

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. | DOCKET NO. 20220001-EI
DATED: October 6, 2022

**DUKE ENERGY FLORIDA, LLC'S
PREHEARING STATEMENT**

Pursuant to the Order Establishing Procedure No. PSC-2022-0052-PCO-EI, Duke Energy Florida, LLC (“DEF”), hereby submits its Prehearing Statement with respect to its levelized fuel and capacity cost recovery factors and its Generating Performance Incentive Factor (GPIF) for the period of January 2023 through December 2023:

1. **Known Witnesses** - DEF intends to offer the testimony of:

Witness	Direct Subject Matter	Issues#
Gary P. Dean	Fuel Cost Recovery True-Up (2021); Capacity Cost Recovery True-Up (2021); Actual / Estimated and Projection Schedules; Other Matters	1B-1G, 5-10, 16-20, 21A-23C, and 24-32
Mary Ingle Lewter-Jenkins	Calculation of GPIF Reward for (2022); GPIF Targets/Ranges (2022)	14 and 15
Anthony Salvarezza	Bartow & Hines Unit 4 Outages	1C and 1G
Jim McClay	Risk Management Plan	1A

2. **Known Exhibits** - DEF intends to offer the following exhibits:

Witness	Proffered By	Exhibit #	Description
Gary Dean	DEF	(GPD-1T)	Fuel Cost Recovery True-Up (Jan – Dec. 2021)

Gary Dean	DEF	(GPD-2T)	Capacity Cost Recovery True-Up (Jan – Dec. 2021)
Gary Dean	DEF	(GPD-3T)	Schedules A1 through A3, A6 and A12 for Dec 2021
Gary Dean	DEF	(GPD-4T)	2021 Capital Structure and Cost Rates Applied to Capital Projects
Gary Dean	DEF	(GPD-2)	Actual/Estimated True-up Schedules for period January – December 2022
Gary Dean	DEF	(GPD-3)	Projection Factors for January - December 2023
Anthony Salvarezza	DEF	(AS-1)	Root Cause Analysis CONFIDENTIAL
Anthony Salvarezza	DEF	(AS-2)	Product Bulletin PB-08-5038-GN-EN-01 CONFIDENTIAL
Anthony Salvarezza	DEF	(AS-3)	Product Bulletin PB3-13-0008-GN-EN-01 CONFIDENTIAL
Jim McClay	DEF	(JM-1P)	Hedging Testimony CONFIDENTIAL 2023 Risk Management Plan CONFIDENTIAL
Mary Ingle Lewter (Jenkins)	DEF	(MIL-1T)	Calculation of GPIF Penalty for January - December 2021
Mary Ingle Jenkins (Lewter)	DEF	(MIJ-1P)	GPIF Targets/Ranges Schedules for January – December 2023

DEF reserves the right to identify additional exhibits for the purpose of cross-examination or rebuttal.

3. **Statement of Basic Position** - Not applicable. DEF's positions on specific issues are listed below.

4. **Statement of Facts**

FUEL ISSUES

COMPANY SPECIFIC FUEL ADJUSTMENT ISSUES

Duke Energy Florida, LLC

ISSUE 1A: Should the Commission approve DEF's 2023 Risk Management Plan?

DEF: Yes. (McClay)

ISSUE 1B: What is the appropriate bill credit associated with DEF's Clean Energy Connection Program approved by Order No. PSC-2021-0059-S-EI to be included for recovery in 2023?

DEF: \$31,356,459. (Dean)

ISSUE 1C: Has DEF made appropriate adjustments, if any are needed, to account for replacement power costs associated with the January 2021 to April 2021 outage in Bartow CC Unit 4A and/or May 2021 to July 2021 outage in Bartow CC Unit 4C? If appropriate adjustments are needed and have not been made, what adjustments should be performed?

DEF: No adjustments are needed as DEF's actions leading up to and in response to the outages were at all times reasonable and prudent. (Dean, Salvatorezza)

ISSUE 1D: What is the impact on this docket if a decision is issued in Case SC20-1601 before January 1, 2023?

DEF: On July 7, 2022, the Florida Supreme Court issued its Opinion finding that DEF was entitled to collect the full amount of replacement power at issue. Then, on August 25, 2022, the Supreme Court denied OPC and FIPUG's joint motion for reconsideration. As such, the appellate review has completed, and the Commission should enter an order permitting DEF to recover its replacement power costs. However, because the costs were collected previously, there is no impact to DEF's request fuel cost recovery in this docket or its proposed fuel cost recovery factor. (Dean)

ISSUE 1E: What is the impact on this docket, if a decision is issued in Case SC22-94 before January 1, 2023?

DEF: There will be no impact. The impact of any decision should be handled in the normal true-up process. (Dean)

ISSUE 1F: If the decision in Case SC22-94 requires the return of replacement power costs to customers, what interest amount should be applied?

DEF: This issue is not ripe for determination at this time. (Dean)

ISSUE 1G: Has DEF made appropriate adjustments, if any are needed, to account for replacement power costs associated with the March 2022 outage at Hines Unit 4? If appropriate adjustments are needed and have not been made, what adjustments should be performed?

DEF: No adjustments are needed as DEF's action leading up to and in response to the outage were at all times reasonable and prudent. (Dean, Salvarezza)

Florida Power and Light

ISSUE 2A: What was the total gain under FPL's Incentive Mechanism approved by Order No. PSC-2016-0560-AS-EI that FPL may recover for the period January 2021 through December 2021, and how should that gain to be shared between FPL and customers?

DEF: No position.

ISSUE 2B: What is the appropriate amount of Incremental Optimization Costs under FPL's Incentive Mechanism approved by Order No. PSC-2016-0560-AS-EI that FPL should be allowed to recover through the fuel clause for Personnel, Software, and Hardware costs for the period January 2021 through December 2021?

DEF: No position.

ISSUE 2C: What is the appropriate amount of Variable Power Plant O&M Attributable to Off-System Sales under FPL's Incentive Mechanism approved by Order No. PSC-2016-0560-AS-EI that FPL should be allowed to recover through the fuel clause for the period January 2021 through December 2021??

DEF: No position.

ISSUE 2D: What is the appropriate amount of Variable Power Plant O&M Avoided due to Economy Purchases under FPL's Incentive Mechanism approved by Order No. PSC-2016-0560-AS-EI that FPL should be allowed to recover through the fuel clause for the period January 2021 through December 2021?

DEF: No position.

ISSUE 2E: What is the appropriate subscription credit associated with FPL’s SolarTogether Program approved by Order No. PSC-2020-0084-S-EI, to be included for recovery in 2023??

DEF: No position.

ISSUE 2F: Should the Commission approve FPL’s 2022 Risk Management Plan?

DEF: No position.

ISSUE 2G: What is the proper methodology for FPL to calculate replacement power costs associated with an unplanned outage?

DEF: No position.

ISSUE 2H: Were each of the unplanned outages that occurred during 2020 the result of FPL actions or decisions that were prudent? If not, what adjustments should be made?

DEF: No position.

ISSUE 2I: Were each of the unplanned outages that occurred during 2021 the result of FPL actions or decisions that were prudent? If not, what adjustments should be made?

DEF: No position.

ISSUE 2J: Were each of the unplanned outages that occurred during 2022 the result of FPL actions or decisions that were prudent? If not, what adjustments should be made?

DEF: No position.

Florida Public Utilities Company

No Company-specific fuel issues for Florida Public Utilities Company have been identified at this time. If such issues are identified, they shall be sequentially numbered 3A, 3B, 3C, etc.

Tampa Electric Company

ISSUE 4A: What was the total gain under TECO’s Optimization Mechanism approved by Order No. PSC-2017-0456-S-EI that TECO may recover for the period January 2021 through December 2021, and how should that gain to be shared between TECO and customers??

DEF: No position.

ISSUE 4B: Should the Commission approve TECO's 2023 Risk Management Plan?

DEF: No position.

ISSUE 4C: Has TECO made appropriate adjustments, if any are needed, to account for replacement power costs associated with any outages that occurred during 2021 and 2022? If appropriate adjustments are needed and have not been made, what adjustments should be performed?

DEF: No position.

GENERIC FUEL ADJUSTMENT ISSUES

ISSUE 5: What are the appropriate actual benchmark levels for calendar year 2022 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

DEF: \$1,909,411. (Dean)

ISSUE 6: What are the appropriate estimated benchmark levels for calendar year 2023 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

DEF: \$2,379,586. (Dean)

ISSUE 7: What are the appropriate final fuel adjustment true-up amounts for the period January 2021 through December 2021?

DEF: \$2,934,170 over-recovery. (Dean)

ISSUE 8: What are the appropriate fuel adjustment actual /estimated true-up amounts for the period January 2022 through December 2022?

DEF: \$175,789,361 under-recovery, which includes \$123,418,788 from the Rate Mitigation Plan approved in Order No. PSC-2021-4025-FOF-EI and \$52,370,573 of the midcourse correction amount of \$314,223,437 approved in Order No. PSC-2022-0061-PCO-EI. DEF will continue to monitor the volatile natural gas market and make an appropriate filing later in 2022 to recover the remaining balance. (Dean)

ISSUE 9: What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2023 through December 2023?

DEF: \$175,789,361 under-recovery, which includes \$123,418,788 from the Rate Mitigation Plan approved in Order No. PSC-2021-4025-FOF-EI and \$52,370,573 of the midcourse correction amount of \$314,223,437 approved in Order No. PSC-2022-0061-PCO-EI. (Dean)

ISSUE 10: What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2023 through December 2023?

DEF: \$2,266,708,676 which is adjusted for line losses and excludes prior period true-up, GPIF and CEC Bill Credits. (Dean)

COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

Duke Energy Florida, LLC

No company-specific GPIF issues for Duke Energy Florida, LLC have been identified at this time. If such issues are identified, they shall be numbered 11A, 11B, 11C, and so forth, as appropriate.

Florida Power & Light, Co.

No company-specific GPIF issues for Florida Power and Light Company have been identified at this time. If such issues are identified, they shall be numbered 12A, 12B, 12C, and so forth, as appropriate.

Tampa Electric Company

No company-specific GPIF issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 13A, 13B, 13C, and so forth, as appropriate.

GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

ISSUE 14: What is the appropriate GPIF reward or penalty for performance achieved during the period January 2021 through December 2021 for each investor-owned electric utility subject to the GPIF?

DEF: \$206,463 penalty. (Lewter-Jenkins)

ISSUE 15: What should the GPIF targets/ranges be for the period January 2023 through December 2023 for each investor-owned electric utility subject to the GPIF?

DEF: The appropriate targets and ranges are shown on Page 4 of Exhibit MIJ-1P filed on September 2, 2022 with the Direct Testimony of Mary Ingle Lewter-Jenkins. (Lewter-Jenkins)

FUEL FACTOR CALCULATION ISSUES

ISSUE 16: What are the appropriate projected net fuel and purchased power cost recovery, prior period true-up, CEC bill credits, and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2023 through December 2023?

DEF: \$2,473,648,033. (Dean)

ISSUE 17: What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2023 through December 2023?

DEF: Pursuant to the 2021 Settlement approved in Order No. PSC-2021-0202-AS-EI, DEF removed the Regulatory Assessment Fee beginning with its 2022 Projection Filing and includes it with the Gross Receipts Tax on customer bills. (Dean)

ISSUE 18: What are the appropriate levelized fuel cost recovery factors for the period January 2023 through December 2023?

DEF: 6.257 cents/kWh (adjusted for jurisdictional losses). (Dean)

ISSUE 19: What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?

DEF:

<u>Group</u>	<u>Delivery Voltage Level</u>	<u>Line Loss Multiplier</u>
A	Transmission	0.9800
B	Distribution Primary	0.9900
C	Distribution Secondary	1.0000
D	Lighting Service	1.0000

(Dean)

ISSUE 20: What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

DEF:

Fuel Cost Factors (cents/kWh)							
Group	Delivery Voltage Level	First Tier Factor	Second Tier Factors	Levelized Factors	Time of Use		
					On-Peak	Off-Peak	Super Off-Peak
A	Transmission	--	--	6.141	7.541	6.178	4.581
B	Distribution Primary	--	--	6.203	7.617	6.240	4.627
C	Distribution Secondary	5.961	7.031	6.266	7.695	6.304	4.674
D	Lighting Secondary	--	--	5.865	--		--

(Dean)

II. CAPACITY ISSUES

COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES

Duke Energy Florida, LLC

ISSUE 21A: What is the appropriate amount of costs for the Independent Spent Fuel Storage Installation (ISFSI) that DEF should be allowed to recover through the capacity cost recovery clause pursuant to DEF's 2017 Settlement?

DEF: \$6,879,837. (Dean)

ISSUE 21B: What adjustment amounts should the Commission approve to be refunded through the capacity clause in associated with the Duette SoBRA III project in Docket No. 20200245-EI?

DEF: The Commission should approve a \$1,144,593 credit through the capacity clause for the final cost true-up for the Duette project. (Dean)

ISSUE 21C: What DOE Settlement-Spent Fuel Claim amount should the Commission approve to be recovered through the capacity clause?

DEF: The Commission should approve \$19,328,945 to be collected through the capacity clause pursuant to the 2021 Settlement Agreement approved in Order No. PSC-2021-0202-AS-EI. The \$19.3 million is the difference between the \$173.1 million spent fuel claim and DOE award of \$153.84 million. (Dean)

Florida Power & Light Company

No company-specific capacity cost recovery factor issues for Florida Power & Light Company have been identified at this time. If such issues are identified, they will be numbered 22A, 22B, 22C, and so forth, as appropriate.

Tampa Electric Company

No company-specific capacity cost recovery factor issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 23A, 23B, 23C, and so forth, as appropriate.

GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

ISSUE 24: What are the appropriate final capacity cost recovery true-up amounts for the period January 2021 through December 2021?

DEF: \$2,850,425 over-recovery. (Dean)

ISSUE 25: What are the appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2022 through December 2022?

DEF: \$3,896,674 over-recovery. (Dean)

ISSUE 26: What are the appropriate projected total capacity true-up amounts to be collected/refunded for the period January 2023 through December 2023??

DEF: \$6,747,100 over-recovery. (Dean)

ISSUE 27: What are the appropriate projected total capacity cost recovery amounts for the period January 2023 through December 2023?

DEF: \$458,620,998. (Dean)

ISSUE 28: What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2023 through December 2023?

DEF: \$458,753,735. (Dean)

ISSUE 29: What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2023

through December 2023?

DEF: Base – 97.403%, Intermediate – 92.637%, Peaking – 95.110%, consistent with the 2021 Settlement approved in Order No. PSC-2017-0451-AS-EI. (Dean)

ISSUE 30: What are the appropriate capacity cost recovery factors for the period January 2023 through December 2023?

DEF:

Rate Class	Jan-Dec 2023 CCR Factor
Residential	1.328 cents/kWh
General Service Non-Demand @ Primary Voltage	1.173 cents/kWh 1.161 cents/kWh
@ Transmission Voltage	1.150 cents/kWh
General Service 100% Load Factor	0.822 cents/kWh
General Service Demand @ Primary Voltage	3.37 \$/kW-month 3.34 \$/kW-month
@ Transmission Voltage	3.30 \$/kW-month
Curtable @ Primary Voltage	1.67 \$/kW-month 1.65 \$/kW-month
@ Transmission Voltage	1.64 \$/kW-month
Interruptible @ Primary Voltage	2.69 \$/kW-month 2.66 \$/kW-month
@ Transmission Voltage	2.64 \$/kW-month
Standby Monthly @ Primary Voltage	0.325 \$/kW-month 0.322 \$/kW-month
@ Transmission Voltage	0.319 \$/kW-month
Standby Daily @ Primary Voltage	0.155 \$/kW-month 0.153 \$/kW-month
@ Transmission Voltage	0.152 \$/kW-month
Lighting	0.341 cents/kWh

(Dean)

III. EFFECTIVE DATE

ISSUE 31: What should be the effective date of the fuel adjustment factors and capacity cost recovery factors for billing purposes?

DEF: The new factors should be effective beginning with the first billing cycle for January 2023 through the last billing cycle for December 2023. The first billing cycle may start before January 1, 2023, and the last billing cycle may end after December 31, 2023, so

long as each customer is billed for twelve months regardless of when the factors became effective. (Dean)

ISSUE 32: Should the Commission approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding?

DEF: Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission decision. (Dean)

MISCELLANEOUS ISSUES

ISSUE 33: Should this docket be closed?

DEF: No, docket to remain open because it is a continuing docket.

CONTESTED ISSUES

OPC ISSUE C: Has FPL imprudently taken, or failed to prudently take, actions or made or failed to prudently make, decisions at or affecting the Turkey Point Units 3 & 4 and St. Lucie Units 1 & 2, such that replacement power costs have been incurred as they affect the fuel factor for 2020, 2021, 2022 and projections for 2023? If so, what adjustments should be made?

DEF: No position.

OPC ISSUE E: Should the Commission establish a spin-off docket to investigate FPL's nuclear operations and its impact on historical, ongoing, and future fuel costs?

DEF: No position.

OPC ISSUE F: Has FPL appropriately accounted for any redispatch related to its operation of the North Florida Resilience Connection (NFRC) in its 2022 estimate and 2023 projections of fuel costs? If not, what adjustments, if any, should be made?

DEF: No position.

5. **Pending Motions** - None at this time.

6. **Requests for Confidentiality**

DEF has the following pending requests for confidential classification:

- June 20, 2020 - DEF's Request for Extension of Confidential Classification regarding its Response to OPC's Second Set of Interrogatories (Nos. 11-16), originally filed in docket 20180001(DN 03185-2020)
 - April 19, 2022 – DEF's Second Request for Confidential Classification regarding Staff's Hedging Workpapers (ACN 2018-058-2-1), originally filed in docket 20180001 (DN 02533-2022)
 - May 9, 2022 – DEF's Request for Confidential Classification regarding Staff's Audit Workpapers (Audit Control Number 2022-003-1-5)(DN 02876-2022).
 - May 10, 2022 - DEF's First Request for Extension of Confidential Classification regarding the FPSC's Final Order No. PSC-2020-0368-FOF-EI, issued on October 15, 2020, originally filed in 20200001 (DN 02886-2022).
 - June 23, 2022 – DEF's Amended Request for Confidential Classification regarding its Response to OPC's Fourth Set of Interrogatories (Nos. 31-69) and OPC's Fourth Request to Produce Documents (Nos. 19-39) and Supplemental Response to OPC's Fourth Request to Produce Documents (Nos. 19-39), specifically question 30 (DN 04210-2022 replaces 04123-2022, 03424-2022, 03503-2022, and 03337-2022 originally filed on June 20, 2022)
 - July 6, 2022 – DEF's Request for Confidential Classification regarding its Response to OPC's Fifth Request for Production of Documents (Nos. 40-43) (DN 04508-2022).
 - July 22, 2022-DEF's First Request for Extension of Confidential Classification regarding certain information contained in FPSC's Amended Final Order No. PSC-2020-0368A-FOF-EI, originally filed in 20200001 (DN 04915-2022).
 - July 27, 2022 – DEF's Request for Confidential Classification regarding DEF's 2023 Risk Management Plan and Direct Testimony of James McClay (DN 05040-2022).
 - July 29, 2022-DEF's Request for Confidential Classification regarding 423 Forms-April, May, June 2022 (DN 05106-2022)
7. **Objections to Qualifications** - DEF has no objection to the qualifications of any expert witnesses in this proceeding at this time, subject to further discovery in this matter.
8. **Sequestration of Witnesses** - DEF has not identified any witnesses for sequestration at this time.
9. **Requirements of Order** - At this time, DEF is unaware of any requirements of the Order Establishing Procedure of which it will be unable to comply.

RESPECTFULLY SUBMITTED this 6th day of October, 2022.

s/Matthew R. Bernier

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CERTIFICATE OF SERVICE
Docket No. 20220001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 6th day of October, 2022 to all parties of record as indicated below.

s/Matthew R. Bernier

Attorney

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