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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20180049-EI

EVALUATION OF STORM RESTORATION
COSTS FOR FLORIDA POWER &
LIGHT COMPANY RELATED TO
HURRICANE IRMA.

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 8

COMMISSIONERS
PARTICIPATING: CHAIRMAN GARY F. CLARK
COMMISSIONER ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER DONALD J. POLMANN
COMMISSIONER ANDREW GILES FAY

DATE: Tuesday, March 31, 2020

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter and
Notary Public in and for
the State of Florida at Large

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Okay. Thank you.

3 Let's move on to Item No. 8. Mr. Andrew Maurey
4 will be introducing this item. I am stalling so he
5 can make his way to the chair. And he's here.

6 Mr. Maurey.

7 MR. MAUREY: Good morning, Chairman,
8 Commissioners, Andrew Maurey, Commission staff. I
9 will be introducing the next four items.

10 Item 8 concerns the joint motion to approve
11 the implementation agreement between Florida Power
12 & Light Company and the Office of Public Counsel
13 related to Hurricane Irma settlement agreement
14 approved by the Commission on August 1st, 2019.

15 On February 25th, 2020, FPL and OPC filed this
16 joint motion to modify a provision of the 2019
17 settlement agreement. If approved, the
18 implementation agreement will only impact the
19 timing of the one-time audit provision in paragraph
20 18 of the 2019 storm settlement.

21 Representatives of Florida Power & Light and
22 Office of Public Counsel are available to address
23 the Commission regarding their motion. Staff is
24 available to answer any questions.

25 CHAIRMAN CLARK: Thank you, Mr. Maurey.

1 Mr. Rubin, are you on the line?

2 MR. RUBIN: I am, Chairman Clark. Thank you.

3 CHAIRMAN CLARK: The floor is yours.

4 MR. RUBIN: Should I proceed?

5 CHAIRMAN CLARK: Yes, please.

6 MR. RUBIN: So back on August 1st of 2019, the
7 Commission issued its order approving the
8 settlement in the Hurricane Irma docket for FPL.
9 And one of the unique features of that settlement
10 was the introduction of the new app that was
11 developed by FPL, and was to be used to record and
12 approve or reject time expenses of the line crews
13 and vegetation management crews that were assisting
14 FPL with restoration. Two features related to the
15 app that -- and to the settlement that are
16 pertinent to the motion before the Commission
17 today.

18 First, as has been mentioned, the one-time
19 audit provision. And secondly, a meeting to,
20 after -- after the docket was over to discuss
21 potential limitations on discovery.

22 FPL had intended to use the app during the
23 2019 hurricane season, but a few weeks after the
24 issuance of the Commission's order, the final order
25 in the Irma docket, Hurricane Dorian became a very

1 dangerous Category 5 storm. It was about three
2 weeks, I guess, after the final order was issued.

3 As the storm approached, we determined that we
4 needed to perform some additional testing and
5 training before rolling out the app in the storm,
6 and so FPL determined that the most prudent course
7 of action was to forego the use of the app to
8 facilitate really a more efficient restoration
9 effort. In essence, we didn't want to be trying it
10 out on a category -- a devastating Category 5 storm
11 than fortunately proved to be just that.

12 So later in 2019, OPC and FPL engaged in some
13 very productive discussions, and it's indicated in
14 the implementation agreement that's attached to the
15 motion. It was agreed, obviously subject to the
16 Commission's approval, to use this one-time audit
17 provision that was in the Irma settlement agreement
18 following a storm in which the app was actually
19 used.

20 And I can report to the Commission today that
21 Phase I of the iStormed app is functional. It's
22 available on both the Apple and the Android stores
23 for downloading, and is ready to be used for the
24 2020 hurricane season if needed.

25 All parties I think agreed that the most

1 effective use of the one-time audit provision would
2 occur once the app was used so that the parties
3 could understand, you know, the functionalities of
4 the app, the way the data would be downloaded into
5 Excel -- Excel searchable format, and so we entered
6 into this implementation agreement and brought the
7 motion to the Commission for approval of the
8 requested relief that's in the motion.

9 I am available to answer any other questions,
10 but I think that fairly well summarizes where we
11 are today on the app and on the settlement
12 agreement.

13 CHAIRMAN CLARK: Okay. Thank you, Mr. Rubin.
14 Mr. Rehwinkel.

15 MR. REHWINKEL: Good afternoon -- good
16 morning, Mr. Chairman.

17 CHAIRMAN CLARK: Good morning.

18 MR. REHWINKEL: Not as long as I thought.

19 Thank you. The Public Counsel supports the
20 implementation agreement that it has entered into
21 with FPL as being in the public interest. We
22 appreciate FPL approaching this office with its
23 recognition that the circumstances of the Dorian
24 event, even though it had costs and damages
25 estimated by FPL to be greater than \$250 million,

1 were not really what was contemplated by the
2 parties in the 2019 storm settlement, especially in
3 the absence of the use of the app.

4 From the OPC's perspective, it does not make
5 sense to incur the cost to perform an audit of
6 these Dorian storm costs. Historically, in other
7 storm restoration cases, the overwhelming portion
8 of costs have been related to line crew and other
9 vendor interaction in territory with the utility
10 and such has been reflected in the invoice.

11 In the case of Dorian, the full scope of the
12 line crew and vegetation management restoration
13 services in territory and FPL's associated
14 interaction with those crews using the app does not
15 appear to have been experienced on a large-scale.

16 We agreed with FPL's analysis and with what
17 Mr. Rubin has stated today when they brought this
18 proposal to us, and we worked to develop the
19 agreement, and we support this implementation
20 settlement solution. And we are available to
21 answer you are questions.

22 Thank you.

23 CHAIRMAN CLARK: Thank you, Mr. Rehwinkel.

24 Any other interested parties have a comment?

25 Okay. Moving to Commissioners.

1 Commissioner Graham?

2 Commissioner Brown?

3 COMMISSIONER BROWN: Waive.

4 CHAIRMAN CLARK: Commissioner Polmann?

5 COMMISSIONER POLMANN: No comment.

6 CHAIRMAN CLARK: Commissioner Fay?

7 COMMISSIONER FAY: No.

8 CHAIRMAN CLARK: I will entertain a motion.

9 COMMISSIONER GRAHAM: Yes, Mr. Chairman, I
10 move to grant the joint motion to approve the
11 Hurricane Irma settlement implementation agreement.

12 CHAIRMAN CLARK: Do I have a second?

13 COMMISSIONER FAY: Second.

14 CHAIRMAN CLARK: I have a motion and a second.

15 Any discussion?

16 On the motion, all in favor?

17 Commissioner Graham?

18 COMMISSIONER GRAHAM: Yes.

19 CHAIRMAN CLARK: Commissioner Brown?

20 COMMISSIONER BROWN: Aye.

21 CHAIRMAN CLARK: Commissioner Polmann?

22 COMMISSIONER POLMANN: Aye.

23 CHAIRMAN CLARK: Commissioner Fay?

24 COMMISSIONER FAY: Aye.

25 CHAIRMAN CLARK: And the motion is approved.

1 All right. Thank you very much.

2 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED this 8th day of April, 2020.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #GG015952
EXPIRES JULY 27, 2020