

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company.	DOCKET NO. 20210015-EI DATED: July 30, 2021
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AMENDED NOTICE OF REMOTE DEPOSITION DUCES TECUM
(Amended to Include WebEx Information)

TO: Wade Litchfield/John Burnett
Maria Moncada
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 3408-0420
wade.litchfield@fpl.com
john.t.burnett@fpl.com
maria.moncada@fpl.com

NOTICE is hereby given that Intervenor Florida Internet & Television, Inc. will take the deposition of the representative or representatives of Florida Power & Light Company pursuant to Rule 28-106.206, F.A.C., and Rule 1.310(b)(6), Fla. R. Civ. P., on the matters set forth in Exhibit A hereto at the following location and time indicated, upon oral examination before an official court reporter or other officer authorized by law to take depositions:

NAME	DATE and TIME	LOCATION
FPL Rule 1.310(b)(6) representative(s)	August 5, 2021 at 9:30 a.m. (EDT)	Berger Singerman LLP 313 North Monroe St., Suite 301 Tallahassee, FL 32301 (Via WebEx)
Videoconference Information - Link: https://everestcourtreporting.my.webex.com/everestcourtreporting.my/j.php?MTID=m487a9f80176ac9572f837528f0010d39 - Dial-in: 1-415-655-0001 - Meeting Number: 182-311-2319 - Password: GUxscpEM866 (48972736 from phones and video systems)		

DOCUMENTS REQUESTED

The Witness should bring all work papers and other materials supporting, or used in the preparation of, pre-filed testimony and exhibits submitted in this docket, and any documents produced by FPL in response to FIT's First and Second sets of Document Requests to the extent relevant to the topics in Exhibit A.

This deposition is being taken for purposes of discovery, for use at hearing, or for any other purpose allowed under the Florida Rules of Civil Procedure, the Uniform Rules of Procedure, and the Rules of the Florida Public Service Commission.

Please govern yourselves accordingly.

Respectfully submitted,

/s/ Floyd R. Self
Floyd R. Self, B.C.S. (Fla. Bar No. 608025)
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and

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Attorneys for Florida Internet and Television Association, Inc.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of foregoing has been served by electronic mail to the following on this 30th day of July, 2021:

<p>Bradley Marshall Jordan Luebkemann 111 S. Martin Luther King Jr. Blvd. Tallahassee, Florida 32301 On behalf of Florida Rising, Inc., League of Latin American Citizens of Florida and Environmental Confederation of Southwest Florida bmarshall@earthjustice.org jluebkemann@earthjustice.org</p>	<p>Kenneth A. Hoffman Florida Power & Light Company 134 W. Jefferson Street Tallahassee, Florida 32301 kenneth.hoffman@fpl.com</p>
<p>Thomas Jernigan Major Holly Buchanan Captain Robert Friedman TSgt. Arnold Braxton Ebony Payton Scott Kirk Federal Executive Agencies 139 Barnes Drive, Suite 1 Tyndall AFB, Florida 32403 thomas.jernigan.3@us.af.mil holly.buchanan.1@us.af.mil robert.friedman.5@us.af.mil arnold.braxton@us.af.mil ebony.payton.ctr@us.af.mil ULFSC.Tyndall@us.af.mil scott.kirk.2@us.af.mil</p>	<p>Wade Litchfield John Burnett Maria Moncada Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 3408-0420 wade.litchfield@fpl.com john.t.burnett@fpl.com maria.moncada@fpl.com</p>
<p>Richard Gentry Patricia A. Christensen Anastacia Pirrello Office of Public Counsel 111 W. Madison Street, Room 812 Tallahassee, Florida 32399 Gentry.richard@leg.state.fl.us Christensen.patty@leg.state.fl.us pirrello.anastacia@leg.state.fl.us</p>	<p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 On behalf of Florida Industrial Users Group jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com</p>

<p>George Cavros Southern Alliance of Clean Energy 120 E. Oakland Park Blvd. Suite 105 Fort Lauderdale, Florida 33334 george@cavros-law.com</p>	<p>Russell A. Badders Gulf Power Company One Energy Place, Bin 100 Pensacola, FL 32520 Russell.badders@nexteraenergy.com</p>
<p>James W. Brew Laura W. Baker Joseph Briscar Stone Law Firm 1025 Thomas Jefferson Street NW Suite 800 West Washington, DC 20007 On behalf of Florida Retail Federation jbrew@smxblaw.com lwb@smxblaw.com jrb@smxblaw.com</p>	<p>William C. Garner Law Office of William C. Garner, PLLC 3425 Bannerman Road Unit 105, #414 On behalf of The Cleo Institute Inc. Tallahassee, FL 32312 bgarner@wcglawoffice.com</p>
<p>Katie Chiles Ottenweller Vote Solar 838 Barton Woods Road Atlanta, GA 30307 katie@votesolar.org</p>	<p>Nathan A. Skop 420 NW 50th Blvd. Gainesville, Florida 32607 On behalf of Daniel R. and Alexandria Larson n_skop@hotmail.com</p>
<p>Stephanie U Eaton Spilman Thomas & Battle, PLLC 110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103 seaton@spilmanlaw.com</p>	<p>Robert Scheffel Wright John T. Lavia, III Gardner Law Firm 1300 Thomaswood Dr. Tallahassee, FL 32308 On behalf of Floridians Against Increased Rates, Inc. schef@gbwlegal.com jlavia@gbwlegal.com</p>
<p>Barry A. Naum Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd. Suite 101 Mechanicsburg, PA 17050 On behalf of Walmart, Inc. bnaum@spilmanlaw.com</p>	<p>Christina I. Reichert Earth justice 4500 Biscayne Blvd., Ste. 201 Miami, FL 33137 On behalf of League of United Latin Citizens of Florida Environmental Confederation of Southwest Florida Florida Rising creichert@earthjustice.org flcaseupdates@earthjustice.org</p>

Bianca Yva Faustin Lherisson Shaw Philip Stiller Suzanne Smith Brownless Special Counsel, Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 blheriss@psc.state.fl.us sstiller@psc.state.fl.us sbrownle@psc.state.fl.us	

/s/ Floyd R. Self
Floyd R. Self

CERTIFICATE OF OATH

STATE OF _____

COUNTY OF _____

I, the undersigned authority, certify that _____ personally appeared before me at _____ and was duly sworn by me to tell the truth.

WITNESS my hand and official seal in the City of _____, County of _____, State of _____, this _____ day of _____, 2021.

Notary Public
State of _____

Personally known _____ OR produced identification _____

Type of identification produced _____.

EXHIBIT A

(List of deposition matters pursuant to Rule 1.130(b)(6))

1. FPL's distribution pole attachment rental rates for 2020, 2021, 2022, 2023.
2. FPL's projection of pole attachment rental revenue for test years 2020, 2022, 2023 as set forth in MFR, 2022 test year, Vol. 3 of 8, Section C, referring to Account No. 454 Rent from Electric Property – Pole Attachments and MFR, 2023 test year, Vol. 3 of 8, Section C, referring to Account No. 454 Rent from Electric Property – Pole Attachments.
3. The methodology and/or formula used by FPL to calculate its distribution pole attachment rental rate for 2019, 2020, and 2021, and for the projected test years 2022 and 2023.
4. For the years 2019, 2020, and 2021 as of June 30, 2021, the pole height for the following categories of poles booked to FPL's Account 364 or in FPL's continuing property records:
 - Wood Poles;
 - Non-wood Poles (Concrete, Steel, Composite).
5. The treatment of depreciation in the calculation of FPL's distribution pole attachment rental rates for 2019, 2020, 2021, 2022, and 2023.
6. FPL's replacement of existing distribution poles with taller poles since the implementation of FPL's pole hardening plan in 2007.
7. Referring to MFR, 2022 test year, Vol. 3 of 8, Section C, references to Account No. 454 Rent from Electric Property – Pole Attachments for historical test year 2020, the basis for the distribution pole rent revenue projections in the referenced MFR, including but not limited to:
 - The formula or other method used to calculate the annual pole attachment rental rate that underlies the projection;
 - The cost year upon which the data and other inputs used in the calculation of the rental rate were based;

- The treatment of accumulated deferred taxes in calculating the annual pole rental rate, including how the amounts of excess accumulated deferred taxes created by the TCJA of 2017 were treated;
- The number of pole attachment billing units;
- The rate year upon which the number of billing units reflected in the projection were based, and any assumptions used to adjust or project billing units that may have been made;
- A breakdown of the make-ready or non-recurring charges and fees included in the projections;
- Whether the pole rent revenue projections included payments from all joint users, joint owners, third parties, or private parties with attachments on FPL poles;
- total pole attachment revenues.

8. Referring to MFR, 2022 test year, Vol. 3 of 8, Section C, referring to Account No. 454 Rent from Electric Property – Pole Attachments for test year 2022, the basis for the distribution pole rent revenue projections in the referenced MFR, including but not limited to:

- The formula or other method used to calculate the annual pole attachment rental rate that underlies the projection;
- The cost year upon which the data and other inputs used in the calculation of the rental rate were based;
- The treatment of accumulated deferred taxes in calculating the annual pole rental rate, including how the amounts of excess accumulated deferred taxes created by the TCJA of 2017 were treated;
- The number of pole attachment billing units;
- The rate year upon which the number of billing units reflected in the projection were based, and any assumptions used to adjust or project billing units that may have been made;
- A breakdown of the make-ready or non-recurring charges and fees included in the projections;
- Whether the pole rent revenue projections included payments from all joint users, joint owners, third parties, or private parties with attachments on FPL poles;
- total pole attachment revenues.

9. Referring to MFR, 2023 test year, Vol. 3 of 8, Section C, referring to Account No. 454 Rent from Electric Property – Pole Attachments for test year 2023, the basis for the distribution pole rent revenue projections in the referenced MFR, including but not limited to:

- The formula or other method used to calculate the annual pole attachment rental rate that underlies the projection;

- The cost year upon which the data and other inputs used in the calculation of the rental rate were based;
- The treatment of accumulated deferred taxes in calculating the annual pole rental rate, including how the amounts of excess accumulated deferred taxes created by the TCJA of 2017 were treated;
- The number of pole attachment billing units;
- The rate year upon which the number of billing units reflected in the projection were based, and any assumptions used to adjust or project billing units that may have been made;
- A breakdown of the make-ready or non-recurring charges and fees included in the projections;
- Whether the pole rent revenue projections included payments from all joint users, joint owners, third parties, or private parties with attachments on FPL poles;
- total pole attachment revenues.

10. For each of the years 2019-2020, and for the year 2021 through June 30, 2021, the total accumulated cost and number of units for each item listed below, including appurtenances, recorded in FPL's FERC Account 364 for Poles, towers, and fixtures under 18 C.F.R. Pt. 101, and all additional items, if any, included under FERC Account 364 in FPL's FERC Form 1:

- Anchors, head arms, and other guys, including guy guards, guy clamps, strain insulators, pole plates, etc.;
- Brackets;
- Crossarms and braces;
- Excavation and backfill, including the disposal or excess excavated material;
- Extension arms;
- Foundations;
- Guards;
- Insulator pins and suspension bolts;
- Paving;
- Permits for construction;
- Pole steps and ladders;
- Poles, wood, steel, concrete or other material;
- Racks complete with insulators;
- Railings;
- Reinforcing and stubbing;
- Settings;
- Shaving, painting, gaining, roofing, stenciling, and tagging;
- Towers;
- Transformer racks and platforms.

11. For the years 2019, 2020, 2021, and the test years 2022 and 2023, the treatment of accumulated deferred taxes included in FPL's calculation of the annual distribution pole attachment rental rate.

12. Intercorporate cost allocations between FPL or Gulf and any parent or subsidiary thereof that affected or may affect administrative and general expense accounts (accounts 920 through 935) included in the FCC's formula for calculating pole attachment rates for the years 2019 to 2020 and as forecasted by FPL in this proceeding.