

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of 2026-2035 Storm Protection  
Plan pursuant to Rule 25-6.030, F.A.C., by  
Duke Energy Florida, LLC

DOCKET NO.: 20250015-EI

FILED: January 21, 2025

**NOTICE OF FILING OF PROCEDURAL COMMUNICATION**

The Citizens of the State of Florida, by and through Walt Trierweiler, Public Counsel, serve their Notice of Filing the attached procedural communication in this docket.

Respectfully submitted,

*/s/ Walt Trierweiler*

Walt Trierweiler

Public Counsel

Florida Bar No.: 912468

Office of Public Counsel

c/o The Florida Legislature

111 West Madison Street, Suite 812

Tallahassee, FL 32399-1400

*Attorney for the Citizens  
of the State of Florida*

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 20250015-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 21<sup>st</sup> day of January, 2025, to the following:

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*/s/ Charles J. Rehwinkel*  
Charles J. Rehwinkel  
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## Rehwinkel, Charles

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**From:** Rehwinkel, Charles  
**Sent:** Friday, January 17, 2025 3:25 PM  
**To:** Carlos Marquez  
**Cc:** Christensen, Patty; Wessling, Mary; Ponce, Octavio; Watrous, Austin; Adria Harper; Jennifer Augspurger; Saad Farooqi; Jacob Imig; Timothy Sparks; Christopher Wright; Bernier, Matt; Malcolm N. Means; Trierweiler, Walt; bkeating@gunster.com; Adam Teitzman  
**Subject:** Re: Storm Protection Plan Dockets Nos. 20250014-EI, 20250015-EI, 20250016-EI, 20250017-EI  
**Attachments:** 11.15.24 PSC 6-month calendar.pdf

Carlos:

Thank you for your well-intentioned and helpful heads-up email this morning.

Having only learned on January 8, 2025, that the SPP filings were coming in on January 15<sup>th</sup> instead of approximately April 10<sup>th</sup> as was done in the two previous filings, we are significantly impaired in hiring an expert. On the day the docket opened, January 8, 2025, we also learned that the unspecified hold dates of May 6-8, 2025, on the Commission Calendar since November 15, 2024, were in fact the SPP hearing dates. (See attached). We immediately reached out on January 9, 2025, to an expert for a proposal to file testimony in the SPP dockets. We are still in that process. The utilities and the staff clearly had determined the filing date earlier than January 8, 2025, as these plans do not put themselves together in a week. While this could have been cured with a phone call, email, or transparent calendaring, OPC is now in the position of trying to play catch-up, when there are hundreds of millions of customer dollars at stake.

The Office of Public Counsel has participated at *every step* in the rulemaking, rule hearing, two previous SPP plan hearings, post-hearing process, the SPPCRC clauses hearings, and an appeal, always with the goal of protecting the interests of Florida's customers. The woeful lack of effective notice (today) has caused us to be significantly at risk of being unable to produce necessary expert testimony by the just announced deadline-just 28 working days from today.

For OPC to effectively exercise its statutory role in these dockets, we should have received equal, or at least effective, notice. Since the opportunity to cure that deficiency has passed; it can only possibly be addressed by providing OPC with a combination of adequate time to conduct meaningful discovery and to

file responsive expert testimony. At this time, the 20-day turnaround has the same impact as the standard 30-day turnaround; it only effectively allows only one single round of written discovery prior to the testimony deadline, even if we could place an expert under contract today. The expert we reached out to is unavailable until January 27<sup>th</sup> to complete the procurement process that must now be re-visited in lieu of the testimony and discovery deadlines about which we did not know to communicate. Without more time, this informal scheduling does not allow for the engagement of an expert to conduct detailed analysis of these 4 plans, discovery, and resultant testimony preparation prior to filing on February 26<sup>th</sup>.

The lack of uniform notice combined with a truncated scheduling process is not an isolated incident, and OPC respectfully requests the opportunity to be heard so that the duties and responsibilities of all stakeholders in the vitally important SPP approval process can be examined. Perhaps this could also serve as a much-needed Issue ID meeting, so that we may all have a meaningful discussion of the scope of scheduling. To that end, the Public Counsel would like to urgently schedule a time-sensitive call with the Commission and the Parties for an open discussion of the above-mentioned matters.

Thank you

Charles

CC: Parties of record and docket file for Docket Nos. 20250014-EI, 20250015-EI, 20250016-EI, 20250017-EI

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**From:** Carlos Marquez <CMarquez@psc.state.fl.us>

**Date:** Friday, January 17, 2025 at 9:50 AM

**To:** Rehwinkel, Charles <REHWINKEL.CHARLES@leg.state.fl.us>, Trierweiler, Walt <TRIERWEILER.WALT@leg.state.fl.us>

**Cc:** Christensen, Patty <CHRISTENSEN.PATTY@leg.state.fl.us>, Wessling, Mary <Wessling.Mary@leg.state.fl.us>, Ponce, Octavio <PONCE.OCTAVIO@leg.state.fl.us>, Watrous, Austin <WATROUS.AUSTIN@leg.state.fl.us>, Adria Harper <AHarper@psc.state.fl.us>, Jennifer Augspurgen <JAugspur@psc.state.fl.us>, Saad Farooqi <SFarooqi@psc.state.fl.us>, Jacob Imig <JImig@psc.state.fl.us>, Timothy Sparks <TSparks@psc.state.fl.us>

**Subject:** RE: Storm Protection Plan Dockets

Hi Charles,

We are contemplating a 20-day turnaround for direct and a 10-day turnaround for rebuttal, similar to what was done last time. With a discovery deadline of April 11<sup>th</sup>.



**Carlos M. Marquez II, Esq.**  
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**From:** Rehwinkel, Charles <REHWINKEL.CHARLES@leg.state.fl.us>

**Sent:** Friday, January 17, 2025 9:18 AM

**To:** Carlos Marquez <CMarquez@psc.state.fl.us>; Trierweiler, Walt <TRIERWEILER.WALT@leg.state.fl.us>

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**Subject:** Re: Storm Protection Plan Dockets

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Carlos:

What will the discovery turnaround be if this is the date?

Charles

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**From:** Carlos Marquez <CMarquez@psc.state.fl.us>

**Date:** Friday, January 17, 2025 at 9:06 AM

**To:** Trierweiler, Walt <TRIERWEILER.WALT@leg.state.fl.us>

**Cc:** Rehwinkel, Charles <REHWINKEL.CHARLES@leg.state.fl.us>, Christensen, Patty <CHRISTENSEN.PATTY@leg.state.fl.us>, Wessling, Mary <Wessling.Mary@leg.state.fl.us>, Ponce, Octavio <PONCE.OCTAVIO@leg.state.fl.us>, Watrous, Austin <WATROUS.AUSTIN@leg.state.fl.us>, Adria Harper <AHarper@psc.state.fl.us>, Jennifer Augspurger <JAugspur@psc.state.fl.us>, Saad Farooqi <SFarooqi@psc.state.fl.us>, Jacob Imig <JImig@psc.state.fl.us>, Timothy Sparks <TSparks@psc.state.fl.us>

**Subject:** Storm Protection Plan Dockets

Good morning Walt,

The OEPs for the storm protection plan dockets (20250014 – 20250017) will not be issued until later next week. In case OPC intends to intervene, we wanted to let you know that intervenor testimony/exhibits will be due 2/26/2025.

Best regards,  
Carlos

**Carlos M. Marquez II, Esq.**

Senior Attorney

Florida Public Service Commission

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Revised 11/15/2024 3:58 PM

COMMISSION CALENDAR 11/18/2024 - 05/09/2025  
THIS IS AN INTERNAL PLANNING DOCUMENT AND SUBJECT TO REVISION

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
N O V	18	19 9:30 Internal Affairs Rm 105	20	21	22
	25	26	27	28 Thanksgiving Holiday	29 Thanksgiving Holiday
D E C E M B E R	2	3 9:00 Service Awards Rm 148 9:30 Agenda Rm 148 20240026-El Rm 148 # TECO Rate Case (Rev. Req.) - SA follow Agenda 3:00 20240068-WS Rm 148 # Sunshine Rate Case - SH Virtual	4 1:00 20240099-El Fernandina # FPUC Rate Case - SH	5	6
	9	10	11	12	13
	16 9:30 Undocked Rm 148 * Natural Gas Facilities Relocation Rule Workshop	17 10:00 Eustis / 5:00 Alta Sprgs # 20240068-WS - Sunshine Water Service WAW Rate Case - SH	18	19 9:30 Internal Affairs Rm 105 20240026-El Rm 148 # TECO Rate Case (Rates) - SA follow IA 1:00 20240068-WS Rm 148 # Sunshine Rate Case - SH Virtual	20
	23	24	25 Christmas Holiday	26	27
J A N U A R Y	30	31	1 New Year's Holiday	2	3
	6	7 9:30 Agenda Rm 148	8 1:00 20240099-El Mananna # FPUC Rate Case - SH * Central time	9	10
	13	14 9:30 20240032-SU Rm 148 Environmental Utilities Certificate PH PS	15	16	17
	20 Martin Luther King Holiday	21	22 9:30 Internal Affairs Rm 105	23 9:30 20240068-WS Rm 148 Sunshine Water Rate Case - PH FY	24
	27	28 10:00 Charlotte County # 20240032-SU Environmental Utilities Certificate 6:00 Service Hearing	29 9:30 Service Hearing	30 Charlotte County	31
F E B R U A R Y	3	4 9:30 Agenda Rm 148	5	6	7
	10	11 9:30 Rm 148 # 20240068-WS Sunshine Water Services Rate Case	12 Rm 148	13 Rm 148	14
	17	18 9:30 Internal Affairs Rm 105	19 PURC - Gainesville	20 PURC - Gainesville	21
	24 NARUC - Washington DC	25 NARUC - Washington DC	26 NARUC - Washington DC	27	28
M A R C H	3 Session Begins	4 9:30 Agenda Rm 148	5	6	7
	10	11	12	13	14
	17	18	19	20 1:00 Internal Affairs Rm 105 20240099-El Rm 148 # FPUC Rate Case - SA follow IA	21
	24	25	26	27	28
A P R I L	31	1 9:30 Agenda Rm 148	2	3	4
	7	8	9 1:00 20240011-WU Rm 148 Beverdale Utility PH GH	10	11
	14	15 9:30 Internal Affairs Rm 105	16	17	18
	21	22 11:00 Jacksonville # 20240011-WU - Beverdale Utility Holding - Water Service	23 Jacksonville	24 Jacksonville	25
	28	29	30	1	2 Session Ends
M A Y	5	6 9:30 Agenda Rm 148 Commission Hold	7 Commission Hold	8 Commission Hold	9

\* All Commissioners CK Clark GH Graham FY Fay LR La Rosa PS Passidomo \* Staff only  
IA Internal Affairs OA Oral Argument PH Prehearing RDW Rate Development Workshop SA Special Agenda SH Service Hearing CM Customer Meeting IM Informal Meeting