committed
25 to exceeding your expectations today and continually

1 improving for tomorrow.

2 Thank you.

3 **CHAIRMAN BRISÉ:** Thank you.

4 FPL, you have about a minute on the other
5 side.

6 Mr. Kelly.

7 **MR. KELLY:** Good evening, and thank you very
8 much for being here tonight.

9 Again, my name is J.R. Kelly. I'm with the
10 Office of Public Counsel. For those of you that are not
11 familiar with our office, we are an office, we are not
12 part of the Public Service Commission. We are funded
13 separately by the Legislature, and we have one function
14 and one responsibility, and that is to represent you,
15 the, ratepayers, the customers in front of the Public
16 Service Commission.

17 Why are we here today? We are here today
18 because Florida Power and Light has filed a petition for
19 a \$690 million annual increase to their base rates.
20 That's about a 16 percent increase. We have intervened
21 in the case, and we are going to work on your behalf to
22 contest any expenses and any other requests by Florida
23 Power and Light that we do not believe are prudent and
24 reasonable and that the evidence does not support.

25 Now I want to say right up front this case is

1 not about personalities, okay? It is not about
2 personalities. You're going to hear from people tonight
3 no doubt, and I will tell you I will agree, Florida
4 Power and Light is a good company. They are very well
5 run. They have good men and women that work hard for
6 them and work hard for you, the customers, every day.
7 They are a good corporate citizen. They give back to
8 their community. They donate to a lot of charitable
9 organizations. I don't dispute any of that, but that's
10 not why we are here. That's not why we are here.

11 We are here because they're asking for a
12 \$690 million annual rate increase. Now, they are
13 required by law to provide safe and reliable service to
14 you. In return, they get a monopoly. There's no
15 choice. They are given a monopoly for a certain service
16 area. In return, the men and women behind me set their
17 rates. They cannot go and set whatever rates they want,
18 okay?

19 Now, they have to set rates that are fair and
20 reasonable. They get to recoup their operating
21 expenses, and they are entitled under law to receive a
22 fair and reasonable, folks, fair and reasonable return
23 on their investment, and that is where we differ with
24 them a little bit tonight.

25 We're going to work hard and argue to ensure

1 that the men and women behind me, the Public Service
2 Commissioners, ensure that the rates you pay are based
3 on that standard that I just mentioned, prudent and
4 reasonable and fair and reasonable.

5 At this point I cannot tell you the issues
6 that we are specifically going to be raising on your
7 behalf. We have hired accounting experts, cost of
8 capital experts, experts in affiliated transactions that
9 are right now poring through voluminous documents, and
10 we have asked for a lot of discovery from the utility,
11 and we will be developing our testimony that is due to
12 be filed on July 2nd. So over the next month we will
13 start crystalizing our arguments in any areas that we
14 are going to contest on your behalf. But I will give
15 you a few of the areas that we are looking at.

16 First off, excess profit. You heard
17 Ms. Santos indicate they are going to be asking, or they
18 are asking for 11.5 percent return on equity. Quite
19 frankly, we believe that is excessive. It is not
20 reasonable in today's economic environment. Florida
21 continues to be one of the leaders in unemployment.
22 Businesses are going out of business every day. Many
23 people on fixed incomes are not getting any raises
24 either through cost-of-living increases, governmental
25 employees have not seen raises whether you are on a

1 county, state, local level for many years. We heard
2 today from some of the folks in school districts that
3 are having to cut teachers. The bottom line is that's
4 an excessive return to be asking for.

5 Some other areas we are looking at, the amount
6 of salaries and benefits that FPL is requesting, the
7 reasonableness of their affiliate charges and
8 transactions, and those are -- affiliate, by that I mean
9 transactions between some of their corporate subsidiary
10 and -- excuse me, within their corporate relationship
11 with their parent.

12 FPL's projections of their customers, their
13 projections that they have for the future customers,
14 revenues and expenses we are looking very closely at.
15 The prudence of their expenses related to their plant
16 modifications and upgrades, you heard Ms. Santos
17 indicate that they have invested quite a bit, and they
18 are doing a lot of building right now. I commend them
19 for that. But they are only entitled to what is fair
20 and reasonable and what is prudently and reasonably
21 incurred, not just anything they want for those.

22 And also we are looking at the proportions of
23 equity and debt within their capital structure as
24 compared to other utilities, as well as in relation to
25 their corporate parent. And, finally, we are looking at

1 their proposal for the future storm cost-recovery.

2 Now, we are here tonight because the
3 Commissioners behind my need to hear from you, the
4 customers. Your voice is very, very important. You
5 need to share your opinion with the PSC, whatever it is.
6 If you think they're a good company, come up here and
7 say so. If you are in favor of the rate increase, come
8 say so. If you are opposed to the rate increase, come
9 say so. Whatever your comments are, you need to share
10 it with the men and women behind me. If you don't speak
11 up, the PSC cannot develop the best, most-informed
12 judgment that the impact of this case will have upon
13 you, the customer. You need to tell them what impact it
14 will have and how it will affect you and your family.

15 Now, a couple of things I want to mention,
16 what this case is not about. It is not about the cost
17 of fuel. You have probably read in the paper, if you
18 read the special report that is on the back table, it
19 mentions fuel and it talks about that your bill will
20 only go up 57 cents and 84 cents. Folks, that's
21 totally, totally irrelevant. Fuel plays no part in this
22 matter. This is a request for a base rate increase.
23 Fuel is separate. These folks behind me will have a
24 totally separate hearing in November on fuel. Whatever
25 Florida Power and Light pays for fuel, you pay for fuel.

1 Their bill goes up, your bill goes up. Their bill goes
2 down, yours goes down, okay. This has nothing to do
3 with what they are asking you to consider for a rate
4 increase for base rates. Fuel is totally irrelevant
5 here.

6 Now, we commend them for building over the
7 past few years some plants converting to natural gas,
8 because natural gas is cheap. Remember 2008? What
9 happened to natural gas then? It was cheap there, and
10 all of a sudden it went up to \$14 per MMBtu. Today I
11 think it is a little less than two dollars. It could
12 double next year. Nobody knows. They can't predict it.
13 We can't predict it. The PSC can't predict it, okay.
14 So keep in mind this is not about fuel. This is about a
15 request for \$690 million in order for them to provide
16 safe and reliable service to you. We do not feel that
17 they are going to be able to support their increase.
18 They may be able to support some of it, I don't know
19 yet, but they cannot support what we believe is an
20 excessive return on equity and other parts that we will
21 be contesting on your behalf.

22 Please, please come up here and speak tonight.
23 Speak to these men and women behind me, and let them
24 know how you feel about this. Thank you very much.

25 **CHAIRMAN BRISÉ:** Thank you, Mr. Kelly.

1 Mr. Wright.

2 MR. WRIGHT: Thank you, Mr. Chairman. As the
3 other presenters, I'd like to face the gallery. Thank
4 you.

5 Good evening. Thank you all for coming out.
6 My name is Schef Wright, and I have the privilege of
7 representing the Florida Retail Federation in this
8 important case. A personal note, I'm a native
9 Floridian; I was born in Miami 62-1/2 years ago, and I
10 have lived all but nine years of my life in this
11 wonderful state. I have been working on energy issues
12 in this state for more than 31 years.

13 Tonight I have the privilege to represent the
14 Florida Retail Federation. The Retail Federation is a
15 statewide organization of more than 9,000 members, from
16 the largest grocery chains, department stores, and Big
17 Box stores, including Publix, Wal-Mart, Macy's, and Best
18 Buy, and literally thousands of small mom and pop
19 retailers. In this case, the Retail Federation is
20 fighting alongside your Public Counsel, Mr. Kelly, for
21 lower rates for all customers. We are all in this
22 together.

23 Now, why are we here tonight? First off, we
24 are here to hear from y'all. You need to tell the
25 Public Service Commission what you think about FPL's

1 request. If you are it, tell them. If you against it,
2 tell them. The underlying reason that we are here is
3 that Florida Power and Light is asking for the Public
4 Service Commission to authorize it to collect higher
5 rates that would enable them to collect another
6 \$690 million a year from you and all of FPL's customers,
7 in addition to the \$10.4 billion a year that they will
8 already collect in 2013 with no rate increase at all.
9 And, by the way, that 10.4 billion includes about
10 \$1.15 billion in profit with no rate increase at all.

11 To put this ask in perspective, three years
12 ago FPL came to the Commission, we were right here at
13 that time, and asked for the PSC's authority to increase
14 its rates by more than 1-1/4 billion dollars a year.
15 The PSC, fortunately in our view of the world, told FPL
16 pretty much no. They let them have \$76 million a year
17 of increase, about 6 percent of what they asked for.
18 And since that time, FPL and its parent, NextEra Energy,
19 have been doing just fine. They have had consistently
20 high profits, the stock price is up more than
21 30 percent, and they have increased the dividend three
22 times in three years.

23 Now, at the Retail Federation here is how we
24 look at this. We are business people. We get this. We
25 know that every business, including Florida Power and

1 Light, needs sufficient money to pay for its goods and
2 services, provide its goods and services, pay its
3 employees, and stay in business. We don't just say no
4 every time a utility says rate increase. We look at it;
5 we look at their costs and their needs.

6 Here is what this case is about. It is FPL's
7 duty to provide safe and reliable service to all its
8 customers at the lowest possible cost. It's the Public
9 Service Commission's role to ensure that FPL gets enough
10 money to fulfill that duty, but no more than that.

11 Where we differ with FPL is how much money they really
12 and truly need to fulfill their duty, to do their job.

13 We don't believe that they can carry the
14 burden of proving that they need \$690 million a year
15 more of y'all's money in this case. Why not? First,
16 that 11-1/2 percent return on equity, which is the
17 profit return that they are asking for in this case, is
18 just excessive. Compared to current capital markets
19 where 30-year Treasury Bonds are paying about 2.8
20 percent, it is excessive. A more reasonable return
21 would cut their increase in half. They are asking for
22 their rates to be set using a high percentage of high
23 cost equity capital as opposed to what we think is a
24 more appropriate more balanced combination of high-cost
25 debt and low-cost bond -- high-cost equity and low-cost

1 debt financing. That would cut 100 plus million off
2 their ask.

3 We believe they've got an unrealistic sales
4 forecast upon which they have based their ask. They are
5 projecting that they will sell less electricity in 2013
6 than they sold in 2011. That is not consistent with
7 what other Florida utilities are projecting, and we
8 don't believe it. There are going to be a bunch of
9 other issues relating to cost that are typically
10 litigated and challenged. There are usually like 50 or
11 100 such issues that result in some disallowances.

12 At the bottom line, we want FPL to have enough
13 money to provide safe and reliable service at the lowest
14 possible cost, but no more than that. We believe that
15 FPL's rates, its present rates will generate -- we know,
16 their own projections based on what we think is an
17 unrealistic sales forecast say they will generate \$10.4
18 billion in 2013 without any increases, including nearly
19 \$1.2 billion in profits. We believe that's enough.

20 If the PSC determines to deny FPL's request,
21 that will mean that you, FPL's customers, will have an
22 extra seven or eight dollars a month as a residential
23 customer, a total of \$690 million a year to spend on
24 food, groceries, medicine, gasoline, rent, house
25 payment, and your families. With no base rate increase

1 your rates will go down, because their fuel costs are
2 going down. You are entitled to that decrease
3 regardless of what happens to the base rates.

4 Thank you very, very much for coming out.
5 Tell the Commissioners what you think. Have a great
6 night.

7 **CHAIRMAN BRISÉ:** Thank you very much, Mr.
8 Wright.

9 Mr. Saporito.

10 **MR. SAPORITO:** Good evening. Thanks for
11 coming out here. My name is Thomas Saporito. I'm a
12 private citizen of the State of Florida, and I'm a
13 customer just like y'all are. And I don't want my
14 electric rates going up, so I filed a petition to
15 intervene to oppose FPL's rate increase request.

16 Boy, it's hot in here. I wonder why that is?
17 Oh, look. Your government has incandescent bulbs in
18 here. That's not very efficient, is it?

19 You know, I just came from the rate hearing up
20 there in Sarasota, and on the drive down here I heard an
21 FP&L commercial, which we pay for, of course, and it
22 says they employ at least 1,000 energy experts, or
23 people that do energy conservation and energy
24 efficiency. And yet I attended the stockholder meeting,
25 because I'm an FP&L stockholder, they give me 60 cents

1 for every share I have, and the commercial says they
2 have these 1,000 energy efficiency people, yet when I
3 went to the stockholder meeting, incandescent bulbs
4 throughout FPL's headquarters. That's not very
5 efficient. Well, what are those 1,000 people doing?

6 I'm not an attorney. I couldn't even begin to
7 stand in the shoes of your Public Counsel. Mr. Kelly
8 does an excellent job representing you. I'm here to
9 provide the Public Service Commission a bit of common
10 sense, a common-sense approach to decide whether FP&L
11 deserves a rate case. The short answer is they don't.

12 FPL says there's never a good time to raise
13 rates or for rates to go up. I'm here to tell you this
14 is the worst time for electric rates to go up. Over the
15 last five years, the residents in Florida struggled with
16 high unemployment, your home values have fallen, your
17 investments have decreased. The employment in the State
18 of Florida, as you see on this chart, is 8.7 percent.
19 That's one of the highest in the United States. You
20 can't even get a CD that pays 2 percent. United States
21 Treasury Bills are 1.7 percent, but FPL wants a 16
22 percent raise. 11.25 percent return on equity. Do you
23 know what this rate case is all about? It's about this,
24 money, going from your pockets to my pockets, because
25 I'm a stockholder. I'm going to get that rate increase

1 money. That's what it's all about.

2 Of course, I should be in favor of the rate
3 increase, but it's just not ethical. It's not ethical
4 right now when so many people are hurting. The question
5 is will the increase in base rates result in better
6 service or reliability. The answer is no. This rate
7 case is absolutely 100 percent frivolous; absolutely.
8 FPL says the 11.25 percent return on equity is crucial
9 to their ability to finance the billions of dollars in
10 improvements to keep reliability high and bills low.
11 However, according to the Standard & Poor's Rating
12 Agency right here, FPL's earnings per share in 2012
13 expect them to increase more than 4 percent from 2011,
14 which was up also by 2.1 percent from 2010.

15 Speaking of efficiency, FPL's own website
16 shows their efficiency is at 99.94 percent.
17 99.94 percent. They want \$600 million to increase that
18 by 6 percent, I guess. That's not even realistic.
19 \$690 million. Well, look here, the *Palm Beach Post*
20 recently says FPL adds \$600 million to the cost of a
21 nuclear reactor project. They mismanaged the project
22 that cost us another \$600 million. Well, shouldn't that
23 come out of the money that they want? I think it
24 should.

25 They talked about natural gas. Ms. Sanchez

1 (sic) smiled at y'all and said that part of this money
2 is going to go -- they anticipate another 1,000
3 customers and they need infrastructure to do that. Here
4 is why FPL -- here is how FPL adds new customers. I'm
5 the customer. I get on my phone and say, FPL, I'm in
6 Apartment H28 now if you will turn my power on. They
7 said no problem, Mr. Saporito, we'll get someone there
8 right now. The infrastructure is already there.
9 They're not going to go out there and put a new pole for
10 that person and run new lines for that person. It's
11 already there, folks. A thousand people. That's
12 nothing. That's just -- it shouldn't even be a part of
13 the rate case.

14 The law requires FPL to adjust our costs, just
15 as the attorney talked about. Natural gas goes up and
16 we get charged more. If it goes down, we get the
17 benefit of that. Natural gas. Florida used 21.4
18 percent more natural gas to produce electric power from
19 2011 to 2012. The customers of FPL should be receiving
20 reduced electric bills due to that fuel cost savings.
21 Our base rates shouldn't be going up. I got a red
22 light, so I can't finish this. And I hope you ask a lot
23 of questions. Thank you.

24 **CHAIRMAN BRISÉ:** Thank you, Mr. Saporito.

25 Mr. Bryan.

1 **MR. BRYAN:** Thank you, Mr. Chairman. I just
2 have a few comments.

3 With all due respect to our opposing counsel,
4 we would submit that FPL's ROE request is, in fact,
5 reasonable. In fact, within just the past two months
6 the Office of Public Counsel and the Retail Federation
7 entered into a rate settlement agreement with another
8 electric utility in Florida. The agreed-upon rate of
9 return in that case was 10.7 percent.

10 Now, admittedly our request is slightly higher
11 than that, but there are factors that support a higher
12 ROE for us. And number one is that FPL, because of its
13 investments in the state, has a greater need for
14 capital. Number two, you have heard we have the lowest
15 typical bill in the state. You have heard that our
16 customer service is award winning. Our mission profile
17 for power plants is among the cleanest in the nation,
18 and our service reliability is in the top 25 percent of
19 the country.

20 It is simply our belief that good performance
21 ought to be recognized, and we hope that it will be.
22 Thank you for coming out again, and we do look forward
23 to your comments.

24 **CHAIRMAN BRISÉ:** Thank you, Mr. Bryan.

25 Mr. Bryan, do you have any procedural things

1 that you would like to deal with at this time?

2 MR. BRYAN: Yes, sir. Thank you. At this
3 time I would like to introduce into evidence two
4 affidavits of publication that indicate that this
5 service hearing was noticed and advertised in compliance
6 with Commission rules. Thank you.

7 CHAIRMAN BRISÉ: Thank you.

8 MR. BRYAN: And I'll provide those to the
9 court reporter.

10 CHAIRMAN BRISÉ: Thank you very much. That
11 will be Exhibit 1.

12 MR. HARRIS: 7.

13 MR. KELLY: Number 7.

14 CHAIRMAN BRISÉ: Seven. Yes, we keep on
15 going. That's right, so it will be Number 7. Thank you
16 very much.

17 (Exhibit 7 marked for identification and
18 received into evidence.)

19 CHAIRMAN BRISÉ: Okay. At this time, all of
20 those who have signed up to speak, I'm going to ask you
21 in about 30 seconds or so to stand up so we can swear
22 you in. But before we do so, I just want to make one or
23 two things clear. At the hearing that we had this
24 morning there was maybe some confusion about what the
25 hearing was going to be about, so this is about the rate

1 case. This is not necessarily about smart meters. This
2 is not a smart meters hearing. So the Commission has
3 taken an affirmative step in making a look at smart
4 meters, and we have established a process at the
5 Commission to study the issues. And so we are going to
6 wait as that process works so that we can determine what
7 our next appropriate steps need to be as the Commission.
8 Obviously there are issues of jurisdiction and other
9 types of issues that we have to determine as we look at
10 what is our appropriate role and place with respect to
11 that issue. Okay.

12 So with that, if you are seeking to provide
13 testimony, please stand up.

14 (Witnesses collectively sworn.)

15 **CHAIRMAN BRISE:** Mr. Kelly will call you
16 forward. As we stated before, you will go to the
17 microphone on that side and provide your testimony.
18 Please state your name, your address, and your phone
19 number so that we are aware of who you are so that our
20 court reporter can have that for the record.

21 **MR. KELLY:** The first speaker to sign up is
22 Ms. Gloria Heisler. I hope I pronounced that correctly.

23 **MS. HEISLER:** You did.

24 **MR. KELLY:** And the next speaker will be Mr.
25 Bud Pearse.

1 **CHAIRMAN BRISÉ:** Thank you. Before you start,
2 Mr. Saporito, if you wouldn't mind having a seat. I
3 would certainly appreciate it. Thank you very much.

4 **GLORIA HEISLER**

5 appeared as a witness and, swearing to tell the truth,
6 testified as follows:

7 **DIRECT STATEMENT**

8 **MS. HEISLER:** Good evening. My name is Gloria
9 Heisler. I live in Port Charlotte and my phone number
10 is 941-979-8190. I have lived here in Florida at that
11 residence for ten years. And short of 16 days after
12 Hurricane Charley, I have had decent service from FPL.
13 However, I oppose the rate increase. I think from what
14 I have read it's unjustified.

15 I retired from teaching high school in Ohio
16 after 38 years. I live on a fixed income. I can't get
17 10 percent on my money. My costs continue to rise.
18 Medical costs and pharmaceutical costs are astronomical.
19 So I speak and I understand that about my own life, but
20 I have lots of friends who also are having difficulty
21 paying all the bills that keep going up, and a number of
22 them are widows whose income is changed when they become
23 widows, and the costs that they have, they are having
24 difficulty just meeting the costs that they have
25 day-to-day.

1 I speak for friends who not only are widows,
2 but we have a number of friends who have, because their
3 children have lost jobs, they are moving back in with
4 the parents. And it is already costly enough for the
5 parents, but the younger kids, 24, 34, you know, they
6 are old kids, they're not like teenagers, but they're
7 coming back home because they have lost their job. They
8 don't have anyone else to help them, so they move in
9 with mom and dad.

10 I have -- is that red light for me?

11 (Audience laughter.)

12 **MS. HEISLER:** My dental hygienist just had her
13 daughter move back in, and she is young enough to want
14 to blow her hair dry all the time. I know her costs are
15 going to go crazy. I absolutely don't think that this
16 is the appropriate time for anybody to get more money
17 when they already are making such a huge profit.

18 Thank you very much.

19 **CHAIRMAN BRISÉ:** Thank you very much,
20 Ms. Heisler. Before we move forward, just a reminder of
21 the time. It's two minutes. When the yellow light
22 comes on, that means you have about 15 seconds left, and
23 so you can begin wrapping it up, so be mindful of the
24 light.

25 **MS. HEISLER:** I just had (inaudible) --

1 **CHAIRMAN BRISÉ:** Understood. Understood. The
2 first person always gets a pass.

3 **MR. KELLY:** Mr. Chair, some of the customers
4 did ask me does the two minutes start after they have
5 recited their name?

6 **CHAIRMAN BRISÉ:** Yes. Yes, sir.

7 **MR. KELLY:** Okay. After Mr. Pearse, the next
8 speaker in Marie Springsteen.

9 **MR. PEARSE:** I never could get Gloria to speak
10 shorter than two minutes.

11 (Laughter.)

12 **BUD PEARSE**

13 appeared as a witness and, swearing to tell the truth,
14 testified as follows:

15 **DIRECT STATEMENT**

16 **MR. PEARSE:** My name is Bud Pearse. I live in
17 Port Charlotte. My phone number is 941-380-2949. I
18 wanted to point out that the key words here are it's a
19 public utility, it serves the public, so we kind of want
20 to keep that in mind. I don't have a problem with
21 profit. I don't think profit is a four-letter word. It
22 isn't, and there is nothing wrong with profit. The
23 question is to what extent does it become excessive.

24 Automobile dealers and airplanes deal in high
25 volume, low profit. General Motors and Ford and those

1 people, they sell an awful lot of cars, but their
2 profits were between 1 and 2 percent. Lots of dollars,
3 and granted, lots of profit, but they had to sell a lot
4 of dollars to get that profit. What stands out is the
5 bank rates, excuse me, at 1 percent, and CDs aren't
6 paying anything, and even the banks are getting 5
7 percent for houses. And I don't know too many poor
8 banks, but we did have some problems with banks. But,
9 anyway.

10 I feel that this is one of those situations
11 where what the market will bear, especially a captive
12 market, isn't always fair. We can't go somewhere else.
13 They tell us how much we are going to pay, and we have
14 to go with that. My bill in the summer runs \$250. I
15 don't know where somebody got an average of 1,000
16 kilowatt hours. They don't have anything plugged in for
17 \$95, and a rate increase will run my bill up \$30 a
18 month. So now we will be talking 250 to \$280. Granted,
19 I might be a little greedy on the electric, but I would
20 think if I used more, shouldn't I be paying less for it?

21 Thank you.

22 **CHAIRMAN BRISÉ:** Thank you very much.

23 **MR. KELLY:** After Ms. Springsteen, the next
24 speaker is Curt Hamilton.

25 **MS. SPRINGSTEEN:** Do I use this microphone

1 here?

2 **CHAIRMAN BRISÉ:** No, our preference is that
3 you use that microphone because it has the device.
4 Sorry for the inconvenience.

5 **MARIE SPRINGSTEEN**

6 appeared as a witness and, swearing to tell the truth,
7 testified as follows:

8 **DIRECT STATEMENT**

9 **MS. SPRINGSTEEN:** My name is Marie
10 Springsteen. I'm representing Klocke of America at
11 14201 Jetport Loop in Fort Myers. The phone number is
12 239-561-5800.

13 As the representative of a manufacturing firm
14 here in Fort Myers, we know first hand the impact of
15 quality electric service. Many years ago there were
16 many issues with FPL's quality, especially in the summer
17 months when the thunderstorms were numerous. Our
18 company would experience short-term power blips and
19 longer duration outages. Both are a hardship to our
20 operations as we must either scrap material and start
21 over when there are short power blips that we don't
22 account for in our revenues. And in the case of longer
23 outages, we have to make a determination whether to keep
24 our employees on staff and pay them until the power does
25 come back on, or send them home for the day. These

1 outages also caused delays in our shipments and to our
2 customers and ultimately drive down our costs -- excuse
3 me, drive our costs up and our customer satisfaction
4 down.

5 We know FPL has invested in the power grid in
6 the area around our facility which began directly after
7 Hurricane Charley and is continuing today with
8 anticipated completion in July of this year. They are
9 currently working on the project to replace the majority
10 of the underground system that feeds our facility with a
11 completion date of this July. As a result, we have more
12 reliable power to our facility and we can plan and
13 operate much more efficiently. Especially knowing this,
14 we can now know we can pretty much operate all day long
15 with the upcoming hurricane season as well as the
16 numerous thunderstorms.

17 Our understanding is this rate increase will
18 include continued efforts. Our company prides itself on
19 quality, and reliable power plays an enormous role in
20 this. Based on this, we support the rate increase so
21 that we may continue to improve our operations and
22 satisfy our customers. Thank you.

23 **CHAIRMAN BRISÉ:** Thank you very much.

24 **MR. KELLY:** After Mr. Hamilton, James Stevens.

25 **CURTIS HAMILTON**

1 appeared as a witness and, swearing to tell the truth,
2 testified as follows:

3 **DIRECT STATEMENT**

4 **MR. HAMILTON:** Members of the Public Service
5 Commission and staff, ladies and gentlemen, my name is
6 Curtis Hamilton. I'm the president of an AARP chapter
7 here in Lee County, and in our chapter we have members
8 who are served by both the Lee County Electric
9 Cooperative and FPL.

10 At one of our recent chapter meetings, we
11 decided to review the proposed rate increase, and I am
12 here to speak on behalf of the chapter and to express
13 our concern and opposition to what we feel is an
14 excessive increase in the base rates. With FPL getting
15 a return on equity capital of over 10 percent now, to
16 increase it to 11.25 or 11.5 we feel is unfair to the
17 thousands of us customers and to the business community.
18 FPL is a strong utility and we feel also to be, and
19 continue to be a strong corporate citizen by making a
20 much more reasonable proposed increase. And not in any
21 way trying to hide the rate increase in their
22 publications behind a decline in fuel price, which are
23 separate items.

24 Half of all seniors live on an income of
25 \$20,000 or less. Half of all seniors live on an income

1 of \$20,000 or less, so any increase in the base rate of
2 \$84 year certainly affects them. We have members who
3 cannot afford to go to our Christmas dinner, which is
4 not an expensive proposition, but every dollar counts
5 when it's very few dollars.

6 I think that's all I have, and I thank you.

7 **CHAIRMAN BRISÉ:** Thank you very much.

8 Commissioner Brown.

9 Mr. Hamilton, if you would wait one minute.

10 If you would wait a minute, you have a question from
11 Commissioner Brown.

12 **COMMISSIONER BROWN:** Good evening, Mr.

13 Hamilton. Thank you for appearing before us today. I
14 just have a quick question for you regarding your
15 representation on behalf of AARP of Lee County.

16 How many customers, or how many members would
17 you say are customers of FPL in your organization?

18 **MR. HAMILTON:** Probably only roughly, I would
19 say, a third, because we are primarily in Cape Coral.

20 **COMMISSIONER BROWN:** Okay. And how many would
21 you roughly say, how many numbers?

22 **MR. HAMILTON:** Probably 15.

23 **COMMISSIONER BROWN:** Okay. I appreciate your
24 testimony. Thank you.

25 **CHAIRMAN BRISÉ:** Thank you very much.

1 Any further questions for Mr. Hamilton?

2 Seeing none, thank you very much for your
3 testimony, Mr. Hamilton.

4 **MR. KELLY:** After Mr. Stevens is Francine
5 Stevens.

6 **JAMES A. STEVENS**

7 appeared as a witness and, swearing to tell the truth,
8 testified as follows:

9 **DIRECT STATEMENT**

10 **MR. STEVENS:** My name is James A. Stevens. My
11 telephone number is area 941, 637-1024. My wife and I
12 live in a three bedroom, two bath, all electric, 1900
13 square foot house in Punta Gorda, and we have been an
14 FPL customer for many, many years.

15 I retired 18 years ago. Our total income is
16 from Social Security and a small pension from my
17 previous employer. We get also approximately 450 a
18 month from a mutual fund. It amazes me when I hear that
19 the average FPL electric bill is around \$92. The lowest
20 FPL bill that I have received over the last two years
21 was \$145.17, that was for March 2011. It was followed
22 by two months of the largest bills I received over the
23 last two years of \$344.47.

24 We all know that there are many reasons for
25 what makes the electric bill fluctuate from

1 month-to-month such as temperature, humidity, and
2 seasonal changes. When you take a 12-month average
3 these level out. My average electric bill for the last
4 12 months was \$204.66. The month before that was
5 \$191.82. This surprises me when I realize that I need
6 to turn the thermostat higher in the summer to
7 80 degrees when it gets hot out, and then to 74 in the
8 winter when it gets cold out. When I read that FPL
9 wants to increase the average bill of a 1,000 kilowatt
10 customer \$7, or \$7.09 a month, it scares me. I can't
11 imagine what the increase would do to me.

12 Does FPL really need the increase? This seems
13 like the wrong time to increase utility costs when no
14 one is getting a raise and many people don't even have a
15 job. It's hard to believe that FPL is currently making
16 10 percent profit. It's even harder to believe that
17 they want to increase it to 11-1/2 percent and higher.
18 How much is enough? There can't be any industries that
19 earn that much.

20 At a time when the economy is in trouble,
21 reasons are nonexistent. People are still losing their
22 home, and it's not the time to increase the cost of
23 something as essential as electricity.

24 Thank you for the opportunity to testify.

25 **CHAIRMAN BRISÉ:** Thank you very much,

1 Mr. Stevens.

2 Any questions for Mr. Stevens?

3 Seeing none, thank you for your testimony.

4 **MR. KELLY:** After Ms. Stevens is Kim Correll,
5 or Correll.

6 **MS. CORRELL:** Correll.

7 **MR. KELLY:** Correll.

8 **FRANCINE J. STEVENS**

9 appeared as a witness and, swearing to tell the truth,
10 testified as follows:

11 **DIRECT STATEMENT**

12 **MS. STEVENS:** Good evening, ladies and
13 gentlemen, and thank you so much for having us here
14 tonight. This is deja vu. And I remember that pretty
15 little Ms. Santos from the last time.

16 I find it hard to believe that FPL is
17 considering a rate increase with the economy the way it
18 is and with people out of work. We have a 50-year-old
19 son who has come back to live with us after 35 years.
20 He lost his house. He has been out of work for three
21 years. My grocery bills have changed. My electric
22 bills have changed. I'm tired of hearing Jim say turn
23 off the fans when you leave the room. So I wish that
24 they would think of something else.

25 I have an excellent idea. I know it won't go

1 any further, but I have an excellent idea. Why don't
2 you pull some of it out of your CEO's package? What is
3 he making, 15 million a year? I want to thank you, and
4 I also want to thank FPL for the fantastic service we
5 received after Hurricane Charley.

6 Thank you so much. Goodnight.

7 **CHAIRMAN BRISÉ:** Thank you, Mrs. Stevens.

8 **MS. STEVENS:** Any questions?

9 **CHAIRMAN BRISÉ:** Very good. Any questions?

10 **MS. STEVENS:** Shoot. I wanted one.

11 **CHAIRMAN BRISÉ:** Thank you.

12 **MR. KELLY:** After Ms. Correll is Carol
13 Dunekirchen. I hope I have pronounced that correctly.

14 **MS. CORRELL:** Are we ready?

15 **CHAIRMAN BRISÉ:** Yes, ma'am.

16 **KIM CORRELL**

17 appeared as a witness and, swearing to tell the truth,
18 testified as follows:

19 **DIRECT STATEMENT**

20 **MS. CORRELL:** Good evening. I'm Kimmy Correll
21 and I'm from Punta Gorda. My phone number is
22 941-639-1852. Commonly, I'm a Chatty Cathy and I talk
23 to a lot of people about a lot of things, and you will
24 find that more often I will talk to you about what's
25 going on with other people. I do volunteer work. My

1 business card says living my life in service to others.

2 So on that note, instead of telling you my
3 personal story, I'm going to tell you about five
4 different people that I talked to about what's going on.
5 These are neighbors or business people that I know.
6 Generally, small business owners. I spoke to Kathy and
7 Mark Miller of Port Charlotte who own a Murphy bed
8 company. They're elderly people. Kathy's comment was,
9 "If it gets any worse, we will have to let go of the
10 only employee we have left. He's part-time. We moved
11 to Florida and sank our retirement savings into this
12 business. We hate to lose it."

13 Robin Barnett from Punta Gorda is a waitress
14 and a mother of two. Her comment was, "If the electric
15 bills go up, we will have to cut out the extras." And I
16 asked Robin, because she is a friend of mine, what she
17 meant by the extras. And she said, "Well, it's not
18 going to be easy, but I'm going to have to tell the kids
19 that there won't be swim classes or softball teams this
20 summer."

21 Melinda Billinger is a bank teller at one of
22 the banks up in Punta Gorda. She and her husband own a
23 business called Old Town Convenience and Deli, downtown
24 Punta Gorda. Her utilities last summer were over \$2,000
25 a month. I can't imagine it being any higher. We have

1 to get through the summer and build up for next winter.

2 Cindy Burgess is a Wal-Mart employee. She
3 said, "No way. My electric bill doubles and triples.
4 My son has moved back at home with me. I'm a single
5 mom. I just can't do it."

6 And last is Benny Long. Benny Long has a
7 seafood company, and it's wonderful to go by his little
8 shop. It stinks in there, but he has got fresh fish and
9 he is a very kind man. At Law's Seafood (phonetic) he
10 said, "I just don't think it's necessary." Then he
11 said, "You know, I've got a guy that brings fish in for
12 me, he is one of the local fishermen. He said that he
13 used to work for FPL and he was laid off or let go. He
14 said that unfortunately that now that they are going
15 into the smart meters," and I know that's another
16 subject, but he said that they would be letting go some
17 of their meter readers due to the fact that the smart
18 meters are efficient.

19 So these are local people, and they have got
20 big hearts, and they are, you know, loyal customers. I
21 personally grew up in Florida and spent my whole life
22 here. And when I was younger I thought the only company
23 there was was Florida Power and Light. So thank you for
24 the service you have given us.

25 **CHAIRMAN BRISÉ:** Thank you. If you would wait

1 for one second.

2 Are there any questions for Ms. Correll?

3 All right. Seeing none, thank you very much
4 for your testimony.

5 **MS. CORRELL:** Thank you, sir.

6 **MR. KELLY:** After Ms. Dunekirchen is Tony
7 Flores.

8 **CAROL DUNEKIRCHEN**

9 appeared as a witness and, swearing to tell the truth,
10 testified as follows:

11 **DIRECT STATEMENT**

12 **MS. DUNEKIRCHEN:** Good evening. My name is
13 Carol Dunekirchen, and I live in Port Charlotte,
14 Florida. My phone number is 941-624-5402. Seventy-five
15 percent of my husband's and my income is from Social
16 Security. After doing the math, taking our
17 nondiscretionary expenses into consideration, we have
18 very little discretionary income.

19 We rarely eat out or go to the movies. When
20 we take a vacation, not more than twice a year, it's in
21 state for two or three days max, and our dog goes with
22 us. We don't board him or ask friends or relatives to
23 accept responsibility for watching him. Once a year I
24 may take a three or four-day trip by myself related to
25 my volunteer interests. My husband stays home with the

1 dog. He really doesn't like to travel, so that's fine
2 with him.

3 I told a friend who owns her own business
4 about tonight's hearings. She couldn't attend, but
5 shared her circumstances with me. And I'm going to have
6 to fill out one of those forms in the back. Given her
7 mortgage payment, increases and rent and expenses for
8 her business, she is on the verge of bankruptcy. I'm
9 sure there are many seniors and small business owners in
10 similar or worse circumstances. I have read articles
11 representing both sides of the base rate increase issue.
12 I just don't think that this is the time for such an
13 increase. Thank you.

14 **CHAIRMAN BRISE:** Thank you very much.

15 Are there any questions for Ms. Dunekirchen?

16 Seeing none, thank you for your testimony this
17 evening.

18 **MR. KELLY:** After Mr. Flores, Joe Rider.

19 **TONY FLORES**

20 appeared as a witness and, swearing to tell the truth,
21 testified as follows:

22 **DIRECT STATEMENT**

23 **MR. FLORES:** My name is Tony Flores, and I'm a
24 resident of Port Charlotte, Florida, moving there from
25 Virginia two and a half years ago. Phone number

1 941-979-9296.

2 I want to thank FPL for very good services.
3 We have received very good service from them and very
4 little outages other than a few due to weather-related
5 items. But as the economy is right now, many people are
6 having trouble keeping up with their bills. There are
7 many homes, many houses in our area that are up for
8 sale. Either the owners or previous owners have lost
9 their jobs and cannot find a job sufficient to keep up
10 with their bills, therefore the houses are vacant.

11 Many small businesses and support items, plus
12 churches, are having trouble because of the same reason.
13 The church that I belong to, they have tried various
14 ways to cut down the energy bills that they have. They
15 have upgraded the air conditioning units, changed all
16 the thermostat settings, changed light bulbs, ensured
17 all lights are out whenever nobody is using the rooms
18 just to try to cut down on their bill. And then Florida
19 Power and Light wants to upgrade the base bill.
20 Personally, I can't find where I could get 2 percent on
21 a CD at any -- even a long-term business.

22 I understand that Florida Power and Light is
23 paying 10 percent to their customers, or rather their
24 investors, and with the increase would be paying about
25 11.15. I believe that the increase should be denied,

1 and I pray that if there is an increase that it would be
2 a very small amount. Thank you.

3 **COMMISSIONER BALBIS:** Thank you, Mr. Flores.
4 Mr. Flores, there's a question for you from Commissioner
5 Balbis.

6 **MR. FLORES:** Yes, sir.

7 **COMMISSIONER BALBIS:** Thank you, Mr. Flores,
8 and thank you for coming here.

9 You mentioned some examples of either yourself
10 or others trying to reduce their bills and implement
11 efficiency programs. Did you or these others work with
12 FPL on some of the programs that they offer, the energy
13 audits or anything else?

14 **MR. FLORES:** I don't know if the church did do
15 this. I did talk to them, and they have tried various
16 methods of reducing the bill.

17 **COMMISSIONER BALBIS:** Okay. Thank you.

18 **CHAIRMAN BRISÉ:** Thank you very much.

19 I think Commissioner Balbis has some comments
20 to make at this time.

21 **COMMISSIONER BALBIS:** Thank you, Mr. Chairman.

22 And just to disclose, I am actually an
23 acquaintance of Mr. Rider, and it is good to see a
24 familiar face. And he may be a familiar face, although
25 maybe not in a positive light for some of you. He is a

1 veteran referee for college football and a veteran of
2 seventeen bowl games, so he may have been for your team
3 or against your team; he is certainly a legend in
4 officiating in Florida, and it's good to see him and to
5 be here today and I look forward to his comments.

6 **CHAIRMAN BRISÉ:** Thank you.

7 **JOE RIDER**

8 appeared as a witness and, swearing to tell the truth,
9 testified as follows:

10 **DIRECT STATEMENT**

11 **MR. RIDER:** Thank you, Commissioners.

12 My name is Joe Rider. I have lived in Fort
13 Myers since 1975. My phone number is 239-898-1898.
14 And, thank you, Commissioner Balbis, I wish some of the
15 coaches felt the way you did about some of my things.
16 (Laughter.)

17 I had a sheet here. I was going to tell you
18 about some personal and professional things, some
19 experiences I have had with Florida Power and Light, but
20 kind of listening to people, I'm a member of AARP, also,
21 and a disabled Vietnam veteran. And so, you know, I
22 empathize with a lot of things that have been said, but
23 I want to tell you right off the bat that I support this
24 increase. And kind of some of the reasons I have heard
25 listening to the learned counsel here talk about some of

1 the statistics and some of the things that Florida Power
2 and Light has brought up and some of the things that are
3 obviously a part of this petition, and it's hard for me
4 as someone who is not in this every day to kind of go
5 through some things like this, but I think it's
6 important to look at the value that they provide for me
7 and my family.

8 I'm very happy to have been with Florida Power
9 and Light both professionally and personally since 1975.
10 And, you know, if we look at the things that we talked
11 about, and I heard one of the ladies talking about her
12 grocery bills. Yes, they are going up. And our gas
13 bill, our fuel, yes, that's going up. And, you know,
14 going to the movies, newspaper, everything is going up
15 it seems like, but just because times are tough I don't
16 think it necessarily means that we can't give an honest
17 increase for the value that something is provided, and I
18 think Florida Power and Light provides me both
19 personally and professionally with a way of life that I
20 can enjoy. And I'm talking about from, you know, just
21 living with air conditioning and lighting and the things
22 that they provide.

23 So I want to tell you that I know that you
24 will judge this petition very fairly, and I certainly
25 hope that you give them some of the increase or all the

1 increase that they want. Thank you.

2 **CHAIRMAN BRISÉ:** Thank you, Mr. Rider.

3 Are there any questions for Mr. Rider?

4 Yes, Mr. Saporito.

5 **MR. SAPORITO:** Good evening, Mr. Rider. I
6 just a question for you. Have you been a customer
7 receiving power from FPL for, say, the last three years?

8 **MR. RIDER:** Yes, I have.

9 **MR. SAPORITO:** And has Florida Power and Light
10 provided you reliable electric service?

11 **MR. RIDER:** Yes, they have.

12 **MR. SAPORITO:** Are you aware that this Public
13 Service Commission has frozen FPL's rates for the last
14 three years?

15 **MR. RIDER:** I try to be efficient. I turn
16 lights off, I watch my air conditioning, and I pay the
17 bill as it comes at the month. I mean, I can't tell you
18 yes or no to that question.

19 **MR. SAPORITO:** Well, what I'm asking is if
20 they froze the rates for three years, and you have used
21 power from Florida Power and Light for three years, and
22 you just testified under oath that it's fair and
23 reliable. Why would they need to raise the rates now to
24 make it more reliable?

25 **MR. RIDER:** Well, since I'm a businessman, you

1 know, I had to buy a new truck last year. So that is
2 something I had to invest in. I presume that they have
3 to build plants, they have to -- from my experience in
4 business, you know, when they have to put new lines in,
5 they were very good after Charley as far as, you know, I
6 took a heck of a hit after that and yet came back and
7 provided -- we heard people testify. So I don't think
8 what you are saying is rational compared to what they
9 are doing, quite frankly.

10 **MR. SAPORITO:** Thank you.

11 **CHAIRMAN BRISÉ:** Thank you very much.

12 Any further questions for Mr. Rider? Seeing
13 none, thank you for your testimony today.

14 **MR. KELLY:** The next speaker is Ms. Barbara
15 Flores followed by Brent Barkway.

16 **CHAIRMAN BRISÉ:** As Ms. Flores comes up, I
17 thought I heard a slight booing or something to that
18 effect as one of the speakers was speaking. If we can
19 avoid that type of reaction, we would greatly appreciate
20 it. Thank you very much for being respectful of
21 everyone's opinion.

22 **BARBARA FLORES**

23 appeared as a witness and, swearing to tell the truth,
24 testified as follows:

25 **DIRECT STATEMENT**

1 **MS. FLORES:** Members of the PSC staff, I am
2 Barbara Flores. My phone number is 941-979-9296. I
3 live on a cul-de-sac in Port Charlotte. I have lived
4 there for two years. I like the way my lights work and
5 air conditioning, and thanks to FPL for that. However,
6 I am upset that FPL believes it needs a rate increase in
7 these belt-tightening times.

8 Most of us have less to work with. There are
9 four families in our neighborhood -- I'm in a
10 cul-de-sac, it's a very small place. -- with children,
11 families with children who are really in trouble
12 financially. One or both of the adults have reduced
13 time at work or lost jobs, and children are returning.
14 So they are suffering financially in the pinch of this
15 recession. So how can FPL be seen to justify a raise at
16 this time. Will FPL be seen as greedy by its customers?
17 We, the people, need a break. Thank you very much.

18 **CHAIRMAN BRISÉ:** Thank you, Ms. Flores.

19 I don't know if there are any questions for
20 you: Are there any questions for Ms. Flores?

21 Seeing none, thank you for your testimony.

22 **MR. KELLY:** After Mr. Barkway, Tracey
23 Galloway.

24 **BRENT BARKWAY**

25 appeared as a witness and, swearing to tell the truth,

1 testified as follows:

2 **DIRECT STATEMENT**

3 **MR. BARKWAY:** Good evening. My name is Brent
4 Barkway, I'm with the Lee County Economic Development
5 Office here in Fort Myers. My phone number is
6 239-533-6804. My job with the economic development
7 office is business development manager, so I work with
8 companies coming in from outside the State of Florida
9 who want to have a presence here in Lee County.

10 I'm not here to directly talk about the
11 proposed rate increase. What I do want to do is just
12 say a couple of good things about FPL's new economic
13 development rate for commercial and industrial
14 businesses and how it can compliment the efforts of what
15 we do in our office.

16 For the companies that we assist, one of the
17 biggest obstacles to overcome is the operational costs
18 in the first few years of business. In order to keep
19 Lee County and the State of Florida competitive, we are
20 always looking for ways to minimize upfront costs for
21 businesses as much as possible and lessen the burden for
22 newly established or existing businesses in Lee County.
23 While Lee County and the State of Florida do offer
24 assistance programs for businesses, there is still a
25 great deal of competition from other states and also

1 other countries. By offering discount rates for the
2 first four to five years under this program, FPL can
3 provide additional -- an additional tool to help us
4 assemble a comprehensive package to make our area more
5 attractive to a potential business. This is especially
6 helpful in energy-intensive industry, such as
7 manufacturing, which is of vital importance to our state
8 and our community.

9 Also, by offering an added incentive of the
10 fifth year of discounts available to businesses
11 purchasing or leasing existing property that has been
12 vacant for at least six months, it will encourage
13 occupancy in buildings currently without tenants. I
14 will just close by saying that we work well with FPL and
15 we look forward to working with them in the future and
16 having them as a valued partner in our economic
17 development efforts. Thank you.

18 **CHAIRMAN BRISÉ:** Thank you, Mr. Barkway. I
19 don't know if there are any questions for Mr. Barkway.

20 Yes, Mr. Saporito.

21 **MR. SAPORITO:** Good evening, Mr. Barkway.

22 **MR. BARKWAY:** Good evening.

23 **MR. SAPORITO:** Is your testimony here today
24 intended to support or not support the rate increase?

25 **MR. BARKWAY:** Sir, I'm here to actually

1 represent Lee County Economic Development in what we do,
2 and what I feel is a very useful tool. This is not
3 about the rate increase for us, okay. That would be a
4 personal decision on my part. That's not why I'm here.
5 This is about a tool that is one more thing for us to
6 use to improve the business climate in this county.

7 **MR. SAPORITO:** And do you or your organization
8 have an affiliation with FPL, and do you receive
9 compensation in any way?

10 **MR. BARKWAY:** Oh, no, sir, we don't. Not in
11 any way.

12 **MR. SAPORITO:** Was your travel or expenses
13 paid for in any way for you appearing here today?

14 **MR. BARKWAY:** Absolutely not, no.

15 **MR. SAPORITO:** Thank you very much.

16 **CHAIRMAN BRISÉ:** Thank you very much.

17 **MR. KELLY:** After Ms. Galloway, Jim Helms.

18 **TRACEY GALLOWAY**

19 appeared as a witness and, swearing to tell the truth,
20 testified as follows:

21 **DIRECT STATEMENT**

22 **MS. GALLOWAY:** Good afternoon. My name is
23 Tracey Galloway. I have been a resident here in Fort
24 Myers for 21 years. My phone number is 239-770-7258.

25 I am not one that is ever in favor of

1 supporting increased cost for anything unless there is a
2 reasonable or compelling reason to do so. It's a
3 complicated decision, and I don't envy your spots today
4 or for the remainder of these hearings.

5 My comments are in support of FPL's request
6 for a rate hike based on my views as a global
7 responsible citizen. I applaud FPL for their continued
8 innovative and forward-thinking technologies and
9 services that will afford the customers of Florida a
10 long future with affordable energy costs. I have worked
11 with FPL in the recent year or so both on residential as
12 well as commercial energy savings plans that have turned
13 out to be very fruitful. In some cases it cost me a
14 little bit more up front in terms of updating an
15 appliance or something to a more current technology that
16 is more energy efficient, but over the long-term it is
17 saving me money monthly on my electric costs.

18 In an age where energy resources are being
19 pushed to their limits, I feel like it is the
20 responsibility of all citizens to step up to the plate
21 and start being more conscious of how they use or misuse
22 our energy resources. I like to have all the luxuries
23 that electricity provides, and I'm not advocating that
24 we go back to candles and hand fans, but rather learn
25 how and when best to use our electricity. For instance,

1 I use a timer on my dishwasher so that it runs
2 automatically at night when there is less demand for
3 electricity, and utilize the automated thermostat to
4 control my house temperature when I'm not at home.

5 Some may poo-poo and say this doesn't make
6 enough of a difference, but it really does. In the last
7 year, I actually added a second story to my home which
8 meant another air conditioning unit. So I thought my
9 costs would go up, but with the updates that I made,
10 such as the automated thermostat, my electric bills
11 actually dropped by about 15 percent every month. It
12 has made a significant difference.

13 This leads me to my last point regarding smart
14 meters, and I'm going to talk to you about that. I am a
15 proponent of this project for multiple reasons, but the
16 greatest of them being that I am pleased to see that FPL
17 and the other energy companies across the United States
18 are investing in smart grid projects. Our greatest ally
19 in the global energy race is technology and we should
20 use it to our benefit.

21 I work every day to feed the hungry and the
22 homeless, so I understand inherently the problems that
23 our communities face on a social and economic level.
24 However, I would stand here before you in favor of a
25 state and a nation that needs to put an aggressive foot

1 forward to ensure the long-term viability of energy
2 resources for future generations, and I feel confident
3 that FPL recognizes and is moving forward to address
4 these issues. Thank you.

5 **CHAIRMAN BRISE:** Thank you, Ms. Galloway.

6 Are there any questions?

7 Mr. Saporito.

8 **MR. SAPORITO:** Good evening, Ms. Galloway. As
9 an FPL stockholder, I simply have to applaud you for all
10 your energy awareness and conservation methods, but let
11 me ask you this. Do you have an on-demand electric
12 water heater in your residence?

13 **MS. GALLOWAY:** Yes, I do.

14 **MR. SAPORITO:** Do you know that Florida Power
15 and Light doesn't advertise that on their website? They
16 advertise all kinds of ways that we can save energy, but
17 that is not one of them. Do you think that would be a
18 good idea for them to put that on there?

19 **MS. GALLOWAY:** Sure.

20 **MR. SAPORITO:** It saves like 60 percent
21 compared to a hot water tank which is on all the time,
22 right?

23 **MS. GALLOWAY:** I did my research, as most
24 citizens should, to find those things out, as well.

25 **MR. SAPORITO:** Thank you very much for your

1 testimony.

2 MS. GALLOWAY: Thank you.

3 CHAIRMAN BRISÉ: Thank you very much.

4 MR. KELLY: After Mr. Helms, Ron Jefferson.

5 JIM HELMS

6 appeared as a witness and, swearing to tell the truth,
7 testified as follows:

8 DIRECT STATEMENT

9 MR. HELMS: Good evening. My name is Jim
10 Helms. I am a resident here in Fort Myers. My phone
11 number is 239-432-0970. And I'm speaking as a private
12 citizen. I really have no comments to make concerning
13 the merits of the rate increase that is before the
14 Commission. I do, however, wish to commend Florida
15 Power and Light for being a good partner with the Thomas
16 A. Edison Regional Science and Inventors Fair. I'm a
17 member of the steering committee there. Although I'm
18 not here speaking on behalf of the entire committee, I
19 can say that their support through the Edison Festival
20 of Light of the Regional Science Fair where
21 approximately 800 children a year participate across
22 Collier, Lee, and Charlotte Counties. That support has
23 been instrumental to the good work done for the last
24 several years.

25 And, again, I have no comments to make

1 concerning the rate increase. I wish you luck on that,
2 but I can say that the service that Florida Power and
3 Light has provided to us has been really instrumental in
4 our doing the good work we have been doing for the last,
5 over ten years now. Thank you.

6 **CHAIRMAN BRISÉ:** Thank you, Mr. Helms.

7 Are there any questions?

8 **MR. SAPORITO:** Good evening, Mr. Helms. Does
9 your organization have any -- receive any compensation
10 from Florida Power and Light Company?

11 **MR. HELMS:** No.

12 **MR. SAPORITO:** Has anyone from Florida Power
13 and Light company asked you to testify here tonight?

14 **MR. HELMS:** No.

15 **MR. SAPORITO:** Thank you very much.

16 **MR. HELMS:** You're welcome.

17 **CHAIRMAN BRISÉ:** Thank you very much.

18 **UNIDENTIFIED SPEAKER:** (Inaudible.)

19 **CHAIRMAN BRISÉ:** Ma'am, unless you're an
20 intervenor, you are not in a position to ask questions.

21 **UNIDENTIFIED SPEAKER:** Thank you.

22 **CHAIRMAN BRISÉ:** Thank you very much.

23 **MR. KELLY:** After Mr. Jefferson is David -- I
24 think it is Doan.

25 **RON JEFFERSON**

1 appeared as a witness and, swearing to tell the truth,
2 testified as follows:

3 **DIRECT STATEMENT**

4 **MR. JEFFERSON:** Good evening. My name is Ron
5 Jefferson. I'm the Assistant Facility Director for the
6 City of Naples Airport Authority, and I'm here to say
7 that we are satisfied with FPL's level of service.

8 I have been a resident of Naples/Collier
9 County for over 30 years and employed at the airport for
10 19 of those years. I just want to share a side of FPL
11 that maybe a lot of the residents don't see. And they
12 did come out to our airport to acquire property for, in
13 a catastrophic event, post catastrophic event, a place
14 to store trucks and equipment, tree removal stuff, and
15 I'm glad to see that FPL is, you know, thinking ahead
16 and getting ready for this. It's inevitable, and I'm
17 glad that the infrastructure is there and they have
18 enough forethought.

19 Some of the stuff that they do I have seen
20 with construction work as far as transformer placement,
21 sizing and making calculations, the way they orchestrate
22 the work. There is no rework. Once the work is
23 completed the work is done. I'm a maintenance person.
24 It's good to see that when the work is completed there
25 is no rework. They don't have to come back out and

1 repair it.

2 That's all I have. It's pretty simple. I
3 just want to say that I was satisfied with their
4 service. And we did participate in a business energy
5 audit, and I'm waiting for the results to come back for
6 that, too.

7 **CHAIRMAN BRISÉ:** Thank you, Mr. Jefferson.

8 **MR. SAPORITO:** One question, Mr. Chairman.

9 **CHAIRMAN BRISÉ:** Yes, sir.

10 **MR. SAPORITO:** Could you tell the Public
11 Service Commission whether your testimony and your
12 opinion is in favor of the rate increase or not in
13 favor.

14 **MR. JEFFERSON:** I just thought it was
15 important for me to say there's two sides to the coin.
16 I can understand that the structure is getting old. I
17 can understand FPL's standpoint to raise the rate, if
18 you will, to replace that old infrastructure, because I
19 would rather not be stuck on generator power. I would
20 rather have clean utility power. And I do understand
21 the public's input that they don't want a rate increase,
22 but I just think it's important that the Commission does
23 know there's two sides to the story.

24 **MR. SAPORITO:** Thank you very much.

25 **MR. JEFFERSON:** Okay.

1 **CHAIRMAN BRISÉ:** Thank you, Mr. Jefferson.

2 **MR. KELLY:** After Mr. Doan is Andy Koebel.

3 **DAVID DOAN**

4 appeared as a witness and, swearing to tell the truth,
5 testified as follows:

6 **DIRECT STATEMENT**

7 **MR. DOAN:** Good evening. I would like to
8 thank the Commission for being here tonight. My name is
9 David Doan. I live in Lehigh Acres. My phone number is
10 239-464-4897. And I actually came here tonight to
11 address a different topic that has already been
12 addressed here from this microphone, and that's the
13 smart meter issue.

14 And I appreciate the fact that you want to
15 stay on topic here, but I know there's a large number of
16 people here that are very interested in this issue. And
17 to begin with, I'd like to find out if it's possible if
18 this Commission could hold another meeting to address
19 that specifically, because there are a lot of issues
20 that I don't think people are aware of. I found a
21 Congressional research service survey that casts a whole
22 different light on the smart meter issue than a lot of
23 the things that we are hearing here tonight.

24 And I really appreciate the opportunity to
25 address this Commission and the Chairman on those

1 issues, because it's a 48-page study, and it's not
2 really favorable toward smart meters. So I'd like to
3 have the opportunity to address that at some time in the
4 future if I could.

5 **CHAIRMAN BRISÉ:** Thank you very much. And you
6 can address that issue any time. Our staff is gathering
7 information, so you could e-mail us at the Commission as
8 the information gathering continues to go on, and as
9 time progresses there will be a determination whether we
10 need to do any public meetings and so forth with respect
11 to that issue.

12 **MR. DOAN:** Well, I know there's a number of
13 people here tonight that are very interested in that
14 issue. So I think a public forum like this, they would
15 really appreciate the opportunity to speak.

16 **CHAIRMAN BRISÉ:** Duly noted. Thank you for
17 your comments.

18 **MR. DOAN:** Thank you.

19 **MR. KELLY:** After Mr. Koebel, Jim Larkin.

20 **ANDY KOEBEL**

21 appeared as a witness and, swearing to tell the truth,
22 testified as follows:

23 **DIRECT STATEMENT**

24 **MR. KOEBEL:** Good evening. My name is Andy
25 Koebel and I'm a representative of Bonita Strings

1 Utilities. My telephone number there is 992-0711.

2 I'm here tonight not to speak for or against
3 the rate, just to give some testimony about the quality
4 of service that we receive from FPL. The quality of
5 service that we receive is very good to excellent in all
6 aspects. We recently acquired another utility with
7 various accounts in multiple locations. The customer
8 service department worked very well with us. The
9 transition went smooth and seamlessly so we could
10 continue and have seamless delivery of service to our
11 customers.

12 In another aspect, their reliability of
13 service is continually improving. I have been with the
14 utility for many years, and I have seen that continually
15 improve throughout the years. A recent project was
16 completed this past year that further improved that
17 reliability offering a dual feed to some of our
18 facilities. So with that, I would just like to say that
19 we are very pleased with our quality of service and the
20 improved reliability that we continue to see year after
21 year. Thank you.

22 **CHAIRMAN BRISÉ:** Thank you, Mr. Koebel.

23 Are there any questions?

24 Seeing none, thank you for your testimony.

25 **MR. KOEBEL:** Thank you.

1 **MR. KELLY:** After Mr. Larkin, Alan Destribats.

2 **JIM LARKIN**

3 appeared as a witness and, swearing to tell the truth,
4 testified as follows:

5 **DIRECT STATEMENT**

6 **MR. LARKIN:** Good evening. My name is Jim
7 Larkin. I am General Manager of the Crown Plaza Hotel
8 here in Fort Myers, Florida. I have been a resident of
9 Lee County for 13 years, and a resident here in Lee
10 County in Fort Myers.

11 I came here to also testify about the
12 exceptional service we receive as a business here from
13 FPL. I find it astonishing that a business like theirs
14 is continually engaging me as a business manager about
15 ways to cut my electric bill or cut my gas bill on an
16 on-going basis. Their communication with us has been
17 excellent. On-going we hear from them from our
18 representative with FPL on a quarterly basis. The
19 information provided is always presented professionally
20 and very promptly upon request.

21 Whenever we have had an issue with power
22 interruptions, they have been in touch with us promptly
23 to let us know what the situation is, communicating with
24 us what they are doing to correct the situation. And I
25 find their service to be exceptional, quite honestly.

1 And for me in the service business, it's all about
2 exceptional service, and they do a great job in that
3 regard.

4 As a business manager, I also understand the
5 need for increases to cover increasing costs that are
6 out there. I expect that you, as a Commission, will be
7 the ones to determine what the right increase would be,
8 but as a business operator I stand in support of the
9 increase that FPL is asking for. Thank you very much.

10 **CHAIRMAN BRISÉ:** Thank you, Mr. Larkin.

11 Any questions for Mr. Larkin?

12 Mr. Saporito.

13 **MR. SAPORITO:** How are you doing, Mr. Larkin?

14 **MR. LARKIN:** Very well.

15 **MR. SAPORITO:** You said you're a manager.

16 What was the business again?

17 **MR. LARKIN:** General Manager of the Crown
18 Plaza Hotel here in Fort Myers at the Bell Tower Shops.

19 **MR. SAPORITO:** That's a pretty big building,
20 isn't it?

21 **MR. LARKIN:** Yes, it is.

22 **MR. SAPORITO:** Have you engaged Florida Power
23 and Light -- they have like 1,000 employees dedicated
24 for energy efficiency. Have you contacted them to come
25 out to your building and give you some ways that you

1 could reduce your electric bill?

2 **MR. LARKIN:** I actually did not have to
3 contact them. They contacted me, and they do so on an
4 on-going basis. I have been there 13 years, and yearly
5 they will ask me if there is anything they can do to
6 help us manage or do energy audits to improve our costs
7 in our energy bill.

8 **MR. SAPORITO:** And did they suggest for you to
9 put a PV solar system on your building to reduce your
10 electric power?

11 **MR. LARKIN:** We actually did talk to them
12 about that, and we are actually engaged in talking to a
13 couple of other companies about that to make sure we are
14 getting the best pricing.

15 **MR. SAPORITO:** Okay. Thank you very much.

16 **MR. LARKIN:** Thank you.

17 **CHAIRMAN BRISÉ:** Thank you very much, Mr.
18 Larkin. We have a question from Commissioner Edgar.

19 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman.

20 Mr. Larkin, it's actually not a question, just
21 a very brief comment. I actually checked into that
22 hotel earlier this afternoon and would like to give a
23 shout out and a thank you to the young woman at the
24 registration desk who was very, very helpful, and very
25 polite, and went above and beyond. I think it was

1 Trista (phonetic) or something like that.

2 **MR. LARKIN:** Well, thank you very much. I
3 will pass that on and give her a pat on the back, too.

4 **COMMISSIONER EDGAR:** Please do.

5 **MR. LARKIN:** And if I may just say so, I know
6 there are some questions of other people about engaging
7 in returns or what Florida Power and Light might do for
8 my business. I can honestly say that Florida Power and
9 Light is not in my top 20 customer base, but I would
10 certainly like to talk to anybody about how I can do
11 more meeting business or accommodation business if they
12 are out there and would like to speak to me at this
13 time. Thank you.

14 (Laughter.)

15 **CHAIRMAN BRISÉ:** Thank you very much.

16 **MR. KELLY:** After Mr. -- and I'm going to
17 butcher it --

18 **MR. DESTTRIBATS:** Destribats.

19 **MR. KELLY:** -- Destribats is Dr. George
20 Magnant.

21 **ALAN DESTTRIBATS**
22 appeared as a witness and, swearing to tell the truth,
23 testified as follows:

24 **DIRECT STATEMENT**

25 **MR. DESTTRIBATS:** Good evening. Alan

1 Destribats, Bonito Springs, 239-949-0109. I personally
2 feel the FPL increase is appropriate and realistic. I
3 commend FPL for its many customer programs. I use the
4 energy calculator on their website every month to
5 analyze my usage and work on reducing my bill. Now, I
6 get a lot of information because I have a smart meter
7 that was installed last fall, which I happen to love; I
8 realize that's another topic for a different time. I
9 signed up for the on-call savings program for FPL to
10 control my air conditioner and water heater at peak
11 times and I receive a bill credit, so that's also very
12 valuable.

13 Nobody likes a price increase, but looking at
14 this one with the net impact of a dollar to two dollars
15 a month, and with all the investments FPL is making, I
16 do feel it is realistic and appropriate. Thank you.

17 **CHAIRMAN BRISÉ:** Thank you very much. Are
18 there any questions for Mr. Destribats?

19 Seeing none, thank you for your testimony
20 today.

21 **MR. DESTTRIBATS:** Thank you.

22 **MR. KELLY:** After Dr. Magnant, Archie Taghan.

23 **DR. GEORGE MAGNANT**

24 appeared as a witness and, swearing to tell the truth,
25 testified as follows:

DIRECT STATEMENT

1
2 **DR. MAGNANT:** Hi. I'm Dr. George Magnant.
3 I'm a retired physician. I've been living in Fort Myers
4 for the last 12 years. My phone number is 454-4463.

5 I have no problem with the quality of service
6 from FPL and agree with the testimony given by a few of
7 the people who seem to have spoken as character
8 witnesses over the last few minutes. However, as the
9 counsel of the Office of Public Counsel so aptly put it,
10 that's not the question we're debating here.

11 The bottom line is whether or not increasing
12 the return of investment from 10 percent to 11-1/2
13 percent is needed at this time when retired people have
14 trouble getting one percent, and to that they have to go
15 at least two years on a CD. I just finished reading a
16 book called the Morality of Capitalism. I think this is
17 stretching that a little bit going from the 10 percent,
18 which I think is very adequate -- I would be happy and
19 they probably should be happy if they got half of that.

20 With those remarks, I thank you for listening.

21 **CHAIRMAN BRISÉ:** Thank you very much.

22 Are there any questions?

23 Yes, Mr. Saporito.

24 **MR. SAPORITO:** Good afternoon, sir. Thanks
25 for coming out and testifying today. I just want to

1 make sure, do you understand that if the Public Service
2 Commission decides to deny Florida Power and Light their
3 rate increase that they are requesting, this
4 \$690 million, do you understand that because the natural
5 gas prices have decreased that your electric bill, if
6 they deny the request, will actually go down with the
7 cost of fuel?

8 **DR. MAGNANT:** Yes, I realize that.

9 **MR. SAPORITO:** So that would be beneficial for
10 you, would it not?

11 **DR. MAGNANT:** That part is beneficial, yes.

12 **MR. SAPORITO:** Thank you very much.

13 **CHAIRMAN BRISÉ:** Thank you very much.

14 **MR. KELLY:** After Mr. Taghan, Ms. Ruth -- and
15 I apologize, Nekoranec.

16 **ARCHIE TAGHAN**

17 appeared as a witness and, swearing to tell the truth,
18 testified as follows:

19 **DIRECT STATEMENT**

20 **MR. TAGHAN:** Hello. I'm Archie Taghan; I'm
21 from Lehigh Acres, Florida, and my phone number is
22 239-369-4707.

23 And I just -- I'll weigh in on the rate
24 increase. Florida Power and Light has already been
25 chosen as a winner for the areas that they represent

1 throughout the state. They are a monopoly, and it seems
2 in this case as though what they are doing is they see
3 an opportunity to go ahead and increase gain for the
4 stockholders and the administrators in a situation where
5 they have had a -- where the costs have dropped so that
6 the appearance, when it's all done, is that they are not
7 asking for much. But, in effect, if the give-back was
8 given to the customers, it would be a pretty impressive
9 increase that they are getting.

10 So remember that Florida Power and Light is a
11 monopoly, and that you are the rate-setting group. And
12 as a board that sets that, you are choosing to determine
13 how much of a winner these winners are going to be. And
14 I ask you to use constraint. Bear in mind these other
15 folks that have to pay the bill, and just weigh in in
16 those areas.

17 Now, I spoke to the Chairman just for a second
18 before he came in the door, as we come in the door. I
19 really was here to express my sentiments and read a
20 letter on the smart meters, and I'm not going to do
21 that, but I do want to add a little bit of input. I
22 believe that the delay in the smart meter hearing is
23 detrimental to the people of this state, because I
24 believe it really needs to be rescinded. It really
25 needs be talked about openly.

1 I appreciate that we can contact you, and I
2 wasn't aware of -- you know, I'll have addresses and
3 there will be a number of others that will -- you will
4 hear from us, okay. But in the meanwhile, the reason
5 this is so important is because Florida Power and Light
6 throughout the state is going full bore on installation.
7 Once the installation is done it's going to be hard to
8 do anything in return. Thank you.

9 **CHAIRMAN BRISÉ:** Thank you very much.

10 Are there any questions?

11 Seeing none, thank you for your testimony.

12 **MR. KELLY:** After Ms. Nekoranec is Gerry
13 Seamens.

14 **RUTH NEKORANEC**

15 appeared as a witness and, swearing to tell the truth,
16 testified as follows:

17 **DIRECT STATEMENT**

18 **MS. NEKORANEC:** Hi. I'm Ruth Necoranec.

19 **MR. KELLY:** Sorry.

20 **MS. NEKORANEC:** That's okay. I'm an average
21 person with an average bill, which I split with my
22 roommate. And I understand that a company needs to make
23 a little profit, and they need to keep up with
24 technology and infrastructure. However, I haven't had a
25 cost of living or a raise or any change in my income for

1 over five years, and I think the increase is excessive.

2 Thank you for listening.

3 **CHAIRMAN BRISÉ:** Thank you very much for your
4 testimony.

5 Are there any questions for Ms. Nekoranec?

6 Seeing none, thank you for your testimony this
7 afternoon.

8 **MR. KELLY:** After Gerry Seamens is Jack
9 Hansen. Is it Gerry, Gerry Seamens?

10 Mr. Hack Hansen followed Mike Townsend.

11 **JACK HANSEN**

12 appeared as a witness and, swearing to tell the truth,
13 testified as follows:

14 **DIRECT STATEMENT**

15 **MR. JACOBS:** I'm Jack Hansen. I'm a
16 registered nurse. My phone number is 239-313-7071.

17 I really didn't come here to talk about the
18 rate increase, but I did enjoy the presentation. It was
19 really well done from everybody, actually. I got quite
20 an education. FPL is an excellent company. It's one of
21 my cheapest bills, actually. But their rate increase
22 sounded actually pretty good until I heard the light
23 shed on by Mr. Kelly. And if anybody is looking for Mr.
24 Wright, he's right here.

25 So, basically, I know that you will come to

1 the right decision based on their input. You will do
2 what is fair. What is important to note, though, is
3 that money is becoming more and more worthless and
4 people are priceless. We have to consider the
5 individual more than the collective or the entity. And
6 with that in mind, I'm sure the right decision will be
7 made.

8 I used to be a court stenographer, too. I
9 want you to write that down. That's all. Thank you.

10 **CHAIRMAN BRISÉ:** Thank you, Mr. Hansen.

11 **MR. KELLY:** After Mr. Townsend, Harriet
12 Hopkins.

13 **MIKE TOWNSEND**

14 appeared as a witness and, swearing to tell the truth,
15 testified as follows:

16 **DIRECT STATEMENT**

17 **MR. TOWNSEND:** I'm Mike Townsend. My phone
18 number is 239-992-3599. In 2006, I retired from Ford
19 Motor Company because of a health issue. I have chronic
20 lymphocytic leukemia. Currently I live in a house in
21 Bonita Springs that is all electric. My bill every
22 month is about \$239. I suspect this raise would cost me
23 another 40 bucks. I don't have any extra money. How
24 the hell am I supposed to pay the extra 40 bucks? And I
25 don't think I'm the only one in this county that has

1 that problem. A lot of us are on fixed income. It
2 isn't like, oh, I set 40 bucks aside because I think FPL
3 is going to come along and need more. I need more.
4 Who's going to pay the 40 bucks? Simple question,
5 folks. I think you should vote no. Thank you.

6 **CHAIRMAN BRISÉ:** Thank you very much, Mr.
7 Townsend.

8 Any questions for Mr. Townsend?

9 Seeing none, thank you for your testimony.

10 **MR. KELLY:** After Ms. Hopkins, Chris
11 Carpenter.

12 **HARRIET HOPKINS**

13 appeared as a witness and, swearing to tell the truth,
14 testified as follows:

15 **DIRECT STATEMENT**

16 **MS. HOPKINS:** Hi. My name is Harriet Hopkins,
17 Bonita Springs, 239-390-3329. Thank you for this
18 opportunity to speak.

19 I am against any type of rate increase because
20 most customers in every municipality has already been
21 suffering financially in this economy. And I won't
22 spend time with all the heartbreaking stories, people I
23 know who can't eat, can't put air conditioning, and that
24 is a severe health problem in the summer here especially
25 for elderly people.

1 I can find no justification to raise rates in
2 this economy. I am also against any plan to implement
3 the tiered-rate system, charging different rates at
4 different times of day, because this would penalize many
5 people, especially with medical conditions, who depend
6 on electric services on their own schedule, not FPL's
7 schedule.

8 I'm against the proposed rate increase because
9 FPL is a monopoly. And we have no choice in using any
10 other electric company, and so why are dollars being
11 spent on heavy TV advertising for FPL the last year or
12 so? I don't understand why they need to advertise the
13 monopoly. It's not a public service message; it's
14 advertising.

15 The Commissioner's mission statement includes
16 the provision of safe and reliable service. I don't
17 mean any disrespect, but I do believe smart meters have
18 everything to do with rate changes, future and present
19 rates. It's how they charge, and they should not be off
20 limits as a topic here at these hearings because of the
21 safety hazards. It's included in your mission
22 statement.

23 So I just quickly have a couple of questions
24 for the record. Given that the mission statement does
25 include to provide safe service, and given the safety

1 hazards associated with smart meters, why has the
2 Commission denied that it has jurisdiction over smart
3 meters? Obviously the old type meters are not a safety
4 hazard, so those meters -- okay, no jurisdiction, but
5 the safety hazards associated with wireless technology
6 is a problem. Many people are microwave sensitive.
7 That's common knowledge. There has long been science on
8 the doors of convenience stores warning about microwave
9 ovens in use. So all people, not just medically
10 vulnerable, have the right to live without exposure to
11 this microwave radiation.

12 And my final question or comment is why have
13 customers had this wireless meter installed without
14 their knowledge and consent, given that some people
15 could be very sensitive to it? Thank you.

16 **CHAIRMAN BRISÉ:** Thank you very much for your
17 testimony.

18 **MR. SAPORITO:** Mr. Chairman, I have a
19 question.

20 **CHAIRMAN BRISÉ:** There seems to be a question
21 for you.

22 Mr. Saporito.

23 **MR. SAPORITO:** The Commission -- I don't know
24 if you heard them earlier today, they have an
25 investigative team that is working on this smart meter

1 issue. With respect to this rate case, if the
2 Commission finds the wisdom to say that these smart
3 meters are a health hazard as you have indicated, and
4 they order FPL to put the old meters back in, do you
5 think the Commission should also order FPL to refund us
6 customers the money that they expensed without our
7 permission or authorization or knowledge to put these
8 smart meters in in the first place?

9 **MS. HOPKINS:** I have no opinion on the
10 accounting of all of this. I believe the homeowner and
11 the customer should have a choice not to be exposed to
12 this wireless technology and not be forced to and have
13 it installed without their knowledge and not be allowed
14 to switch back upon their own choice.

15 **MR. SAPORITO:** And one final point to ask a
16 question to be clear on the record, your testimony here
17 today is it in support of FPL's rate case or against
18 FPL's rate case?

19 **MS. HOPKINS:** I am against rate increases of
20 any sort at this time due to the economy, and I don't
21 see any justification for the rate increase.

22 **MR. SAPORITO:** Thank you for your testimony.

23 **MS. HOPKINS:** Thank you.

24 **CHAIRMAN BRISÉ:** Thank you very much.

25 **MR. KELLY:** After Ms. Carpenter, Peter

1 Richter.

2 **CHRIS CARPENTER**

3 appeared as a witness and, swearing to tell the truth,
4 testified as follows:

5 **DIRECT STATEMENT**

6 **MS. CARPENTER:** Good evening, Commissioners.
7 My name is Chris Carpenter. I live in Naples Park in
8 Collier County, and my phone number is 239-598-4799.

9 I'm going to get straight to the point. I'm
10 opposed to the rate increase. I think that they are
11 asking for too much. When I got this notice in the
12 mail, this one, it says typical 1,000 kilowatt
13 residential bills expected to increase by just 8 cents
14 daily or \$2.48 per month. And I got to thinking, huh,
15 how much do I use? So I dragged all my bills out for
16 the last year, and I went through it, and it was really
17 quite an eye opener.

18 I found that only five months of the year I
19 used less than 1,000 kilowatts, and seven months it was
20 above 1,000, and some months quite a bit above 1,000.
21 The highest was in September of 2011, 1,866 kilowatts.
22 The lowest was in February of 2011 at 515 kilowatts. So
23 I'm looking at this, again, and I'm thinking, you know,
24 how many people are just going to open this and go, oh,
25 okay. And they have no clue what they're using, and

1 they don't think it's going to be a big increase, and I
2 just felt that this was a little misleading, this
3 insert.

4 Just to give you an idea of where I live, I
5 live in a duplex that I own in Naples Park. I'm living
6 in one side and the bills that I talked about are just
7 from that one side. The other side I'm using for
8 storage right now. So I also have a bill for that other
9 side, too. So whatever you decide on this goes double
10 for me, okay? And as other people have said, it's a
11 monopoly. I have no choice.

12 Anyway, I really think that this rate increase
13 could create a hardship for some. I have a friend now
14 who is resorting to selling her possessions just to get
15 by, and I ask you to please not approve this rate
16 increase. Thank you very much.

17 **CHAIRMAN BRISÉ:** Thank you very much for your
18 testimony.

19 Any questions?

20 Seeing none, thank you for your testimony.

21 **MR. KELLY:** After Mr. Richter is Quang Ha.

22 **PETER RICHTER**

23 appeared as a witness and, swearing to tell the truth,
24 testified as follows:

25 **DIRECT STATEMENT**

FLORIDA PUBLIC SERVICE COMMISSION

1 MR. RICHTER: Hi. My name is Peter Richter. I
2 am a candidate running for Florida State House of
3 Representatives. I'm a Libertarian, and I believe in
4 competition, and that is something that we are seriously
5 lacking with a state-sponsored monopoly.

6 I'm just reading in this -- it's the *Palm*
7 *Beach Post*. It says that FPL's Director of Media
8 Relations, Bubriski, he stated that there is no
9 additional cost to customers. It's already in the
10 rates, and that's with respect to the smart meters. And
11 then it goes on to say that they are stalling 20,000
12 smart meters a week, and it says FPL is investing
13 600 million in these smart meters, which I think is kind
14 of interesting, because they are now asking for a
15 \$690 million increase. So how is it built into the
16 rates when they have just spent this, and now they are
17 asking for a rate increase?

18 Until we get some competition and we have a
19 choice in how our power is delivered and what you are
20 spending it on, and if you are able to come to our home
21 without our permission and install a meter that we might
22 be electrically sensitive to, or whatever -- you know, I
23 don't know if there's anything to that or not, but I can
24 tell you that I don't like a monopoly coming and
25 invading my privacy, invading my personal property,

1 installing a device without my permission, not letting
2 me take it out if I don't like it. And we don't know
3 what they're going to do with it. There's every
4 indication that these devices are essentially spying
5 devices and data collection devices. That data could be
6 then used to sell the data to the highest bidder.

7 So I am absolutely against the rate increase.
8 I'm against the smart meters, in general, and I'm
9 frankly against a monopolistic state-sponsored entity
10 telling us what to do.

11 Thank you.

12 **CHAIRMAN BRISÉ:** Thank you, Mr. Richter.

13 Does anyone have a question?

14 Mr. Saporito has a question for you.

15 **MR. SAPORITO:** Good evening, Mr. Richter. Are
16 you aware that Florida Power and Light has numerous
17 power plants across Florida, and they all feed a common,
18 what's called an electric grid to distribute power
19 everywhere; are you aware of that?

20 **MR. RICHTER:** Yes.

21 **MR. SAPORITO:** Ms. Santos testified earlier,
22 and I believe she said that Florida Power and Light
23 typically has the lowest power bill for its customers,
24 lower than -- I think she said 55 other utilities, I'm
25 not sure. You talked about Florida Power and Light

1 being a monopoly, so the Commission here -- and I'm not
2 an expert like Mr. Kelly is, but it's my understanding
3 that the Commission has jurisdiction over the State of
4 Florida's electric grid. So these other utilities would
5 tie into the grid -- would that not give you a choice?
6 You said you didn't have a choice. If they all tied
7 into the grid and they all put power in the grid,
8 wouldn't that give you a choice of which utility you
9 wanted to pay?

10 **MR. RICHTER:** Right. My understanding is that
11 I don't have a choice of which power company I can use.

12 **MR. SAPORITO:** But if the Commission were to
13 order all of the utilities to feed a common grid, you
14 would have a choice then, wouldn't you?

15 **MR. RICHTER:** It would certainly seem like it.

16 **MR. SAPORITO:** Would that help you?

17 **MR. RICHTER:** Absolutely. The more
18 competition the better. That's the thing about
19 competition, you don't know -- it might seem great and
20 everything, but you don't know what you're missing. The
21 Russians have their Volga, and they thought it was great
22 that they got electric start sometime in the '80s.

23 **MR. SAPORITO:** Thank you for your testimony.

24 **CHAIRMAN BRISÉ:** Thank you very much.

25 **MR. KELLY:** The last speaker I have signed up

1 is Quang Ha.

2 MR. HA: It's Quang Ha.

3 MR. KELLY: Quang. I apologize.

4 QUANG HA

5 appeared as a witness and, swearing to tell the truth,
6 testified as follows:

7 DIRECT STATEMENT

8 MR. HA: Good evening. My name is Quang Ha.

9 I am the General Counsel of Algenol Biofuels here in
10 Bonita Springs and in Fort Myers. I can be reached at
11 239-498-2000.

12 I am here on behalf of Algenol Biofuels, which
13 is a Florida-based industrial biotechnology company. We
14 are in the process of commercializing a patented
15 algae-to-biofuels technology that uses among other
16 things saltwater, sunlight, algae, and especially carbon
17 dioxide. But before I continue, Florida law requires
18 that I disclose that I am not yet admitted to practice
19 in Florida, although I am taking the bar exam in July.

20 And getting back to Algenol, we filed a
21 petition to intervene this past Friday. The petition
22 has not been decided upon yet, so I am speaking as a
23 member of the public on behalf of my company. And we
24 would like to intervene in the case primarily because --
25 well, for one reason we are a large commercial customer

1 of electricity of FPL, but we would also like to be a
2 large customer of their carbon dioxide.

3 FPL has several large power plants throughout
4 Florida. One of them emits approximately 10 million
5 metric tons of CO2 in one year, and when our technology
6 is commercial we can produce 160 gallons of ethanol,
7 transportation grade ethanol from one metric ton of CO2.
8 So 10 million times 160 is about a little over 1.5
9 billion gallons.

10 And as I mentioned earlier, our technology
11 consumes carbon dioxide, which these power plants emit,
12 and emit millions of metric tons per year. And we are
13 not looking for the carbon dioxide for free, even though
14 it is being emitted into the atmosphere right now. What
15 we are looking to is pay about \$30 a metric ton for
16 that, and FPL so far has not come to the table to talk
17 to our company about how we can work together into
18 feeding carbon dioxide and producing rate reducing
19 revenue as an alternative for Florida ratepayers. And I
20 see the red light is on.

21 **CHAIRMAN BRISÉ:** Thank you very much.

22 **MR. SAPORITO:** One question, Mr. Chairman.

23 **CHAIRMAN BRISÉ:** Yes, Mr. Saporito.

24 **MR. SAPORITO:** Your process is very
25 interesting and very intriguing and very innovative. If

1 FPL would agree to partner with your company, you're
2 going to pay them money, so wouldn't that decrease the
3 rates for all of us customers?

4 MR. HA: That is actually right, Mr. Saporito.
5 I will caveat that by saying that there are -- there
6 will be costs to delivering and capturing the carbon
7 dioxide, and processing it, and coordinating it with our
8 facility. But that is something we can't explore right
9 now because we need the cooperation of FPL, and so far
10 they have not been receptive to having meaningful
11 discussions with my company.

12 MR. SAPORITO: I understand. Thank you for
13 your testimony, and I hope the Commission will push FPL
14 in the right direction.

15 CHAIRMAN BRISÉ: Thank you, Mr. Saporito.
16 Thank you very much. Thank you for your
17 testimony.

18 MR. HA: You're welcome.

19 MR. KELLY: I have no more names.

20 CHAIRMAN BRISÉ: No more names?
21 Thank you for your testimony and your
22 attention this evening, and your participation.
23 Hopefully this has been a good process for you as we
24 continue to move on throughout the state with the other
25 seven hearings that we have to do. I also want to thank

1 the School Board of Lee County for their hospitality
2 towards us today as we held --

3 **MR. HARRIS:** Mr. Chairman.

4 **CHAIRMAN BRISÉ:** -- the hearing in this
5 facility.

6 **MR. HARRIS:** I'm sorry to interrupt. I didn't
7 know if FPL had moved into the record their exhibit. I
8 think we ought to rule on that.

9 **CHAIRMAN BRISÉ:** I think we disposed of that
10 issue earlier. Okay. Thank you.

11 So with that, I hope everyone has a safe trip
12 or travel to wherever your home may be, and we stand
13 adjourned.

14 (The service hearing concluded at 7:59 p.m.)
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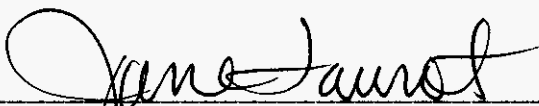
STATE OF FLORIDA)
 :
 CERTIFICATE OF REPORTER
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

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

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

DATED THIS 18TH day of June, 2012.



JANE FAUROT, RPR
Official FPSC Hearings Reporter
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