

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for evaluation of Hurricane
Dorian storm costs, by Florida Power & Light
Company.

Docket No: 20200172-EI

Date: January 27, 2021

**JOINT MOTION OF OFFICE OF PUBLIC COUNSEL AND
FLORIDA POWER & LIGHT COMPANY FOR A CONTINUANCE OF THE
PREHEARING CONFERENCE SCHEDULED FOR FEBRUARY 1, 2021 AND THE
FINAL HEARING SCHEDULED FOR FEBRUARY 23 AND 24, 2021, AND TO HOLD
CASE IN ABEYANCE**

Pursuant to Rule 28-106.201, Florida Administrative Code (“F.A.C.”), and Rule 28-106.204(1), F.A.C., the Office of Public Counsel (“OPC”) and Florida Power & Light Company (“FPL”) (OPC and FPL are collectively referred to as “Parties”), by and through their respective undersigned counsel, hereby file this Joint Motion for a Continuance of the February 1, 2021 Prehearing Conference, to continue the Final Hearing currently set for February 23 and 24, 2021 to a date to be determined, and to hold in abeyance all other matters pertaining to Docket 20200172-EI (“Joint Motion for Continuance”). In support of this Joint Motion for Continuance, the Parties state as follows:

1. On June 29, 2020, FPL filed its Petition, direct testimony, and supporting documentation seeking a determination from the Commission that its activities taken in response to Hurricane Dorian were prudent and that the Hurricane Dorian storm related costs were reasonable. On June 30, 2020, OPC intervened in the docket. Discovery ensued, followed by the filing of OPC’s direct testimony on December 8, 2020, and FPL’s rebuttal testimony on January 12, 2021.

2. Subsequent to the completion of discovery and the filing of all testimony, the Parties engaged in settlement negotiations and have reached agreement that, subject to Commission approval, will resolve all issues raised in this docket.

3. The terms and conditions of the proposed settlement reached by the Parties have been reduced to writing in the form of a Term Sheet which has been executed by OPC's Deputy Public Counsel and by FPL's Vice President and General Counsel.

4. While the Parties have reached the agreement described in the executed Term Sheet, the Parties also have determined that certain procedural issues must be resolved before the Parties will be in a position to seek Commission approval of the actual settlement agreement. It is expected that these issues will be resolved by March 1, 2021. FPL agrees that this is the prudent course of action to take in light of these unique circumstances.

5. The Parties respectfully submit that the relief sought in this motion will be in the best interests of justice, and will save the Commission, Commission Staff, and the Parties from engaging in unnecessary work in the continued litigation of a case that the Parties believe will be the subject of a Motion to Approve Settlement once certain procedural issues are resolved.

6. It should be noted that with respect to FPL's Hurricane Dorian storm related costs which are the subject of this proceeding, FPL has not sought recovery of those costs from customers in the form of a storm surcharge or the depletion of the storm reserve. As a result, there will be no prejudice to FPL's customers or to the Parties if the requested relief is granted.

WHEREFORE, for the reasons stated above, OPC and FPL jointly and respectfully request that the Commission grant this Joint Motion for Continuance and: (1) continue the Prehearing Conference currently scheduled for February 1, 2021 to a time to be determined; (2) continue the February 23 and 24, 2021 Final Hearing to a time to be determined; and (3) hold in abeyance all other matters pertaining to this docket pending the resolution of certain procedural issues, after which the Parties will be in a position to enter into the actual settlement agreement and request that a hearing on a Motion to Approve Settlement be scheduled by the Commission.

Respectfully submitted this 27th day of January, 2021.

By: /s/ Kenneth M. Rubin

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**FOR FLORIDA POWER &
LIGHT COMPANY**

By: /s/ Patricia Christensen

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FOR OFFICE OF PUBLIC COUNSEL

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery to the following parties of record this 27th day of January, 2021:

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By: /s/ Kenneth M. Rubin
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