

Antonia Hover

From: Ellen Plendl
Sent: Thursday, July 28, 2022 1:03 PM
To: Consumer Correspondence
Subject: Docket No. 20220000
Attachments: ongoing electrical utility industrial sector electoral intervention and machinations; Re ongoing electrical utility industrial sector electoral intervention and machinations; Consumer Inquiry - Florida Power & Light Company

See attached customer correspondence and reply for Docket No. 20220000.

Antonia Hover

From: Beatrice Balboa <beatricebalboa@gmail.com>
Sent: Tuesday, July 26, 2022 10:08 AM
To: Ellen Plendl
Subject: ongoing electrical utility industrial sector electoral intervention and machinations
Attachments: Firm working for FPL took control of news site, let execs influence coverage, records show – Orlando Sentinel.pdf; Powerbrokers_ How FPL secretly took over a Florida news site and used it to bash critics.pdf

Tuesday 26 July 2022 1000 hours

Ellen Plendl
Regulatory Consultant
Florida Public Service Commission
Office of Consumer Assistance & Outreach
1-800-342-3552 (phone)
1-800-511-0809 (fax)

To whom it may concern,

I am writing to express my ongoing deepest disappointment that the electrical utility industrial sector continues to mismanage the electrical infrastructure throughout the State of Florida despite given unfettered access to elected and appointed government officials and agencies in the furtherance of policies and agendas in pursuing poorly thought out sourcing of energy resources and a decidedly anti-consumer stance with the rate-paying public across the board. Ongoing investigations continue undercover the long-standing practices by these captains of industry to extract ever larger fees and electrical rates to aggrandize their oversized ambitions by direct and indirect political arrangements in backrooms.

The attached documentation clearly indicates the lengths that the electrical utility industrial sector continues to pursue to ensure their monolithic position in the electricity sector in the State of Florida and letting the electrical infrastructure system put the ratepayers in harm's way..

Please place these observations and articles in the appropriate docket to underscore the overwhelmingly calculated cold-hearted manner that these captains seem to influence the very elected/appointed representatives that should, instead, be seeking to comfort their constituents day-to-day hardships to pay for the aggrandizement of these out sized economic sectors.

Thank you for your time in these matters and hope to hear from you soon.

Sincerely,
Beatrice Balboa
1010 South Ocean Boulevard, Unit 1008
Pompano Beach, FL 33062-6631
USA

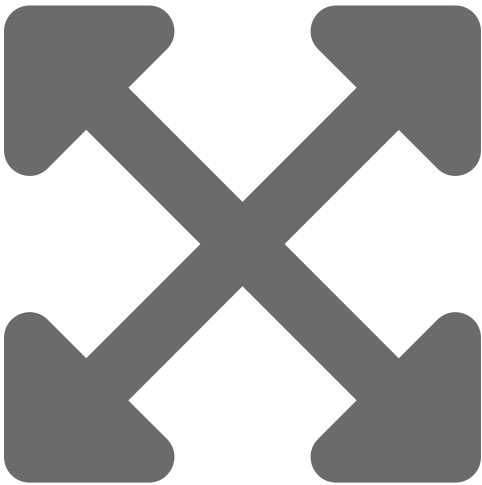
POLITICS

Firm working for FPL took control of news site, let execs influence coverage, records show

By Annie Martin and Mario Alejandro Ariza
Orlando Sentinel and Floodlight • Jul 25, 2022 at 5:54 pm



Expand



Eric Silagy, the president and CEO of Florida Power & Light during an interview flanked by (left) Gera Peoples, the vice president and chief litigation counsel for NextEra Energy, and David Reuter, the spokesperson for FPL, Thursday, June 9, 2022. Silagy and other executives secretly dictated coverage on the news website The Capitolist, leaked records show. (Bob Self/Florida Times-Union) (Bob Self/Florida Times-Union)

Operatives [working for Florida Power & Light](#) in the lead-up to the 2020 elections gained control over a Tallahassee-based political news website, making editorial decisions about its content – and allowing executives at the utility to influence coverage, records show.

The records, obtained by the Orlando Sentinel and Floodlight, show that an operative for [Alabama-based political consulting firm Matrix LLC](#), signed an option agreement in September 2019 to purchase a controlling stake in [The Capitolist](#).


AD



The site, which is published by Brian Burgess – who was previously the communications director for former Florida Republican Gov. Rick Scott – claims to have “one of the largest and most active Facebook followings in the state” and a dedicated following of influential lawmakers and lobbyists.

The Capitolist purports to be a legitimate news site, saying it seeks to “tell more complete stories” about businesses and policy that might be overlooked by traditional outlets.

PAID POST

What Is This? 

Innovative Medicines, Limitless Possibilities

We've invested over \$50 billion to develop medicines of the future.

But leaked Matrix records, verified as authentic by the firm's founder, Joe Perkins, show that then-Matrix CEO Jeff Pitts and FPL Vice President for Legislative Affairs Daniel Martell were at times given the opportunity to weigh in on unpublished story drafts.

Meanwhile, Burgess pitched Matrix on even grander media ambitions, such as a \$2 million plan to hire a trio of prominent journalists to lead a new publication — or even buying a chain of local papers, in order to use them as propaganda outfits.

Burgess in an emailed statement said he had “never pitched nor solicited feedback from FPL executives on any story or business venture.”

“As the publisher of an independent, for-profit news site dedicated to telling more complete stories than the legacy media, I stand by the facts of every story the Capitolist has written,” he said.

Chris McGrath, a spokesperson for FPL, in a statement said the company “cannot prove the veracity of the documents that have been leaked to reporters.”

“We have seen evidence that some of these documents have been doctored to try to make FPL look bad,” he said, though the utility has repeatedly refused to provide evidence of documents having been manipulated. “We have found absolutely no evidence of illegality or wrongdoing by FPL or its employees.”

It's not unusual for utilities and other companies to operate publications where it's clear they're sponsoring the content, said Susan Keith, an associate journalism professor at Rutgers University. But she said outlets where “an unseen motivation” is guiding coverage are problematic.

“If readers don't know why story selections are being made or what is influencing story selection,” said Keith, “that's where things are dangerous.”

The Capitolist records emerged during [an ongoing investigation by the Orlando Sentinel and Floodlight](#) into Matrix's work for FPL. The utility's relationship with the Birmingham firm has come under scrutiny after Matrix operatives orchestrated a “ghost” candidate scheme to influence three state Senate races in 2020.

The firm, which FPL employed for about a decade, [worked behind the scene to advance the utility's interests](#) and help it avoid unwanted regulation, from working to oust unfriendly politicians, to manipulating constitutional amendment drives and even [having a journalist surveilled who'd written critically about the company](#). FPL has said it did not know about the surveillance and an external review of its work with Matrix found no wrongdoing by any employees at the utility.

The acquisition of The Capitolist was led by Abigail MacIver, who at the time was a Matrix operative integral to the firm's Florida operations. She signed the agreement giving her the option to purchase a majority stake in The Capitolist

through an LLC. The records suggest the deal was consummated through another entity a year later.

MacIver in an email said a non-disclosure agreement prevents her from discussing her time at Matrix. She called the records “dubious” and said she believed Perkins had leaked them maliciously.

“Joe’s interest is solely in causing damage to me, my partners, and our associates and I will not justify his effort with any response,” she said.

John Collins, a spokesman for Pitts, said in a text message that the records provided to news outlets were “manufactured.” He did not elaborate or provide examples.

During and after the purchase, records show Matrix consultants and FPL executives had input into stories written for the site, including a piece that criticized The Miami Herald for asking readers to donate to an investigative journalism fund.

In one email, FPL’s CEO Silagy forwarded the Herald’s donation request to Pitts, writing that The Capitolist “would have a field day with this one.” He suggested that they include in their piece an image of the Miami Herald’s Tallahassee bureau chief “with a tin cup on the street corner.”

Two days after Silagy’s email, The Capitolist published a story with Burgess’ byline that read: “[The Miami Herald has turned to begging to support their biased reporting and fear-mongering.](#)”

“While we cannot confirm the veracity of the email you’ve shared with us, it’s not hard to see the irony in how the Miami Herald’s reporting – which is frequently biased against FPL and critical of how we run our business – doesn’t seem to be a sustainable business model and, on the heels of its former parent company’s highly publicized bankruptcy proceeding, resorted to soliciting donations to stay afloat,” said McGrath, the FPL spokesperson.

Dana Banker, senior managing editor for the Miami Herald, which [published its own story on The Capitolist](#) on Monday, declined to comment.

The records date back to months before MacIver signed a contract to set up the Capitolist purchase, showing that even before the contract was signed Burgess was soliciting input on unpublished stories from the Matrix operative.

For example, Burgess sent MacIver a draft of [a March 2019 story](#) critical of efforts to deregulate the energy industry asking for “your thoughts on this.” MacIver forwarded it to Martell.

“I’m not sure that I love this article...please let me know your thoughts,” she asked the executive.

“I like it,” he replied.

Records show Matrix also considered purchasing or creating other news sites. Burgess in 2018 proposed a scheme to Pitts to lure three prominent Florida political journalists to a new site called “Topline Florida” at a cost of about \$2 million over three years.

In April 2020, Burgess suggested to Matrix executives that they purchase several local Florida [newspapers owned by media giant Gannett Company](#), including Florida Today, the Daytona Beach News-Journal and the Fort Myers News-Press. Burgess told MacIver they could turn most of them into “ghost operations” with few reporters.

“Then we could let most of the clown reporters go, save a fortune, eliminate print, and syndicate content across the entire state,” Burgess wrote in an email. “We could even do it stealthily so we could inject content into all those publications and nobody has to know who’s actually pulling the strings.”

Pitts forwarded Burgess’ email to Silagy and an FPL vice president at their personal email addresses, describing the pitch as “a good concept/observation that I’m sure others are seeing/thinking about.”

Asked if FPL had considered buying any Florida newspapers, McGrath suggested the utility wouldn’t consider them a sound investment.



Political Pulse

Weekly

Get latest updates political news from Central Florida and across the state.

ENTER YOUR EMAIL ADDRESS



“While FPL and NextEra Energy is always open to acquisition opportunities, we only pursue transactions that would add incremental value to customers and shareholders. Most Florida newspapers, while critically important to American democracy, don’t fit that description,” he said.

While working closely with Silagy, Martell and other FPL executives, Matrix employees funded [a massive ad blitz promoting apparent spoiler candidates](#) in three key 2020 state Senate races, helping oust from office state Sen. José Javier Rodríguez, a Miami Democratic who was one of the utility’s biggest foes in the Legislature.

[Five people have since been charged](#) in the “ghost” candidate scheme, though neither Matrix nor FPL have been accused of wrongdoing. FPL denies that its employees played any role.

These and other leaked records have emerged amid a legal battle between Perkins, the Matrix founder, and his former CEO, Pitts, who exited Matrix in December 2020 along with MacIver, since founding a Tallahassee-based firm, Canopy Partners. FPL became clients of Canopy after the split, but said it has since ended its relationship with Pitts.

Perkins says the Florida activities of his ex-employees, including the “ghost” candidate scheme and the Capitolist purchase, were done without his knowledge. Pitts says his former boss is selectively leaking documents to smear and extort him.

Powerbrokers: How FPL secretly took over a Florida news site and used it to bash critics



Miami Herald

SARAH BLASKEY

July 25, 2022, 4:29 PM

When Florida Power & Light faced a spate of bad publicity and political blowback, a small but ambitious news website called the Capitolist sprang to the public utility's defense.

Taking aim at foes of FPL's proposed rate hikes and controversial attempts to buy Jacksonville's public utility, the Capitolist savaged the critics, [impugning their motives](#) and suggesting they were part of "dark money" schemes.

"Documents suggest Florida's largest companies are secretly sabotaging effort to protect power lines from hurricane damage," declared the headline of [one such article from 2019](#).

Behind the scenes, FPL executives were back-slapping.

Unbeknownst to readers, the article — which promoted legislation to reimburse the multibillion-dollar utility for undergrounding power lines — wasn't published simply because the Capitolist was staunchly conservative and pro-business as editor Brian Burgess had proudly announced when he founded the publication in 2016.

The article was written after the FPL president and CEO Eric Silagy made clear he wanted it. And, as it happened, Silagy was secretly running things at the Capitolist.

While portraying itself as a feisty independent outlet, the Capitolist — which aims its content directly at Tallahassee decision makers — was bankrolled and controlled by executives of the power company through a small group of trusted intermediaries from an Alabama consulting firm, according to an investigation by the Miami Herald, based on a massive leak of documents.

The internal communications, contracts and financial records show how a team of elite communications experts consulting for FPL plucked the Capitolist from obscurity, and used it as part of an elaborate, off-the-books political strategy to advocate for rate hikes, agitate for legislative favors, slam political opponents and eliminate

anything — even home solar panels — that the publicly traded utility worried might undermine its near monopoly on selling power in the Sunshine State.



On Thursday, Oct. 18, 2018, FPL President and CEO Eric Silagy shakes the hand of then-Miami-Dade Mayor Carlos Gimenez as he prepares to give his remarks at FPL's new 465-acre Miami-Dade Solar Energy Center.

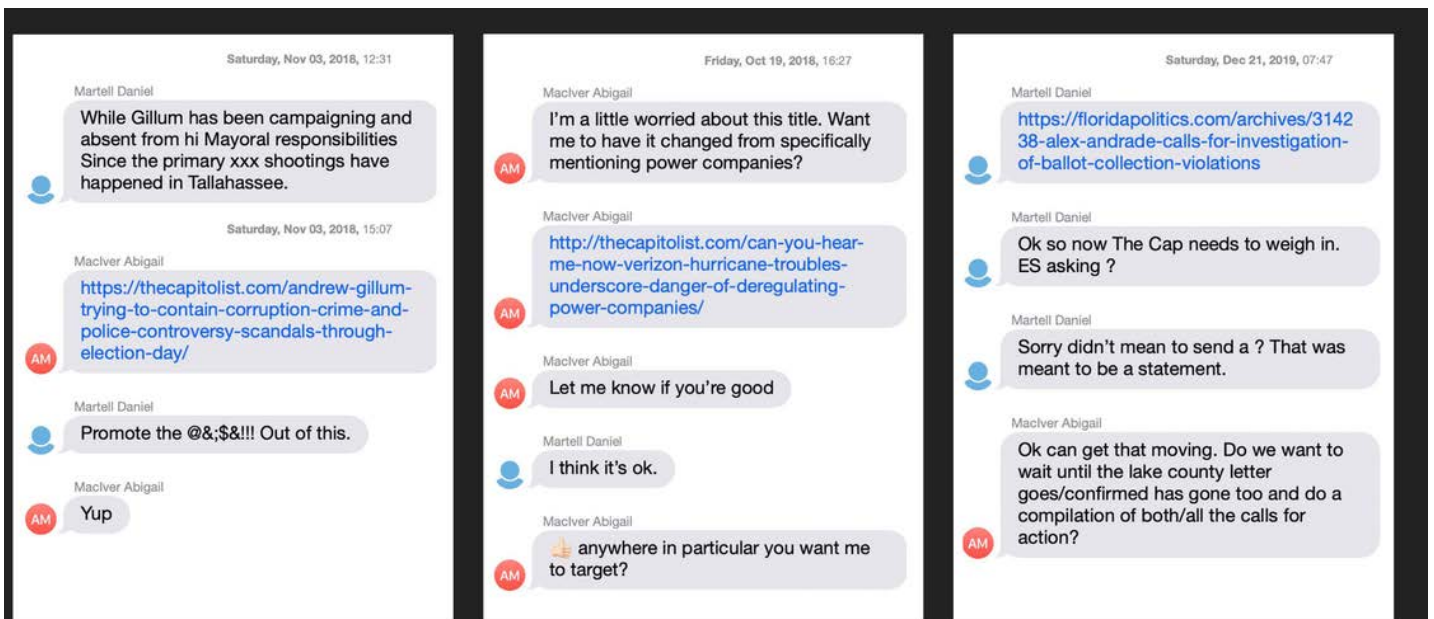
Never was it revealed that the Capitolist was actually a megaphone for FPL.

The records, along with recent reporting by the [Orlando Sentinel](#) and [Florida Times-Union](#) on FPL setting up secret daisy chains of nonprofits to funnel money to candidates and hire private investigators to tail reporters, highlight the extremes to which FPL will go to play kingmaker in Florida.

Hundreds of thousands of dollars in operating expenses — including Burgess' \$12,000 per month paycheck — were funneled into the Captolist through a network of shell companies backed by FPL, financial records and internal communications dated as early as January 2018 show.

Articles were pre-screened by a group of private communications experts consulting for FPL — a group Burgess once referred to in an email as “the whole Ed Board.”

Text messages and emails show how FPL executives pulled strings at the Capitolist to settle scores and bend the will of regulators, politicians and the public.



Leaked documents included screenshots of messages between Daniel Martell, vice president of legislative affairs for FPL, and then-Matrix consultant Abigail MacIver, showing how executives of the power company advised operations at the Capitolist through intermediaries like MacIver.

Just three days before the 2018 election, vice president of state legislative affairs of FPL Daniel Martell ordered a hit piece about the Democratic candidate for governor, Andrew Gillum, who was running neck and neck with Ron DeSantis.

In a text to the consultants, the FPL executive said he wanted a story that Gillum had neglected his mayoral responsibilities, proposing the following narrative: “Since the primary xxx shootings have happened in Tallahassee.”

Less than three hours later, [the Capitolist had a story up](#). The second sentence called out “a crime wave of murders, robberies and shootings in Tallahassee...”

“Promote the @&,\$&!!! Out of this,” Martell ordered.

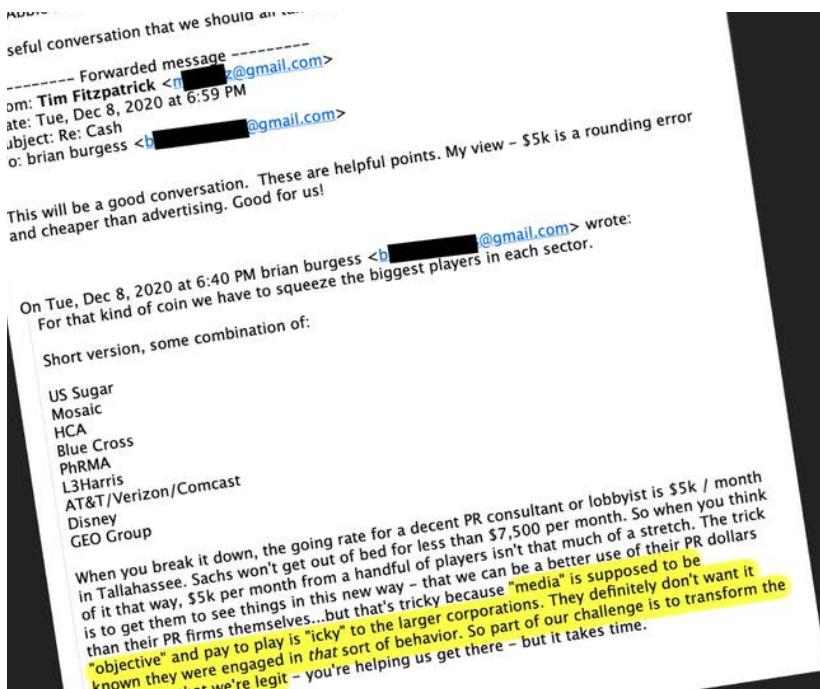
Each day’s news also presented more subtle opportunities.

Cellphone outages after a hurricane in the Panhandle offered an opening for the Capitolist to highlight “one more very pointed reason not to deregulate.” FPL executives suggested one of the consultants — deploying corporate jargon that the company was using to brand its fight against homeowners with solar panels selling power back to the grid. FPL favors regulations that keep competition out of the market.

The Capitolist ran the story the following week headlined: “[Can you hear me now? Verizon hurricane troubles underscore danger of deregulating power companies.](#)”

Subject: Fwd: Cash
 From: Tim Fitzpatrick <[redacted]@gmail.com>
 Date: 12/8/20, 6:00 PM
 From: Abbie McIver <abbie@matrixllc.com>
 ... will take up in the relatively near future.





... pay to play is 'icky' to the larger corporations. ... So part of our challenge is to transform the perception that we're legit ...

What the Capitolist provided was more effective than traditional PR, but it was tricky business, Burgess said in a 2020 email to his FPL-backed boss, "because 'media' is supposed to be 'objective' and pay to play is 'icky' to the larger corporations. They definitely don't want it known they were engaged in that sort of behavior."

The value came from FPL's ability to use the Capitolist to shape the narrative through news coverage without anyone knowing who was behind the messaging.

So, Burgess concluded, it was important to look like "we're legit."

While most news organizations have some corporate sponsors, what makes the Capitolist unusual is the level of editorial control wielded by FPL and the lengths the publication went to cover it up, said Stephen Ward, founder of the Center for Journalism Ethics at the University of Wisconsin-Madison.

"It's not just media ethics here. It's plain old morality. You're just plain old lying to people," Ward said after the Herald shared some of the contents of the leak. "All these emails are saying 'how do we dupe these people into believing us?'"



Finger pointing begins as controversial energy deregulation campaign loses steam

by Brian Burgess | Oct 24, 2019





This Capitolist story favorable to FPL was sent to Eric Silagy, CEO and president of FPL, and Daniel Martell, VP of state legislative affairs. Silagy responded: "Good article."

The plan to surreptitiously take over the Capitolist centered on Matrix, a Montgomery-based political consulting firm that employed the intermediaries between FPL executives and the Capitolist. Those intermediaries, led by then-CEO Jeff Pitts, established a tangle of shell companies that obscured operations it ran for FPL and others.

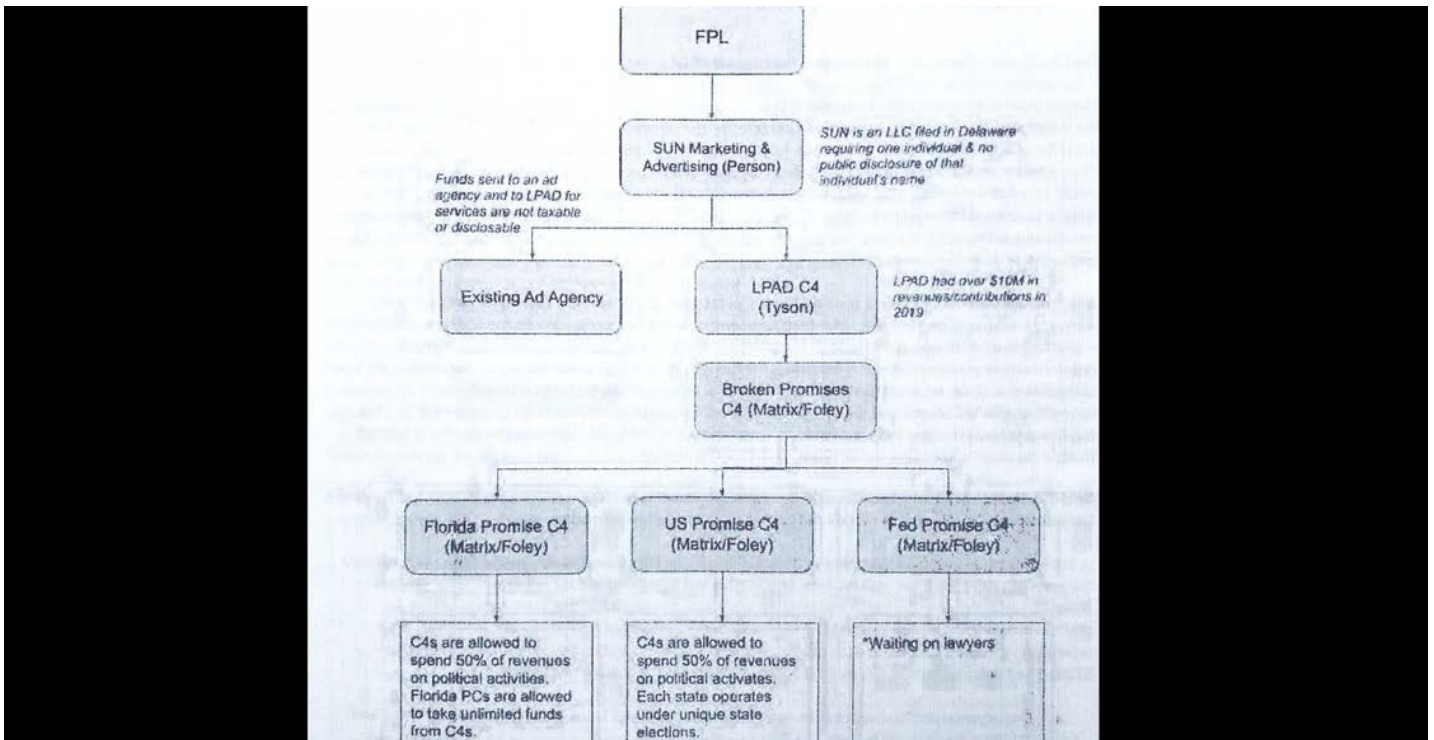
Financial records show at least three of them concealed the power company's involvement in the Capitolist. There was Metis Group, which a ledger shows funneled FPL money to the publication starting in 2018, and SUN Marketing & Advertising, which was funded by an FPL wire transfer and paid the salary of Tim Fitzpatrick, a former FPL executive brought in by Matrix to manage Burgess and oversee the operation.

A third company, Vision Insight Holdings, was incorporated in August 2020 "to operate media properties that focus on telling stories completely and fairly," according to an internal strategy report. Its 2021 priority was the Capitolist, to which Vision Insight paid \$200,000 that year, bank statements show.

When presented with the Herald's findings, Burgess and representatives for FPL provided statements to the Herald but refused to answer specific questions.

"While it would be perfectly legal, FPL does not have an ownership interest in the Capitolist — either directly or indirectly," FPL spokesperson Chris McGrath said in a statement to the Herald. "We also do not have editorial control over what the Capitolist writes or publishes."

When presented with copies of the documents, McGrath suggested some had been "doctored" but refused to say which. Burgess also said the records contained "fundamental errors or omissions that paint a wildly inaccurate picture of the Capitolist and its operations," without providing specifics.



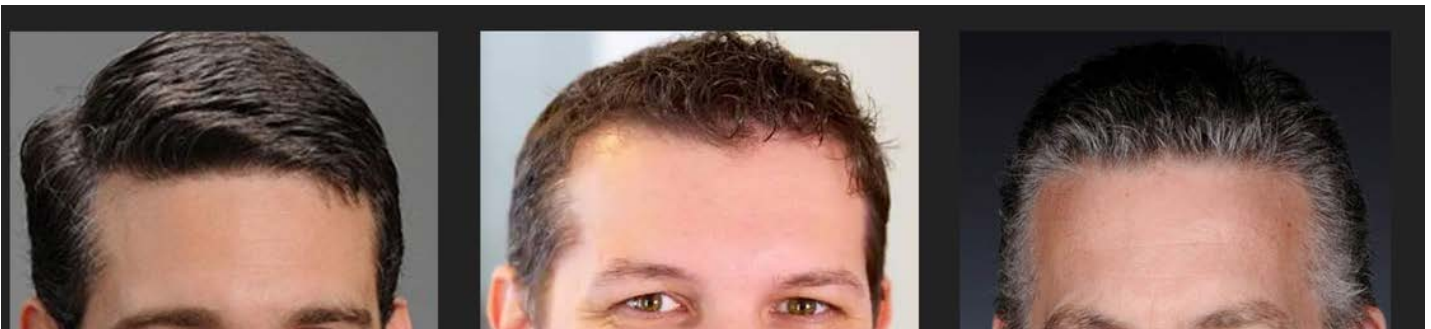
Files leaked from inside the Matrix political consulting firm show plans to use a shell company called SUN Marketing & Advertising to funnel money to 501(c)(4) nonprofits. Documents show the company was used to pay Tim Fitzpatrick, a former FPL executive who took over operations at the Capitolist.

The nearly 500 documents leaked anonymously to the Herald appear to be from a hard-drive at Matrix, which confirmed the authenticity of the records. Where possible, the Herald cross-referenced them with other publicly available documents.

Matrix owner Joe Perkins said he was unaware of his former employees' work with the Capitolist until after Pitts and his team left to start a competing communications firm, Canopy Partners, at the end of 2020.

“Matrix was not involved in any way at all with the purchase or operation of the Capitolist,” said Perkins, who is suing his former employees in Alabama court. Pitts, in turn, is suing Perkins in Florida for defamation, alleging his former employer threatened to leak documents to ruin his reputation and harm his business.

John Collins, a representative for Pitts and Canopy Partners, declined to answer questions, but said the documents were “manufactured and selectively-edited” and “unverifiable.” He did not respond to requests for specifics.





From left to right: Daniel Martell, vice president of state legislative affairs for FPL; Brian Burgess, Capitolist editor; and former FPL executive Tim Fitzpatrick.

In his statement to the Herald, Burgess said he had never “met, corresponded with, spoken to, nor do I have any relationship whatsoever with the FPL executives you mentioned.”

“I have never pitched nor solicited feedback from FPL executives on any story or business venture. I have never received a story pitch from any FPL executive outside of typical corporate press releases sent to all media outlets, including the Miami Herald,” said Burgess, who records show only communicated with FPL’s intermediaries.

The documents obtained by the Herald included an unsigned draft of a confidentiality agreement that, if signed, would prevent Burgess from talking about his work with FPL’s contracted consultants.

Old friends

Once the spokesperson for Gov. Rick Scott, Burgess founded the Capitolist after being shown the door of the governor’s office following a PR fiasco involving a rescue dog named Reagan.

Scott had adopted the Labrador in a show for cameras while on the campaign trail — and then quietly returned the canine without telling anyone after winning the election.

When a reporter at the [Tampa Bay Times started asking questions](#) about what had happened to Reagan, Burgess provided no answers, prompting the ire of animal lovers across the state.

The spokesperson broke his silence only after being asked if the beloved animal had been killed. Burgess still didn’t say what happened but responded with an email acknowledging “the potential for a PR nightmare if the Tampa Bay Times doesn’t receive a photo of Reagan next to today’s copy of the Tampa Bay Times.”

Eventually, the governor himself clarified the situation. Reagan had been given to a good home, Scott said.



Reagan, the labrador retriever adopted by Gov. Rick Scott on the campaign trail, in an image posted to Facebook in September 2010, first reported by the Tampa Bay Times.

Burgess spent the next several years developing the idea for a conservative news site to counteract what he saw as the media's "negative-by-default coverage of the state's most prominent political and business leaders."

The site went live in 2016.

It's unclear from the records reviewed by the Herald when FPL's consultants first got financially involved with the Capitolist. A copy of what appears to be an internal ledger kept by Matrix documents the first of several \$25,000 payments from FPL as being forwarded on to the Capitolist as early as January 2018.

Contracts and incorporation documents show FPL consultant Abigail MacIver is the sole owner of Metis Group LLC, the shell company that received money from FPL earmarked for the Capitolist in 2018, an internal ledger from Matrix shows. (McGrath, the FPL representative, denied the veracity of the ledgers.)

Subject: Fwd: Vote Solar Report
From: "Abbie MacIver" <abbie@matrixllc.com>
Date: 5/5/20, 3:43 PM
To: "Jeff" <jeff@matrixllc.com>

...do this story. I think it makes him look like he's not
...rights them being a good actor. On top
...hasn't had to

“

Let him do

os: "Jeff Pitts"
all me about this but my gut is to let him do
in our pocket and it isn't bad for FPL, especially if he high
of that he can ramp up that the governor hasn't acted, maybe because he
because of all the good actors in the state...??

Thoughts?

Abbie MacIver

c. 407-

Forwarded message
From: brian burgess <b[redacted]@gmail.com>
Date: Tue, May 5, 2020 at 3:47 PM
Subject: Fwd: Vote Solar Report
To: Abbie MacIver <abbie@matrixllc.com>

Sachs Media is asking me for coverage on this, but wanted to run it by you first. Short version is that there's a bunch of utility bills coming due soon, and power shut-offs looming. Apparently one of the state's smaller utilities already cut off power to 100 or so customers...and even announced it to the media. The only worse PR move would have been to drive poor grandma to the press conference themselves and let her announce they were cutting her power off.

Anyway, need guidance on this ASAP.

Brian

Forwarded message
From: [redacted]
Date: Fri, May 1, 2020 at 2:03 PM
Subject: Vote Solar Report
To: brian burgess <b[redacted]@gmail.com>

... let him do
this story ...
it makes him
look like
he's not in
our pocket
and it isn't bad
for FPL ...

MacIver also signed the purchase option agreement with the Capitolist on Sept. 20, 2019. Per the contract, Metis paid \$50,000 for “executive control” over operations and a 1% ownership stake in the media company with the option to buy a controlling interest for a set price — \$195,000 — any time for the duration of the 18-month contract.

“Abbie has known Brian [Burgess] personally and professionally for more than a decade and was one of the earlier supporters of the Capitolist,” said Collins, the representative for MacIver in addition to other former Matrix employees. “She continues to encourage Brian, believes in what he is doing and remains a trusted friend and advisor to him.”

Collins declined to answer questions about MacIver’s work as a liaison between FPL and the Capitolist.

“She will not discuss any of the work she did at Matrix — through Metis or not — as that would be a violation of NDA/Confidentiality agreements,” he said.

‘Not in our pocket’

The FPL consultants were careful to keep their fingerprints off the Capitolist.

They registered the companies involved with the Capitolist under the names of people who were not officially employed by FPL to keep the activities off the books of the publicly traded company, records show.

Emails show they once considered listing an executive of NextEra Energy, FPL’s parent company, as the owner on the incorporation documents for SUN Marketing &

Advertising, an FPL-funded company used to pay Fitzpatrick, the former executive working with the Capitolist. They listed Fitzpatrick instead after their attorney, Erika Alba, advised in an email that having a current executive for the power company could be a “potential issue.”

“This is not a legal or tax issue,” Alba said in the email dated Sept. 18, 2019. “It is an issue of whether FPL wants to risk [SUN Marketing’s] assets/liabilities showing up on their balance sheet.”



Eric Silagy, president and CEO of Florida Power & Light.

Emails show Burgess and the team of consultants often discussed the publication’s credibility and perceived independence as the operation’s true value.

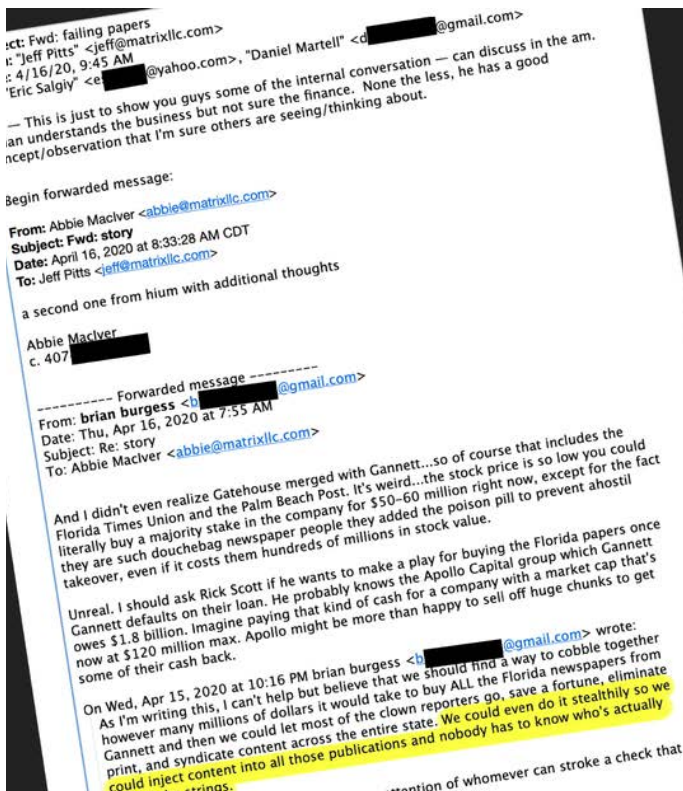
To that end, Maclver weighed in to recommend a story pitched by Burgess on May 5, 2020. It was about how some utilities were gearing up to shut off some Floridians’ power during the beginning of the pandemic over unpaid bills.

“Call me about this but my gut is to let him do this story,” Maclver wrote when she forwarded Burgess’ pitch to Pitts, her boss at Matrix who served as the primary

contact with FPL.

“I think it makes him look like he’s not in our pocket and it isn’t bad for FPL, especially if he highlights them as being a good actor,” she wrote.

A week later, the story ran with the headline “Floridians rack up an estimated \$335 million in unpaid utility bills. What should we do?” Within the bullet points of advice was a plug for an FPL initiative educating the public on how to reduce energy consumption.



“
We could even do it stealthily so we could inject content ... and nobody has to know who's actually pulling the strings.
”

Burgess also acknowledged the key to their business model when he wrote MacIver an email suggesting they find funding to secretly buy all of the USA Today-affiliated papers in Florida and then “let most of the clown reporters go ... and syndicate content across the entire state.”

“We could even do it stealthily so we could inject content into all those publications and nobody has to know who’s actually pulling the strings,” he suggested in the email dated April 16, 2020.

Pitts forwarded Burgess’ idea to Silagy’s gmail account.

“FYI — This is just to show you guys some of the internal conversation,” Pitts wrote to the head of FPL, calling it a “good concept.”

There is no further communication in the documents and no indication the strategy was seriously considered.

With enthusiastic approval from FPL's top leaders, The Capitolist attacked the credibility of papers across the state, especially when they were critical of FPL. It referenced "Fake News" as often as possible, running headlines targeting individual reporters, accusing newspapers of unscrupulous funding structures and suggesting there might be corruption at play.



A story from the Capitolist attacks environmentalists, the Miami Herald and Herald Tallahassee bureau chief Mary Ellen Klas, whose hard-hitting coverage of FPL angered Eric Silagy, company chairman. The article does not divulge that FPL controlled the content of the Capitolist.

At Silagy's urging, the Capitolist frequently attacked the Herald, particularly Tallahassee bureau chief Mary Ellen Klas, whose [hard-hitting coverage](#) of FPL has angered Silagy.

Klas was made the punchline to one story about the Herald's parent company filing for bankruptcy protection as part of a corporate reorganization and another mocking coverage of a fundraiser for the Herald.

Calling it a "field day for the Capitolist," the CEO emailed the Matrix team an idea for visuals: "Maybe a cartoon of MEK with a tin cup on the street corner would be good?!"

The Capitolist ran an image in its newsletter of Klas' face crudely photoshopped onto the body of someone holding a cardboard sign that read, "Spare change for Fake News, Miami Herald reporter needs help."

The shadow editor

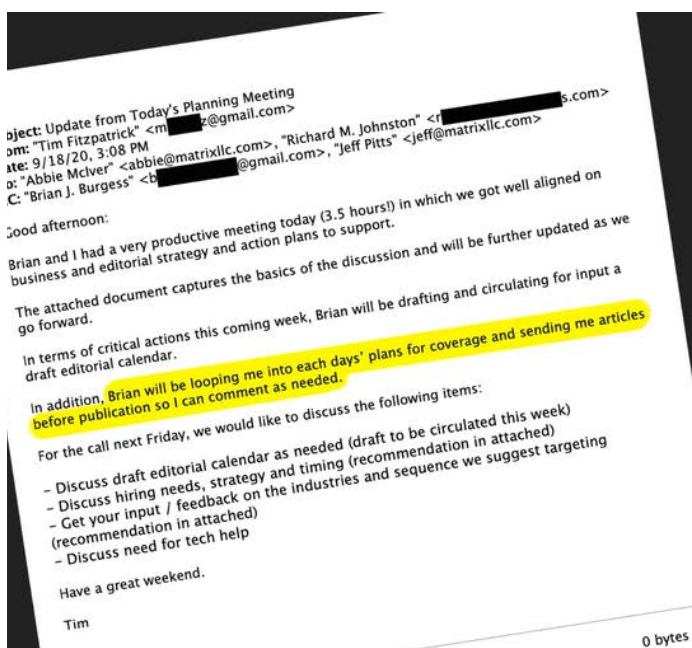
Secrecy was policy at the Capitolist — a fact formally acknowledged as Silagy and his consultants at Matrix considered buying a controlling interest in the media company.

The rules were laid out in an email sent to the team of consultants just after 10 a.m. on the second to last Sunday in 2020 by Fitzpatrick, the former VP and chief marketing and communications officer for the power company. The subject line began: "Confidential."

A few months before, Fitzpatrick had been tapped to serve as shadow editor for the Capitolist — tasked with turning the pugnacious, hard-right politics site into a credible, center-right publication that focused on the nexus of politics and business and consistently reached some of the most influential people in Tallahassee.

Fitzpatrick's Dec. 20 email contained a script for how the Capitolist team should handle potential media questions about sponsors (which were not to be revealed) and whether the Capitolist was involved in "pay to play" with its corporate backers (to which the scripted answer was "no" followed by turning the same question back on the reporter).

"We should simply ignore any other questions," Fitzpatrick wrote, "including any questions about ownership/management structure."





While Silagy was kept informed of the overall business strategy headed into 2021, internal communications show Fitzpatrick ran the day-to-day operations at the Capitolist.

“Brian [Burgess] will be looping me into each days’ (sic) plans for coverage and sending me articles before publication so I can comment as needed,” Fitzpatrick explained in an email shortly after he took the reins on Sept. 18, 2020.

Fitzpatrick did not respond to the Herald’s multiple attempts to contact him, which included leaving a message with his wife.

As a VP of the power company more than a decade earlier, Fitzpatrick had been Silagy’s right hand, directing an “aggressive public education initiative” to assist the president’s efforts during a furious battle over a proposed rate increase in 2010, according to a series of open letters by a group of anonymous employees at the time.

The whistle-blowers accused Silagy and Fitzpatrick of keeping multiple sets of books and forcing employees in the communications department to “provide false, misleading, incomplete and incorrect information to our regulators and to others in government, not to mention the media, customers and other stakeholders.”

The company launched an internal investigation but found nothing illegal. Fitzpatrick left FPL in 2013 to take a job at a California utility.

The Capitolist provides a platform for growth and message delivery in Florida

- The Capitolist is a four-year-old, Tallahassee-based digital media platform operated by Editor and Publisher Brian Burgess, former spokesperson to then-Gov. Rick Scott
- It operates a website, Facebook page and email newsletter
- Historically, The Capitolist’s content has been mostly politically focused, often pugnaciously hard right on the political spectrum
- It offers advantages in that it has an existing infrastructure, respectably sized digital audience and awareness of it as a media entity in the digital space, and a history of effectively communicating important client messages
- It is currently primarily supported by a single major sponsor



The Capitolist was an increasingly important resource for FPL, consultants working for the company noted in a 2021 strategy report prepared for Eric Silagy, president and CEO of the power company.

Since Fitzpatrick's return from California and takeover of operations at the Capitolist in September 2020, the number of headlines mentioning FPL and other energy-related topics more than doubled, according to an analysis by the Miami Herald.

Articles started making newsletters and daily media roundups from R Street, Real Clear Politics, and the Tampa Bay Times. Articles were shared by universities, retweeted by major political operatives, and cited in the footnotes of legal journals and a recent Florida Senate bill.

A purchase agreement

By the second half of 2020, the Capitolist had proven itself an increasingly effective tool for FPL's consultants, who wanted to expand the operation.

"We have the opportunity to continue to increase its stature, credibility and influence with the state's influencers and decision-makers," declared a pitch deck labeled "SILAGYDISCUSSION."

Attorneys drafted a contract that would allow FPL to purchase a majority interest in the media company through Vision Insight, the company created in 2020 by Matrix employees to operate the Capitolist.

With Silagy's approval, the consultants planned to finance the deal using what remained of a \$250,000 wire transfer made the previous year by FPL to SUN Marketing — which up until that point had largely been used to pay Fitzpatrick, bank logs show.

It's unclear from the documents provided to the Herald whether the deal was closed. The paper trail dried up when the consultants left Matrix. But some of the final records in the leak suggested that negotiations continued through the summer of 2021.

Burgess did not answer the Herald's question about who currently owns the Capitolist.

Antonia Hover

From: Beatrice Balboa <beatricebalboa@gmail.com>
Sent: Thursday, July 28, 2022 11:50 AM
To: Ellen Plendl
Subject: Re: ongoing electrical utility industrial sector electoral intervention and machinations
Attachments: In FPL's playbook, dirty political tricks and propaganda seem to be business as usual _ Editorial.pdf

Thursday 28 July 2022 1200 hours

Ellen Plendl
Regulatory Consultant
Florida Public Service Commission
Office of Consumer Assistance & Outreach
1-800-342-3552 (phone)
1-800-511-0809 (fax)

To whom it may concern,

I am writing to express my ongoing deepest disappointment that the electrical utility industrial sector continues to mismanage the electrical infrastructure throughout the State of Florida despite given unfettered access to elected and appointed government officials and agencies in the furtherance of policies and agendas in pursuing poorly thought out sourcing of energy resources and a decidedly anti-consumer stance with the rate-paying public across the board. Ongoing investigations continue undercover the long-standing practices by these captains of industry to extract ever larger fees and electrical rates to aggrandize their oversized ambitions by direct and indirect political arrangements in backrooms.

The attached documentation clearly indicates the lengths that the electrical utility industrial sector continues to pursue to ensure their monolithic position in the electricity sector in the State of Florida and letting the electrical infrastructure system put the ratepayers in harm's way..

Please place these observations and articles in the appropriate docket to underscore the overwhelmingly calculated cold-hearted manner that these captains seem to influence the very elected/appointed representatives that should, instead, be seeking to comfort their constituents day-to-day hardships to pay for the aggrandizement of these out sized economic sectors.

Thank you for your time in these matters and hope to hear from you soon.

Sincerely,
Beatrice Balboa
1010 South Ocean Boulevard, Unit 1008
Pompano Beach, FL 33062-6631
USA



In FPL’s playbook, dirty political tricks and propaganda seem to be business as usual | Editorial

Opinion by the Miami Herald Editorial Board, Miami Herald - Yesterday 11:48 AM



Comments


Support journalism

Share

Save

Florida’s utility giant seems to get what it wants at all costs — whether it be by backing dirty political tricks to sway elections, using its power to bully dissenters or buying favorable news coverage.

Florida Power & Light has tried to smear reporters and media outlets that publish stories it doesn’t like. One of its consultants went so far as compiling a 72-page dossier of personal information on a newspaper columnist who wrote critically about the potential sale of a Jacksonville-area utility to FPL’s parent company. The report was emailed to a top FPL executive, but the company claims it had nothing to do with the creepy report, which included [photos taken secretly of the journalist walking his dog](#), the Florida Times-Union reported in June.



ollback
ot your back

Check out new Rollbacks
Ad Walmart

Now it looks FPL is trying to build its own propaganda machine disguised as legitimate news.

As the Herald’s Sarah Blaskey reported this week, the utility company used a group of intermediaries [to secretly bankroll and control](#) content of a news website. The Capitolist, run by a former Gov. Rick Scott spokesman, went after FPL’s critics, suggesting some of them were part of “dark money” conspiracies. Articles were screened by communications experts consulting for FPL and

included a hit piece a top company executive ordered against 2018 Democratic gubernatorial candidate Andrew Gillum.

The Herald story was based on a massive leak of documents. FPL said it doesn’t have “ownership interest” or control over the Capitolist and suggested some of the documents

were doctored, but refused to say which ones, the Herald reported.

In the era of online misinformation, “alternative facts” and distrust in the media, FPL’s actions go beyond a company defending its bottom line. This scheme makes a mockery of freedom of the press and democracy. And it could’ve gone even farther.

Emails show that, in 2020, Capitolist editor and founder Brian Burgess suggested to an FPL consultant secretly financing the purchase of the largest newspaper chain in Florida run by the USA TODAY Network. The plan concocted by Burgess — who received a \$12,000 monthly paycheck through FPL-backed shell companies — was to “inject content into all those publications, and nobody has to know who’s actually pulling the strings,” the Herald reported.

Burgess’ pitch sounds like pie in the sky, but, had it come to fruition, communities from Palm Beach County to Jacksonville and from Naples to the Panhandle would have lost their local news source. In their place would have been pay-to-play propaganda outlets for the powerful.

FPL’s involvement with the Capitolist is yet another tentacle FPL has used to exert political influence at the expense of democracy in Florida.

The company was linked to [a dark-money scheme](#) to siphon votes away from Democratic state Senate candidates by promoting so-called “ghost candidates” in three key 2020 races, including one in Miami-Dade County. This political dirty trick helped Republicans maintain their majority in the Senate and was orchestrated by political consultants working for FPL. Parent company NextEra Energy [conducted an internal investigation](#) and found “no evidence . . . of illegality or wrongdoing” by FPL, the Herald reported in January.

The utility has a vested interest in having allies in the Legislature. NextEra has made it clear it wants to dominate the renewable-energy market. The rapid expansion of private rooftop solar panels in the state in recent years is a threat to that goal. FPL lobbyists helped write a bill that would have slowed down that expansion. After Herald Tallahassee Bureau Chief Mary Ellen Klas [wrote a story](#) about the company’s behind-the-scenes work on the legislation, she became the target of a smear campaign on FPL’s website. The company also [targeted the Herald](#) for not publishing the entirety of an opinion piece written in response to Klas’ reporting. It ran after the Herald edited out unfounded attacks against Klas.

There’s nothing new about economic interests using money and connections to influence policy and public opinion. But if there’s a point where run-of-the-mill politicking goes too far and endangers our democratic institutions, FPL has gotten too darn close to it.

Antonia Hover

From: Ellen Plendl
Sent: Thursday, July 28, 2022 12:38 PM
To: 'Beatrice Balboa'
Subject: Consumer Inquiry - Florida Power & Light Company

Ms. Beatrice Balboa
beatricebalboa@gmail.com

Dear Ms. Balboa:

This is in response to your July 26 and July 28 emails to the Florida Public Service Commission (FPSC) regarding Florida Power & Light Company (FPL).

We will add your feedback and the articles you shared to our public record.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl
Regulatory Consultant
Florida Public Service Commission
Office of Consumer Assistance & Outreach
1-800-342-3552 (phone)
1-800-511-0809 (fax)