

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2026-2035 Storm Protection Plan, pursuant to Rule 25-6.030, F.A.C., Florida Power & Light Company

Docket No. 20250014-EI

Filed: April 28, 2025

FLORIDA POWER & LIGHT COMPANY'S PREHEARING STATEMENT

Florida Power & Light Company ("FPL"), by and through its undersigned counsel, hereby submits this Prehearing Statement pursuant to Order No. PSC-2025-0029-PCO-EI, and states:

1. FPL WITNESSES

A. Direct Testimony

<u>Witness</u>	<u>Subject Matter - Direct</u>	<u>Issue #</u>
Michael Jarro	<ul style="list-style-type: none"> Provides an overview of FPL's proposed 2026-2035 Storm Protection Plan ("2026 SPP"), which continues the existing eight SPP programs previously approved by the Commission without substantive or material modification. Describes each program included in FPL's 2026 SPP and how it is expected to achieve the legislative objectives to protect and strengthen transmission and distribution infrastructure to reduce restoration costs and outage times to customers associated with extreme weather conditions. Describes the estimated start/completion dates, estimated costs, description of benefits, and criteria used to select and prioritize the projects in each program. Provides project level detail for the first year, and additional detail for the first three years of FPL's 2026 SPP. 	1A

B. Rebuttal Testimony

<u>Witness</u>	<u>Subject Matter - Rebuttal</u>	<u>Issue #</u>
Michael Jarro	<ul style="list-style-type: none"> Responds to the direct testimony of Kevin J. Mara submitted on behalf of Office of Public Counsel ("OPC"). Explains that OPC witness Mara's proposed reduction in the annual number of projects to be completed under FPL's proposed Distribution Lateral Hardening Program, Distribution Feeder Hardening Program, and Transmission Hardening Program will result in a delay in when customers would realize the important benefits of reductions in outages, outage times, and restoration costs, as well as ancillary non-hardening benefits, and that OPC 	1A

	<p>witness Mara’s proposed adjustments would have little impact on customer rates.</p> <ul style="list-style-type: none"> Addresses certain comments by OPC witness Mara regarding FPL’s storm hardening and its impact on storm restoration. 	
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2. EXHIBITS

<u>Witness</u>	<u>Proffered By</u>	<u>Exhibit #</u>	<u>Description</u>	<u>Issue #</u>
Direct				
Michael Jarro	FPL	MJ-1	<p>FPL’s 2026-2035 SPP, including:</p> <ul style="list-style-type: none"> Appendix A – FPL’s Third Supplemental Response to Staff’s First Data Request No. 29 in Docket No. 20170215-EU Appendix B – FPL Management Areas and Customers Served and Extreme Wind Map Appendix C – FPL 2026-2035 SPP Estimated Annual Costs and Number of Projects Appendix D – Project Level Detail for First Year of the SPP (2026) 	1A
Rebuttal				
Michael Jarro	FPL	MJ-2	Appendices C from FPL’s 2026 SPP and 2023 SPP	1A
Michael Jarro	FPL	MJ-3	FPL’s Response to OPC’s Second Set of Interrogatories No. 33	1A
Michael Jarro	FPL	MJ-4	FPL’s Response to Staff’s First Set of Interrogatories No. 12	1A
Michael Jarro	FPL	MJ-5	FPL’s Response to Staff’s First Set of Interrogatories No. 9	1A
Michael Jarro	FPL	MJ-6	FPL’s Response to Staff’s First Set of Interrogatories No. 7	1A
Michael Jarro	FPL	MJ-7	FPL’s Response to Staff’s First Set of Interrogatories No. 10	1A
Michael Jarro	FPL	MJ-8	Annual and Total SPP Costs for OPC Proposed Adjustments	1A
Michael Jarro	FPL	MJ-9	Rate Impacts of OPC’s Proposed Adjustments	1A
Michael Jarro	FPL	MJ-10	FPL’s Response to OPC’s Third Set of Interrogatories No. 42	1A

In addition to the above pre-filed exhibits, FPL reserves the right to utilize any exhibit introduced by any other party. FPL additionally reserves the right to introduce any additional exhibit necessary for cross-examination or impeachment at the final hearing.

3. STATEMENT OF BASIC POSITION

Pursuant to Section 366.96, Florida Statutes, and Rule 25-6.030, Florida Administrative Code, FPL has proposed its 2026 SPP to reasonably achieve the legislative objectives of promoting the overhead hardening of electrical distribution and transmission facilities, the undergrounding of certain electrical distribution lines, and vegetation management to reduce restoration costs and outage times associated with extreme weather events. FPL's 2026 SPP is a continuation of the following eight programs included in FPL's 2020-2029¹ and 2023-2032² SPPs previously approved by the Commission:

- Distribution Inspection Program
- Transmission Inspection Program
- Distribution Feeder Hardening Program
- Distribution Lateral Hardening Program
- Transmission Hardening Program
- Distribution Vegetation Management Program
- Transmission Vegetation Management Program
- Substation Storm Surge/Flood Mitigation Program

¹ Approved by Commission Order No. PSC-2020-0293-AS-EI issued on August 28, 2020.

² Approved by Commission Order No. PSC-2022-0389-FOF-EI issued on November 10, 2022, and affirmed by *Citizens of the State of Florida, vs. Fay*, 396 So.3d 549 (Fla. Nov. 14, 2024).

For purposes of the 2026 SPP, FPL is not proposing any material modifications to any of these existing programs previously approved in the 2023 SPP. Rather, FPL has (i) updated the projected costs for certain limited programs to better reflect current data and pricing, (ii) reduced the estimated average cost per project under the Distribution Lateral Hardening Program, and (iii) identified additional substations that require storm surge and flood mitigation through the Substation Storm Surge/Flood Mitigation Program. Each of these updates are described in detail in the Direct Testimony of FPL witness Michael Jarro and in Section IV of Exhibit MJ-1.

The majority of these eight storm hardening programs have been in place since 2007 and have already demonstrated that they have and will continue to increase T&D infrastructure resiliency, reduce restoration times, and reduce restoration costs when FPL's system is impacted by extreme weather events. A description of the benefits of continuing the existing SPP programs as part of the 2026 SPP is provided in Sections II and IV of Exhibit MJ-1.

FPL's 2026 SPP includes estimated costs and a description of the benefits of the SPP programs and criteria to select and prioritize the SPP projects, as well as additional details for the first three years of the SPP. FPL's 2026 SPP also provides the estimated revenue requirements for each SPP program, and the estimated rate impact for the first three years of the SPP. FPL's 2026 SPP provides the information required by and is fully consistent with Rule 25-6.030, Florida Administrative Code.

No party submitted testimony opposing the continuation of the eight programs included in FPL's 2026 SPP, nor has any party contested or challenged the benefits associated with these existing storm hardening programs. Rather, OPC, the only other party to submit testimony in this docket, recommended a decrease and cap on the number of annual projects to be completed under FPL's Distribution Lateral Hardening Program, Distribution Feeder Hardening Program, and

Transmission Hardening Program, claiming that the proposed reductions will make electric service more affordable for FPL's customers.

As explained in the rebuttal testimony of FPL witness Jarro, OPC's proposed adjustments to the Distribution Lateral Hardening Program, Distribution Feeder Hardening Program, and Transmission Hardening Program are generally in line and consistent with the estimated annual range of projects proposed in FPL's 2026 SPP. However, as explained by FPL witness Jarro, OPC's proposed adjustments to these SPP programs would delay when customers receive the important storm hardening benefits from these programs and result in additional costs to stop and restart projects after OPC's proposed annual cap has been reached. Additionally, as shown in Exhibit MJ-9, OPC's proposed adjustments would have little impact on customer rates. For these reasons, as more fully explained in the rebuttal testimony of FPL witness Jarro, FPL submits that it is appropriate to continue to use an estimated range of projects for each SPP program, which is consistent with the approach approved in both FPL's 2020 SPP and 2023 SPP.

On April 25, 2025, FPL and OPC filed Joint Stipulations and Proposed Resolutions ("Stipulations") that, if approved, would fully resolve their respective issues in this proceeding. The Stipulations provide, among other things, that the Distribution Inspection Program, Transmission Inspection Program, Distribution Vegetation Management Program, Transmission Vegetation Management Program, and Substation Storm Surge/Flood Mitigation Program included in FPL's proposed 2026 SPP should be approved as filed. The Stipulations also provide that the targeted number of annual projects for the Distribution Feeder Hardening Program, Distribution Lateral Hardening Program, and the Transmission Hardening Program included in FPL's proposed 2026 SPP should be modified as set forth in Attachment 1 to the Stipulations. FPL and OPC agree that FPL's proposed 2026 SPP, as modified by the Stipulations, is in the public interest and should be approved.

For all the reasons discussed above, and as explained in the Stipulations jointly filed by FPL and OPC, FPL's proposed 2026 SPP is in the public interest and should be approved. FPL's proposed 2026 SPP complies with the requirements and objectives of Section 366.96, Florida Statutes, complies with Rule 25-6.030, Florida Administrative Code, and provides a systematic approach to achieve the legislative objectives of reducing restoration costs and outage times associated with extreme weather events.

4. **STATEMENT OF ISSUES AND POSITIONS**³

Issue No. 1: Should the Commission approve, approve with modification, or deny FPL's Storm Protection Plan?

Stipulated

Position: The Commission should approve FPL's 2026 SPP as modified by Attachment 1 to the Stipulations jointly filed by FPL and OPC on April 25, 2025. (*Stipulations filed April 25, 2025*)

Issue No. 2: Should this docket be closed?

Stipulated

Position: Yes. This docket should be closed upon the issuance of an appropriate order approving FPL's 2026 SPP as modified by the Stipulations jointly filed by FPL and OPC on April 25, 2025. (*Stipulations filed April 25, 2025*)

5. **STIPULATED ISSUES**

On April 25, 2025, FPL and OPC jointly filed Stipulations that, if approved, would fully resolve their respective issues in this proceeding. As provided therein, FPL and OPC have agreed that FPL's proposed 2026 SPP, as modified by the Joint Stipulations, is in the public interest and should be approved. Additionally, FPL and OPC have stipulated and agreed to the following:

³ The positions provided in this Prehearing Statement reflect the Stipulations jointly proposed by FPL and OPC. In the event the Joint Stipulations are not approved as filed, FPL reserves the right to modify its final positions on each of these issues for purposes of the hearing, briefing, and a final decision in this docket.

- To have all pre-filed testimony and exhibits in this docket entered into the record;
- To have all of FPL's responses to OPC's and Staff's written discovery requests entered into the record; and
- To waive cross-examination of all witnesses in Docket No. 20250014-EI and, upon Commission approval, have no objection to witnesses being excused from appearing at the hearing.

A copy of the Stipulations jointly filed by FPL and OPC is provided as Appendix A to this Prehearing Statement.

6. PENDING MOTIONS

As of the date of this filing, FPL is not aware of any pending motions.

7. PENDING REQUESTS FOR CONFIDENTIALITY

As of the date of this filing, FPL is not aware of any Requests for Confidential Classification that remain pending.

8. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

FPL has no objections to the qualifications of any witness at this time.

9. REQUEST FOR SEQUESTRATION OF WITNESSES

None at this time.

10. **STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING
PROCEDURE**

There are no requirements of the Order Establishing Procedure with which FPL cannot comply.

Respectfully submitted this 28th day of April 2025,

By: s/Christopher T. Wright
Christopher T. Wright
Managing Attorney
Fla. Auth. House Counsel No. 1007055
Florida Power & Light Company
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Appendix A

**Joint Stipulations and Proposed Resolutions filed April 25, 2025, by
Florida Power & Light Company and Office of Public Counsel**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2026-2035 Storm Protection
Plan, pursuant to Rule 25-6.030, F.A.C.,
Florida Power & Light Company

Docket No. 20250014-EI

Filed: April 25, 2025

JOINT STIPULATIONS AND PROPOSED RESOLUTIONS

Florida Power & Light Company (“FPL” or the “Company”) and the Office of Public Counsel (“OPC”) (hereinafter referred to individually as “Party” or collectively as “Parties”) herby agree to submit for approval by the Florida Public Service Commission (“Commission”) the following Stipulations and Proposed Resolutions (“Stipulations”) of the issues to fully resolve the Parties’ respective issues in Docket No. 20250014-EI on the following terms and conditions:

1. The Parties stipulate to having all pre-filed testimony and exhibits in this docket entered into the record, specifically the following:
 - a. The Direct Testimony of FPL witness Micheal Jarro, together with Exhibit MJ-1;
 - b. The Rebuttal Testimony of FPL witness Micheal Jarro, together with Exhibits MJ-2 through MJ-10; and
 - c. The Direct Testimony of OPC witness Kevin J. Marra, together with Exhibits KJM-1 through KJM-4.
2. The Parties agree to waive cross-examination of all witnesses in Docket No. 20250014-EI and, upon Commission approval, have no objection witnesses being excused from appearing at the hearing.

3. The Parties stipulate to having all of FPL's responses to OPC's and Staff's written discovery requests entered into the record.
4. The Parties stipulate and agree that the following five programs included in FPL's proposed 2026-2035 Storm Protection Plan ("2026 SPP"), provided in Exhibit MJ-1 to the Direct Testimony of FPL witness Jarro, should be approved as filed: Distribution Inspection Program; Transmission Inspection Program; Distribution Vegetation Management Program; Transmission Vegetation Management Program; and Substation Storm Surge/Flood Mitigation Program.
5. The Parties stipulate and agree that the targeted number of annual projects for the Distribution Feeder Hardening Program, Distribution Lateral Hardening Program, and the Transmission Hardening Program included in FPL's proposed 2026 SPP should be modified as set forth in Attachment 1 to these Stipulations.
6. The Parties stipulate and agree that the modifications set forth in Attachment 1 will be annual targets and not hard caps, and reasons for any variances will be addressed in FPL's annual Storm Protection Plan Cost Recovery Clause ("SPPCRC") filings.
7. The Parties stipulate and agree that the modifications set forth in Attachment 1 are a reasonable compromise of competing positions set forth in the testimony and exhibits submitted by the FPL and OPC witnesses.
8. Subject to the modification of FPL's proposed 2026 SPPs as set forth in Attachment 1 to these Stipulations, the Parties stipulate to the following positions on each of the Issues in Docket No. 20250014-EI:

Issue 1: Should the Commission approve, approve with modification, or deny FPL's Storm Protection Plan?

Stipulated

Position: The Commission should approve FPL's 2026 SPP as modified by Attachment 1 to the Stipulations jointly filed by FPL and OPC on April 25, 2025.

Issue 2: Should this docket be closed?

Stipulated

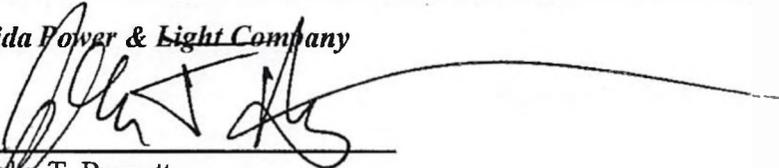
Position: Yes. This docket should be closed upon the issuance of an appropriate order approving FPL's 2026 SPP as modified by the Stipulations jointly filed by FPL and OPC on April 25, 2025.

9. The Parties stipulate and agree that FPL's proposed 2026 SPP, as modified herein, is in the public interest and should be approved.
10. The Parties stipulate and agree that FPL's proposed 2026 SPP, as modified herein, is a reasonable approach to meet the requirements of Section 366.96, Florida Statutes, and Rule 25-6.030, Florida Administrative Code, and will establish SPP programs at a reasonable and appropriate level for the period 2026 through 2035 and should be approved.
11. The Parties stipulate and agree that the stipulations and positions set forth herein are limited and apply only to FPL's proposed 2026 SPP in Docket No. 20245014-EI, as modified by these stipulations, 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 SPP or SPPCRC dockets.
12. 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.

[SIGNATURES ON NEXT PAGE]

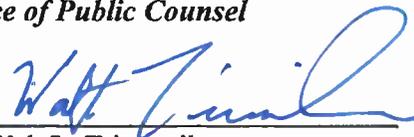
In Witness Whereof, FPL and OPC evidence their acceptance and agreement with all provisions of these stipulations by their signature.

Florida Power & Light Company

By: 

John T. Burnett
Vice President and General Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Office of Public Counsel

By: 

Walt L. Trierweiler
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

Attachment 1

Stipulated Modifications of the FPL 2026-2035 Storm Protection Plan
 Docket No. 20250014-EI

Distribution Feeder Hardening Program	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
As Filed - Number of Annual Projects	225-325	75-175	25-75	25-75	25-75	25-75	25-75	25-75	25-75	0	475-1025
*Stipulated Number of Annual Projects	275	125	50	50	50	50	50	50	50	0	750
Distribution Lateral Hardening Program											
Distribution Lateral Hardening Program	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
As Filed - Number of Annual Projects	900-1,300	900-1,300	900-1,300	1,100-1,600	1,100-1,600	1,100-1,600	1,100-1,600	1,100-1,600	1,100-1,600	1,100-1,600	10,400-15,100
*Stipulated Number of Annual Projects	1,100	1,100	1,100	1,200	1,200	1,200	1,200	1,200	1,200	1,200	11,700
Transmission Hardening Program											
Transmission Hardening Program	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
As Filed - Number of Annual Projects	300-350	400-500	450-550	450-550	450-550	300-350	150-200	0	0	0	2,500-3,050
*Stipulated Number of Annual Projects	350	350	350	350	350	350	350	325	0	0	2,775

**Stipulated number of projects will be annual targets and not hard caps, and reasons for any variances will be addressed in annual SPPCRC filings.*

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 25th day of April 2025:

<p>Jacob Imig Tim Sparks Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 jimig@psc.state.fl.us TSparks@psc.state.fl.us discovery-gcl@psc.state.fl.us <i>For Commission Staff</i></p>	<p>Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Trierweiler.walt@leg.state.fl.us christensen.patty@leg.state.fl.us ponce.octavio@leg.state.fl.us rehwinkel.charles@leg.state.fl.us watrous.austin@leg.state.fl.us wessling.mary@leg.state.fl.us <i>For Office of Public Counsel</i></p>
<p>J. Jeffrey Wahlen Malcolm M. Means Ausley McMullen Post Office Box 391 Tallahassee, Florida 32302 jwahlen@ausley.com mmeans@ausley.com</p> <p>Ms. Paula K. Brown Regulatory Affairs P. O. Box 111 Tampa FL 33601-0111 regdept@tecoenergy.com <i>For Tampa Electric Company</i></p>	<p>Dianne M. Triplett Deputy General Counsel Duke Energy Florida, LLC 299 First Avenue North St. Petersburg, FL 33701 Dianne.Triplett@Duke-Energy.com</p> <p>Matthew R. Bernier Robert L. Pickels Stephanie A. Cuello 106 E. College Avenue, Suite 800 Tallahassee FL 32301 FLRegulatoryLegal@duke-energy.com matthew.bernier@duke-energy.com robert.pickels@duke-energy.com stephanie.cuello@duke-energy.com <i>For Duke Energy Florida, LLC</i></p>
<p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe St., Suite 601 Tallahassee, FL 32301 BKeating@gunster.com</p> <p>Mr. Mike Cassel Michelle D. Napier 208 Wildlight Ave. Yulee FL 32097 (904) 491-4361 mcassel@fpuc.com mnapier@fpuc.com <i>For Florida Public Utilities Company</i></p>	<p>James W. Brew Laura Wynn Baker Sarah B. Newman Stone Mattheis Xenopoulos & Brew 1025 Thomas Jefferson St., NW Suit 800 West Washington DC 20007 (202) 342-0800 (202) 342-0807 jbrew@smxblaw.com lwb@smxblaw.com <i>For PCS Phosphate – White Springs</i></p>

s/ Christopher T. Wright
Christopher T. Wright
Fla. Auth. House Counsel No. 1007055

Attorney for Florida Power & Light Company

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 28th day of April 2025:

<p>Jacob Imig Tim Sparks Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 jimig@psc.state.fl.us TSparks@psc.state.fl.us discovery-gcl@psc.state.fl.us For Commission Staff</p>	<p>Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Trierweiler.walt@leg.state.fl.us christensen.patty@leg.state.fl.us ponce.octavio@leg.state.fl.us rehwinkel.charles@leg.state.fl.us watrous.austin@leg.state.fl.us wessling.mary@leg.state.fl.us For Office of Public Counsel</p>
<p>J. Jeffrey Wahlen Malcolm M. Means Ausley McMullen Post Office Box 391 Tallahassee, Florida 32302 jwahlen@ausley.com mmeans@ausley.com</p> <p>Ms. Paula K. Brown Regulatory Affairs P. O. Box 111 Tampa FL 33601-0111 regdept@tecoenergy.com For Tampa Electric Company</p>	<p>Dianne M. Triplett Deputy General Counsel Duke Energy Florida, LLC 299 First Avenue North St. Petersburg, FL 33701 Dianne.Triplett@Duke-Energy.com</p> <p>Matthew R. Bernier Robert L. Pickels Stephanie A. Cuello 106 E. College Avenue, Suite 800 Tallahassee FL 32301 FLRegulatoryLegal@duke-energy.com matthew.bernier@duke-energy.com robert.pickels@duke-energy.com stephanie.cuello@duke-energy.com For Duke Energy Florida, LLC</p>
<p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe St., Suite 601 Tallahassee, FL 32301 BKeating@gunster.com</p> <p>Mr. Mike Cassel Michelle D. Napier 208 Wildlight Ave. Yulee FL 32097 (904) 491-4361 mcassel@fpuc.com mnapier@fpuc.com For Florida Public Utilities Company</p>	<p>James W. Brew Laura Wynn Baker Sarah B. Newman Stone Mattheis Xenopoulos & Brew 1025 Thomas Jefferson St., NW Suit 800 West Washington DC 20007 (202) 342-0800 (202) 342-0807 jbrew@smxblaw.com lwb@smxblaw.com For PCS Phosphate – White Springs</p>

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