

IN THE FLORIDA PUBLIC
SERVICE COMMISSION
DOCKET NOS. 160021-EI; 160061-EI;
160062-EI; 160088-EI

SIERRA CLUB)	
)	
Appellants,)	CASE NO. SC17-82
)	
v.)	
)	
JULIE IMANUEL BROWN, ETC.,)	DIRECTIONS TO CLERK
ET AL.,)	
)	
Appellees.)	

Appellant, Sierra Club, respectfully directs the Clerk of the Florida Public Service Commission to include items in the record described in rule 9.200(a)(1), Fla. R. App. P. 9.200(a)(1), as follows:

1. In the above-captioned case, Sierra Club appeals Commission Order No. PSC-16-0560-AS-EI. This final order authorized Florida Power & Light Company to increase its rates and charge its customers for the billion-dollar expansion of fossil fuel-burning power plants, which the Commission has never determined to be the prudent, least-cost option to serve customers. Here, Sierra Club’s appeal focuses on the Commission’s acts and omissions with respect to that authorization, and not the other, disparate issues raised in the consolidated Commission Docket Nos. 160021-EI, 160061-EI; 160062-EI; and 160088-EI.

2. The purpose of these directions is to ensure that the record includes the items filed in the lower tribunal concerning the above-noted acts and omissions on appeal. The table following paragraph 3 identifies these items, which include the filings regarding Sierra Club’s standing (and proffers of proof).

3. With these directions, Sierra Club does not seek to exclude items from the record pursuant to rule 9.200(a)(2), Fla. R. App. P. 9.200(a)(2).

Items Filed in the Lower Tribunal to be Included in the Record		
Document Number	Date Posted	Item
03671-13	06/28/2013	Florida Power & Light Company [FPL] Petition for approval of environmental cost recovery for fossil fuel-burning power plant expansion projects.
05923-13	10/03/2013	Florida Industrial Power Users Group [FIPUG] Motion to establish separate “spin-off” docket to examine prudence of FPL’s fossil fuel-burning power plant expansion projects.
06257-13	10/16/2013	Sierra Club Letter to Commission re: prudence reviews of electric utility 10-year plans.
06501-13	10/28/2013	Prehearing Order PSC-13-0513-PHO-EI, including parties’ positions on FPL’s fossil fuel-burning power plant expansion projects.
07192-13	11/27/2013	FPL Motion to postpone hearing on FPL’s fossil fuel-burning power plant expansion projects.
07207-13	12/02/2013	Order PSC-13-0636-PCO-EI changing hearing dates.
07261-13	12/04/2013	FPL Notice of voluntary dismissal of FPL Petition dated 6/28/13, and intent to file amended petition.
07644-13	12/31/2013	Order PSC-13-0687-FOF-EI acknowledging withdrawal of FPL’s Petition dated 6/28/13, and intent to file amended petition.

Document Number	Date Posted	Item
08046-15	12/30/2015	Sierra Club Letter to Commission re: prudency reviews of electric utility 10-year plans.
00243-16	01/15/2016	FPL Letter to Chairman Brown re: request for base rate increase, including fossil fuel-burning power plant expansion projects.
00359-16	01/20/2016	Chairman Brown Letter to FPL re: docket on requested rate increase.
00694-16	02/03/2016	Office of Public Counsel [OPC] Notice of intervention.
01285-16	03/10/2016	Order PSC-160098-PCO-EI acknowledging OPC intervention.
01330-16	03/11/2016	FIPUG Petition to intervene.
01383-16	03/15/2016	FPL Petition for base rate increase.
01412-16	03/15/2016	FPL Schedules for Okeechobee fossil fuel-burning power plant limited scope adjustment, Vol 1 of 1.
01602-16	03/25/2016	Order PSC-160125-PCO-EI establishing procedure.
01616-16	03/28/2016	Wal-Mart Stores East, LP, Sam's East, Inc. [Walmart] Petition to intervene.
01742-16	04/04/2016	Order PSC-160132-PCO-EI granting intervention to FIPUG.
01746-16	04/04/2016	Order PSC-160134-PCO-EI granting intervention to Walmart.
01827-16	04/06/2016	Federal Executive Agencies [FEA] Petition to intervene.
01920-16	04/08/2016	South Florida Hospital and Healthcare Association [SFHHA] Petition to intervene.
01921-16	04/08/2016	OPC Motion to modify key activities dates and discovery timeframes.
02345-16	04/21/2016	Order PSC-160157-PCO-EI granting intervention to FEA.
02346-16	04/21/2016	Order PSC-160158-PCO-EI granting intervention to SFHHA.
02384-16	04/22/2016	Staff Motion to consolidate dockets.
02454-16	04/25/2016	AARP Petition to intervene.

Document Number	Date Posted	Item
02505-16	04/25/2016	Florida Retail Federation [FRF] Petition to intervene.
02697-16	05/03/2016	FPL First notice of identified adjustments.
02733-16	05/04/2016	Order PSC-160182-PCO-EI, first order revising order establishing procedure and granting motion to consolidate Docket Nos. 160021, 160061, 160062 and 160088 for all purposes.
02731-16	05/04/2016	Order PSC-160181-PCO-EI granting intervention to FRF.
02730-16	05/04/2016	Order PSC160180-PCO-EI granting intervention to AARP.
02755-16	05/05/2016	Vote sheet from 5/5/16 Commission conference, Item 3.
02848-16	05/09/2016	OPC Motion for reconsideration of Order PSC-160182-PCO-EI.
03267-16	05/27/2016	Order PSC-160211-PCO-EI, second order revising order establishing procedure.
03547-16	06/10/2016	Order PSC-160231-FOF-EI denying motion for reconsideration.
03763-16	06/16/2016	FPL Second notice of identified adjustments.
04119-16	06/30/2016	FPL Third notice of identified adjustments.
05172-16	07/18/2016	Sierra Club Request to name Diana A. Csank as qualified representative.
05179-16	07/18/2016	Sierra Club Petition to intervene.
05325-16	07/19/2016	Order PSC-16-0275-FOF-OT authorizing appearance of Diana A. Csank as Sierra Club qualified representative.
05524-16	07/22/2016	Daniel R. Larson; Alexandria Larson [Larsons] Petition to intervene.
05624-16	07/27/2016	Order PSC-16-0299-PCO-EI granting intervention to Sierra Club.
06307-16	08/09/2016	Order PSC-16-0323-PCO-EI granting intervention to Larsons.
06617-16	08/15/2016	Sierra Club Amended prehearing statement; notice of filing standing affidavits; with attached standing affidavits.
06663-16	08/15/2016	Transcript of 8/12/16 prehearing.

Document Number	Date Posted	Item
06885-16	08/19/2016	Prehearing Order PSC-16-0341-PHO-EI.
06941-16	08/23/2016	Transcript, Vol 1, pages 1 to 171 of 8/22/16 hearing.
06967-16	08/23/2016	Transcript, Vol 2, pages 172 to 328 of 8/22/16 hearing.
06968-16	08/23/2016	Transcript, Vol 3, pages 329 to 377 of 8/22/16 hearing.
06970-16	08/23/2016	Transcript, Vol 4, pages 378 to 460 of 8/22/16 hearing.
06971-16	08/24/2016	Transcript, Vol 5, pages 461 to 563 of 8/23/16 hearing.
06980-16	08/24/2016	Transcript, Vol 6, pages 564 to 721 of 8/23/16 hearing.
06995-16	08/24/2016	Transcript, Vol 8, pages 785 to 970 of 8/23/16 hearing.
06997-16	08/25/2016	Transcript, Vol 10, pages 1022 to 1239 of 8/24/16 hearing.
07014-16	08/25/2016	Transcript, Vol 11, pages 1240 to 1448 of 8/24/16 hearing.
07015-16	08/25/2016	Transcript, Vol 12, pages 1449 to 1531 of 8/24/16 hearing.
07016-16	08/25/2016	Transcript, Vol 13, pages 1532 to 1606 of 8/24/16 hearing.
07066-16	08/29/2016	Transcript, Vol 20, pages 2382 to 2576 of 8/25/16 hearing.
07068-16	08/29/2016	Transcript, Vol 21, pages 2577 to 2727 of 8/26/16 hearing.
07064-16	08/29/2016	OPC Motion to dismiss FPL's amended request for creation of a reserve amount amortization mechanism or alternatively, motion for directed final decision that FPL failed to support its request.
07131-16	08/30/2016	Sierra Club Filing of nine standing affidavits in correspondence file.
07136-16	08/30/2016	Transcript, Vol 26, pages 3301 to 3433 of 8/29/16 hearing.
07178-16	08/31/2016	Transcript, Vol 29, pages 4279 to 4365 of 8/30/16 hearing.
07179-16	08/31/2016	Transcript, Vol 30, pages 4366 to 4412 of 8/30/16 hearing.
07195-16	08/31/2016	Transcript, Vol 31, pages 4559 to 4760 of 8/30/16 hearing.

Document Number	Date Posted	Item
07217-16	09/01/2016	Transcript, Vol 32, pages 4761 to 4825 of 8/31/16 hearing.
07303-16	09/06/2016	Transcript, Vol 33, pages 4899 to 4946 of 8/31/16 hearing.
07333-16	09/07/2016	Transcript, Vol 35, pages 5345 to 5383 of 8/31/16 hearing.
07490-16	09/13/2016	Exhibit Nos. 404, 502, 552, 639, 662, and 751 of 8/22/16–9/1/16 hearing.
07558-16	09/16/2016	Memo re: corrected exhibits.
07663-16	09/19/2016	Sierra Club Post-hearing brief.
07661-16	09/19/2016	OPC Post-hearing brief.
07660-16	09/19/2016	FIPUG Post-hearing brief and statement of issues and positions.
07649-16	09/19/2016	FRF Post-hearing notice of concurrence in OPC brief and statement of issues and positions.
07639-16	09/19/2016	FPL Post-hearing brief and statement of issues and positions.
08050-16	10/06/2016	FPL, OPC, SFHHA, FRF Joint motion for approval of settlement agreement.
08091-16	10/10/2016	FPL, OPC, SFHHA, FRF Joint notice of clarification of stipulation and settlement.
08177-16	10/12/2016	Order PSC-16-0456-PCO-EI, fourth order revising order establishing procedure and setting procedural schedule for Commission consideration of settlement agreement.
08194-16	10/13/2016	Sierra Club Letter to Commission re: prudency reviews of electric utility 10-year site plans.
08217-16	10/13/2016	FPL Updated certificate of conferral on joint motion for approval of settlement.
08437-16	10/24/2016	Second Prehearing Order PSC-16-0483-PHO-EI.
08615-16	11/02/2016	Transcript of 10/27/16 hearing on settlement.

Document Number	Date Posted	Item
08771-16	11/10/2016	Sierra Club Post-hearing brief on settlement.
08770-16	11/10/2016	OPC, SFHHA, FRF Post-hearing brief on settlement.
08769-16	11/10/2016	FPL Post-hearing brief on settlement.
08943-16	11/22/2016	Staff Memo dated 11/22/16 with attached presentation for 11/29/16 Commission conference.
09042-16	11/28/2016	Sierra Club Letter to Commission re 5,768 customer comments.
09052-16	11/29/2016	Vote sheet from 11/29/16 Commission conference
09087-16	12/01/2016	Transcript of 11/29/16 Commission conference.
09338-16	12/15/2016	Final Order PSC-16-0560-AS-EI on appeal.

Dated: January 27, 2017

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served electronically on this 27th day of January, 2017 on:

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This 27th day of January 2017.

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