

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO.: 20210015-EI

FILED: March 30, 2021

**PETITION TO INTERVENE**

Pursuant to sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, Mr. Daniel R. Larson and Mrs. Alexandria Larson (“Petitioners”), by and through undersigned counsel, hereby file this Petition to Intervene in the above captioned docket. In support thereof, the petitioners state as follows:

1. Name and address of the affected agency.

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2. Name and address of the petitioners.

Mr. & Mrs. Daniel R. Larson  
16933 W. Harlena Dr.  
Loxahatchee, FL 33470

3. Service. All pleadings, motions, orders and other documents directed to the petitioners

should be served on:

Nathan A. Skop, Esq.  
420 NW 50th Blvd.  
Gainesville, FL 32607  
Phone: (561) 222-7455  
E-mail: n\_skop@hotmail.com

4. Notice of Docket. Petitioners received notice of the Florida Public Service Commission (“Commission” or “FPSC”) action through the filing of the Florida Power & Light Company (“FPL”) petition for approval of a multi-year rate increase in the above captioned docket on March 12, 2021.
  
5. Background. On January 11, 2021, FPL filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition for a multi-year increase in rates pursuant to the provisions of Chapter 366, Florida Statutes (F.S.), and Rules 25-6.0425 and 25-6.043, F.A.C. The hearing for the above captioned FPL rate case is currently scheduled for August 16 through August 27, 2021.
  
6. Statement of Substantial Interests. Petitioners are residential customers of FPL and served at the above listed address. The multi-year rate plan, if approved, will allow FPL to raise its revenue requirement by almost \$2 billion. The revenue request is phased in over several years: \$1.108 billion in 2022; \$607 million in 2023; and up to \$140 million in 2024; and up to \$140 million in 2025. Petitioners’ substantial interests are adversely affected by the substantial electric rate increase requested by FPL because: (a) the rate increase requested by FPL is not fair, just, and reasonable; (b) the requested Return on Equity (“ROE”) is not fair, just, and reasonable; and (c) FPL claims of customers having low bills do not provide a legal basis for granting the substantial rate increase requested by FPL.<sup>1</sup> Accordingly, Petitioners have a substantial interest in the above captioned docket as Commission approval of the FPL proposed rate increase will unjustly increase

---

<sup>1</sup> Fair, just, and reasonable rates must be supported by the revenue requirement determined and set by the record evidence in this docket rather than public relations and advertising campaigns.

their monthly residential electric rates. Petitioners have routinely been granted intervention by the Commission in FPSC dockets relating to FPL including Docket 16021-EI (*In re: Petition for rate increase by Florida Power & Light Company*). Based upon the above, Petitioners hereby file this Petition to Intervene in the above captioned docket to protect to their substantial interests and due process rights in the proceeding.

7. Standing. Petitioners are residential electric customers of FPL. Moreover, the petitioners' substantial interests are of the type that this proceeding is designed to protect. See. Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2nd DCA 1981). The purpose of the proceeding is to evaluate FPL's petition to increase rates. The Petitioners have a substantial interest in the above captioned docket as Commission approval of the FPL rate case as filed will increase their residential electric rates. Accordingly, the proceeding in the above captioned docket directly coincides with the substantial interests of the Petitioners to ensure that FPL rates are fair, just, and reasonable.

8. Petition to Intervene. Petitioners hereby request the Commission to grant the Petition to Intervene in the above captioned docket on the basis set forth in Paragraphs 1-7 above. Petitioners have routinely been granted intervention by the Commission in FPSC dockets relating to FPL including Docket 16021-EI (*In re: Petition for rate increase by Florida Power & Light Company*).

9. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to the following:

a. Is the FPL requested rate increase fair, just and reasonable?

- b. Is the FPL proposed Return on Equity (“ROE”) reasonable?
- c. What is the appropriate ROE for FPL?
- d. What is the appropriate capital structure for FPL?
- e. What is the appropriate test year for FPL for the purpose of setting rates?
- f. What are the appropriate depreciation rates for FPL?
- g. What rate relief, if any, should the Commission grant FPL?

Petitioners reserve the right to raise additional issues in accordance with the Commission’s rules and the Order Establishing Procedure issued in this case.

- 10. Disputed Questions of Law. Disputed questions of law include, but are not limited to the following:
  - a. Has FPL carried its burden to prove that it is entitled to rate relief?
  - b. Has FPL carried its burden of proof as to the ROE it has requested?
- 11. Statement of Ultimate Facts Alleged. Ultimate facts include, but are not limited to the following:
  - a. The rate increase requested by FPL is excessive and should not be approved as filed.
- 12. Rules and Statutes Justifying Relief. The rules and statutes that entitle Petitioners to intervene and participate in this docket include, but are not limited to the following:
  - a. Rule 25-22.039, Florida Administrative Code
  - b. Rule 28-106.205, Florida Administrative Code
  - c. Section 120.569, Florida Statutes
  - d. Section 120.57(1), Florida Statutes

**WHEREFORE**, Petitioners respectfully request the Commission to enter an order granting the Petition to Intervene in the above captioned docket.

/s/ Nathan A. Skop  
Nathan A. Skop, Esq.  
Florida Bar No. 36540  
420 NW 50<sup>th</sup> Blvd.  
Gainesville, FL 32607  
Phone: (561) 222-7455  
E-mail: n\_skop@hotmail.com

**Attorney for Petitioners**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the parties of record and interested parties indicated below via electronic mail on March 30, 2021:

/s/ Nathan A. Skop  
Nathan A. Skop, Esq.  
Florida Bar No. 36540  
420 NW 50<sup>th</sup> Blvd.  
Gainesville, FL 32607  
Phone: (561) 222-7455  
E-mail: n\_skop@hotmail.com

**Attorney for Petitioners**

<p><b>Florida Power &amp; Light Company</b> Mr. Ken Hoffman 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1858 Phone: (850) 521-3900 Fax: (850) 521-3939 E-mail: ken.hoffman@fpl.com</p>	<p><b>Office of Public Counsel</b> R. Gentry/C. Rehwinkel/P. Christensen c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 Phone: (850) 488-9330 E-mail: gentry.richard@leg.state.fl.us E-mail: rehwinkel.charles@leg.state.fl.us E-mail: christensen.patty@leg.state.fl.us</p>
<p><b>Florida Power &amp; Light Company</b> Wade Litchfield/J. Burnett//M. Moncada 700 Universe Boulevard Juno Beach, FL 33408-0420 Phone: (561) 691-2512 Fax: (561) 691-7135 E-mail: wade.litchfield@fpl.com E-mail: john.t.burnett@fpl.com E-mail: maria.moncada@fpl.com</p>	<p><b>Florida Public Service Commission</b> Office of the General Counsel Keith Hetrick/Suzanne Brownless 2540 Shumard Oak Boulevard Tallahassee, FL 32399 Phone: (850) 413-6199 E-mail: khetrick@psc.state.fl.us E-mail: sbrownle@psc.state.fl.us</p>
<p><b>Gulf Power Company</b> Russell A. Badders One Energy Place Pensacola, FL 32520-0100 Phone: (850) 444-6550 Email: russell.badders@nexteraenergy.com</p>	<p><b>Florida Industrial Power Users Group</b> Jon C. Moyle, Jr./ Karen A. Putnal Moyle Law Firm, PA 118 North Gadsden Street Tallahassee, FL 32301 Phone: (850) 681-3828 Fax: (850) 681-8788 Email: jmoyle@moylelaw.com E-mail: kputnal@moylelaw.com</p>

<p><b>AARP Florida</b>  Zayne Smith  Zayne Smith  360 Central Ave., Suite 1750  Saint Petersburg FL 33701  Phone: (850) 228-4243  E-mail: zsmith@aarp.org</p>	<p><b>Broward County</b>  Jason Liechty  115 S Andrews Ave, Room 329K  Fort Lauderdale FL 33301  Phone: (954) 519-0313  E-mail: jliechty@broward.org</p>
<p><b>Earthjustice</b>  Bradley Marshall/Jordan Luebkemann  111 S. Martin Luther King Jr. Blvd.  Tallahassee FL 32301  Phone: (850) 681-0031  Phone: (850) 681-0020  E-mail: bmarshall@earthjustice.org  E-mail: jluebkemann@earthjustice.org</p> <p>Representing: Florida Rising, Inc./League of Latin American Citizens of Florida/Environmental Confederation of Southwest Florida, Inc.</p>	<p><b>Federal Executive Agencies</b>  T. Jernigan/Maj. H. Buchanan/Capt. R. Friedman/TSgt. A. Braxton/E. Payton  139 Barnes Drive, Suite 1  Tyndall AFB FL 32403  Phone: (850) 283-6663  E-mail: ebony.payton.ctr@us.af.mil  E-mail: thomas.jernigan.3@us.af.mil  E-mail: ulfsc.tyndall@us.af.mil  E-mail: holly.buchanan.1@us.af.mil  E-mail: robert.friedman.5@us.af.mil  E-mail: arnold.braxton@us.af.mil</p>
<p><b>Florida Consumer Action Network</b>  Bill Newton  E-mail: billn@fcan.org</p>	<p><b>Florida Retail Federation</b>  227 South Adams St.  Tallahassee FL 32301  Phone: (850) 222-4082  Phone: (850) 226-4082</p> <p>Represented By: Stone Law Firm</p>
<p><b>Gardner Law Firm</b>  Robert Scheffel Wright/John T. LaVia, III  1300 Thomaswood Drive  Tallahassee FL 32308  Phone: (850) 385-0070  Phone: (850) 385-5416  E-mail: schef@gbwlegal.com  E-mail: jlavia@gbwlegal.com</p>	<p><b>George Cavros</b>  120 E. Oakland Park Blvd., Suite 105  Fort Lauderdale FL 33334  Phone: (954) 295-5714  E-mail: george@cavros-law.com</p> <p>Representing: Southern Alliance for Clean Energy</p>
<p><b>Stone Law Firm</b>  James Brew/Laura Baker/Joseph Briscar  1025 Thomas Jefferson St., NW, Ste. 800 West  Washington DC 20007  Phone: (202) 342-0800  Phone: (202) 342-0807  E-mail: jbrew@smxblaw.com  E-mail: lwb@smxblaw.com  E-mail: jrb@smxblaw.com</p> <p>Representing: Florida Retail Federation</p>	<p><b>Vote Solar</b>  Katie Chiles Ottenweller  838 Barton Woods Rd NE  Atlanta GA 30307  Phone: (706) 224-8017  E-mail: katie@votesolar.org</p>