

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO.: 160021-EI

FILED: July 22, 2016

PETITION TO INTERVENE

Pursuant to sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, Mr. Daniel R. Larson and Mrs. Alexandria Larson (“Petitioners”), by and through undersigned counsel, hereby file this Petition to Intervene in the above captioned docket. In support thereof, the petitioners state as follows:

1. Name and address of the affected agency.

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2. Name and address of the petitioners.

Mr. & Mrs. Daniel R. Larson
16933 W. Harlena Dr.
Loxahatchee, FL 33470

3. Service. All pleadings, motions, orders and other documents directed to the petitioners

should be served on:

Nathan A. Skop, Esq.
420 NW 50th Blvd.
Gainesville, FL 32607
Phone: (561) 222-7455
E-mail: n_skop@hotmail.com

4. Notice of Docket. Petitioners received notice of this docket by reviewing the above captioned docket on the Florida Public Service Commission (“Commission”) website.
5. Background. On January 15, 2016, Florida Power & Light Company (FPL) filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition between March 15 and March 31, 2016, for an increase in rates effective 2017. Pursuant to the provisions of Chapter 366, Florida Statutes (F.S.), and Rules 25-6.0425 and 25-6.043, F.A.C. The hearing for the FPL rate case is scheduled on August 22 through September 2, 2016.
6. Statement of Substantial Interests. Petitioners are residential customers of FPL and served at the above listed address. Petitioners’ substantial interests are adversely affected by the substantial electric rate increase requested by FPL because: (a) the rate increase requested by FPL is not fair, just, and reasonable; (b) the requested Return on Equity (“ROE”) is not fair, just, and reasonable; and (c) FPL claims of customers having low bills do not provide a legal basis for granting the substantial rate increase requested by FPL.¹ Accordingly, Petitioners’ have a substantial interest in the above captioned docket as Commission approval of the FPL proposed rate increase will unjustly increase their monthly residential electric rates. Based upon the above, Petitioners hereby file this Petition to Intervene in the above captioned docket to protect to their substantial interests and due process rights in the proceeding.
7. Standing. Petitioners are residential electric customers of FPL. Moreover, the petitioners’ substantial interests are of the type that this proceeding is designed to protect.

¹ Fair, just, and reasonable rates must be supported by the revenue requirement determined and set by the record evidence in this docket rather than public relations and advertising campaigns.

See. Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2nd DCA 1981). The purpose of the proceeding is to evaluate FPL's petition to increase rates. The Petitioners have a substantial interest in the above captioned docket as Commission approval of the FPL rate case as filed will increase their residential electric rates. Accordingly, the proceeding in the above captioned docket directly coincides with the substantial interests of the Petitioners to ensure that FPL rates are fair, just, and reasonable.

8. Petition to Intervene. Petitioners hereby request the Commission to grant the Petition to Intervene in the above captioned docket on the basis set forth in Paragraphs 1-7 above.

9. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to the following:

- a. Is the FPL requested rate increase fair, just and reasonable?
- b. Is the FPL proposed Return on Equity ("ROE") reasonable?
- c. What is the appropriate ROE for FPL?
- d. What is the appropriate capital structure for FPL?
- e. What is the appropriate test year for FPL for the purpose of setting rates?
- f. What are the appropriate depreciation rates for FPL?
- g. What rate relief, if any, should the Commission grant FPL?

Petitioners reserve the right to raise additional issues in accordance with the Commission's rules and the Order Establishing Procedure issued in this case.

10. Disputed Questions of Law. Disputed questions of law include, but are not limited to the following:

- a. Has FPL carried its burden to prove that it is entitled to rate relief?
 - b. Has FPL carried its burden of proof as to the ROE it has requested?
11. Statement of Ultimate Facts Alleged. Ultimate facts include, but are not limited to the following:
- a. The rate increase requested by FPL is excessive and should not be approved as filed.
12. Rules and Statutes Justifying Relief. The rules and statutes that entitle Petitioners to intervene and participate in this docket include, but are not limited to the following:
- a. Rule 25-22.039, Florida Administrative Code
 - b. Rule 28-106.205, Florida Administrative Code
 - c. Section 120.569, Florida Statutes
 - d. Section 120.57(1), Florida Statutes

WHEREFORE, Petitioners respectfully request the Commission to enter an order granting the Petition to Intervene in the above captioned docket.

/s/ Nathan A. Skop
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Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the parties of record and interested parties indicated below via electronic mail on July 22, 2016:

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