

Brandy Butler

From: Betty Leland
Sent: Wednesday, December 20, 2017 1:14 PM
To: Commissioner Correspondence
Subject: FW: Feedback on PSC decision
Attachments: MDEC News Release FPL 12-19-17 v1 2.pages.pdf

Good Afternoon:

Please place the attached e-mail in docket correspondence consumers and their representatives in Docket No. 20170007.

Thanks.

From: Barry White [<mailto:bwtamia@bellsouth.net>]
Sent: Wednesday, December 20, 2017 10:10 AM
To: Office of Commissioner Polmann; Office Of Commissioner Graham; Office of Commissioner Brisé; Office Of Commissioner Clark; Office of Commissioner Brown; rick.scott@eog.myflorida.com
Subject: Feedback on PSC decision

Attached.

Respectfully submitted,

**DEMOCRATIC PARTY OF FLORIDA
ENVIRONMENTAL CAUCUS
MIAMI CHAPTER**

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******* NEWS RELEASE - FOR IMMEDIATE RELEASE *******

December 19, 2017

**TOPIC: THE PSC GRANTING FPL THE RIGHT TO ASSESS
RATEPAYERS FOR CLEANING UP WATER IT POLLUTED AT TURKEY
POINT NUCLEAR PLANT**

On December 12, 2017, the Florida Public Service Commission Board (PSC) granted Florida Power & Light (FPL) permission to assess its ratepayers \$132,600,000 to cover the cost of an attempt to clean up the waters it polluted surrounding the Turkey Point Cooling Canal System.

The Miami-Dade Chapter of the Democratic Environmental Caucus of Florida (Miami Chapter) finds this decision to be unfair and the process by which it was made unacceptable.

According to PSC spokeswoman Cindy Muir, the recovery cost allowance for a typical residential customer is \$1.59 per 1,000 kilowatt-hours used per month, \$30.34 per year. While this might not sound like a lot, 14.7% of Florida residents--about 2,973,512 people or about 1,189,404 households-- live in poverty. For these citizens, the PSC's decision imposes far more dire consequences, as that sum could go towards food, medicine, and other necessities. Clearly, neither these citizens nor any other caused the environmental harm that FPL and the PSC is now requiring them to pay to clean up. The PSC, and apparently its staff, simply did not consider this when it approved the cost recovery.

What is the money actually for? On October 2, 2015 Miami-Dade County Department of Regulatory and Economic Resources issued a Notice Of Violation to FPL for polluting the waters outside of cooling canals, which are classified as an Industrial Waste Facility, for Turkey Point Nuclear

Units 3 & 4. On October 6, 2015, a Consent Agreement was entered assessing FPL a fine and requiring it clean up its mess. (And for each day of non-compliance FPL will be fined \$100 per day; imagine that.) FPL's current response plan is to suck up hypersaline and polluted water and inject it 3,000 feet deep into the earth. So again, the money is to pay for FPL's poor environmental decisions in the design and operation of the nuclear reactors.

The Miami Chapter believes requiring FPL's ratepayers to pay for this cleanup has no basis in logic or law. FPL is private for-profit corporation. They have been granted monopoly status to deliver energy to its 4.5 million ratepayers with a guaranteed annual return on invested capital. If FPL violates laws and statutes in the process of delivering electricity under its contracted obligations, then that is the responsibility of FPL and its stockholders, not of the people to whom they sell electricity. The PSC decision is an equal opportunity injustice; it will impact all ratepayers regardless of party affiliation or any other demographic. We all get stuck with bill.

How did the PSC make its decision? The Sun Sentinel, on December 12, 2017, provided the following information:

Commissioner Donald Polmann, appointed by Gov. Rick Scott in January, said there had been "tremendous work" on the issue by the staff and commission, including his on three hours listening to technical issues. "I'm satisfied the staff has done their job," he said. Commissioners Ronald Brisé, who is leaving the PSC, and Gary F. Clark, appointed by Scott in September, agreed.

Did the Commissioners, appointed by Governor, do their job? Spending just three hours listening to staff does not seem fulfill the requirements of their job description, which by Florida statute, dictates that each Commissioner of the PSC is required to have daily attendance in the Commission's office in Tallahassee, and also requires them to "assimilate, analyze, and act on complex information related to regulation of public utilities, Commission's staff, the Public Counsel, utility companies' representatives, other interested parties, and the general public." So what about the over 800 comments received on this subject by the PSC from the general public? No reference seems to have been made regarding their input and concerns. And, given that Commissioners are required by statute

to be at the office daily, the fact that they spent a whole three hours listening to staff, one might ask “Did they do any analysis of this matter on their own during the time they are required to be in office?” For a salary of \$132,036 per year, and statutorily, we simply deserve more.

The fact is that this was not a technically difficult decision laden with complex information and analysis. It was a decision which required, at least, each Commissioner to undertake an individual moral, objective and human evaluation of what constitutes good governance. No staff member should be allowed to make such decisions on behalf of those that were specifically appointed to be final decision makers.

The Miami Chapter finds that this PSC ruling ignores the obligation of FPL and its shareholders to pay for the operation of their facilities and that the PSC was perfunctory, insensitive and inadequate in its handling of this matter. Voters must take these actions by this appointed Board into account at the ballot box. They must hold elected officials accountable for consequences of their action and inaction. Public servants, whether or not elected, must, in this case, fulfill the requirements of the words *public service* in the agency’s name. Several organizations, including Citizens Allied for Safe Energy, Inc (CASE) and The Southern Alliance for Clean Energy, Inc. (SACE), are challenging both the PSC’s decision as well as the efficacy of the clean up plan in court and by petition. The ratepayers and defenders of Florida’s environment must continue to speak out. The PSC cannot continue to ignore the rights and well-being of the citizens of this State in favor of a private corporation.

Media contact:

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About the MDEC: The Miami-Dade Chapter of the Democratic Environmental Caucus of Florida is an official branch of the Florida Democratic Party. The Caucus works with the Democratic Party, environmental organizations, activists, academia, elected officials and others to develop expertise on environmental issues, identify and support Democratic candidates who endorse environmental action, provide credible data & informed opinion to key stakeholders, and support the adoption of environmentally sound policy.