

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Duke Energy
Florida, LLC.

DOCKET NO. 20240025-EI
ORDER NO. PSC-2024-0360-PHO-EI
ISSUED: August 15, 2024

PREHEARING ORDER

This Prehearing Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code (F.A.C.), which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

I. CASE BACKGROUND

Duke Energy Florida, LLC (DEF) filed its Petition for Rate Increase, minimum filing requirements (MFRs), and testimony on April 2, 2024. DEF filed its MFRs based on projected test years from January 1 to December 31, 2025; January 1 to December 31, 2026; and January 1 to December 31, 2027. By Order No. PSC-2024-0092-PCO-EI, issued April 11, 2024, a final administrative hearing was scheduled for August 12 – 16, 2024, with August 19 – 23, 2024, also reserved for the continuation and conclusion of the hearing, if necessary.

Intervention by the Citizens of the State of Florida through the Office of Public Counsel (OPC) was acknowledged by Order No. PSC-2024-0041-PCO-EI, issued February 16, 2024. Petitions to Intervene filed by the following entities and associations were subsequently granted: Florida Rising, Inc. and the League of United Latin American Citizens of Florida (collectively (LULAC));¹ Florida Industrial Power Users Group (FIPUG);² Florida Retail Federation (FRF);³ Sierra Club;⁴ White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate - White Springs (PCS Phosphate);⁵ Nucor Steel Florida, Inc. (Nucor);⁶ the Southern Alliance for Clean Energy (SACE);⁷ Americans for Affordable Clean Energy, Inc., Circle K Stores, Inc., RaceTrac, Inc., and Wawa, Inc. (collectively Fuel Retailers);⁸ EVgo Services, LLC (EVgo);⁹ and Walmart, Inc. (Walmart).¹⁰ The Petition to Intervene by the Florida Solar Energy Industry Association was denied without prejudice.¹¹

¹ Order No. PSC-2024-0106-PCO-EI, issued April 19, 2024.

² Order No. PSC-2024-0107-PCO-EI, issued April 19, 2024.

³ Order No. PSC-2024-0108-PCO-EI, issued April 19, 2024.

⁴ Order No. PSC-2024-0109-PCO-EI, issued April 19, 2024.

⁵ Order No. PSC-2024-0129-PCO-EI, issued April 24, 2024.

⁶ Order No. PSC-2024-0130-PCO-EI, issued April 24, 2024.

⁷ Order No. PSC-2024-0150-PCO-EI, issued May 13, 2024.

⁸ Order No. PSC-2024-0184-PCO-EI, issued June 4, 2024.

⁹ Order No. PSC-2024-0185-PCO-EI, issued June 4, 2024.

¹⁰ Order No. PSC-2024-0256-PCO-EI, issued July 22, 2024.

¹¹ Order No. PSC-2024-0257-PCO-EI, issued July 22, 2024.

On July 15, 2024, DEF, OPC, FRF, FIPUG, Nucor, and PCS Phosphate (collectively Signatories) filed a Joint Motion for Approval of 2024 Settlement Agreement (Motion for Approval), with a copy of the 2024 Settlement Agreement appended thereto as Attachment 1. The Signatories requested that the Commission consider the Settlement Agreement during the two-week period that had been set aside for the final hearing in this docket, and approve the Settlement Agreement in its entirety as being in the public interest. Based on the representations in the Motion for Approval, the undersigned Prehearing Officer issued a First Order Revising Order Establishing Procedure on July 24, 2024, and therein scheduled a final hearing on the 2024 Settlement Agreement for August 21, 2024, with August 22, 2024, also reserved for the continuation and conclusion of the hearing, if necessary.

II. JURISDICTION

The Florida Public Service Commission (Commission) is vested with jurisdiction over the subject matter of this proceeding by the provisions of Chapter 366, Florida Statutes (F.S.). This hearing will be governed by said Chapter and Chapters 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

III. BASIC POSITIONS

The positions listed below reflect those taken by the parties in the Joint Motion for Approval of 2024 Settlement Agreement.

DEF: The Commission should approve the 2024 Settlement Agreement because it is in the public interest, and establishes rates that are fair, just, and reasonable.

OPC: The Commission should approve the 2024 Settlement Agreement.

Fuel

Retailers: No position on whether the Commission should approve the 2024 Settlement Agreement.

EVgo: No objection to the Commission approving the 2024 Settlement Agreement.

FIPUG: The Commission should approve the 2024 Settlement Agreement.

LULAC: Do not oppose Commission approval of the 2024 Settlement Agreement.

FRF: The Commission should approve the 2024 Settlement Agreement.

Nucor: The Commission should approve the 2024 Settlement Agreement.

PCS

Phosphate: The Commission should approve the 2024 Settlement Agreement.

SACE: Does not oppose Commission approval of the 2024 Settlement Agreement.

Sierra Club: Does not oppose Commission approval of the 2024 Settlement Agreement.

Walmart: Does not oppose Commission approval of the 2024 Settlement Agreement.

STAFF: Staff's final positions will be based upon all the evidence in the record and set forth in a written recommendation.

IV. ISSUES

ISSUE 1: Should the Commission approve the 2024 Settlement Agreement as being in the public interest and establishing rates that are fair, just, and reasonable?

2024 Settlement Agreement Major Elements

- I. Cost of Capital
- II. 2025 Test Year Revenue Increase
- III. 2026 Subsequent Year Adjustment
- IV. Powerline Battery Storage Project and Investment Tax Credit Monetization
- V. Revenue Allocation
- VI. Elimination of Reconnect Fees and the Reallocation of the Foregone Annual Revenue
- VII. Extreme Weather Disconnections
- VIII. Minimum Bill Adjustment to Income-Qualified Customers
- IX. Solar Base Rate Adjustment
- X. Process to Approve Acquisition of Future Fossil Generation
- XI. Electric Vehicle Charging Programs
- XII. Federal and/or State Corporate Income Tax Change
- XIII. Revised Dismantlement Accrual
- XIV. Adjusted Depreciation Study

XV. Production Tax Credit True-Up

XVI. Asset Optimization Mechanism

XVII. Storm Damage Cost Recovery Surcharge

XVIII. Interruptible Credits, Neighborhood Energy Saver Program, and Smart Thermostats

ISSUE 2: Should this docket be closed?

V. FINAL HEARING PROCEDURE

Section 120.57(4), F.S., permits the Commission to informally dispose of any proceeding by stipulation, agreed settlement, or consent order. Pursuant to Rule 28-106.302(2), F.A.C., the purpose of this hearing is for the Commission to take oral and written evidence or argument regarding the approval of the 2024 Settlement Agreement as being in the public interest, and establishing rates that are fair, just, and reasonable.

The hearing for August 21-22, 2024, shall be governed by the following agenda:

1. Convene Hearing
2. Read Notice
3. Take Appearances
4. Preliminary Matters
5. Openings
 - a. Opening Statements by Signatories to 2024 Settlement (5 minutes each)
 - b. Statements of Position by Non-Signatories (2 minutes each)
6. The Record
7. Witness panel testimony (in-person) regarding the 2024 Settlement Agreement
8. Questions from Commissioners regarding the 2024 Settlement Agreement
9. Concluding Matters
10. Adjourn

Upon the admission of all testimony and evidence, and completion of the Commission's questions at hearing, the hearing record will be closed. Briefs, if any, will be due September 6, 2024.

VI. TESTIMONY

Prefiled Testimony

Testimony of the following witnesses sponsored by the parties and Staff has been prefiled and will be inserted into the record as though read in the following order:

<u>Witness</u>	<u>Proffered By</u>
<u>Direct</u>	
Melissa Seixas	DEF
Ned W. Allis	DEF
Reginald D. Anderson	DEF
Nicole Aquilina	DEF
Benjamin M.H. Borsch	DEF
Rebekah E. Buck	DEF
Shannon Caldwell	DEF
Matthew Chatelain	DEF
Timothy J. Duff	DEF
Vanessa Goff	DEF
Hans Jacob	DEF
Jeffrey T. Kopp	DEF
Brian M. Lloyd	DEF
James J. McClay, III	DEF
Adrian M. McKenzie	DEF

<u>Witness</u>	<u>Proffered By</u>
Karl W. Newlin	DEF
Michael T. O'Hara	DEF
Marcia J. Oliver	DEF
John R. Panizza	DEF
Lesley G. Quick	DEF
Edward L. Scott	DEF
James R. Dauphinais, Ph.D.	OPC
David E. Dismukes	OPC
William W. Dunkel	OPC
Daniel J. Lawton	OPC
Kevin J. Mara, P.E.	OPC
Helmuth W. Schultz, III	OPC
David Failkov	AACE-Fuel Retailers
Lindsey R. Stegall	EVgo
Jonathan Ly	FIPUG
Jeff Pollock	FIPUG
Steve W. Chriss	FRF
MacKenzie Marcelin	FL Rising/LULAC
Karl R. Rabago	FL Rising/LULAC
Tony Georgis	Nucor/PCS Phosphate
Rose Anderson	Sierra Club
Angela L. Calhoun	Staff

<u>Witness</u>	<u>Proffered By</u>
Simon Ojada	Staff

<u>Rebuttal</u>	
Ned W. Allis	DEF
Reginald D. Anderson	DEF
Benjamin M.H. Borsch	DEF
Matthew Chatelain	DEF
Timothy J. Duff	DEF
Misty Easton	DEF
Vanessa Goff	DEF
Timothy S. Hill	DEF
Jeffrey T. Kopp	DEF
Brian M. Lloyd	DEF
Adrian M. McKenzie	DEF
Sharif S. Mitchell	DEF
Karl W. Newlin	DEF
Michael T. O'Hara	DEF
Marcia J. Olivier	DEF
John R. Panizza	DEF
Lesley G. Quick	DEF
Edward L. Scott	DEF
Paige Swofford	DEF

In-person Witness Testimony

The following witness panel will provide in-person testimony regarding the 2024 Settlement Agreement at the August 21, 2024, hearing:

Benjamin M.H. Borsch	DEF
Matthew Chatelain	DEF
Marcia J. Olivier	DEF

VII. PREFILED EXHIBITS

The following prefiled exhibits submitted along with the prefiled testimony of all witnesses will be moved into the record.

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
<u>Direct</u>			
Ned W. Allis	DEF	NWA-1	2024 Depreciation Study
Ned W. Allis	DEF	NWA-2	List of Cases which Ned W. Allis Submitted Testimony
Ned W. Allis	DEF	NWA-3	Summaries of Depreciation Accruals Using Existing and Proposed Depreciation Rates
Reginald D. Anderson	DEF	RDA-1	List of MFR's Sponsored
Reginald D. Anderson	DEF	RDA-2	List of Facilities that Comprise DEF's Current Generation Fleet
Reginald D. Anderson	DEF	RDA-3	DEF's Heat Rate & Unit Flexibility Metrics
Reginald D. Anderson	DEF	RDA-4	Overview of each of the major DEF Generation projects that make up the Company's capital request included in the MFRs for the years 2025-2027
Nicole Aquilina	DEF	NA-1	List of MFR's Sponsored

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Benjamin M. H. Borsch	DEF	BMHB-1	List of MFR's Sponsored
Benjamin M. H. Borsch	DEF	BMHB-2	Historic and Projected Customer, Energy Sales & Seasonal Demand Forecast
Benjamin M. H. Borsch	DEF	BMHB-3	Solar Cost Analysis AMENDED 4/23/2024
Benjamin M. H. Borsch	DEF	BMHB-4	CEC Expansion Cost Analysis AMENDED 4/23/2024
Benjamin M. H. Borsch	DEF	BMHB-5	Combined Cycle Efficiency Improvements Project Cost Analysis
Benjamin M. H. Borsch	DEF	BMHB-6	Battery Storage Cost Analysis AMENDED 4/23/2024
Rebekah E. Buck	DEF	REB-1	Service Company Utility Company Service Agreement
Rebekah E. Buck	DEF	REB-2	Operating Companies Service Agreement
Rebekah E. Buck	DEF	REB-3	Operating Company/ Nonutility Companies Service Agreement AMENDED 4/23/2024
Rebekah E. Buck	DEF	REB-4	Intercompany Asset Transfer Agreement
Rebekah E. Buck	DEF	REB-5	2023 Service Company Cost Allocation Rate Schedule
Shannon Caldwell	DEF	SC-1	List of MFR's Sponsored
Shannon Caldwell	DEF	SC-2	Duke Energy 2023 Survey Library
Shannon Caldwell	DEF	SC-3	2023 Duke Energy Short-Term Incentive Plan REDACTED

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Shannon Caldwell	DEF	SC-4	2023 Duke Energy Short-Term Incentive Scorecard REDACTED
Shannon Caldwell	DEF	SC-5	2023 Duke Energy Executive Long-Term Incentive Plan brochure REDACTED
Shannon Caldwell	DEF	SC-6	2023 Duke Energy Restricted Stock Unit Award Summary
Shannon Caldwell	DEF	SC-7	Duke Energy Florida Year End 2023 Disclosure and Fiscal 2024 Cost REDACTED
Matthew Chatelain	DEF	MC-1	List of MFR's Sponsored
Matthew Chatelain	DEF	MC-2	Company-Proposed Allocation of the Target Revenue and Rate Increase/ (Decrease) by Rate Class
Matthew Chatelain	DEF	MC-3	Base Revenue by Rate Schedule – Calculations – Calendar Year Determinants
Vanessa Goff	DEF	VG-1	Site plan drawings for the four 1 named 2025 solar projects: Sundance, Bailey Mill, Half Moon, and Rattler
Vanessa Goff	DEF	VG-2	Project milestone schedule
Jeffrey T. Kopp	DEF	JTK-1	Resume & Curriculum Vitae
Jeffrey T. Kopp	DEF	JTK-2	2023 Dismantlement Study Report Co-Sponsored by Nicole Aquilina

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Brian M. Lloyd	DEF	BL-1	Summary of co-sponsored schedules of the Company's MFR's
Brian M. Lloyd	DEF	BL-2	Summary of Distribution reliability results for the years 2018-2023
Brian M. Lloyd	DEF	BL-3	Summary of Distribution Maintenance Subprograms
Adrien M. McKenzie	DEF	AMM-1	Qualifications of Adrien M. McKenzie
Adrien M. McKenzie	DEF	AMM-2	Summary of Results
Adrien M. McKenzie	DEF	AMM-3	Risk Measures – Utility Group
Adrien M. McKenzie	DEF	AMM-4	Regulatory Mechanisms
Adrien M. McKenzie	DEF	AMM-5	Capital Structure
Adrien M. McKenzie	DEF	AMM-6	Discount Cash Flow Model – Utility Group
Adrien M. McKenzie	DEF	AMM-7	br + sv Growth Rate – Utility Group
Adrien M. McKenzie	DEF	AMM-8	Capital Asset Pricing Model
Adrien M. McKenzie	DEF	AMM-9	Empirical Capital Asset Pricing Model
Adrien M. McKenzie	DEF	AMM-10	Utility Risk Premium
Adrien M. McKenzie	DEF	AMM-11	Expected Earnings Approach
Adrien M. McKenzie	DEF	AMM-12	Flotation Cost Study
Adrien M. McKenzie	DEF	AMM-13	Discount Cash Flow Model – Non-Utility Group
Marcia J. Olivier	DEF	MJO-1	List of MFR's Sponsored
Marcia J. Olivier	DEF	MJO-2	Depreciation Study Company Adjustment
Marcia J. Olivier	DEF	MJO-3	Dismantlement Study Company Adjustment

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Marcia J. Olivier	DEF	MJO-4	Electric Vehicle Make Ready Credit Program Company Adjustment
Marcia J. Olivier	DEF	MJO-5	Clean Energy Connection Cumulative Revenue Requirements AMENDED 4/23/2024
Marcia J. Olivier	DEF	MJO-6	Clean Energy Connection Subscription Revenue Company Adjustment
Marcia J. Olivier	DEF	MJO-7	Functionalization, Classification, and Allocation of Plant
Marcia J. Olivier	DEF	MJO-8	Delivery Voltage Credit Calculation
John R. Panizza	DEF	JRP-1	Calculation of Production Tax Credits In Test Periods
John R. Panizza	DEF	JRP-2	Calculation of Proration Adjustments
Edward L. Scott	DEF	ELS-1	List of MFR's Sponsored
James R. Dauphinais, Ph.D.	OPC	JRD-1	DEF Firm Capacity Need Timing for Summer Peak – 2023 TYSP
James R. Dauphinais, Ph.D.	OPC	JRD-2	DEF Firm Capacity Need Timing for Winter Peak – 2023 TYSP
James R. Dauphinais, Ph.D.	OPC	JRD-3	DEF Firm Capacity Need Timing for Summer Peak – 2024 TYSP
James R. Dauphinais, Ph.D.	OPC	JRD-4	DEF Firm Capacity Need Timing for Winter Peak – 2024 TYSP
James R. Dauphinais, Ph.D.	OPC	JRD-5	DEF Firm Capacity Need Timing for Summer Peak – 2023 TYSP – Bayboro P1-P4 CT Retirement Sensitivity

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
James R. Dauphinais, Ph.D.	OPC	JRD-6	DEF Firm Capacity Need Timing for Winter Peak – 2023 TYSP – Bayboro P1-P4 CT Retirement Sensitivity
James R. Dauphinais, Ph.D.	OPC	JRD-7	DEF Firm Capacity Need Timing for Summer Peak – 2024 TYSP – Bayboro P1-P4 CT Retirement Sensitivity
James R. Dauphinais, Ph.D.	OPC	JRD-8	DEF Firm Capacity Need Timing for Winter Peak – 2024 TYSP – Bayboro P1-P4 CT Retirement Sensitivity
James R. Dauphinais, Ph.D.	OPC	JRD-9	CCE Projects – CPVRR Breakeven
James R. Dauphinais, Ph.D.	OPC	JRD-10	CCE Projects – CPVRR Breakeven – OPC Estimate with Updated Capital Costs + Hypothetical Retirement of All CC Units by the end of 2041
James R. Dauphinais, Ph.D.	OPC	JRD-11	2025-2027 Solar Projects – Cost Effectiveness – OPC Estimate for Last Nine Projects
James R. Dauphinais, Ph.D.	OPC	JRD-12	2025-2027 Solar Projects – All 14 Projects Pursued – CPVRR Breakeven
James R. Dauphinais, Ph.D.	OPC	JRD-13	2025-2027 Solar Projects – All 14 Projects Pursued – CPVRR Breakeven – OPC Estimate with Updated Capital Costs
James R. Dauphinais, Ph.D.	OPC	JRD-14	2025-2027 Solar Projects – All 14 Projects Pursued – CPVRR Breakeven – OPC Estimate with Updated Capital Costs and 2023 TYSP Low Fuel Costs
James R. Dauphinais, Ph.D.	OPC	JRD-15	Powerline Battery Project (40% ITC) – CPVRR Breakeven

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
James R. Dauphinais, Ph.D.	OPC	JRD-16	Public Non-Voluminous Discovery Responses Cited to by Mr. Dauphinais in his Direct Testimony
James R. Dauphinais, Ph.D.	OPC	JRD-17	Confidential Non-Voluminous Discovery Responses Cited to by Mr. Dauphinais in his Direct Testimony
James R. Dauphinais, Ph.D.	OPC	JRD-18	Confidential Deposition Transcript Excerpts Cited to by Mr. Dauphinais in his Direct Testimony
James R. Dauphinais, Ph.D.	OPC	JRD-19	Deposition Late Filed Exhibits Cited to by Mr. Dauphinais in his Direct Testimony
David E. Dismukes	OPC	DED-1	Base Revenue Impact
David E. Dismukes	OPC	DED-2	Out-of-Model Adjustments
David E. Dismukes	OPC	DED-3	Company Energy Sales and Customer Forecasts
David E. Dismukes	OPC	DED-4	Revised Sales Forecast based on Ten-Year Trend
David E. Dismukes	OPC	DED-5	Usage per Customer Utility Survey
David E. Dismukes	OPC	DED-6	Rate Case Forecast Compared to Ten-Year Site Plan
David E. Dismukes	OPC	DED-7	Impact of Alternative Regulation for Retail Ratepayers in Florida
David E. Dismukes	OPC	DED-8	Energy Affordability Index
David E. Dismukes	OPC	WWD-1	Summary of my qualifications, experience, and a list of prior testimonies before state utility regulatory agencies
David E. Dismukes	OPC	WWD-2	Pages from the DEF Ten-Year Site Plan dated April, 2022 covering the years 2022-2031

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
David E. Dismukes	OPC	WWD-3	DEF response to OPC Sixth Set of Interrogatories, No. 139
David E. Dismukes	OPC	WWD-4	DEF response to OPC Sixth Set of Interrogatories, No. 126
David E. Dismukes	OPC	WWD-5	Utility-Scale Solar, 2022 Edition, LBNL
David E. Dismukes	OPC	WWD-6	Redistribution of the Simple Cycle Production Plant depreciation reserve
David E. Dismukes	OPC	WWD-7	OPC Depreciation Rates
David E. Dismukes	OPC	WWD-8	DEF response to OPC's Tenth Set of Interrogatories, Nos. 245 & 246
David E. Dismukes	OPC	WWD-9	Page 74 of Jeffrey T. Kopp's Exhibit No. JTK-2
David E. Dismukes	OPC	WWD-10	Pages from the prior 2020 DEF Dismantlement Study
David E. Dismukes	OPC	WWD-11	Dismantlement Cost Estimates
David E. Dismukes	OPC	WWD-12	<i>Changes in U.S. Family Finances from 2016 to 2019: Evidence from the Survey of Consumer Finances</i> , Federal Reserve Bulletin Vol. 3, No. 3 (Sept. 2017)
David E. Dismukes	OPC	WWD-13	January 2023 <i>Federal Reserve Statistical Release</i>
Daniel J. Lawton	OPC	DJL-1	Resume
Daniel J. Lawton	OPC	DJL-2	Comparable Company Electric Group Equity Ratios
Daniel J. Lawton	OPC	DJL-3	Historical Monthly Government Bond Yields
Daniel J. Lawton	OPC	DJL-4	Comparable Company Electric Equity Return Forecast

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Daniel J. Lawton	OPC	DJL-5	Comparable Company Electric Group Price Data
Daniel J. Lawton	OPC	DJL-6	Comparable Company Electric Group Growth Rate Data
Daniel J. Lawton	OPC	DJL-7	Comparable Company Electric Group DCF
Daniel J. Lawton	OPC	DJL-8	Comparable Company Electric Group Two-Stage DCF
Daniel J. Lawton	OPC	DJL-9	Comparable Company Electric Group CAPM/ECAPM
Daniel J. Lawton	OPC	DJL-10	Bond Yield and Equity Risk Premium Analysis
Daniel J. Lawton	OPC	DJL-11	Capital Structure Duke Energy Florida
Daniel J. Lawton	OPC	DJL-12	Summary of Alternative Cost of Equity Model Estimates
Kevin J. Mara, P.E.	OPC	KJM-1	Curriculum Vitae
Helmuth W. Schultz, III	OPC	HWS-1	Summary of background, experience and qualifications
Helmuth W. Schultz, III	OPC	HWS-2 (Revised 6.26.24)	Schedules with Recommendations based on an analysis of 2025, 2026 and 2027 test years
Helmuth W. Schultz, III	OPC	HWS-3	compilation of discovery responses
Helmuth W. Schultz, III	OPC	HWS-4	1986 Staff Memorandum
Lindsey R. Stegall	EVgo	LRS-1	Lindsey R. Stegall Qualifications
Jonathan Ly	FIPUG	JL-1	Summary of DEF's Proposed Solar Projects Cost-Effectiveness Analysis
Jonathan Ly	FIPUG	JL-2	Comparison of Natural Gas Forecasts

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Jonathan Ly	FIPUG	JL-3	Comparison of EIA Reference Case Henry Hub Natural Gas Price Forecasts
Jeff Pollock	FIPUG	JP-1	Authorized Return on Equity for Vertically Integrated Electric Utilities in Rate Cases Decided in 2023 and 2024
Jeff Pollock	FIPUG	JP-2	Monthly System Peaks as a Percent of the Annual System Peak
Jeff Pollock	FIPUG	JP-3	Derivation of 4CP and Energy Allocation Factors
Jeff Pollock	FIPUG	JP-4	FIPUG's Revised Class Cost-of-Service Study
Jeff Pollock	FIPUG	JP-5	Class Revenue Allocation Based on FIPUG's Revised Class Cost-of-Service Study
Steve W. Chriss	FRF	SWC-1	Witness Qualifications Statement
Steve W. Chriss	FRF	SWC-2	Impact of DEF's Proposed Increase in Return on Equity (\$000) vs. Originally Approved, PTY 2025
Steve W. Chriss	FRF	SWC-3	Impact of DEF's Proposed Increase in Return on Equity (\$000) vs. Originally Approved, PTY 2026
Steve W. Chriss	FRF	SWC-4	Impact of DEF's Proposed Increase in Return on Equity (\$000) vs. Originally Approved, PTY 2027
Steve W. Chriss	FRF	SWC-5	Impact of DEF's Proposed Increase in Return on Equity (\$000) vs. ROE Trigger, PTY 2025
Steve W. Chriss	FRF	SWC-6	Reported Authorized Returns on Equity, Electric Utility Rate Cases Completed, 2021 to Present

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Steve W. Chriss	FRF	SWC-7	Impact of DEF's Proposed Increase in Return on Equity (\$000) vs. 2024 National Average, Vertically Integrated
MacKenzie Marcelin	FL Rising/ LULAC	MM-1	2023 Utility Average Monthly Bill - Residential
MacKenzie Marcelin	FL Rising/ LULAC	MM-2	DEF DSM Annual Report (2023)
MacKenzie Marcelin	FL Rising/ LULAC	MM-3	SACE Energy Efficiency in the Southeast 5th Report (2023)
MacKenzie Marcelin	FL Rising/ LULAC	MM-4	Utility Energy Efficiency Performance
MacKenzie Marcelin	FL Rising/ LULAC	MM-5	Duke Spending on Industrial and Commercial Customers
MacKenzie Marcelin	FL Rising/ LULAC	MM-6	Duke Response to FLL's 1st Interrogatories
Karl R. Rabago	FL Rising/ LULAC	KRR-1	Resume
Karl R. Rabago	FL Rising/ LULAC	KRR-2	List of Prior Testimony
Karl R. Rabago	FL Rising/ LULAC	KRR-3	12 CP and 50 AD Cost of Service Study with 9.5 ROE
Karl R. Rabago	FL Rising/ LULAC	KRR-4	DEF's Response to Staff's 1st Interrogatories No. 1
Karl R. Rabago	FL Rising/ LULAC	KRR-5	Duke Spending on Industrial and Commercial Customers
Tony Georgis	Nucor/PCS Phosphate	TMG-1	Resume and Record of Testimony of Tony Georgis
Tony Georgis	Nucor/PCS Phosphate	TMG-2	Embedded Cost Value for CS and IS Capacity
Tony Georgis	Nucor/PCS Phosphate	TMG-3	Cost of Service Adjustments
Tony Georgis	Nucor/PCS Phosphate	TMG-4	Total Installed Costs of Historical Generation Additions

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Tony Georgis	Nucor/PCS Phosphate	TMG-5	CS and IS Demand Credit Valuation
Tony Georgis	Nucor/PCS Phosphate	TMG-6	Duke Energy Florida, LLC's 2024 Ten-Year Site Plan
Rose Anderson	Sierra Club	RA-1	Resume of Rose Anderson
Rose Anderson	Sierra Club	RA-2	Duke Energy Florida's Public Responses to Sierra Club Interrogatories
Rose Anderson	Sierra Club	RA-3	Duke Energy Florida's 2024 Ten-Year Site Plan
Rose Anderson	Sierra Club	RA-4	2020 Crystal River North Retirement Study
Rose Anderson	Sierra Club	RA-5	DEF's Response to OPC POD 1-7 attach. "B-13 CWIP – REDACTED.xlsx
Rose Anderson	Sierra Club	RA-6	Benjamin Borsch Deposition Transcript (Excerpted)
Rose Anderson	Sierra Club	RA-7	Reginald Anderson Deposition Transcript (Excerpted)
Rose Anderson	Sierra Club	RA-8	U.S. EPA, Final Carbon Pollution Standards to Reduce Greenhouse Gas Emissions from Power Plants, Apr. 25, 2024
Rose Anderson	Sierra Club	RA-9	Florida Reliability Coordinating Council, 2022 Load & Resource Reliability Assessment Report, FRCC-MS-PL-397
Rose Anderson	Sierra Club	RA-10	Duke Energy Carolinas and Duke Energy Progress, Effective Load Carrying Capability (ELCC) Study, Astrapé Consulting, Apr. 25, 2022
Angela L. Calhoun	Staff	ALC-1	List of Quality Of Service Complaints
Angela L. Calhoun	Staff	ALC-2	List of Billing Complaints

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Angela L. Calhoun	Staff	ALC-3	List of Warm Transfers
Simon Ojada	Staff	SO-1	Auditor's Report
<u>Rebuttal</u>			
Ned W. Allis	DEF	NWA-4	Depreciation tables for revised depreciation rates
Ned W. Allis	DEF	NWA-5	Depreciation rates that would result from OPC's proposed retirement dates and net salvage estimates
Benjamin M.H. Borsch	DEF	BMHB-7	Cost-effectiveness analysis for the University of Florida Cogeneration facility
Timothy J. Duff	DEF	TJD-2	"Commercial Make-Ready Credit Program Incentive Custom Calculation" DEF's Response to EVgo's First Set of Interrogatories Nos. 5 & 7
Adrien M. McKenzie	DEF	AMM-14	Implied Cost of Equity—National Allowed ROEs
Adrien M. McKenzie	DEF	AMM-15	Implied Cost of Equity—Commission Approved ROEs
Adrien M. McKenzie	DEF	AMM-16	Implied Cost of Equity—Duke Energy Approved ROEs
Adrien M. McKenzie	DEF	AMM-17	Allowed ROEs—Lawton Proxy Groups
Adrien M. McKenzie	DEF	AMM-18	Lawton Constant Growth DCF—EPS Growth Rates
Adrien M. McKenzie	DEF	AMM-19	Lawton CAPM Models—Corrected
Adrien M. McKenzie	DEF	AMM-20	Lawton Risk Premium Model—Corrected
Karl W. Newlin	DEF	KWN-1	Moody's Investor Service May 29, 2024, DEF Credit Opinion

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Karl W. Newlin	DEF	KWN-2	S&P Global March 1, 2024 RRA State Regulatory Evaluations – Energy
Karl W. Newlin	DEF	KWN-3	S&P Global RRA Regulatory Focus – Quarterly update on decided rate cases
Karl W. Newlin	DEF	KWN-4	Moody’s Investor Service (“Moody’s”) May 22, 2023, DEF Credit Opinion
Karl W. Newlin	DEF	KWN-5	S&P Global February 14, 2024 Ratings Rising Risks: Outlook for North American Investor-Owned Regulated Utilities Weakens
Michael T. O’Hara	DEF	MTO-2	O&M – A&G
Michael T. O’Hara	DEF	MTO-3	Capitalization of Payroll Expense
Michael T. O’Hara	DEF	MTO-4	Unredacted Regulated O&M and Capital Reports
Michael T. O’Hara	DEF	MTO-5	Capital In-Service
Marcia J. Olivier	DEF	MJO-9	DEF’s Response in Opposition to OPC’s Response to DEF’s Test Year Letter, filed February 29, 2024
Marcia J. Olivier	DEF	MJO-10	DEF’s Response to OPC Interrogatory No. 7-150
Marcia J. Olivier	DEF	MJO-11	DEF’s Notice of Identified Adjustments, filed June 6, 2024

VII. COMPREHENSIVE EXHIBIT LIST

Commission staff has prepared and circulated to the parties a Comprehensive Exhibit List which lists all pre-filed exhibits and those exhibits staff wishes to include in the record. Staff will continue to work with the parties to work toward stipulating the exhibit list prior to the hearing.

VIII. PENDING MOTIONS

The Joint Motion for Approval of 2024 Settlement Agreement, with the attached 2024 Settlement Agreement appended thereto as Attachment 1, is pending.

IX. PENDING CONFIDENTIALITY MATTERS

The following confidentiality matter is pending: DEF's Request for Confidential Classification (Doc. 07014-2024) of Response to Staff's Fifth Set of Interrogatories (Doc. 08340-2024), redacted document filed August 8, 2024.

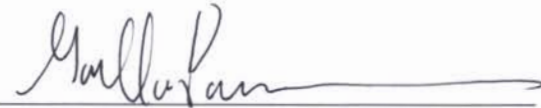
X. POST-HEARING PROCEDURES

Each party may file a post-hearing brief with a brief statement of position on each issue, proposed findings of fact, conclusions of law, and disposition. Pursuant to Rule 28-106.215, F.A.C., a party's post-hearing brief shall total no more than 40 pages.

It is therefore,

ORDERED by Commissioner Gabriella Passidomo, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Gabriella Passidomo, as Prehearing Officer, this 15th day of August, 2024.



Gabriella Passidomo
Commissioner and Prehearing 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.