

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO.: 20210015-EI

FILED: August 17, 2021

**LARSON RESPONSE IN OPPOSITION TO JOINT MOTION  
FOR APPROVAL OF SETTLEMENT AGREEMENT**

Mr. Daniel R. Larson and Mrs. Alexandria Larson (“Larsons”), pursuant to Rule 28-106.204(1), Florida Administrative Code, hereby files this response in opposition to the Joint Motion for Approval of Settlement Agreement (“Joint Motion”) filed by Florida Power & Light Company (“FPL), the Office of Public Counsel (“OPC”), the Florida Industrial Power Users Group (“FIPUG”), the Florida Retail Federation (“FRF”), and the Southern Alliance for Clean Energy (“SACE”) on August 10, 2021. The Larsons oppose the Joint Motion because: (1) the proposed settlement is not in the public interest, (2) the proposed settlement will result in rates during the settlement period that are unfair, unjust, and unreasonable, (3) the proposed settlement will result in rates which produce revenues that are far in excess of what FPL requires to provide safe and reliable service during the settlement period, and (4) the proposed settlement will result in intergenerational inequities and excessive rates immediately following the settlement period as a result of depleting surplus depreciation funds to maintain FPL earnings levels far in excess of what is required to maintain a fair and reasonable Return on Equity (“ROE”) in comparison to other Florida Investor Owned Utilities (“IOUs”).

The Larsons note for record that the positions taken by OPC within their prehearing statement in July 2021 (specifically that the FPL request to increase rates was not justified, that the FPL ROE request was excessive and unjustified, and that the Commission lacked the authority to approve the mechanisms contained within the FPL rate request) completely

contradict the egregious terms of the settlement to which OPC (Richard Gentry) acquiesced as a signatory to the Joint Motion prior to the scheduled rate case hearing.

Furthermore, FPL, and the other signatories to the Joint Motion, failed to consult with the Larsons prior to filing the Joint Motion required by Rule 28-106.204(3), Florida Administrative Code. Despite expressly stating their desire and willingness to participate in any FPL settlement discussions relating to the above captioned docket, the Larsons were not afforded the opportunity to participate in the settlement discussions that led to the filing of the Joint Motion. Consistent with the Alternative Dispute Resolution (“ADR”) process encouraged by the Florida Public Service Commission (“Commission” or “FPSC”), the Larsons believe that all parties to a contested docket should have been afforded the meaningful opportunity to participate in settlement discussions in a good faith effort to reach a stipulated settlement agreement that could be supported by all of the parties in a heavily contested docket.

Based upon the above, the Larsons believe that the proposed settlement (in its current form) contained within the Joint Motion is not in the public interest and should be appropriately denied or modified by the Commission after conducting an evidentiary hearing.

**WHEREFORE**, the Larsons respectfully request that the Commission deny the Joint Motion for approval of the proposed settlement upon a finding the proposed settlement agreement is not in the public interest.

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Respectfully submitted this 17<sup>th</sup> day of August 2021.

/s/ Nathan A. Skop  
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**Attorney for the Larsons**

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed with the Commission Clerk and furnished to the parties of record indicated below via electronic mail on August 17, 2021:

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