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August 5, 2024

*VIA ELECTRONIC FILING*

Mr. Adam J. Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**Re: Docket No. 20240012-EG – In re: In re: Commission Review of Numeric  
Conservation Goals (Florida Power & Light Company)  
Amended Stipulations of FPL, FEL, SACE, and Walmart**

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Dear Mr. Teitzman:

Enclosed for filing are Amended Stipulations among Florida Power & Light Company, Florida Rising, Environmental Confederation of Southwest Florida, League of United Latin American Citizens, the Southern Alliance for Clean Energy, Inc., and Walmart Inc. These Amended Stipulations supersede and replace the stipulations filed on August 1, 2024 [DN 08162-2024]. Upon approval by the Florida Public Service Commission, the enclosed Amended Stipulations will fully resolve the Parties' respective issues in the above-referenced docket.

If you or your staff have any question regarding this filing, please contact me at (561) 304-5662.

Respectfully submitted,

/s/ William P. Cox  
William P. Cox

Enclosures

cc: Certificate of Service

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 5th day of August 2024:

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By: s/ William P. Cox  
William P. Cox

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission Review of Numeric  
Conservation Goals (Florida Power & Light  
Company)

Docket No: 20240012-EG

**AMENDED STIPULATIONS**

Florida Power & Light Company (“FPL” or the “Company”), Florida Rising, Environmental Confederation of Southwest Florida, and League of United Latin American Citizens (collectively, “FEL”), and the Southern Alliance for Clean Energy, Inc. (“SACE”) (hereinafter referred to individually as “Party” or collectively as “Parties”) hereby agree to submit for approval by the Florida Public Service Commission (“Commission”) the following amended stipulations to fully resolve the Parties’ respective issues in Docket No. 20240012-EG on the following terms and conditions:

1. The Parties stipulate to having all pre-filed testimony and exhibits filed in this docket entered into the record, specifically the following:
  - a. The Direct Testimony of FPL witnesses John N. Floyd, along with Exhibits JNF-1 through JNF-5, as corrected by July 12, 2024 Errata of John N. Floyd;
  - b. The Direct Testimony of FPL witnesses Andrew W. Whitley, along with Exhibits AWW-1 through AWW-17, as corrected by July 12, 2024 Errata of Andrew W. Whitley ;
  - c. The Rebuttal Testimony of FPL witnesses John N. Floyd, along with Exhibits JN-6 and JNF-7;

- d. The Rebuttal Testimony of FPL witnesses Andrew W. Whitley, along with Exhibits AWW-18 through AWW-21, as corrected by July 12, 2024 Second Errata of Andrew W. Whitley; and
  - e. The Direct Testimony of FEL witness MacKenzie Marcelin, along with Exhibits MM-1 through MM-15, MM-20, and MM-25 through MM-30.
2. The Parties agree to waive cross-examination of all witnesses in Docket No. 20240012-EG and, upon Commission approval, have no objection witnesses being excused from appearing at the hearing.
3. The Parties stipulate to having the following exhibits identified on Staff's Comprehensive Exhibit List entered into the record for Docket No. 20240012-EG: 1-27, 88-102, 107, 112-117, 140-145, 149-165, and 225-228.
4. The Parties stipulate and agree that FPL proposed DSM Goals for the ten-year period of 2025-2034 shall be modified as follows:
  - a. The annual participation level in FPL's proposed low-income program shall be increased from 11,000-12,031 to 17,000 for 2025-2029 and to 18,000 for 2030-2034; provided, however, the Parties agree that FPL's DSM Goals docket and associated participation levels shall be reassessed and reset in the next DSM Goals docket to be filed in 2029.
  - b. The programs included in FPL's DSM portfolio will not be capped or discontinued if the sector-level goals are achieved.
5. The Parties stipulate and agree that the modifications set forth in Paragraph 4 above are a reasonable compromise of competing positions set forth in the testimony and exhibits submitted by the FPL and FEL witnesses.
6. Subject to the modification of FPL's proposed DSM goals as set forth in Paragraph 4 above, the Parties stipulate to the following positions on each of the Issues set forth in Prehearing Order:

- Issue 1: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, are based on an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems.
- Issue 2: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, are based on savings reasonably achievable through demand-side management programs over a ten-year period.
- Issue 3: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to customers participating.
- Issue 4: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs and benefits to the general body of rate payers as a whole, including utility incentives and participant contributions.
- Issue 5: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the need for incentives to promote both customer-owned and utility-owned energy efficiency and demand side renewable energy systems.
- Issue 6: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, adequately reflect the costs imposed by state and federal regulations on the emissions of greenhouse gases.
- Issue 7: The Parties stipulate and agree that the record supports a Commission finding that FPL's proposed DSM Goals, as modified herein, appropriately reflect consideration of free riders.
- Issue 8a: The Parties stipulate and agree that, for purposes of FPL only, and for purposes of this specific docket only, this is not the appropriate proceeding to reset the Commercial and Industrial Load Control (CILC) and Commercial Demand Response (CDR) credits for FPL's commercial and industrial demand response programs. The current CILC and CDR credits were set in FPL's 2021 Rate Case Settlement Agreement, which was approved by the Commission in Order Nos. PSC-2021-0446-S-EI, PSC-2021-0446A-S-EI and PSC-2024-0078-FOF-EI. Paragraph 4(e) of the FPL 2021 Base Rate Case Settlement provides, in pertinent part, that the CILC and CDR credits are to be reset in a general base rate proceeding.

Issue 8b: The Parties stipulate and agree that, for purposes of FPL only, Issue 8b is not applicable. The appropriate demand credits for FPL’s CILC and CDR programs in this proceeding are the credits approved by the Commission in Order Nos. PSC-2021-0446-S-EI, PSC-2021-0446A-S-EI and PSC- 2024-0078-FOF-EI.

Issue 9: The Parties stipulate and agree that the record supports a Commission finding that the savings associated with FPL’s proposed Residential Low Income Renter Pilot program are known and measurable and should be included in FPL’s proposed DSM Goals.

Issue 10: The Parties stipulate and agree that the record supports a Commission finding that FPL’s proposed HVAC On-Bill option expands the existing On Call® load-management program to allow greater customer access to new energy-saving HVAC equipment in a way that also passes the RIM cost-effectiveness test, and should be included in FPL’s proposed DSM Goals.

Issue 11: As set forth in Paragraph 4(b) above, the Parties stipulate and agree that the participation for FPL’s non- RIM Test passing programs will not be capped once sector-level goals are achieved.

Issue 12: The Parties stipulate and agree that to reflect the modifications agreed to in Paragraph 4 above, FPL’s proposed DSM Goals shall be 455MW Summer demand, 337 MW Winter demand, and 1,011 GWh energy reduction for the period 2025 through 2034.

PROPOSED											
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	Cumulative
Summer MW											
Residential	29.82	30.00	30.32	30.27	30.32	31.02	31.15	31.32	31.52	31.76	307.50
Commercial/Industrial	16.24	16.26	16.28	13.89	13.94	14.00	14.05	14.11	14.17	14.23	147.17
Total <sup>1</sup>	46.06	46.26	46.60	44.16	44.27	45.01	45.20	45.43	45.69	45.99	454.68
Winter MW											
Residential	21.79	22.66	23.74	24.12	24.57	25.22	25.74	26.30	26.89	27.53	248.54
Commercial/Industrial	9.65	9.68	9.71	8.28	8.33	8.38	8.43	8.48	8.54	8.59	88.06
Total <sup>1</sup>	31.44	32.34	33.45	32.39	32.89	33.60	34.17	34.78	35.43	36.12	336.60
Annual GWh											
Residential	51.68	50.82	50.07	48.94	48.37	49.20	48.78	48.42	48.12	47.86	492.26
Commercial/Industrial	48.40	49.13	49.87	50.60	51.37	52.15	52.95	53.76	54.58	55.42	518.24
Total <sup>1</sup>	100.08	99.95	99.94	99.55	99.74	101.36	101.73	102.18	102.70	103.28	1,010.50

<sup>1</sup>. Totals may not add due to rounding.

Issue 13: The Parties stipulate and agree that the record supports a Commission finding that no additional goals should be established for demand-side renewable energy systems.

Issue 14: The Parties stipulate and agree that approval of the stipulations set forth herein will fully resolve the issues and positions of all Parties to this docket

and, therefore, this docket should be closed upon the issuance of an Order approving these stipulations.

7. The Parties stipulate and agree that FPL's proposed DSM goals, as modified herein, include both RIM- and TRC-passing programs and will deliver meaningful energy-efficiency savings options to all customers including owners, renters, and low-income customers, and should be approved.
8. The Parties stipulate and agree that FPL's proposed DSM Goals, as modified herein, is a reasonable approach to meet the requirements of Section 366.82, Florida Statutes, and Rules 25-17.0021 and 25-17.008, Florida Administrative Code, and will establish DSM Goals at a reasonable and appropriate level for the period 2025 through 2034 and should be approved.
9. The Parties stipulate and agree that the stipulations and positions set forth herein are limited and apply only to FPL's proposed DSM Goals in Docket No. 20240012-EG, and in no way impact or limit any of the positions that Parties may take in any other current or future proceedings before the Commission, including, but not limited to, any other DSM Goals dockets currently pending before the Commission. Further, no Party agrees, concedes, or waives any position with respect to any of the issues identified in the Prehearing Order.
10. The Parties stipulate and agree that these stipulations fully resolve their respective issues in this proceeding and request that they be approved by the Commission.

In Witness Whereof, Walmart evidence its acceptance and agreement with Paragraphs 1-5, Issue 1-8b and 11-14 in Paragraph 6, and Paragraphs 7-10 of the stipulations by signature of its counsel, and takes no position on Issues 9 and 10 in Paragraph 6 of the stipulations.

***Walmart Inc.***

By: \_\_\_\_\_  
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Florida Bar No. 165610  
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110 Oakwood Drive, Suite 500  
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*Counsel for Walmart Inc.*



In Witness Whereof, FPL, FEL, and SACE evidence their acceptance and agreement with all provisions of these stipulations by their signature.

***Florida Power & Light Company***

By:   
\_\_\_\_\_  
John T. Burnett  
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By: \_\_\_\_\_  
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3425 Bannerman Rd. Unit 105, No. 414  
Tallahassee FL 32312

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By: \_\_\_\_\_  
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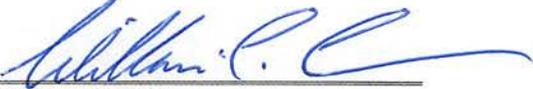
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In Witness Whereof, Walmart evidences its acceptance and agreement with Paragraphs 1-5, Issue 1-8b and 11-14 in Paragraph 6, and Paragraphs 7-10 of the stipulations by signature of its counsel, and takes no position on Issues 9 and 10 in Paragraph 6 of the stipulations.

***Walmart Inc.***

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