

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0314-PCO-EI
ISSUED: August 20, 2021

FIFTH ORDER REVISING ORDER ESTABLISHING PROCEDURE

This proceeding was set for final hearing on August 16-27, 2021, by Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021. On August 12, 2021, due to anticipated impacts on the Florida Power & Light Company (FPL)/Gulf Power Company territory from Tropical Storm Fred, the final hearing scheduled to commence August 16th was continued to August 18, 2021.¹

On August 10, 2021, FPL, Office of Public Counsel, Florida Retail Federation, Florida Industrial Power Users Group, and Southern Alliance for Clean Energy, filed a Joint Motion for Approval of Settlement Agreement, with an attached Stipulation and Settlement Agreement. In light of the filing of the Joint Motion and attached Agreement, the August 18, 2021, hearing was limited to a discussion of the procedures for conducting a full hearing on the petition for a rate increase and Settlement Agreement at a later date.

Based on the agreement of the parties, the following dates are established for pre-filing testimony and exhibits limited to the Settlement Agreement terms and conditions, issuing data requests on the Settlement Agreement, and the continuation of the final hearing in this docket.

Testimony and exhibits <i>(parties supporting Settlement)</i>	August 26, 2021
Testimony and exhibits <i>(parties opposing Settlement)</i>	September 13, 2021
Discovery actions completed	September 17, 2021
Final Hearing	September 20-22, 2021
Post-Hearing Briefs ²	October 11, 2021
Special Agenda Conference	October 26, 2021

¹ Order No. PSC-2021-0305-PCO-EI issued August 10, 2021.

² Post-hearing briefs shall address only (i) Legal Issues 1–12 on pages 41-59 of Order No. PSC-2021-0302-PHO-EI, issued March 24, 2021, and (ii) whether the Settlement Agreement filed August 10, 2021, when taken as a whole, is in the public interest.

For all data requests, the responding party shall serve its responses to the requesting party via electronic mail within 7 days of the date of the request. All written data responses must be accompanied by an affidavit identifying the person(s) providing the responses.

The Commission has jurisdiction in this matter pursuant to Chapters 120 and 366, Florida Statutes (F.S.), and is proceeding under its authority under Sections 366.04, 366.05, 366.06, and 120.57, F.S.

Based on the foregoing, it is

ORDERED by Gary F. Clark, as Prehearing Officer, that Order No. PSC-2021-0116-PCO-EI, issued on March 24, 2021, shall be modified as stated above. It is further

ORDERED that Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021; Order No. PSC-2021-0120-PCO-EI, issued April 1, 2021; Order No. PSC-2021-0120A, issued April 8, 2021; Order No. PSC-2021-0233-PCO-EI, issued June 28, 2021; Order No. PSC-2021-0273, issued July 29, 2021; and Order No. PSC-2021-0305-PCO-EI, issued August 12, 2021, are hereby reaffirmed to the extent not inconsistent with this Order.

By ORDER of Chairman Gary F. Clark, as Presiding Officer, this 20th day of August, 2021.



GARY F. CLARK
Chairman and Presiding Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SPS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and

time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.