

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for a limited proceeding to approve  
third solar base rate adjustment, by Duke Energy  
Florida, LLC.

DOCKET NO. 20200153-EI

FILED: September 4, 2020

**PRE-HEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL**

The Citizens of the State of Florida, through the Office of Public Counsel, (“OPC”), pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2020-0230-PCO-EI, filed July 10, 2020, file this Prehearing Statement.

**APPEARANCES:**

J.R. Kelly  
Public Counsel

Charles J. Rehwinkel  
Deputy Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399-1400

On behalf of the Citizens of the State of Florida

1. WITNESSES:

OPC's Witness	Subject Matter	Issue #
None		

2. EXHIBITS:

None

3. STATEMENT OF BASIC POSITION

Duke Energy Florida, LLC seeks approval of its third tranche solar projects for inclusion as a specific, discrete adjustment to base rates pursuant to the 2017 Second RRSSA (“Settlement Agreement”) approved in Order No. PSC-2017-0451-AS-EU”). Paragraph 15 of the Settlement Agreement provides many criteria for eligibility under the streamlined, limited proceeding base rate freeze exception provided therein.

Citizens’ intent will be to conduct limited cross-examination at any hearing that is held, intended to hold the Company to its burden to demonstrate compliance with the Settlement Agreement’s terms. At this point, it has not been conclusively demonstrated that such a burden has been met by Duke.

4. OPC POSITIONS ON THE ISSUES

**ISSUE 1:** Are the installed costs of the Solar Projects proposed by DEF (Twin Rivers, Santa Fe, Charlie Creek, Duette, and Archer) within the Installed Cost Cap of \$1,650 per kWac pursuant to subparagraph 15(a) of the 2017 Settlement?

OPC: It appears these costs are less than or equal to the Installed Cost Cap of \$1,650 per kWac pursuant to subparagraph 15(a) of the Settlement Agreement; however, while the estimated costs presented by Duke appear to be under the cost cap, to the extent

that land and inverter costs are not adequately reflected in the actual costs, this threshold compliance may not be met.

**ISSUE 2:** Are the Solar Projects proposed by DEF cost effective pursuant to subparagraph 15(c) of the 2017 Settlement?

OPC: No position at this time.

**ISSUE 3:** Are the Solar Projects proposed by DEF needed pursuant to subparagraph 15(c) of the 2017 Settlement?

OPC: No position at this time.

**ISSUE 4:** Are the Solar Projects proposed by DEF otherwise in compliance with the Terms of paragraph 15 of the 2017 Settlement?

OPC: No position at this time.

**ISSUE 5:** What is the annual revenue requirement associated with each of the Solar Projects proposed by DEF?

OPC: No position at this time.

**ISSUE 6:** Should the Commission give staff administrative authority to approve the tariffs for Duke reflecting the base rate increases for the Solar Projects determined to be appropriate in this proceeding?

OPC: No position at this time.

**ISSUE 7:** Should the docket be closed?

OPC: No position.

5. STIPULATED ISSUES:

None at this time.

6. PENDING MOTIONS:

None.

7. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

None.

8. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

None.

9. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply at this time.

Dated this 4th day of September, 2020.

JR Kelly  
Public Counsel

/s/ Charles J Rehwinkel  
Charles J. Rehwinkel  
Deputy Public Counsel

Office of Public Counsel  
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Attorneys for Office of Public Counsel

**CERTIFICATE OF SERVICE**  
**Docket No. 20200153-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 4th day of September, 2020, to the following:

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*s/Charles J. Rehwinkel*  
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