

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

DOCKET NO. 20230001-EI

DATED: JULY 14, 2023

MOTION TO DEFER ISSUES

The Staff of the Florida Public Service Commission (Staff) hereby requests that Issues 2G through 2J¹ identified in Order No. PSC-2023-0066-PCO-EI, issued February 3, 2023, be deferred for hearing until the first quarter of 2023 and in support thereof states as follows:

1. At the Prehearing Conference held on November 2, 2022, in last year's Fuel Clause docket, Issues 2G through 2J that deal with Florida Power & Light Company's (FPL) nuclear plant outages for the years 2020 through 2022 were deferred to this hearing cycle.²

2. Consistent with that ruling, the Order Establishing Procedure (OEP)³ in this docket established dates for filing company direct, intervenor, and company rebuttal testimony addressing FPL's nuclear power plant outages for the years 2020 through 2022. Compliant with the Prehearing Order, FPL filed the testimony of Dean Curtland and Joel Gebbie on June 9, 2023. Intervenors are required to file their testimony on the FPL nuclear power plant outages on August 11, 2023, with FPL filing its rebuttal testimony on September 28, 2023.

3. Based upon the discovery responses provided to date to Staff and the Office of Public Counsel (OPC), it has become apparent that additional time is needed for the parties to secure and review the relevant and voluminous data concerning these outages. Therefore, Staff is requesting that these issues be deferred from this hearing cycle and that a hearing be held prior to March 31, 2024, to litigate these issues. Consistent with this request, Staff is also requesting that Section IX(8) of the OEP be deleted to eliminate the requirement that OPC/Intervenors file FPL Nuclear Power Plant testimony on August 11, 2023. Consistent with deleting OPC/Intervenor filing requirements, FPL will not be required to file rebuttal testimony addressing nuclear replacement power issues on September 28, 2023. A separate order should be issued establishing the remaining controlling dates for these issues.

4. All parties to this docket have been contacted regarding this Motion and Staff is authorized to represent the following: Florida Retail Federation, Florida Public Utilities

¹ Issue 2G: What is the proper methodology for FPL to calculate replacement power costs associated with an unplanned outage?; Issue 2H: Were FPL's actions, or failures to act, that resulted in unplanned outages that occurred during 2020 prudent? If not, what adjustments should be made?; Issue 2I: Were FPL's actions, or failures to act, that resulted in unplanned outages that occurred during 2021 prudent? If not, what adjustments should be made?; Issue 2J: Were FPL's actions, or failures to act, that resulted in unplanned outages that occurred during 2022 prudent? If not, what adjustments should be made?.

² Order No. PSC-2022-0390-PHO-EI, issued November 14, 2022, in Docket No. 20220001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor*.

³ Order No. PSC-2023-0066-PCO-EI, issued February 3, 2023, in Docket No. 20230001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor*.

MOTION TO DEFER ISSUES
DOCKET NO. 20230001-EI
PAGE 2

Company, Duke Energy Florida, LLC, and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate-White Springs take no position on the Motion; OPC and Florida Industrial Power Users Group have no objection; and FPL agrees in part and objects in part and will file a brief response. No other responses were received regarding this matter.

RESPECTFULLY SUBMITTED, this 14th day of July, 2023:

/s/ Suzanne S. Brownless

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Special Counsel, Office of the General Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the MOTION TO DEFER ISSUES has been filed with
the Office of Commission Clerk and a copy has been furnished to the following by electronic
mail, this 14th day of July, 2023:

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CERTIFICATE OF SERVICE
DOCKET NO. 20230001-EI
PAGE 3

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