

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light : Docket No. 20190061-EI
Company for Approval of FPL : :
SolarTogether Program and Tariff : Filed: January 30, 2020

**POST-HEARING BRIEF OF
WALMART INC.**

Walmart Inc. ("Walmart"), by its attorneys, respectfully submits this Post-Hearing Brief to the Florida Public Service Commission ("PSC" or "Commission") pursuant to Commission Orders Nos. Order PSC-2019-0272-PCO-EI, PSC-2019-0272A-PCO-EI, PSC-2019-0399-PCO-EI, PSC-2019-0431-PCO-EI, and PSC-2020-0017-PHO-EI, in the above-referenced proceeding. This proceeding concerns the Petition of by Florida Power & Light Company ("FPL" or "Company") requesting approval of a voluntary community solar program ("SolarTogether" or "Program"). On March 13, 2019, FPL filed a Petition requesting approval the SolarTogether Program which will allow customers to subscribe to a portion of new solar capacity built through the Program. In return, participating FPL customers will receive a credit for the portion of system savings produced by that solar capacity. FPL is also requesting approval of the associated Rate Schedule STR.

Walmart actively participated in this proceeding and on January 15, 2020, caused to be admitted into the evidentiary record the September 3, 2019 Direct Testimony and one (1) Exhibit, SWC-1, of Steve W. Chriss, Walmart's Director, Energy Services. Transcript ("Tr."), p. 613; Exhibit ("Exh.") 26. Through the Direct Testimony of Mr. Chriss, Walmart recommended that the Commission approve FPL's SolarTogether Program, with one clarification regarding the renewable energy credit ("REC") treatment.

On October 9, 2019, FPL, Southern Alliance for Clean Energy ("SACE"), Walmart, and Vote Solar (collectively, "Settling Parties) filed a Joint Motion to Approve Settlement ("Joint Motion") and proposed Settlement Agreement ("Settlement Agreement"), attached to the Joint Motion as Exhibit A. The proposed Settlement Agreement includes certain modifications to the voluntary FPL SolarTogether Program outlined in FPL's March 13, 2019 Petition. These modifications include the following: (1) FPL will allocate 37.5 MW of the Program to capacity for low income customers, and (2) "the cost of the low income component will be covered by the Program participants through the pricing set forth in Tariff STR." Joint Motion, p. 3. Further, the Settlement Agreement favorably addresses REC treatment. Settlement Agreement, p. 3, ¶ (f). Walmart recommends that the Commission approve the Joint Motion.

On December 5, 2019, FPL filed a Notice of Superseding Proposed Tariff that confirmed that the SolarTogether Settlement Tariff (Tariff Sheet Nos. 8.932-8.934) submitted on October 9, 2019, with the Settlement Agreement is the tariff supported by the Settling Parties. Walmart believes that the proposed Settlement Agreement, including the SolarTogether Settlement Tariff, is a reasonable compromise of the Settling Parties' different positions in this case and is otherwise in the public interest.

I. ISSUES AND POSITIONS

Issue 1: Is FPL's proposed SolarTogether Rider tariff an appropriate mechanism to seek approval for the construction of 1,490 MW of new solar generation facilities?

Position: *Yes.*

Issue 2: Does FPL's proposed SolarTogether Rider tariff give any undue or unreasonable preference or advantage to any person or locality or subject the same to any undue or unreasonable prejudice or disadvantage in any respect, contrary to Section 366.03, Florida Statutes?

Position: *No.*

Issue 3: **Should the Commission allow recovery of all costs and expenses associated with FPL's proposed SolarTogether Program in the manner proposed by FPL?**

Position: *Walmart believes the costs and expenses should be recovered as set forth in the proposed Settlement Agreement.*

Issue 4: **Should the Commission approve FPL's proposed SolarTogether Program and associated tariff, Rate Schedule STR, which is the same tariff attached as Attachment I to the Settlement Agreement filed October 9, 2019?**

Position: *Yes. The Commission should approve the tariff attached as Attachment I to the Settlement Agreement filed October 9, 2019.*

Issue 5: **DROPPED**

Position: *N/A*

Issue 6: **Should this docket be closed?**

Position: *In accordance with paragraph 8 of the Settlement Agreement, this Docket should be closed effective on the date of a Commission Order approving that the Settlement Agreement is final. Should the Commission not approve the Settlement Agreement, then Walmart takes no position as to this issue.*

II. CONCLUSION

WHEREFORE, Walmart respectfully requests that:

1. The Settling Parties' October 9, 2019 Joint Motion to Approve Settlement Agreement be granted; and,
2. The Settlement Agreement, to include the SolarTogether Settlement Tariff (Tariff Sheet Nos. 8.932-8.934) submitted on October 9, 2019, be approved.

Respectfully submitted,

By /s/ Stephanie U. Eaton

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Dated: January 30, 2020

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 30th day of January, 2020.

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