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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20250011-EI
ORDER NO. PSC-2025-0367-PCO-EI
ISSUED: October 3, 2025

ORDER DENYING THE OFFICE OF PUBLIC COUNSEL'S CITIZENS' MOTION TO
COMPEL SPECIAL INTEREST PARTIES' RESPONSE TO DISCOVERY

Background

This proceeding was set for final hearing on August 11-22, 2025, by Order No. PSC-2025-0075-PCO-EI, issued March 14, 2025. On August 8, 2025, Florida Power & Light Company (FPL) filed a Notice of Settlement in Principle and Joint Motion to Suspend Schedule and Amend Procedural Order. The Florida Industrial Power Users Group, Florida Retail Federation, Florida Energy for Innovation Association, Walmart Inc., EVgo Services, Americans for Affordable Clean Energy, Circle K, RaceTrac, Wawa, Electrify America, Federal Executive Agencies, Armstrong World Industries, and the Southern Alliance for Clean Energy (collectively FPL Signatories) joined in the Joint Motion to Suspend. On August 11, 2025, the Office of Public Counsel (OPC), Florida Rising, League of United Latin American Citizens Florida, Environmental Confederation of Southwest Florida, and Floridians Against Increased Rates (collectively FPL Non-Signatories) filed a Joint Response in Opposition to the Joint Motion to Suspend. After hearing argument from the parties, the Commission voted to grant the Joint Motion and suspend the schedule in order to allow the parties time to finalize the settlement. On August 12, 2025, Order No. PSC-2025-0304-PCO-EI memorializing this vote was issued.

On August 20, 2025, FPL and the FPL Signatories filed a Joint Motion for Approval of 2025 Stipulation and Settlement Agreement. The FPL Non-Signatories did not sign or otherwise join in the 2025 Stipulation and Settlement Agreement (2025 SSA). Because the 2025 SSA is not unanimous, further proceedings under Section 120.57(1), Florida Statutes, are necessary to address the disputed issues of material fact. Accordingly, on August 22, 2025, the undersigned Prehearing Officer issued a First Order Revising Order Establishing Procedure,¹ and therein set this matter for a two-week hearing to commence October 6, 2025.

On September 3, 2025, OPC issued its First Set of Interrogatories Nos. (1-3) directed at the FPL Signatories (with the exception of FPL itself). These interrogatories ask questions with respect to certain "WHEREAS" clauses that appear in the 2025 SSA. On September 5, 2025, OPC issued its Second Set of Interrogatories (Nos. 4-8). These interrogatories contain questions about the various party's understandings of both the individual terms of the 2025 SSA itself as well as potential impacts those terms may have on future Commission decisions. On September 30, 2025, OPC filed Citizens' Motion to Compel Special Interest Parties' Response to Discovery (Motion). On October 1, 2025, the parties were advised that any response(s) to the Motion

¹ Order No. PSC-2025-0323-PCO-EI.