



Matthew R. Bernier
Associate General Counsel

September 6, 2024

VIA ELECTRONIC FILING

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

Re: *Storm Protection Plan Cost Recovery Clause*; Docket No. 20240010-EI

Dear Mr. Teitzman:

On behalf of Duke Energy Florida, LLC (“DEF”) and the Office of Public Counsel (“OPC”), please find enclosed for electronic filing in the above-referenced docket are Stipulations and Proposed Resolutions. Therein, DEF and OPC stipulate and agree that the stipulations and issue resolutions address all issues in Docket No. 20240010-EI with respect to DEF and accordingly, are ripe to be approved by the Florida Public Service Commission. Additionally, DEF and OPC agree to waive cross examination of all DEF and Staff witnesses and, upon Florida Public Service Commission approval, have no objection to such witnesses being excused from appearing at the hearing. DEF contacted counsel for Nucor Steel, Inc., PCS Phosphate-White Springs, and Florida Industrial Power Users Group and is awaiting their positions, if any, on the enclosed Stipulations and Proposed Resolutions.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing.

Respectfully,

/s/ Matthew R. Bernier

Matthew R. Bernier

MRB/mh
Enclosures

CERTIFICATE OF SERVICE

Docket No. 20240010-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 6th day of September, 2024.

/s/ Matthew R. Bernier

Attorney

<p>Shaw Stiller / Daniel Dose / Jennifer Crawford Office of General Counsel FL Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sstiller@psc.state.fl.us ddose@psc.state.fl.us jcrawfor@psc.state.fl.us</p> <p>Kenneth Hoffman Florida Power & Light 134 West Jefferson St. Tallahassee, FL 32301-1713 ken.hoffman@fpl.com</p> <p>Christopher T. Wright / Davide Lee Florida Power & Light 700 Universe Boulevard (JB/LAW) Juno Beach FL 33408-0420 christopher.wright@fpl.com david.lee@fpl.com</p> <p>Peter J. Mattheis / Michael K. Lavanga / Joseph R. Briscar Stone Mattheis Xenopoulos & Brew, PC NUCOR 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007 pjm@smxblaw.com mkl@smxblaw.com jrb@smxblaw.com</p>	<p>Beth Keating Gunster, Yoakley, & Stewart, P.A. FPUC 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p> <p>Michelle Napier / Phuong Nguyen Florida Public Utilities Company 1635 Meathe Drive West Palm Beach, Florida 33411 mnapier@fpuc.com pnguyen@chpk.com</p> <p>Jon C. Moyle Jr. Moyle Law Firm FIPUG 118 North Gadsden St. Tallahassee, FL 32301 jmoyle@moylelaw.com mqualls@moylelaw.com</p> <p>James W. Brew / Laura Wynn Baker / Sarah B. Newman Stone Mattheis Xenopoulos & Brew, P.C. PCS Phosphate –White Springs 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007 jbrew@smxblaw.com lwb@smxblaw.com sbn@smxblaw.com</p>	<p>W. Trierweiler / P. Christensen / C. Rehwinkel / M. Wessling / O. Ponce/ A. Watrous Office of Public Counsel 111 W. Madison St., Room 812 Tallahassee, FL 32399-1400 trierweiler.walt@leg.state.fl.us christensen.patty@leg.state.fl.us rehwinkel.charles@leg.state.fl.us wessling.mary@leg.state.fl.us ponce.octavio@leg.state.fl.us watrous.austin@leg.state.fl.us</p> <p>Paula K. Brown Tampa Electric Company Regulatory Affairs P.O. Box 11 Tampa, FL 33601-0111 regdept@tecoenergy.com</p> <p>J. Wahlen / M. Means / V. Ponder Ausley McMullen Tampa Electric Company P.O. Box 391 Tallahassee, FL 32302 jwahlen@ausley.com mmeans@ausley.com vponder@ausley.com</p>
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Storm Protection Plan Cost Recovery
Clause

Docket No. 20240010-EI

Dated: September 6, 2024

STIPULATIONS AND PROPOSED RESOLUTION

Duke Energy Florida, LLC (“DEF” or the “Company”) and the Office of Public Counsel (“OPC”) (hereinafter collectively referred to as “Parties”) hereby agree to submit for approval by the Florida Public Service Commission (“Commission”) the following Stipulations and Proposed Resolution of the issues to be addressed in Docket No. 20240010-EI 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 DEF witnesses Christopher A. Menendez filed on April 1, 2024, along with Exhibits CAM-1;
 - b. The Direct Testimony of DEF witnesses Robert E. McCabe filed on April 1, 2024;
 - c. The Direct Testimony of DEF witnesses Robert E. Brong filed on April 1, 2024;
 - d. The Direct Testimony of DEF witnesses Christopher A. Menendez filed on May 1, 2024, along with Exhibits CAM-2 and CAM-3;
 - e. The updated Direct Testimony of DEF witnesses Christopher A. Menendez filed on July 31, 2024, along with updated Exhibit CAM-3 to reflect the updated information based on the effects of DEF’s 2024 Settlement Agreement in Docket No. 20240025-EI;

- f. The Direct Testimony of DEF witnesses Robert E. McCabe filed on May 1, 2024;
 - g. The Direct Testimony of DEF witnesses Robert E. Brong filed on May 1, 2024;
and
 - h. The Direct Testimony of Staff witness Donna D. Brown filed on July 1, 2024,
along with Exhibit DDB-1.
2. The Parties agree to waive cross-examination of all DEF and Staff witnesses in Docket No. 20240010-EI and, upon Commission approval, have no objection to such witnesses being excused from appearing at the hearing.
 3. The Parties stipulate to having all of DEF's responses to Staff's discovery requests entered into the record.
 4. To the extent there are proposed Type 2 stipulations¹ for Issue Nos. 1D, 2D, 3D, 4D, 5D, 6D, 7D, 8D, 9D, and 10, DEF supports the proposed stipulations and OPC will take no position on each issue and thereby will facilitate a Type 2 stipulation on each of these issues as follows:

OPC takes no position on DEF's proposed Storm Protection Plan Cost Recovery Clause (SPPCRC) Factors, nor does it have the burden of proof related to them. As such, OPC further represents that it takes no position on, and thus will not contest or oppose the Commission taking action approving a proposed stipulation between the Company and another party or Staff as to a final resolution of, Issue Nos. 1D, 2D, 3D, 4D, 5D, 6D, 7D, 8D, 9D, and 10. No person is authorized to state that the OPC is a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission or in a representation to a Court.

¹ A Type 2 stipulation occurs on an issue when the utility and the staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order.

5. DEF's positions subject to the Type 2 stipulations described above, if approved, are as follows:

Issue 1D: DEF's final total SPPCRC investments for 2023 is \$684,389,980.² DEF's SPPCRC final jurisdictional revenue requirement true-up for the period January 2023 through December 2023, including interest, is an over-recovery of \$5,364,450.

Issue 2D: DEF's total SPPCRC investments for 2024 is \$771,943,413.³ DEF's SPPCRC actual/estimated jurisdictional revenue requirement true-up for the period January 2024 through December 2024, including interest, is an over-recovery of \$10,259,107.

Issue 3D: DEF's total SPPCRC projected investments for 2025 is \$845,476,201.⁴ DEF's projected SPPCRC jurisdictional revenue requirement for the period January 2025 through December 2025 is \$285,580,616, based on the updated 2025 testimony of Christopher A. Menendez and updated Exhibit CAM-3.

Issue 4D: The projected total SPPCRC jurisdictional revenue requirement for the period January 2025 through December 2025, including true-up amounts, is \$269,957,058, based on the updated 2025 testimony of Christopher A. Menendez and updated Exhibit CAM-3.

Issue 5D: For the period January 2025 through December 2025, DEF should use the depreciation rates that were approved in Final Order No. PSC-2021-0202A-AS-EI, consistent with DEF's settlement agreement filed on July 15, 2024, in Docket No. 20240025-EI and reflected in the updated 2025 testimony of Christopher A. Menendez and updated Exhibit CAM-3.

Issue 6D: As shown in updated Exhibit CAM-3, DEF's retail jurisdictional separation factors for the period January 2025 through December 2025 are:

	<u>DEMAND</u>	
Transmission		0.703692
Distribution		1.000000

Issue 7D: As shown on Form 6P of updated Exhibit CAM-3, the appropriate DEF 2025 SPPCRC factors for each rate class are as follows:

² The jurisdictional separation factors are applied to the revenue requirements and not the costs incurred. Therefore, the total jurisdictional cost incurred for the applicable calendar year is not available.

³ See Footnote 2.

⁴ See Footnote 2.

Customer Class	SPPCRC Factor
Residential	0.801 cents/kWh
General Service Non-Demand	0.694 cents/kWh
@ Primary Voltage	0.687 cents/kWh
@ Transmission Voltage	0.680 cents/kWh
General Service 100% Load Factor	0.355 cents/kWh
General Service Demand	1.92 \$/kW
@ Primary Voltage	1.90 \$/kW
@ Transmission Voltage	0.33 \$/kW
Curtable	1.15 \$/kW
@ Primary Voltage	1.14 \$/kW
@ Transmission Voltage	1.13 \$/kW
Interruptible	1.54 \$/kW
@ Primary Voltage	1.26 \$/kW
@ Transmission Voltage	0.25 \$/kW
Standby Monthly	0.170 \$/kW
@ Primary Voltage	0.168 \$/kW
@ Transmission Voltage	0.167 \$/kW
Standby Daily	0.081 \$/kW
@ Primary Voltage	0.080 \$/kW
@ Transmission Voltage	0.079 \$/kW
Lighting	0.586 cents/kWh

Issue 8D: The factors shall be effective beginning with the specified Storm Protection Plan Cost Recovery Clause cycle and thereafter for the period January 2025 through December 2025. Billing cycles may start before January 1, 2025, and the last cycle may be read after December 31, 2025, so that each customer is billed for twelve months, regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission.

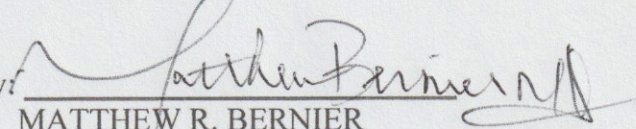
Issue 9D: Yes. The Commission should approve DEF's revised tariffs reflecting the Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission's decision. The Commission should grant Staff Administrative authority to approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding.

Issue 10: No, this is an on-going docket and should remain open until a subsequent year's docket is established.

6. The Parties stipulate and agree that the issue resolutions set out above address all issues in Docket No. 20240010-EI and accordingly, are ripe to be approved by the Commission.

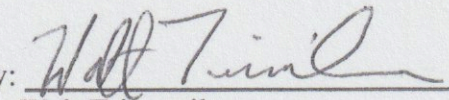
In Witness Whereof, DEF and OPC evidence their acceptance and agreement with the aforesaid stipulations and proposed resolutions by their signature.

Duke Energy Florida

By: 

MATTHEW R. BERNIER
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By: 

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