

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company	Docket No. 160021-EI
In re: Petition for approval of 2016-2018 storm hardening plan, by Florida Power & Light Company	Docket No. 160061-EI
In re: 2016 depreciation and dismantlement study by Florida Power & Light Company	Docket No. 160062-EI
In re: Petition for limited proceeding to modify and continue incentive mechanism by Florida Power & Light Company	Docket No. 160088-EI
	Filed: October 17, 2016

**JOINT RESPONSE IN OPPOSITION TO AARP’S REQUEST
TO EXTEND HEARING DATE ON SETTLEMENT**

Florida Power & Light Company (“FPL”), Office of Public Counsel, South Florida Hospital and Healthcare Association, and Florida Retail Federation (collectively, the Signatories) hereby respond in opposition to the request filed on October 13, 2016 by the AARP to extend the October 27, 2016 settlement hearing date by two weeks (the “AARP Extension Request”).

The Signatories executed a proposed Stipulation and Settlement of the above dockets on October 6, 2016 (the “Proposed Settlement Agreement”) and on that same date filed a joint motion for its approval. On October 12, 2016, the Commission issued Order No. PSC-16-0456-PCO-EI, which established a schedule for the Commission to consider the Proposed Settlement Agreement. The settlement hearing is set for October 27, 2016, a date that has been set aside on the Commission’s calendar in the above dockets for months. On October 13, 2016, the AARP filed what is styled as “AARP’s Objection to Non-Unanimous Stipulation and Request to Extend Hearing Date on Settlement,” which asks the Commission to delay the October 27 hearing by two weeks because the AARP (i) contends that it needs more time to prepare for the hearing; and

(ii) asserts that John Coffman, one of the AARP attorneys in this proceeding, has a schedule conflict on October 27.

The Signatories oppose AARP's requested schedule extension because it is impractical, not reasonable and is unnecessary. The currently scheduled October 27 hearing date provides adequate time for the Commission to make a timely decision on the Proposed Settlement Agreement, but the AARP's requested two-week delay would jeopardize that timetable. It is in no one's interest to delay the settlement hearing such that FPL might have to put the higher rates filed with its rate petition into effect on January 1, 2017 subject to refund.

The AARP has been a party to this proceeding since May 4, 2016. *See* Order No. PSC-16-0180-PCO-EI. October 27, 2016 was set aside for the Commission to make important decisions with respect to FPL's rate petition, so the AARP has been aware for months of the importance of that date to the proceeding. Finding another, mutually acceptable date could be difficult and time-consuming.

Finally, the AARP's requested delay is unnecessary. FPL has already filed its direct testimony in support of the Proposed Settlement Agreement, and there are only four witnesses with a total of 33 pages of testimony and attached exhibits. Order No. PSC-16-0456-PCO-EI gives parties opposing the Proposed Settlement Agreement an opportunity to conduct discovery concerning the Proposed Settlement Agreement and supporting testimony until October 25, 2016, with responses due after only two calendar days. Opposing parties have the option on October 21, 2016 of either pre-filing testimony for any witnesses they want to present or simply identifying the names of their witnesses and the general topics to be covered. Especially given the right to present oral testimony, under the circumstances of this case AARP should be able to adequately prepare and present its case at the October 27 hearing.

Moreover, in addition to Mr. Coffman, the AARP is represented in this proceeding by its Advocacy Manager, Jack McRay. *See* Petition to Intervene of AARP, dated April 25, 2016. No claim of scheduling conflict was made regarding the latter AARP representative. Thus scheduling issues associated with Mr. Coffman's calendar do not preclude Mr. McRay from participating in the October 27 hearing on the AARP's behalf.

Given these circumstances, there is no reason why the AARP or any other party cannot prepare adequately for the October 27 settlement hearing on this basis. Consequently, the Signatories respectfully oppose the AARP's request that the settlement hearing be delayed for two weeks. The settlement hearing should proceed on October 27, 2016 as scheduled.

Respectfully submitted,

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CERTIFICATE OF SERVICE
160021-EI, 160061-EI, 160062-EI and 160088-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by electronic mail this 17th day of October 2016 to the following parties:

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