APPENDIX A

REVIEW OF THE

2022 TEN-YEAR SITE PLANS

OF FLORIDA'S ELECTRIC UTILITIES

OCTOBER 2022

Ten-Year Site Plan Comments

State Agencies

Regional Planning Councils

Local Governments

Environmental Groups

Nonprofit Agency

***Additional comments from Florida citizens are available in the 20220000-OT (Undocketed filings for 2022)**

State Agencies

Department of Environmental Protection

From: Senn, Nate
To: Donald Phillips
Cc: SCO
Subject: 2022 Ten-Year Site Plans
Date: Thursday, August 04, 2022 4:46:07 PM

Good day,

The Department of Environmental Protection Siting Coordination Office has reviewed the 2022 Ten-Year Site Plans from Florida's Electric Utilities and found the documents to be suitable for planning purposes.

Best Regards,

Nate Senn
Florida Department of Environmental Protection
DARM/Siting Coordination Office
Environmental Specialist
Nate.Senn@FloridaDEP.gov
Office: 850-717-9111

State Agencies

Department of Transportation

From: Overton, Patrick
To: Patti Zellner
Cc: Donald Phillips; Phillip Ellis
Subject: RE: DN 20220000-OT - Review of the Ten-Year Site Plans - Comment Request (007)
Date: Saturday, August 13, 2022 2:11:04 PM
Attachments: image001.png

Good afternoon Patti,

I do not have any comments on the below mentioned site plans.

Thanks,

Patrick Overton, P.E., FCCM

Florida Department of Transportation
State Utility Engineer
605 Suwannee Street, MS 75
Tallahassee, Florida 32399
Office# (850) 414-4379
Utilities (fdot.gov)

From: Patti Zellner <PZELLNER@PSC.STATE.FL.US>
Sent: Tuesday, May 17, 2022 3:40 PM
To: Overton, Patrick <Patrick.Overton@dot.state.fl.us>
Cc: Donald Phillips <DPhillip@psc.state.fl.us>; Phillip Ellis <PEllis@PSC.STATE.FL.US>; Patti Zellner <PZELLNER@PSC.STATE.FL.US>
Subject: DN 20220000-OT - Review of the Ten-Year Site Plans - Comment Request (007)

Dear Mr. Overton,
Please find attached your copy of the 2022 Ten-Year Site Plans – Comment Request letter dated May 17, 2022, filed with the Florida Public Service Commission Clerk today.

State Agencies

Fish and Wildlife Conservation Commission

Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Fort Lauderdale

Gary Lester
Oxford

Albert Maury
Coral Gables

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Office of the
Executive Director
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

850-487-3796
850-921-5786 FAX

Managing fish and wildlife resources for their long-term well-being and the benefit of people.

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: 850-488-4676

Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

August 5, 2022

Donald Phillips
Engineering Specialist
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
DPhillip@psc.state.fl.us

RE: Review of the 2022 Ten-Year Site Plans for Florida's Electric Utilities

Dear Mr. Phillips:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the 2022 Ten-Year Site Plans for the electric utilities operating in Florida submitted to the Florida Public Service Commission (PSC) pursuant to Section 186.801, Florida Statutes. There are no comments or recommendations related to listed species or other fish and wildlife resources to offer on the following plans:

- Florida Power & Light Company / Gulf Power Company
- Duke Energy Florida
- Tampa Electric Company
- Florida Municipal Power Agency
- Gainesville Regional Utilities
- JEA
- Lakeland Electric
- Orlando Utilities Commission
- Seminole Electric Cooperative
- City of Tallahassee Utilities

FWC staff appreciates the opportunity to review the Ten-Year Site Plans submitted by the PSC. Please submit any future requests for assistance with fish and wildlife resources to our office at ConservationPlanningServices@MyFWC.com. For specific technical questions about this year's reviews, please call Josh Cucinella at (352) 620-7330.

Sincerely,

Jason Hight, Director
Office of Conservation Planning Services

jh/jc
2022 Ten-Year Site Plans_49021_08052022

Regional Planning Council

Northeast Florida Regional Counsel

August 2, 2022

Donald Phillips, Engineering Specialist
Division of Engineering
Public Service Commission
2540 Shumard Oak BLVD.
Tallahassee, FL 32399

RE: **Review of the 2022 Ten-Year Site Plans for Florida's Electric Utilities**

Dear Mr. Phillips:

The Northeast Florida Regional Council has reviewed the copies of the relevant ten-year site plans for the Region.

There are many commendable practices included:

- The Florida Power and Light Company (FPL), in response to the 2021 extreme winter events in Texas, examined their generation, transmission, distribution, and fuel delivery systems to an extreme winter weather event. This included the development of a forecasting approach, including a hybrid-type forecast with an extreme winter peak load for the month of January. FPL has also began taking steps in 2021 to enhance winterization of FPL's nuclear and fossil-fuel generating units and enhanced cooperation and preparation between FPL and suppliers of natural gas and backup distillate fuel oil.

- The inclusion of existing and new sites within the Region for further development of solar generation, i.e., the Anhinga Solar Energy Center and Terrill Creek Solar Energy Center in Clay County, the Thomas Creek Solar Energy Center in Nassau County, and the Etonia Creek Solar Energy Center in Putnam County.

- The inclusion of potential solar facility sites for future generation and storage to meet the energy needs of the Region, such as the Nature Trail Solar Energy Center and the Cedar Trail Solar Energy Center in Baker County, the Rayland Solar Energy Center in Nassau County, and Georges Lakes Solar Energy Center in Putnam County. Currently, permits are presently considered to be obtainable for each of these sites.

After a careful review of the relevant 2022 Ten-Year Site Plans for both Florida Power and Light/Gulf Power Company and Seminole Electric Cooperative Inc, the Northeast Florida Regional Council finds that there are no adverse regional impacts and supports the adoption of the relevant 2022 Ten-Year Site Plans.

Regards,

Elizabeth Payne, AICP
Chief Executive Officer

Treasure Coast Regional Planning Council

TREASURE COAST REGIONAL PLANNING COUNCIL
INDIAN RIVER – ST. LUCIE – MARTIN – PALM BEACH

July 19, 2022

Mr. Donald Phillips, Engineering Specialist
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject: Review of the 2022 Ten-Year Site Plans for Florida's Electric Utilities

Dear Mr. Phillips:

The Treasure Coast Regional Planning Council has reviewed the 2022 Ten-Year Site Plans for Florida Power & Light (FPL) Company and Florida Municipal Power Agency (FMPA). Council approved the comments in the attached reports at their board meeting on July 15, 2022.

The report concludes that while the region and all of South Florida remain vulnerable to fuel price increases and supply interruptions because of the continued heavy reliance on only two primary fuel types, natural gas and nuclear fuel, the use of solar power is projected to increase dramatically.

Council urges FPL, FMPA, and the State of Florida to continue developing new programs to 1) reduce the reliance on fossil fuels as future energy sources, 2) increase conservation activities to offset the need to construct new power plants, and 3) increase the use of renewable energy sources to produce electricity.

Please contact me if you have any questions.

Sincerely yours,

Thomas J. Lanahan
Executive Director

Attachments

cc: William P. Cox, FPL
Navid Nowakhtar, FMPA

FPL Ten-Year Power Plant Site Plan (2022-2031)

Treasure Coast Regional Planning Council Comments

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5

From: Staff

Date: July 8, 2022

Subject: Florida Power & Light Ten-Year Power Plant Site Plan (2022-2031) and Update

Background

Each year, every major electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs, a projection of how those needs will be met, and disclosure of information pertaining to the utility's preferred and potential power plant sites. The Florida Public Service Commission (FPSC) requested that Council review the most recent ten-year site plan prepared by FPL and provide comments to the FPSC on or before August 5, 2022.

This plan addresses FPL generating power additions and retirements for the years 2022 through 2031 including the service area of the former Gulf Power Company.

Effective January 1, 2022, Gulf Power was merged into FPL for ratemaking purposes. As a result, the two utility systems are now legally a single electric utility system. However, the two systems will continue to operate as two separate electric systems until completion of the new 161 kilovolt (kV) transmission line, the North Florida Resiliency Connection line, that is projected to be completed soon. At that point, FPL will operate as a single, integrated utility system.

In this year's Site Plan document, FPL made two significant changes to the analyses performed and information presented. The first pertains to changes FPL made to its Winter peak load forecast, which will help FPL be better prepared for an extreme Winter event. Second is FPL's resource planning consideration for potential new Federal tax credits for batteries, solar, and hydrogen investment that were contained in the proposed Build Back Better America legislation. Though it did not pass in 2021, the current Federal Administration continues to push for more aggressive moves towards zero-emission, renewable energy sources that reduce carbon footprint. FPL has developed multiple resource planning options to react to legislation that may be passed in the future.

Marshall Critchfield, FPL's Senior External Affairs Advisor for the Treasure Coast will provide a presentation on the plan and FPL's recent activities.

Analysis

The attached report summarizes FPL plans for future power generation and provides comments for transmittal to the FPSC. The report concludes that FPL continues to plan for increasing demand over the planning period. They will primarily meet that demand with continued heavy dependence on fossil and nuclear fuels, but also concentrate on a rapid increase in renewable sources, primarily solar generating capacity. In fact, FPL projects to produce approximately 38% of total electricity from zero-emission, renewable sources (20% nuclear, 18% solar) by the end of the planning period; up from the approximate 28% today (23% nuclear, 5% solar).

Council supports FPL's and the State's continued focus to develop new programs to: 1) reduce reliance on fossil fuels as future energy sources, 2) increase conservation activities to offset the need to construct new power plants, and 3) increase the use of renewable energy sources to produce electricity.

Recommendation

Council should approve the attached report and authorize its transmittal to the Florida Public Service Commission.

Council Action – July 15, 2022

Commissioner Smith from Martin County moved approval of the staff report. Mayor Reed from the City of Palm Beach Gardens seconded the motion, which carried unanimously.

Attachment

TREASURE COAST REGIONAL PLANNING COUNCIL

Report on the

Florida Power & Light Company
Ten Year Power Plant Site Plan 2022-2031

July 15, 2022

Introduction

Each year every major electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs, a projection of how those needs will be met, and disclosure of information pertaining to the utility's preferred and potential power plant sites. The Florida Public Service Commission (FPSC) has requested that Council review the most recent ten-year site plan prepared by FPL and provide comments to the FPSC on or before August 5, 2022.

Summary of the Plan

The plan indicates combined total summer peak demand projected growth of 13.2% over the 10-year period; from 27,310 megawatts (MW) in 2022 to 30,924 MW in 2031. During the same timeframe, FPL is expecting to reduce electrical use through demand-side management (DSM) programs that include conservation, energy efficiency, and load management initiatives. FPLs combined DSM savings are expected to grow by 17.0% over the reporting period; from 1,827 MW in 2022 to 2,138 MW in 2031 (see Exhibit 1, Schedule 7.1).

The current plan makes primary electricity gains through upgrades and modernization to existing facilities plus construction of new generating units. Simultaneously, their plan continues to take older and coal-fired capacity out of service.

Major changes in generating capacity are as follows:

FPL system area:

- 2021 through 2026 - capacity upgrades of existing combined cycle units;
- January 2022 - retirement of FPL's ownership portion of the Scherer 4 coal unit (approximately 630 MW);
- In 2022 – Addition of cost-effective natural gas fueled generation - FPL's existing Lauderdale power plant site.
- 2022 through 2031 - new solar (PV) additions of approximately 9,462 MW;
- Late 2023 – pilot projected that will result in hydrogen replacing a portion of the natural gas that is being used to fuel the exiting Okeechobee Combined Cycle unit; and
- By January 2024 – The retirement of FPL's ownership portion of coal-fueled Daniel Units 1 & 2 (approximately 500 MW);
- By 2026 – enhancements of existing generating units;

- By the end of 2028 – Coal fueled Scherer 3 plant (located in Georgia) will be retired (approximately 215 MW);
- By 2031 – an additional 3,200 MW of battery storage facilities will be installed throughout FPL's service area;

Preferred and Potential Power Plant Sites

One of the primary reasons to prepare an annual ten-year power plant site plan is to get information on a utility's plans on preferred and potential siting of new facilities.

Based on projected future resource needs, FPL has identified thirty-seven "preferred sites" for future power generating facilities. The following are in the Treasure Coast Region (Exhibit 2)

1. Pink Trail Solar Energy Center, St. Lucie County: The proposed 438-acre site is located at 8759 Carlton Road, Port St. Lucie, FL 34987.
2. Bluefield Preserve Solar Energy Center, St. Lucie County: The proposed 440-acre site is located at 14697 E. Center Street, Okeechobee, FL 34974.
3. Silver Palm Solar Energy Center, Palm Beach County: Proposed 640-acre site. Location to be determined -- an address has not yet been assigned by the County.
4. Turnpike Solar Energy Center, Indian River County: The proposed 571-acre site is located at 16205 17th Street SW, Vero Beach, FL 32968.
5. Monarch Solar Energy Center, Martin County: Proposed 551-acre site. Location to be determined -- an address has not yet been assigned by the County.
6. White Tail Solar Energy Center, Martin County: Proposed 601-acre site. Location to be determined -- an address has not yet been assigned by the County.
7. Pineapple Solar Energy Center, St. Lucie County: Proposed 428-acre site. Location to be determined -- an address has not yet been assigned by the County.

Each of the above sites are planned for 74.5 MW PV solar plants. By their nature, these facilities have minimal offsite impacts.

FPL has also identified twenty-two "potential sites" for future generation and storage facilities, though potential sites do not represent a commitment by the utility to construct these new facilities. Four of these sites are currently planned to be in the Treasure Coast Region:

1. Fawn Solar Energy Center, Martin County
2. Holopaw Solar Energy Center, Palm Beach County
3. Buttonwood Solar Energy Center, St. Lucie County
4. Orchard Solar Energy Center, St. Lucie/Indian River County

Other Factors

The FPL 2022-2031 plan describes eight factors that have influenced or may influence this resource plan. They are summarized below:

1. The critical need to maintain a balance between load and generating capacity in specific regions of FPL's service area, such as in Southeastern Florida (Miami-Dade and Broward counties).

2. The desire to maintain/enhance fuel diversity in the FPL system while considering system economics.

3. The need to maintain an appropriate balance of DSM and supply resources from the perspectives of both system reliability and operations.

4. The impact of Federal and state energy-efficiency codes and standards that will reduce forecasted summer and winter peak loads but also reduce potential DSM initiatives.

5. The trend of declining fuel costs for FPL's fossil-fueled generation fleet.

6. Projected changes in CO_2 regulation and associated compliance costs.

7. Cost uncertainty regarding future solar and battery additions.

8. Projected increases in electric vehicle (EV) adoption.

Evaluation

The ten-year site plan indicates that fossil fuels will be the primary source of energy used by FPL to generate electricity during the next 10 years (see Exhibit 3 Schedule 6.2); accounting for 71.2% (1.4% from coal and 69.8% from natural gas) of FPL's electric generation in 2022. The plan predicts fossil fuels will account for 60.5% (0.0% from coal and 60.5% from natural gas) of FPL electric generation in 2031. During the same period, nuclear sources are predicted to drop from 21.1% in 2022 to 19.3% in 2031, primarily due to significant FPL solar investment and the delay of significant nuclear power expansion beyond the 10-year time horizon. Solar sources are predicted to dramatically increase from 5.8% in 2022 to 18.7% in 2031.

Renewable Energy

The ten-year site plan indicates FPL is continuing its efforts to implement cost-effective renewable energy. FPL has facilitated a number of renewable energy projects (facilities which burn bagasse, waste wood, municipal waste, etc.) through power purchase agreements. For example, FPL has a contract to receive firm capacity from the Solid Waste Authority of Palm Beach County through April 2034. FPL's efforts to increase use of cost-effective renewable energy also include the use of utility-scale solar and customer-focused solar. FPL also has interest in battery storage. These efforts are described below.

1. **Universal Solar**: This plan shows a significant increase in utility-scale solar throughout the 10-year period. Approximately 9,462 MW of PV generation is projected to be added in the 2022 through 2031 time period. When combined with the current 3,164 MW of solar PV already installed, projected solar PV climbs to 12,626 MW for the integrated utility by the end

of 2031. This planned solar implementation schedule is consistent with FPL's January 2019 announcement of its "30-by-30" plan in which FPL stated an objective to install more than 30 million solar panels on FPL's system by the year 2030. However, FPL projects that it will reach this goal by 2025, five years ahead of schedule.

2. **Distributed PV Pilot Programs**: FPL began implementation of two distributed PV pilot programs in 2015.

   a. Customer-Focused Voluntary PV Pilot Programs: FPL SolarNow provides customers the opportunity to bring solar projects into local communities by funding solar facility construction in public areas such as parks, zoos, schools, and museums. As of the end of 2021, there were 48,833 participants enrolled in the program with 78 projects located in 36 communities within the FPL service territory. These projects represent approximately 2,528 kW-DC of PV generation. This program will sunset on December 31, 2025.

   b. C&I Solar Partnership Pilot Program: This program is a partnership with interested commercial and industrial (C&I) customers over a 5-year period and expired in 2020. The objective was to examine the effect of highly localized PV penetration on FPLs distribution system and determine how best to address any problems that may be identified.

3. **FPL SolarTogether Program** offers FPL customers the option to purchase solar output/attributes from cost-effective, large-scale solar energy centers with no long-term contracts, administrative fees, or termination penalties. Under this program, participants' monthly electric bills show a subscription charge and a direct credit on their electric bills associated with the amount of solar-generated capacity purchased. The first phase, the program added 1,490 MW of new solar facilities. Open enrollment began on March 17, 2020 which received favorable reception by residential, small businesses, and commercial customers. As of June 2021, all twenty approved solar sites under this program were complete and operational.

   FPL received approval to extend the FPL SolarTogether program through the construction of an additional 1,788 MW of cost-effective solar through 2025. The capacity will be allocated 40% to residential and small business customers with a carve out of 45 MW to low-income participants. The remaining 60% is allocated to commercial, industrial, and governmental customers.

4. **Solar Power Facilities Pilot Program:** FPL received approval to offer a four-year voluntary pilot program to commercial and industrial customers that may elect to have FPL install and maintain a solar facility on their site for a monthly tariff charge (the "Solar Power Facilities Pilot Program"). The output of this solar facility would be used solely by the participating customer. The tariff is for a ten-year term and the monthly fixed charge will recover the project capital costs and ongoing operating expenses from the program participants, such that the general body of customers will not be impacted.

Battery Storage:

A 409 MW battery storage facility was added in 2021 at the existing Manatee plant site and two 30 MW battery storage units were added in 2021; one at the existing Sunshine Gateway Solar Energy Center and another at the Echo River Solar Energy Center. Approximately 3,200 MW of battery storage facilities will be installed by 2031, which results in a total of 3,669 MW.

Electric Vehicle Efforts:

Florida continues to rank in the top three states nationally for electric vehicle (EV) adoption, and more Floridians are buying EVs every year. FPL began implementing the FPL EVolution pilot program in 2019 to support EV growth. The goal is to install more than 1,000 charging ports, which would increase public EV charging stations in Florida by 50%.

This pilot program is being conducted in partnership with interested host customers over an approximate 3-year period. Installations encompass different EV charging technologies and market segments, including level 2 workplace charging at public and/or private workplaces; destination charging at well-attended locations; residential charging at customers' homes; and fast charging in high-traffic areas, along highway corridors and evacuation routes to enable long distance travel. These places include Florida's Turnpike Service Plazas, public parking areas, tourist attractions, hospitals, and large businesses that employ hundreds of Florida residents. As of December 31, 2021, FPL EVolution has installed 599 ports across 153 site locations.

Conclusions and Recommendations

Recent dramatic spikes and volatility in the oil and gas markets and threats to supply confirms the value of moving as quickly as possible towards a more balanced fuels portfolio, with continued emphasis on increasing renewable energy sources. Council supports this approach to reduce vulnerability to fuel price increases and supply interruptions and continues to encourage the Florida Legislature to adopt a Renewable Portfolio Standard to provide a mechanism to expand the use of renewable energy in Florida.

Council applauds FPL's push to reach its "30-by-30" solar panel goal 5 years early in 2025. FPL should consider developing other programs to install, own, and operate PV units on the rooftops of private and public buildings. One reason to shift to rooftop PV systems distributed throughout the area of demand is that it reduces reliance on large transmission lines and reduces costs associated with owning property; purchasing fuel; and permitting, constructing, and maintaining a power plant. Another advantage of this strategy is that PV systems do not require water for cooling. Additionally, the incentive for owners of buildings to participate in this strategy is to offer reduced rates for purchasing electricity.

Also, FPL should consider expanding solar rebate programs for customers who install PV and solar water heating systems on their homes and businesses. These rebates should be coordinated with other programs, such as the Solar and Energy Loan Fund (SELF) and Property-Assessed Clean Energy (PACE) programs. SELF is a low interest rate loan program that provides financing

for clean energy solutions. PACE programs allow property owners to finance energy retrofits by placing an additional tax assessment on the property in which the investment is made.

Council urges FPL and the State of Florida to continue developing new programs to increase conservation measures and to rely, to a greater extent, on renewable energy sources. State legislators should amend the regulatory framework to provide financial incentives for power providers and customers. The phasing in of PV and other locally available energy sources will help Florida achieve a sustainable future as called for in Council's Strategic Regional Policy Plan.

The utility filing can be accessed at the following link:

http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans

Attachments

Exhibit 1

Recommended Plan
Schedule 7.1
Forecast of Capacity, Demand, and Scheduled Maintenance At Time Of Summer Peak

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
					Total			Firm	Total			Total		Generation Only	
	Firm	Firm	Firm		Firm	Total		Summer	Reserve			Reserve		Reserve	
	Installed	Capacity	Capacity	Firm	Capacity	Peak		Peak	Margin Before		Scheduled	Margin After		Margin After	
August of	Capacity	Import	Export	QF	Available	Demand	DSM	Demand	Maintenance		Maintenance	Maintenance		Maintenance	
Year	MW	MW	MW	MW	MW	MW	MW	MW	MW	% of Peak	MW	MW	% of Peak	MW	% of Peak
2022	30,908	1,125	0	4	32,037	27,310	1,827	25,483	6,555	25.7	0	6,555	25.7	4,728	17.3
2023	31,532	240	0	4	31,775	27,735	1,872	25,863	5,913	22.9	0	5,913	22.9	4,041	14.6
2024	31,892	240	0	4	32,136	28,136	1,920	26,216	5,920	22.6	0	5,920	22.6	4,000	14.2
2025	32,345	240	0	4	32,589	28,419	1,953	26,466	6,123	23.1	0	6,123	23.1	4,170	14.7
2026	32,502	240	0	4	32,746	28,800	1,977	26,823	5,922	22.1	0	5,922	22.1	3,945	13.7
2027	32,945	240	0	0	33,185	29,103	2,004	27,099	6,086	22.5	0	6,086	22.5	4,082	14.0
2028	33,486	240	0	0	33,726	29,476	2,035	27,441	6,285	22.9	0	6,285	22.9	4,250	14.4
2029	34,084	239	0	0	34,324	29,986	2,069	27,917	6,406	22.9	0	6,406	22.9	4,337	14.5
2030	34,499	239	0	0	34,739	30,485	2,103	28,382	6,357	22.4	0	6,357	22.4	4,254	14.0
2031	35,044	239	0	0	35,283	30,924	2,138	28,786	6,497	22.6	0	6,497	22.6	4,359	14.1

Col. (2) represents capacity additions and changes projected to be in-service by June 1st. These MW are generally considered to be available to meet Summer peak loads which are forecasted to occur during August of the year indicated.
Col. (6) = Col.(2) + Col.(3) - Col(4) + Col(5).
Col.(7) reflects the 2022 load forecast without incremental DSM or cumulative load management.
Col.(8) represents cumulative load management capability, plus incremental conservation and load management, from 9/2021-on intended for use with the 2022 load forecast.
Col.(10) = Col.(6) - Col.(9)
Col.(11) = Col.(10) / Col.(9)
Col.(12) indicates the capacity of units projected to be out-of-service for planned maintenance during the Summer peak period.
Col.(13) = Col.(10) - Col.(12)
Col.(14) = Col.(13) / Col.(9)
Col.(15) = Col.(6) - Col.(7) - Col.(12)
Col.(16) = Col.(15) / Col.(7)

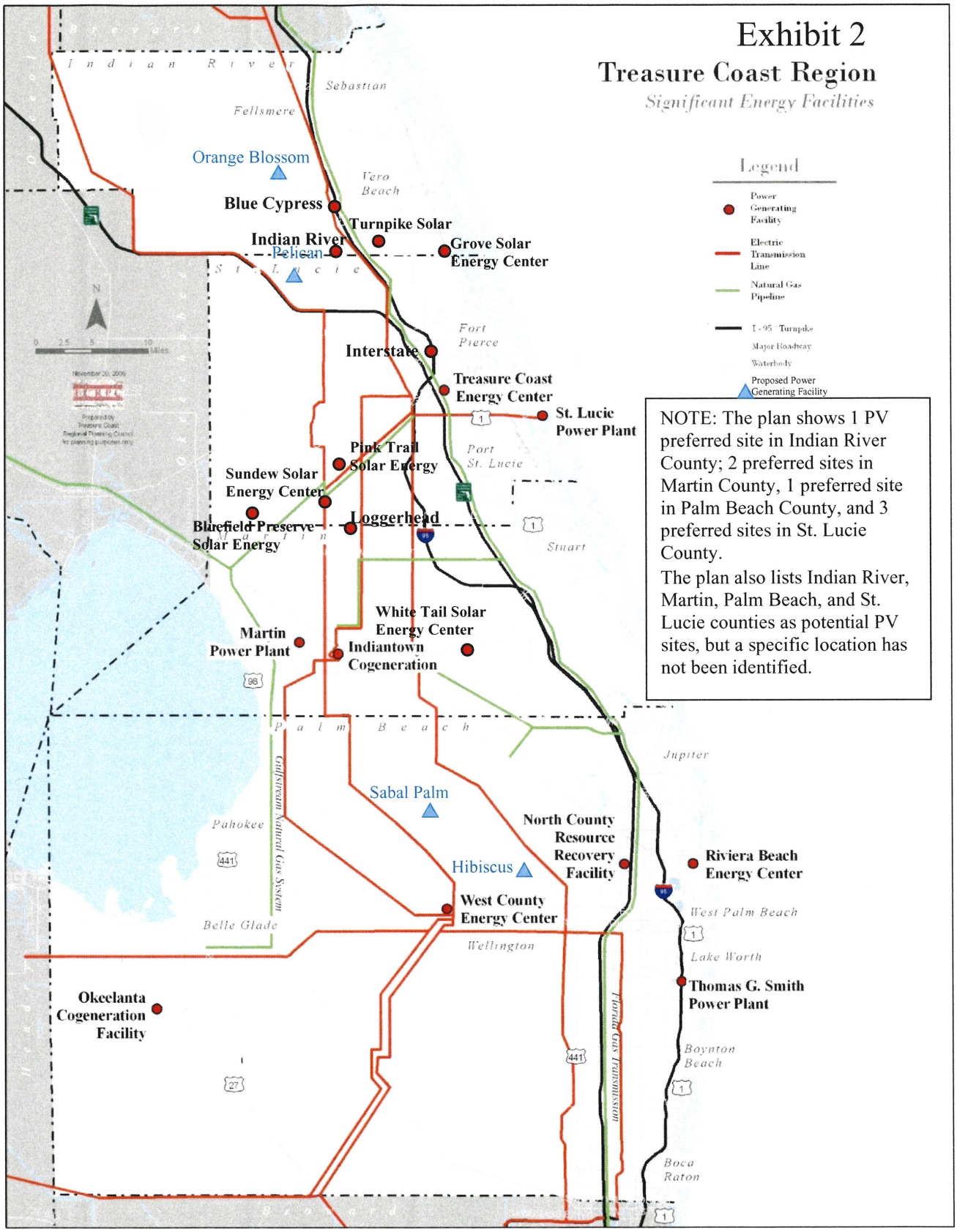


Exhibit 2
Treasure Coast Region
Significant Energy Facilities
Legend
Power Generating Facility
Electric Transmission Line
Natural Gas Pipeline
I-95 Turnpike
Major Roadway
Waterbody
Proposed Power Generating Facility
NOTE: The plan shows 1 PV preferred site in Indian River County; 2 preferred sites in Martin County, 1 preferred site in Palm Beach County, and 3 preferred sites in St. Lucie County.
The plan also lists Indian River, Martin, Palm Beach, and St. Lucie counties as potential PV sites, but a specific location has not been identified.
Orange Blossom
Blue Cypress
Indian River
Pelican
Turnpike Solar
Grove Solar Energy Center
Interstate
Treasure Coast Energy Center
St. Lucie Power Plant
Pink Trail Solar Energy
Sundew Solar Energy Center
Bluefield Preserve Solar Energy
Loggerhead
White Tail Solar Energy Center
Martin Power Plant
Indiantown Cogeneration
Sabal Palm
North County Resource Recovery Facility
Hibiscus
West County Energy Center
Riviera Beach Energy Center
Thomas G. Smith Power Plant
Okeelanta Cogeneration Facility
Gulfstream Natural Gas System
Florida Gas Transmission
Indian River
Sebastian
Fellsmere
Vero Beach
St. Lucie
Fort Pierce
Port St. Lucie
Martin
Stuart
Palm Beach
Jupiter
Pahokee
Belle Glade
Wellington
West Palm Beach
Lake Worth
Boynton Beach
Boca Raton
Broward

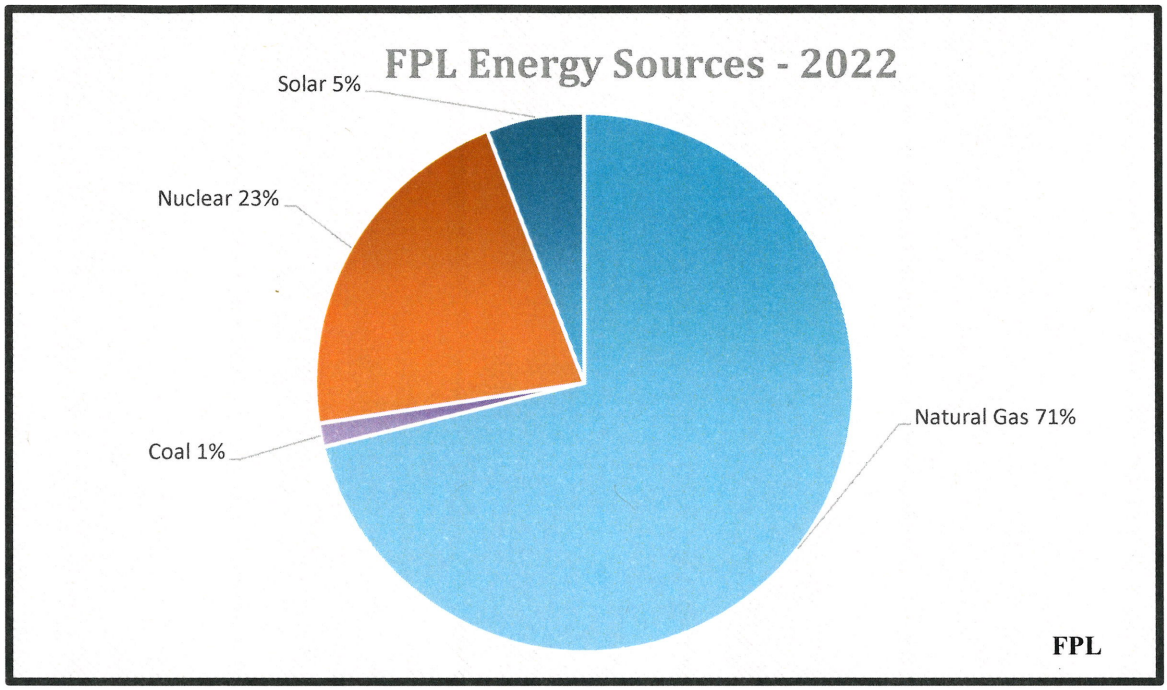
Exhibit 3

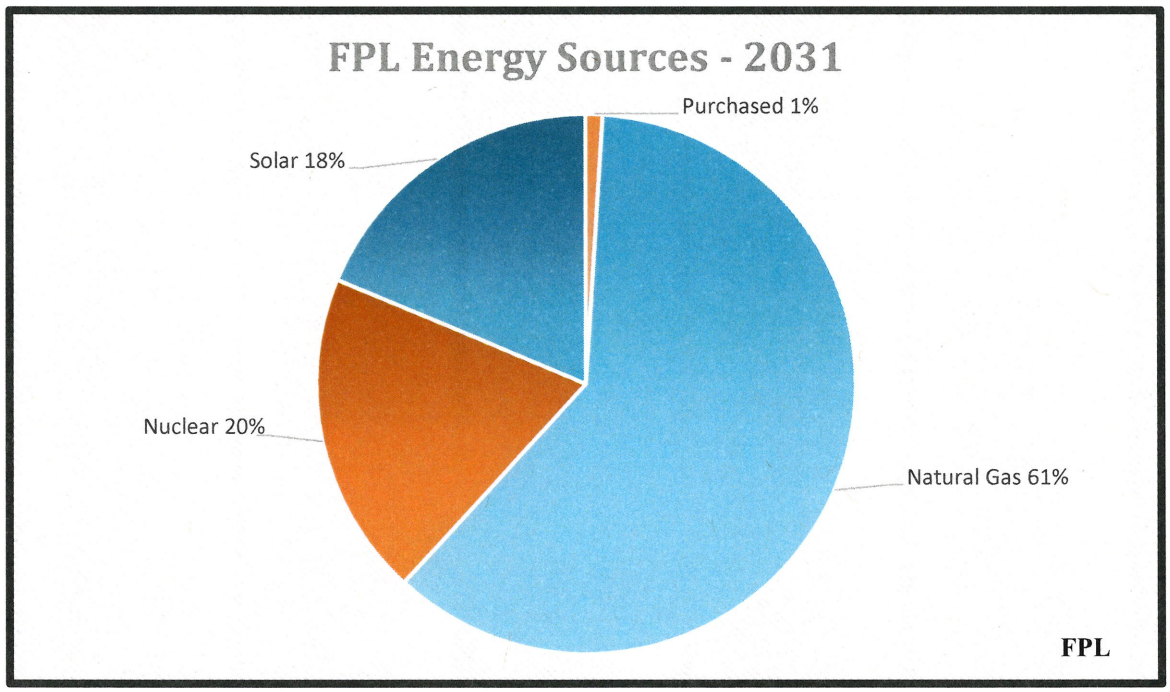
Business as Usual
Schedule 6.2 Forecasted
Energy Sources % by Fuel Type

	Energy Source	Units	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
(1)	Annual Energy Interchange [1/]	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(2)	Nuclear	%	21.1	20.3	19.9	20.5	20.2	19.9	20.1	19.6	19.2	19.3
(3)	Coal	%	1.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(4)	Residual (FO6) - Total	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(5)	Steam	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(6)	Distillate (FO2) - Total	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(7)	Steam	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(8)	CC	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(9)	CT	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(10)	Natural Gas - Total	%	69.8	69.9	68.2	65.2	64.5	64.0	62.8	62.3	61.6	60.5
(11)	Steam	%	0.0	0.4	0.3	0.3	0.3	0.5	0.3	0.3	0.3	0.3
(12)	CC	%	66.4	68.2	67.6	64.8	64.0	63.3	62.3	61.8	61.2	60.1
(13)	CC PPAs - Gas	%	3.2	0.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(14)	CT	%	0.1	0.3	0.2	0.2	0.1	0.2	0.2	0.2	0.2	0.1
(15)	Solar [2/]	%	5.8	7.5	10.0	12.4	13.5	14.3	15.3	16.4	17.5	18.6
(16)	PV	%	3.3	4.4	5.8	7.2	8.1	9.0	10.1	11.3	12.4	13.6
(17)	Solar Together [3/]	%	2.3	2.9	4.0	5.0	5.2	5.1	5.1	5.0	4.9	4.8
(18)	Solar Thermal	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(19)	Solar PPAs	%	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.1	0.1	0.1
(20)	Wind PPAs	%	0.8	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
(21)	Other [4/]	%	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.0	0.9	0.9
			100	100	100	100	100	100	100	100	100	100

1/ Represents interchange between FPL and other utilities.
2/ Represents output from FPL's Solar PV, Solar Together, Solar Thermal, and Solar PPA facilities.
3/ The values shown represent energy produced from FPL-owned solar facilities that are part of FPL's SolarTogether (ST) program. Environmental attributes in the form of renewable energy certificates for that participant's allocation of the total energy produced are retired on the participant's behalf.
4/ Represents a forecast of energy expected to be purchased from Qualifying Facilities, Independent Power Producers, etc., net of Economy and other Power Sales.

Exhibit 4


FPL Energy Sources - 2022
Solar 5%
Nuclear 23%
Coal 1%
Natural Gas 71%
FPL


FPL Energy Sources - 2031
Purchased 1%
Solar 18%
Nuclear 20%
Natural Gas 61%
FPL

FMPA Ten-Year Power Plant Site Plan (2022-2031)

Treasure Coast Regional Planning Council Comments

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B4

From: Staff

Date: July 8, 2022

Subject: Florida Municipal Power Agency Ten Year Power Plant Site Plan 2022-2031

Background

Each year, every major electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs, a projection of how those needs will be met, and disclosure of information pertaining to the utility's preferred and potential power plant sites. The Florida Public Service Commission (FPSC) requested that Council review the most recent ten-year site plan prepared by Florida Municipal Power Agency (FMPA) and provide comments to the FPSC on or before August 5, 2022.

This plan addresses FMPA generating power additions and retirements for the years 2022 through 2031, focused on the All-Requirements Power Supply Projects (ARP) whereby all the electrical power generating needs of member communities are met through FMPA.

The FMPA is a governmental wholesale power company owned by municipal electric utilities. It was created in 1978 to allow its original members to jointly own, operate, and manage electric power plants and currently has 31 members. The FMPA has responsibilities for power supply planning related to the ARP, where the agency has committed to supplying all of the power requirements of 13 cities. Two of the FMPA's members are in the Treasure Coast Region, including Fort Pierce Utilities Authority and the City of Lake Worth Beach.

FMPA currently has six power supply projects that provide all the power needs of 13 cities and some of the power need for other cities. FMPA generates electricity using various fuel types, including natural gas, coal, nuclear and renewables.

The FMPA electric generation capabilities include: 1) nuclear capacity entitlements, 2) ARP-owned generation capacity, and 3) ARP member-owned generation capacity. Some of this generation occurs within the region. In 1983, the FMPA purchased an 8.8 percent ownership interest in FPL's St. Lucie Unit No. 2 nuclear generating unit. This project is known as the St. Lucie Project. Fourteen of the FMPA members, including the two members in the Treasure Coast Region, are participants in the St. Lucie Project.

Analysis

The attached report summarizes FMPA plans for future power generation and provides comments for transmittal to the FPSC. The report concludes that FMPA continues to plan for demand over the planning period. They will primarily meet that demand with continued heavy dependence on fossil and nuclear fuels, but also concentrate on a rapid increase in renewable sources, primarily solar generating capacity. In fact, FMPA projects to produce approximately 16.8% of total electricity from zero-emission, renewable sources (5.7% nuclear, 10.6% solar, 0.5% other) by the end of the planning period; up from the approximate 7.7% today (5.5% nuclear, 1.4% solar, 0.8% other).

Council supports FMPA's and the State's efforts to develop new programs to: 1) reduce reliance on fossil fuels as future energy sources, including retirement of coal facilities, 2) increase conservation activities to offset the need to construct new power plants, and 3) increase the use of renewable energy sources to produce electricity.

Recommendation

Council should approve the attached report and authorize its transmittal to the Florida Public Service Commission.

Council Action – July 15, 2022

Commissioner Smith from Martin County moved approval of the staff report. Commissioner Adams from Indian River County seconded the motion, which carried unanimously.

Attachment

TREASURE COAST REGIONAL PLANNING COUNCIL

Report on the

Florida Municipal Power Agency
Ten Year Power Plant Site Plan 2022-2031

July 15, 2022

Introduction

Each year every major electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs, a projection of how those needs will be met, and disclosure of information pertaining to the utility's preferred and potential power plant sites. The Florida Public Service Commission (FPSC) has requested that Council review the most recent ten-year site plan prepared by the Florida Municipal Power Agency (FMPA) and provide comments to the FPSC on or before August 5, 2022.

Summary of the Plan

The FMPA is a governmental wholesale power company owned by municipal electric utilities. It was created in 1978 to allow its original members to jointly own, operate, and manage electric power plants and currently has 31 members. The FMPA has responsibilities for power supply planning related to the ARP, where the agency has committed to supplying all of the power requirements of 13 cities. Two of the FMPA's members are in the Treasure Coast Region, including Fort Pierce Utilities Authority and the City of Lake Worth Beach.

FMPA currently has six power supply projects that provide all the power needs of 13 cities and some of the power need for other cities. FMPA generates electricity using various fuel types, including natural gas, coal, nuclear and renewables.

The FMPA electric generation capabilities include: 1) nuclear capacity entitlements, 2) ARP-owned generation capacity, and 3) ARP member-owned generation capacity. Some of this generation occurs within the region. In 1983, the FMPA purchased an 8.8 percent ownership interest in FPL's St. Lucie Unit No. 2 nuclear generating unit. This project is known as the St. Lucie Project. Fourteen of the FMPA members, including the two members in the Treasure Coast Region, are participants in the St. Lucie Project.

The total summer capacity of ARP resources for 2022 is 1,745 MW and 1,655 MW for 2031, comprised of ARP member-owned resources, ARP shares in nuclear, coal, and gas-fired plants, and power purchase agreements. Demand within ARP in 2022 is 1,509 MW, reducing to 1,439 MW in 2031 with reductions driven by changes in how much ARP produced power is made available for resale.

The current plan makes primary electricity gains through peaking purchase, which could be comprised of solar, energy storage, offsets from load management, and reserve capacity. FMPA

anticipates ceasing to burn coal after 2027 as one jointly owned coal unit retires in 2025 and the other is converted to natural gas in 2027. There are no new generating facilities proposed with ARP member owned systems.

Evaluation

The ten-year site plan indicates that fossil fuels will be the primary source of energy used by FMPA to generate electricity during the next 10 years (see Exhibit 3 Schedule 6.2); accounting for 92.2% (16.2% from coal and 76.0% from natural gas) of FMPA's electric generation in 2022. The plan predicts fossil fuels will account for 83.2% (0.0% from coal and 83.2% from natural gas) of FMPA electric generation in 2031. During the same period, nuclear sources are predicted to increase from 5.5% in 2022 to 5.7% in 2031. Solar sources are predicted to dramatically increase from 1.4% in 2022 to 10.6% in 2031.

Renewable Energy

FMPA is actively involved in planning and developing new renewable energy resources. Currently, the ARP purchases power from a sugar bagasse fueled cogeneration plant and uses landfill gas to supplement coal fuel requirements. The ARP has member-owned photovoltaic solar generating capacity and 20-year power purchase agreement solar capacity which will dramatically increase the share of electricity generated through renewable sources.

Conclusions and Recommendations

Recent dramatic spikes and volatility in the oil and gas markets and threats to supply confirms the value of moving as quickly as possible towards a more balanced fuels portfolio, with continued emphasis on increasing renewable energy sources. Council supports this approach to reduce vulnerability to fuel price increases and supply interruptions and continues to encourage the Florida Legislature to adopt a Renewable Portfolio Standard to provide a mechanism to expand the use of renewable energy in Florida.

Council applauds FMPA's plan to reduce reliance on coal and replace it with solar power. To enhance these efforts, FMPA should consider expanding solar rebate programs for customers who install PV and solar water heating systems on their homes and businesses. These rebates should be coordinated with other programs, such as the Solar and Energy Loan Fund (SELF) and Property-Assessed Clean Energy (PACE) programs. SELF is a low interest rate loan program that provides financing for clean energy solutions. PACE programs allow property owners to finance energy retrofits by placing an additional tax assessment on the property in which the investment is made.

Council urges FMPA and the State of Florida to continue developing new programs to increase conservation measures and to rely, to a greater extent, on renewable energy sources. State legislators should amend the regulatory framework to provide financial incentives for power providers and customers. The phasing in of PV and other locally available energy sources will help Florida achieve a sustainable future as called for in Council's Strategic Regional Policy Plan.

The utility filing can be accessed at the following link:

http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans

Attachments

Exhibit 1

Schedule 7.1
Forecast of Capacity, Demand, and Scheduled Maintenance at Time of Summer Peak
All-Requirements Power Supply Project

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
							Reserve Margin before Maintenance			Reserve Margin after Maintenance	
Year	Total Installed Capacity (MW) [1]	Firm Capacity Import (MW)	Firm Capacity Export (MW)	QF (MW)	Total Available Capacity (MW)	System Firm Summer Peak Demand [2] (MW)	(MW)	(% of Peak)	Scheduled Maintenance (MW)	(MW)	(% of Peak)
2022	1,486	260	0	0	1,745	1,509	236	16%	0	236	16%
2023	1,496	260	0	0	1,755	1,508	247	16%	0	247	16%
2024	1,496	204	0	0	1,700	1,450	250	17%	0	250	17%
2025	1,380	315	0	0	1,695	1,474	221	15%	0	221	15%
2026	1,418	294	0	0	1,712	1,489	223	15%	0	223	15%
2027	1,418	296	0	0	1,713	1,490	223	15%	0	223	15%
2028	1,417	210	0	0	1,627	1,415	212	15%	0	212	15%
2029	1,417	224	0	0	1,641	1,427	214	15%	0	214	15%
2030	1,416	226	0	0	1,642	1,428	214	15%	0	214	15%
2031	1,416	239	0	0	1,655	1,439	216	15%	0	216	15%

[1] See Table 5-1 for a listing of the resources identified as Installed Capacity and Firm Capacity Import.

[2] System Firm Summer Peak Demand includes transmission losses for the ARP Participants and additional ARP wholesale obligations served through FPL, DEF, and KUA.

Exhibit 2

Figure ES-1
ARP Participants and FMPA Power Supply Resource Locations

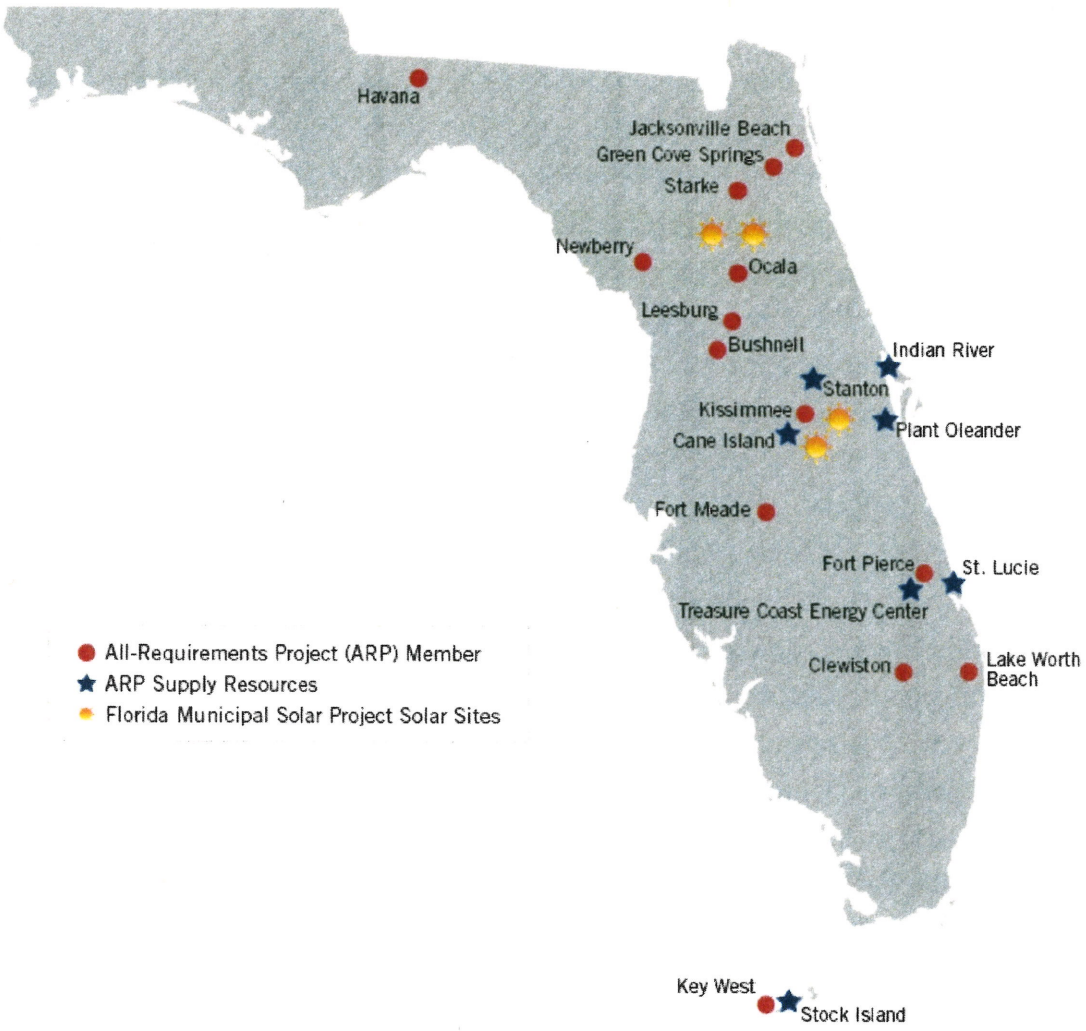


Exhibit 3

Schedule 6.2
Energy Sources (%) – All-Requirements Power Supply Project

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Line		Prime		Actual	Forecasted									
No.	Energy Source	Mover	Units	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
1	Annual Firm Inter-Region Interchange		%	-	-	-	-	-	-	-	-	-	-	-
2	Nuclear [1]		%	5.5%	5.6%	5.6%	5.7%	5.8%	5.7%	5.5%	6.0%	5.9%	5.5%	5.7%
3	Coal		%	16.2%	16.7%	15.4%	11.0%	6.4%	4.7%	0.0%	0.0%	0.0%	0.0%	0.0%
	Residual													
4		Steam	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
5		CC	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
6		CT	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
7		Total	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Distillate													
8		Steam	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
9		CC	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
10		CT	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
11		Total	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Natural Gas													
12		Steam	%	1.2%	1.0%	0.9%	0.6%	0.4%	0.3%	3.7%	3.5%	3.8%	3.9%	3.8%
13		CC	%	74.0%	73.6%	75.0%	77.2%	79.4%	76.9%	78.0%	77.8%	77.6%	77.8%	77.7%
14		CT	%	0.8%	0.8%	0.7%	0.4%	1.2%	1.5%	1.9%	1.4%	1.4%	1.5%	1.7%
15		Total	%	76.0%	75.4%	76.7%	78.2%	81.0%	78.7%	83.6%	82.6%	82.8%	83.2%	83.2%
16	NUG		%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Renewables													
17		Biofuels	%	0.6%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
18		Biomass	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
19		Geothermal	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
20		Hyrdro	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
21		Landfill Gas	%	0.2%	0.3%	0.2%	0.2%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
22		MSW	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
23		Solar	%	1.4%	1.6%	1.6%	4.5%	6.4%	10.4%	10.4%	10.9%	10.8%	10.7%	10.6%
24		Wind	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
25		Other	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
26		Total	%	2.2%	2.3%	2.2%	5.1%	6.9%	10.9%	10.9%	11.4%	11.3%	11.2%	11.1%
27	Interchange		%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
28	Net Energy for Load		%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

[1] Nuclear generation shown is the ARP Participants' Entitlement Shares in the St. Lucie Project.

Local Government

Mayor of Miami-Dade County

Iris Rollins

From: John Plescow
Sent: Monday, August 8, 2022 8:29 AM
To: Consumer Correspondence; Diane Hood
Subject: FW: To CLK Docket 20220000
Attachments: 08.05.22 Letter to Florida Public Service Commission Regarding FPL Ten Year Site Plan Docket 2022000.pdf

Importance: High

Please, add to docket 20220000.

From: Consumer Contact <Contact@PSC.STATE.FL.US>
Sent: Monday, August 08, 2022 8:08 AM
To: John Plescow <JPlescow@PSC.STATE.FL.US>
Cc: Angie Calhoun <ACalhoun@PSC.STATE.FL.US>
Subject: To CLK Docket 20220000
Importance: High

From: Murley, James (RER) <James.Murley@miamidade.gov>
Sent: Friday, August 05, 2022 4:26 PM
To: Consumer Contact <Contact@PSC.STATE.FL.US>
Cc: McCrackine, Sean (Office of the Mayor) <Sean.McCrackine@miamidade.gov>; Murley, James (RER) <James.Murley@miamidade.gov>
Subject: MDC Filing for Public Service Commission - FPL 2022 Ten Year Site Plan Comments
Importance: High

Dear Florida Public Service Commission Members:

The attached comments are being provided on behalf of Daniella Levine Cava, Mayor, Miami-Dade County.

Sincerely,

Jim Murley
Chief Resilience Officer
111 NW 1st Street, 12 Floor
Miami, Florida 33128
(O) 305-375-5593
(C) 786-719-9155

All Lobbyists must register with the Clerk of the Board prior to any meeting with County Personnel. Register online or in person at 111 NW 1st Street, 17th Floor, Miami, FL 33128. The Clerk's Office phone number is 305-375-5137. You can find more information on lobbying with Miami-Dade County here

August 5, 2022

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL, 32399

Re: FPL Ten Year Site Plan Comments; Docket 2022000

Dear Chairman Fay, Commissioners Graham, La Rosa, Clark and Passidomo:

In April 2022, Florida Power and Light (FPL) published their 2022 edition of the Ten-Year Site Plan (TYSP). In this filing, FPL outlines its plan for the next ten years with regards to its electrical grid and the fuels that will be used to power it. The modest increases in solar and battery storage, and the continued reduction in coal over the ten-year timeline of the plan in the "Business as Usual Resource Plan" is insufficient to get Florida quickly on a path to a clean energy future. We are also glad to see that the originally proposed "Recommended Resource Plan," which used unverified methodologies to prepare for an unlikely extreme cold weather event, was withdrawn.

There are two developments relative to the 2022 TYSP that would like to bring to your attention. The first is the release of our Miami-Dade Climate Action Strategy in 2021. The Climate Action Strategy is an ambitious roadmap to drastically reduce our community's carbon pollution by committing to reduce our Community-Scale greenhouse gas (GHG) emissions by 50% from 2019 levels by 2030 and achieve net-zero emissions for our County by 2050. As founding members of ICLEI – Local Governments for Sustainability, we have joined the international "Race to Zero" campaign to reach zero by 2050. This mirrors the timeline established by the Federal government as well. Crucially, because nearly half of our countywide GHG emissions are the result of electricity consumption, our ability to meet these goals is deeply interwoven with the emissions that are released by the fossil fuel power plants that power our grid. In addition, we also expect that the rapid shifts to electrification in the transportation sector will lead to an increased reliance on the grid to power electric vehicles. This transition to electric vehicles is a key pillar of our Climate Action Strategy and elevates the importance of a rapid conversion to carbon-free electricity.

FPL, as the provider for the majority of our County's electricity, is a critical partner in the efforts of our County and others in its service territory to meet the urgency of the moment and reduce GHG emissions sufficiently to avoid the worst projected outcomes of climate change. Figure 1 below identifies that through implementation of the Climate Action Strategy alone, assuming future grid conditions identified in the 2021 TYSP, we project a significant "gap" between our forecasted emissions and target 2030 goal. A cleaner, carbon-free electricity grid is essential to reducing this gap and achieving our goal.

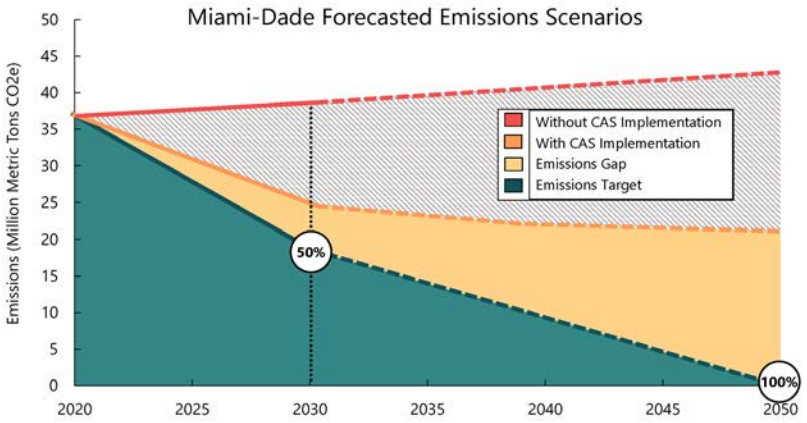


Figure 1. Projected scenarios for GHG emissions in Miami-Dade County. Notably, our CAS Implementation Scenario falls short of our goal. A carbon-free grid would represent a critical path for us to close the gap and reduce remaining emissions. This forecast was developed using future grid conditions identified in the 2021 TYSP.

Another key strategy we are pursuing is reducing the energy demand from new and existing buildings throughout our county. We continue to object to the limited demand-side management, or energy efficiency efforts, considered in FPL's Business as Usual Plan. This is noted in Schedule 3.1, which forecasts summer peak demand and shows that FPL will stop investing in any additional new energy efficiency after 2024. Miami-Dade County has a long history of successful investments in energy efficiency to help curb electricity demand and reduce GHG emissions, and numerous studies in Miami-Dade, Florida and across the country have demonstrated that investments in energy efficiency offer quick paybacks and reduce the need for further expand electrical generation capacity to meet demand. This is particularly salient to the 2022 TYSP, as FPL's grid is currently projected to continue to rely predominantly on fossil fuels for at least the next decade. We strongly urge the PSC to work with FPL to greatly expand their commitment to demand-side management programs that help homeowners and businesses become more efficient energy consumers.

The second important observation we would like to note is the release in June 2022 of NextEra's "Real Zero" plan. This ambitious plan represents the most substantial commitments to carbon-free electricity in the southern United States. Preliminary information from NextEra has indicated that FPL will play a major role in achieving these goals. We are excited to see this commitment, as the trajectory of the FPL grid under the Real Zero plan is much more in line with the carbon reduction investment needed for Florida and Miami-Dade. We would strongly encourage a rapid integration of this plan into the 2023 TYSP. We support the adoption of "Real Zero" into the TYSP, and we look forward to supporting this new vision for a net-zero energy grid that supports our Climate Action Strategy with FPL as they update and implement their ambitious renewable energy commitments.

We urge the PSC to support and encourage FPL to move forward more rapidly with energy conservation and renewable energy deployment by incorporating the Real Zero plan into the 2023 TYSP.

Please do not hesitate to contact our Office of Resilience and Jim Murley, our Chief Resilience Officer, at James.Murley@miamidadegov or by calling (305) 375-4811, if you have any questions. Our Climate Action Strategy is available online at www.miamidade.gov/climateactionstrategy

Sincerely,

Daniella Levine Cava

Daniella Levine Cava
County Mayor

c: Honorable Chairman Jose "Pepe" Diaz, and Members, Board of County Commissioners
Office of the Mayor Senior Staff
James F. Murley, Chief Resilience Officer, Office of Resilience

Local Government

Broward County

MONICA CEPERO, County Administrator
115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7354 • FAX 954-357-7360

June 15, 2022

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399

Re: FPL Ten Year Site Plan Comments; Docket No. 20220000

Dear Chairman Fay, Commissioners Graham, La Rosa, Clark and Passidomo:

Broward County recently became aware that Florida Power & Light (FPL) is seeking approval of an extreme winter weather (i.e., cold weather) peak demand forecast as part of its 2022 Ten Year Site Plan, with a purported demand increase of 40% above the business-as-usual method. As a major ratepayer ourselves, and on behalf of the two million residents and tens of thousands of businesses of Broward County, we urge you to find this forecast "unsuitable" and require FPL to use a "business-as-usual" resource planning method.

FPL's extreme winter weather peak demand forecast is unsuitable for multiple reasons.

1. The methodology FPL used to develop this forecast is unclear, and most alarmingly, the forecast lacks any reasonable analysis of the probability of a winter storm as severe as that used in the forecast. According to James F. Wilson, Principal of Wilson Energy Economics, who presented on behalf of the Southern Alliance for Clean Energy and Vote Solar, FPL's proposal "does not follow standard industry practices."

2. The forecast projects a demand 40% above the business-as-usual forecast, and as James F. Wilson noted, "what are the appliances that could suddenly add over 9,000 MW?" Unlike residents of cold winter climates, Floridians do not maintain an inventory of electric space heaters or the like in the unlikely event of a deep freeze.

3. FPL's proposed solution takes the utility, and the state, backwards, not only by keeping gas plants open that would otherwise have been retired, but also adding 700 MW of gas peaker plants. The Federal Energy Regulatory Commission made many recommendations in the wake of the 2021 Texas winter event, but adding additional generation capacity was not among them. Retaining or even adding gas plants is unwise, given the potential price volatility of fossil gas (well-illustrated by current events) and what is known about the urgent need to cut carbon pollution to preserve a stable climate.

4. Costs—estimated by FPL to reach $450 million for transmission and distribution upgrades alone—do not seem likely to produce commensurate benefits. To paraphrase

James F. Wilson, building plants that are likely to be used one day every 30 years would not be a sound investment of ratepayer funds.

5. It is widely demonstrated that energy efficiency is the cheapest means of making more energy available, approximately one-third or less the cost of a new source of electricity supply. Rather than incentivize the construction of unnecessary infrastructure which provides utilities an additional guaranteed rate of return, energy providers should be encouraged to invest in robust energy conservation programs to generate this additional capacity, alongside renewable energy investments. Florida simply cannot accommodate additional investment decisions that saddle ratepayers with antiquated energy solutions, and at the expense of environmental goals and aggressive energy conservation strategies better aligned with the public interest.

6. Finally, the County believes it appropriate to acknowledge the parallel between energy and water planning challenges and strategies. Nearly 15 years ago there was a push for water utilities in the southeast Florida to expand capacity to meet a stated 20-year projection for an additional 100 million gallons per day in water demand. The region responded with aggressive water conservation strategies that have produced and sustained a 23% reduction in water demand. This effort, coupled with innovation in water management strategies, has avoided the inordinate cost of redundant capital infrastructure and imposed operational costs, instead providing extensive water, energy, and cost savings enjoyed by both utilities and consumers. We urge Florida energy providers to practice this same prudence with judicious management of existing sources and to emphasize conservation strategies as the first, preferred, and most affordable means of making more energy available for ratepayers across the service area while avoiding unnecessary and permanent cost burdens. The most distinction between these water and energy decisions is that, in the case of water, conservation commitments avoided cost escalations where local officials would have been held accountable, whereas with energy providers, and FPL's proposal, conservation remains unaddressed absent the obligation of direct vetting and accountability to these same ratepayers.

For these reasons, we urge you to find FPL's extreme winter weather peak demand forecast as "unsuitable" and require use of the business-as-usual forecast instead.

Please do not hesitate to contact me if you have any questions about this letter.

Yours sincerely,

Monica Cepero
County Administrator

CC: Broward County Board of County Commissioners

Pasco County

PASCO COUNTY FLORIDA
OPEN SPACES. VIBRANT PLACES.

TOP WORK PLACES 2021 USA

June 21, 2022

Donald Phillips, Engineering Specialist
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Review of the 2022 Ten-Year Site Plans for Florida's Electric Utilities

Dear Mr. Phillips,

In response to your letter dated May 17, 2022 relevant to the review of the Ten-Year Site Plans (TYSP), Pasco County has reviewed these plans as applicable to our jurisdiction and has no comments related to this information. Should you require further information or assistance, please contact our office.

Thank you for your attention.

Sincerely,

Jeffrey R. Jenkins, MPA, AICP
Executive Planner

Local Government

Pinellas County

Pinellas County

County Administration

July 21, 2022

State of Florida Public Service Commission
Attn: Donald Phillips, Engineering Specialist
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Review of 2022 Ten-Year Site Plans for Florida's Electric Utilities

Dear Mr. Phillips:

Thank you for the invitation to review the Ten-Year Site Plans (TYSP) for Florida's Electric Utilities. Pinellas County (County) is included in the Duke Energy Florida (DEF} electric utility service area. Hence, comments on the TYSP the focus of the County's review is specific to DEF's TYSP. The County has a keen interest in DEF's TYSP, as there remains a current Qualified Facility (QF) Power Purchase Agreement (PPA) in place between both parties for avoided electrical power capacity and the sale of electrical power from a municipal solid waste to energy facility. The PPA expires on December 31, 2024.

The County has questions, issues, and/or concerns with the following:

1. This plan forecasts the significant growth of seventeen (17) planned solar photovoltaic (PV) generation projects/sites totaling 3,100 MW by 2031. Nine (9) of the planned sites are essentially defined at 'TBD' and void of all economics. Yet, DEF has clearly detailed cost data for combustion turbine installations for the same forecast period.

2. The Pinellas Waste-to-Energy (WTE) facility is listed as 'Renewable MSW' but continues to use non-renewable natural gas fired combustion turbines as the basis of cost for avoided capacity calculations for a QF Standard Offer Contract. As listed as 'renewable', why not combine Renewable MSW into the same category as Renewable Solar and pay at the equivalent rates as avoided capacity for PV installations? The County strongly believes that all 'Renewables' should be treated on the same economic basis. This is especially true for Renewable MSW since it provides base load, highly reliable capacity, with a proven track record of over 30-years in the State of Florida.

315 Court Street, Room 601
Clearwater, FL 33756
Phone (727) 464-3485
Fax (727) 464-4384
V/TDD (727) 464-4062
www.pinellascounty.org

3. The plan indicates that most interest in QF sales is from PV developers with sixty (60) active projects and 4,4700 MW of interconnection requests and DEF is the project developer for thirteen (13) of the active projects. The plan documents do not elaborate on what constitutes an "active" project.

4. Pinellas County is one of the largest Clean Energy Connection municipal partners and would recommend DEF to consider large scale solar generation and/or battery energy storage in Pinellas County for grid resiliency and emergency management needs.

5. As a large customer of DEF's, the plan lacks program information that targets large customer assistance such as energy audits and automated software to assist with energy data transfer to energy management software. It is recommended that DEF joins other nationwide utilities to provide data transfer to systems such as the Energy STAR Portfolio Manager. Doing so will permit customers to better track consumption to compare to energy efficiency goals.

If you have any questions regarding the County's review, please contact Paul Sacco, Department of Solid Waste Director at 727-464-7514 or at psacco@pinellascounty.org.

Sincerely,

Barry A. Burton
County Administrator

cc: Jill Silverboard, Deputy County Administrator/Chief of Staff
Paul Sacco, Director, Department of Solid Waste

Santa Rosa County

SANTA ROSA COUNTY
BOARD OF COMMISSIONERS

Administrative Offices | 6495 Caroline Street, Suite M | Milton, Florida 32570-4592

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TOM DANNHEISSER, County Attorney

June 6, 2022

Mr. Donald Phillips
Engineering Specialist
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Review of the 2022 Ten-Year Site Plans for Florida's Electric Utilities

Dear Mr. Phillips,

Santa Rosa County has reviewed the 2022 Ten-Year Site Plans for Florida's Electric Utilities and has no comments.

Sincerely,

DeVann Cook
County Administrator
Santa Rosa County

Environmental Groups

Advance Energy Economy, Alianza Center, Catalyst Miami, CLEO Institute, Earth Ethics, Florida Clinicians for Climate Action, Healthcare Without Harm, Healthy Golf, Rethink Energy Florida, League of Women Voters Pensacola Bay Area, Solar United Neighbors

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 17, 2022

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Jacob Imig, Attorney

RE: 20220000 Ten Year Site Plan Workshop Public Comment from Advanced Energy Economy, Alianza Centter, Catalyst Miami, CLEO Institute, Earth Ethics, Florida Clinicians for Climate Action, Healthcare Without Harm, Healthy Gulf, Rethink Energy Florida, League of Women Voters Pensacola Bay Area, and Solar United Neighbors

Please add the following letter regarding the Ten Year Site Plan Workshop from Advanced Energy Economy, Alianza Centter, Catalyst Miami, CLEO Institute, Earth Ethics, Florida Clinicians for Climate Action, Healthcare Without Harm, Healthy Gulf, Rethink Energy Florida, League of Women Voters Pensacola Bay Area, and Solar United Neighbors to the 20220000 docket.

Advanced Energy Economy, Alianza Center, Catalyst Miami, CLEO Institue, Earth Ethics, Florida Clinicians for Climate Action, Healthcare Without Harm, Healthy Gulf, Rethink Energy Florida, League of Women Voters Pensacola Bay Area, Solar United Neighbors

June 15, 2022

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399

Re: FPL Ten Year Site Plan Comments; Docket No. 20220000

Dear Chairman Fay, Commissioners Graham, La Rosa, Clark and Passidomo:

We understand that as part of the annual Ten Year Site Plan process, the Commission must find a utility's plans as suitable or unsuitable. The undersigned organizations urge you to find FPL's extreme winter weather peak demand forecast in its 2022 Ten Year Site Plan unsuitable for the reason cited below.

FPL's new winter demand forecast is based on an extreme winter weather that is unlikely, if ever, to occur. FPL cites the Texas extreme winter weather event in 2021 as an example. Florida is not Texas. During the Texas winter weather event in 2021, temperatures dropped and stayed below freezing for 5 consecutive days, and some cities recorded lows below zero. There was significant snowfall, and ice accumulation of up to ½ inch. A lot of the problems in Texas stemmed from a number of unplanned gas units being offline, freeze related generation outages and gas fuel supply lines.

The Federal Energy Regulatory Commission (FERC) issued recommendations after the Texas winter weather event. Adding additional generation capacity, as FPL suggests in its plan, was not one of the FERC recommendations. FPL proposes keeping several gas units online that were slated for retirement, adding another 700 MW of gas generation, thousands of additional MW of battery storage, and transmission and distribution system winterization. The transmission and distribution improvements are projected to cost over $450 million dollars alone.

When so many families are struggling with difficult choices between paying a power bill and buying medications or food, FPL's move to saddle customers with additional costs is untenable. Customers need relief now. The recent well-publicized FPL bill increases are hitting many families hard – exacerbating already high energy burdens. For instance, higher gas price costs passed on by FPL this year have spiked the fuel portion of power bills by 24% - impacting customers from Miami to Pensacola. FPL has signaled that it will come to the Commission again this year to pass on higher fuel costs to customers. These bill increases do not account for fuel and base rate increases in 2021.

While we recognize that FPL's grid was stressed by a few cold days in 1989 and 2010, its methodology of forecasting an extreme winter weather event in Florida and peak loads during that event is not transparent, nor a practice used by any other utility in the industry. FPL proposes to abandon its "business-as usual" traditional methodology for resource planning – which has served the Commission well in the past - and now base it on an extreme winter event, but attaches no probability of such an extreme event ever taking place. Its extreme event is based on temperatures even lower than those experienced in Florida in 1989 and 2010. It appears that FPL's forecasted electricity demand in response to this improbable extreme event did not use probabilistic simulations to determine whether its winter reserve margin meets resource adequacy criteria – like loss of load probability of once every ten years.

Moreover, FPL does not meaningfully consider energy efficiency and demand response as alternatives to its costly and unprecedented build, build, build approach. Instead FPL should focus on helping customers make their homes more efficient, safe and secure through energy efficiency measures – such as attic insulation, and provide more robust demand response programs. The system benefits of FPL increasing both the scale and depth of energy efficiency programs include less fuel needed to run its units and the deferral or elimination of additional power generation. In addition, these programs help customers reduce energy use and save money on their power bill. Yet, a 2020 American Council for an Energy Efficiency Economy report ranked FPL 51st out of the 52 largest US utilities in capturing energy savings from utility-sponsored energy efficiency programs.

We can and must do better to address the high power bills that so many Florida families are facing today. Adding more cost on them, as proposed in FPL's Ten Year Site Plan, for utility investments that are unsupported by standard industry practice to address an improbable extreme weather event, is not prudent, or responsible resource planning.

As part of your 2022 Ten Years Site Plan process, we urge you to find FPL's extreme winter peak demand forecast **unsuitable.**

Thank you,

Advanced Energy Economy
Michael J. Weiss, Policy Principal

Alianza Center
Marcos Vilar, President

Catalyst Miami
Natalia Brown, Climate Justice Program Manager

CLEO Institute
Yoca Arditi-Rocha, Executive Director

Earth Ethics
Mary Gutierrez, Scientist, Advocate

Florida Clinicians for Climate Action
Dr. Cheryl Holder and Dr. Ankush Bansal, Co-Chairs

Healthcare Without Harm
Catherine Toms, MD, MPH, Senior Advisor for Climate and Health

Healthy Gulf
Christian Wagley, Coastal Organizer, Florida-Alabama

League of Women Voters Pensacola Bay Area
Haley Richards, President

Rethink Energy Florida
Kim Ross, Executive Director

Solar United Neighbors of Florida
Heaven Campbell, Florida Program Director

Environmental Groups

Southern Alliance for Clean Energy

June 15, 2022

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399

Re: Southern Alliance for Clean Energy's Ten Year Site Plan Comments; Docket No. 20220000

Dear Chairman Fay, Commissioners Graham, La Rosa, Clark and Passidomo:

Thank you for the opportunity to provide these comments to assist the Commission in determining the suitability of 2022 Ten Year Site Plans (TYSP). Our comments this year focus on the proposed extreme winter peak demand forecast in Florida Power and Light's (FPL) 2022 TYSP.

The Commission, pursuant to statute, is charged with conducting a preliminary study of the TYSPs and to classify them as "suitable" or "unsuitable." As part of its review, it must consider possible alternatives to the proposed plan, and can suggest alternatives[1] FPL's 2022 TYSP provided two distinct forecast methodologies that produce very different planning outcomes. One represents the "business as usual" P50 method historically relied upon by FPL and this Commission. The other is based on a hypothetical extreme winter weather event and associated load forecast that was not developed in a transparent way, nor is consistent with standard industry practice. FPL has put forth the extreme winter event plan as its "preferred plan."

If the preferred plan is found suitable, the plan will lead to almost $500 million in costs to upgrade FPL's transmission and distribution system alone.[2] Additionally, FPL will add another 700 MW of fossil gas plant capacity; continue to keep several fossil gas units online that were slated for retirement; and add an extra 1,900 MW of battery storage on its system from 2027 to 2031, compared to its business as usual case and traditional method of forecasting winter peak demand.[3] FPL's preferred plan will lead to higher bills through cost recovery in annual cost recovery dockets, such as the Storm Protection Plan Cost Recovery Clause docket (SPPCR), and future base rate increases. For instance, FPL is already planning (even before a Commission suitability determination) to winterize transmission and distribution infrastructure for eventual recovery through the SPPCR for a projected amount of $215 million.[4] Moreover, the preferred plan increases FPL's and the state's reliance on fossil gas infrastructure at a time when customers are being pummeled with spiking bills due to this costly and price volatile fossil fuel. FPL's proposal is a step in the wrong direction for the Company, its customers, and the state, and should be rejected.

[1] Section 186.801, Fla. Stat.

[2] FPL, *Power Delivery Winterization Update* presentation, p.2.

[3] FPL, Ten Year Site Plan, April 1, 2022, p. 7.

[4] FPL, *Direct Testimony of Michael Jarro*, Exhibit MJ-1, April 11, 2022, pp. 52-57.

FPL has indicated in its response to the Commission, and reiterated at the TYSP workshop, that it If FPL's business as usual plan is deemed suitable for planning purposes and the preferred plan is found not suitable for planning purposes, absent clear direction to the contrary from the Commission, FPL would interpret such a decision regarding its 2022 TYSP to be a directive from the Commission that FPL should not plan for extreme winter weather.[5] We urge the Commission, for the reasons provided below, to do just that: find the FPL business as usual plan suitable, and alternatively find the preferred plan, based on a hypothetical extreme winter weather event, unsuitable. The business-as-usual forecasting method does not ignore the potential for winter weather to drive winter peak load.

FPL misapplies the Texas experience to Florida

In its TYSP, FPL cites the Texas extreme winter weather event in February of 2021 as a driver of its extreme winter weather peak demand forecast. Yet, during the Texas winter weather event in 2021, temperatures dropped and stayed below freezing for 5 consecutive days, and some cities recorded lows below zero degrees Fahrenheit. There was significant snowfall, and ice accumulation of up to one half inch in some Texas cities. Much of the problem in Texas stemmed from a number of gas units being offline, freeze-related generation outages, and gas fuel supply lines. A combination of freezing issues (44.2 percent) and fuel issues (31.4 percent) caused 75.6 percent of the unplanned generating unit outages, derates, and failures to start.[6] The Federal Energy Regulatory Commission (FERC) issued recommendations after the Texas winter weather event. The addition of additional generation capacity, as FPL recommends in its preferred plan, is not one of the FERC recommendations.[7] It was not the lack of generation capacity in Texas that led to outages, it was the failure of the capacity to generate power that can occur when temperatures reach below approximately 20 degrees Fahrenheit.

FPL additionally cites two winter events in 1989 and 2010 where low temperatures were experienced for a few days that stressed the utility's system. The 1989 event, more than 33 years ago, led to rolling blackouts that were typically 15-30 minutes in duration.[8] It must be noted that while there was significantly higher load on FPL's system during these two events, it appears FPL's management of its generating resources contributed to an emergency situation that required rolling blackouts in 1989, and to a lesser degree the close call in 2010.

During the 1989 approximately two-day winter event (from Saturday evening December 23rd to Monday morning December 25th) FPL had 2,749 MW of forced outages unrelated to the winter event during the duration of the event.[9] Both Turkey Point nuclear units, 688 MW each, were forced offline due to corroded terminal boards on steam isolation valves, and Port Everglades gas turbines lost 40% of their 1,458 MW capacity due to fuel issues, while the Manatee 1 Unit's 791 MW capacity was lost to water wall tube leaks. The highest MW firm load that was not met was on Monday morning December 25 of 2,700 MW, which is less than the 2,749 MW of forced outages on FPL's system during the duration of the event.[10]

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[5] FPL Response to PSC Staff Third Data Request Nos. 3 and 4, May 24, 2022.

[6] FERC, *Final Report on February 2021 Freeze Underscores Winterization Recommendations* at: https://ferc.gov/news-events/news/final-report-february-2021-freeze-underscores-winterization-recommendations

[7] *Id.*

[8] Florida Public Service Commission, *Peninsular Florida Cold Weather Capacity Shortfall Emergency,* February 2, 1990, p. 6.

[9] *Id.* at 140–144.

[10] *Id.*

During the January of 2010, the second winter weather event cited by FPL, the Company had adequate capacity to meet its customer demand. FPL concedes that it had a "significant amount" of generation offline - 1,980 MW offline - due to "breakage."[11] Moreover, FPL provided 525 MW of capacity to Duke Energy Florida's predecessor, Progress Energy, during the event, and still had 1,144 MW of reserves available to meet load.[12]

The events cited for support by FPL in its TYSP to overbuild its system, upon closer examination, are not as compelling as FPL characterizes them. Regardless, the method used to estimate temperatures and project load during an even colder future hypothetical extreme event were not derived utilizing standard industry practice, nor are these methods used by any other utility in the country, and should be dismissed by the Commission.

FPL's extreme weather event forecast and the associated winter peak demand projection is not transparent and does not comport with standard industry practice

FPL TYSP workshop presenters stated that FPL began its analysis by developing a hypothetical extreme winter weather event. It did so by taking the low temperature during the 1989 2 day event (28 degrees in Miami) and the duration of the 2010 event (which had a low of 33 degrees in Miami, but lasted 3 days). Yet it is unclear what temperatures FPL used in its hypothetical winter event in its responses to PSC Staff data requests. For instance, FPL states that it used a temperature of 27 degrees in Miami (recorded in 1917) and in other instances it states that it assumed a Miami temperature of 20 degrees.[13] The exact iterations of its extreme winter event development have not been presented coherently. In any event, FPL concedes that it did no probabilistic analysis of this hypothetical extreme event taking place, if ever, in Florida. FPL likewise admits that it did not do any analysis of its individual divisions (regions). In other words, it did not analyze an extreme winter event that takes place in Pensacola but not in Miami, or vice versa. The weather variables used are based on composite hourly temps from weather stations in Miami, Ft. Myers, Dayton Beach, and West Palm Beach.[14] Yet at the TYSP workshop, FPL presenter Kim could not recall how the different weather stations were weighted in developing its hypothetical extreme weather event.

Southern Alliance for Clean Energy and Vote Solar presenter, Jim Wilson,[15] indicated that using a three hour temperature window produces a clearer, more accurate perspective on winter weather extremes than using a single hourly low temperature. Moreover, Mr. Wilson states that FPL should not have aggregated very different regions with very different temperatures and performed a regression analysis. Rather the Company should have performed a regression analysis on specific division in its systems, then aggregated the results. FPL's method ignores the "saturation" of the system during very cold temperatures. At some point, all of the equipment that can be on is turned on, and a drop in temperature by a degree does not result in the same increase in load. The relationship tends to be non-linear. FPL did not appear to do analysis to account for this trend, instead they performed a linear extrapolation from 40

[11] Florida Public Service Commission, *Determination of Need for Okeechobee Clean Energy Center, Unit 1 by Florida Power and Light Company*, Docket No. 20150196, Hearing Transcript, December 3, 2015, pp. 552-554.

[12] *Id* at 555.

[13] *See e.g.* FPL Response to PSC Staff's Third Data Request, May 24, 2022, pdf p. 691.

[14] FPL, Ten Year Site Plan, April 1, 2022, p. 57.

[15] Mr. Wilson has significant experience in the Southeast and nationally on load forecasting and resource planning issues. He has engaged as an expert in recent resource planning dockets in Georgia, North and South Carolina and Virginia. *See* Jim F. Wilson, *Load Forecasting and Resource Planning for Extreme Cold* presentation, June 1, 2022, at http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/VoteSolar_Presentation.pdf.

degrees to 29 degrees.[16] Lastly, in regards to weather, Mr. Wilson identified a minimum temperature trend of a one degree increase in minimum temperatures every five to six years. Therefore, a low temperature of 29 degrees in 1989 would now, according to trends he has observed in FPL's territory, translate to a low temperature of 33 degrees today.[17] These minimum temperature trends were not considered in FPL's hypothetical extreme winter event.

Beyond the deficiency of analysis in the extreme winter weather event assumptions, FPL's load assumption and resource plan response are inconsistent with standard industry practice. This is confirmed by FPL as it states that it is not aware of any other utility in the country that uses an extreme winter weather event for planning purposes.[18]

Standard industry practice demands that a generation capacity requirement be set by establishing a peak load forecast plus a reserve margin. Mr. Wilson provided a two-step process in establishing a peak load forecast: 1) establish long term median forecast (P50). The median forecast is one where it is equally likely that temperatures may lower or higher than the P50 forecast; 2) then gather as much weather data as possible around that P50 forecast to see how high the electricity load rises in relation to temperatures. Afterwards, this information goes into a probabilistic simulation to determine the reserve margin over P50 needed to provide an adequate level of capacity. The probabilistic simulation will include a number of important assumptions including power plant outages, and shared resources from other regions. This standard industry process determines if there is enough capacity to meet appropriate resource adequacy criteria such as the "one day in 10 years" metric.[19]

FPL simply did not perform this probabilistic determination. Instead, FPL appears to graft the 2010 flat load pattern onto the 1989 spike in minimum temperature to achieve its desired load projection. We say "appears" because we were not able to recreate FPL's method based on information provided. FPL describes its unique approach as a "hybrid-type forecast" where P50 is used for 11 months while an extreme peak is used for the month of January only. It then uses the extreme winter peak load forecast as a capacity target - which would lead the Company to overbuild its system to meet a load projection 43% above the business as usual (P50 methodology). It should be noted that utilities that file TYSPs, based on the P50 methodology, have historically overestimated projected retail electricity sales, although the error rate has declined in recent years.[20] In response to a staff question during the TYSP workshop FPL's presenters agreed that its P50 business as usual forecast tends to overstate FPL's actual winter load on its system. FPL presenter Whitely stated at the TYSP workshop that FPL intends to eliminate *any outages* due to an extreme winter weather event. This is wholly inconsistent with standard industry practice and will lead to an absurd overbuilding of its system - or as Mr. Wilson stated: building power additions to meet load on a one day-in-30-years basis.

This absurd overbuilding would add significant and unnecessary costs on customers through their power bills - - many of whom are already energy burdened and struggling to pay power bills. Governor DeSantis has recently expressed his concern over rising prices and bill impacts in his veto HB 741 in stating the following: "[g]iven the United States is experiencing its worst inflation in 40 years and consumers have

[16] FPL Response to PSC Staff's Third Data Request, No.2, Attachment 9, p.14, May 24, 2022

[17] *Id.* at p. 14.

[18] FPL Response to PSC Staff's Third Data Request, Response No. 14k,,May 24, 2022.

[19] Jim F. Wilson, *Load Forecasting and Resource Planning for Extreme Cold* presentation, June 1, 2022, at http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/VoteSolar_Presentation.pdf.

[20] Florida Public Service Commission, *Review of 2021 Ten year Site Plans,* October 2021, p. 26.

seen steep increases in the price of gas, groceries and escalating bills, the state of Florida should not contribute to the financial crunch that our citizens are experiencing."[21]

Demand side options not explored

FPL provides no alternative methods of addressing its hypothetical - once in thirty year - extreme winter event in its TYSP, nor did it at the TYSP workshop. Rather than overbuilding its system and passing on unnecessarily high costs to customers, the Company should increase its focus on demand response and energy efficiency as a planning resource.

FPL's abysmal achievements on capturing energy savings through energy efficiency programs is well established. The Company effectively proposed zero (1.023 GWh over a ten year period) as an energy savings goal in the 2019 Florida Energy Efficiency and Conservation Act (FEECA) proceedings.[22] Its proposed goals were based on the Rate Impact Measure (RIM) test and the 2-year payback screen that eliminate the highest impact, lowest cost measures from a utility's energy efficiency potential analysis - and are not used by any other state for setting goals. Therefore, FPL's proposed goals and poor performance on capturing energy savings from energy efficiency programs is predictable. In the TYSP, FPL states that it uses the DSM goals set for the utility in Order No. PSC-2019-0509-FOF-EG. After that time frame, from 2025-2031, the Company says it included additional "cost-effective" DSM for years 2025 through 2031.[23] This "cost effective" DSM is based on its proposed goals in 2019, which represent effectively zero energy savings. When a utility under-invests in demand side measures, it and its customers are forced to rely on more costly supply side resources.

Energy efficiency provides a number of system benefits such as reduced fuel use. It provides system benefits to the utility while insulating customers from volatile fossil gas price spikes and helps lower bills, not only for customers that participate in utility sponsored energy efficiency programs, but all customers due to the system benefits to the utility.

A 2020 American Council for an Energy Efficiency Economy report ranked FPL 51st out of the 52 largest US utilities in capturing energy savings from utility-sponsored energy efficiency programs.[24] In the Southern Alliance for Clean Energy 4th annual Energy Efficiency in the Southeast report, FPL continues to drag down the Southeast region on the energy saving metric. FPL captured a mere 0.04% energy savings in 2021 as a percentage of annual sales. This is below the Southeast utility average and well below the national average of 0.72%.[25]

Pursuant to its proposed extreme winter peak demand forecast, FPL continues to double down on fossil gas reliance and volatile costs. The recent well-publicized FPL bill increases are hitting many families hard – exacerbating already high energy burdens. For instance, higher gas price costs passed on by FPL this year have spiked the fuel portion of power bills by 24% - impacting customers from Miami to Pensacola. FPL has

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[21] Governor Ron DeSantis, An Act Relating to Net Metering veto letter, April 27, 2022

[22] FPL, *Commission Review of Numeric Conservation Goals*, Petition, April 12, 2019. *See also:* Southern Alliance for Clean Energy, George Cavros, *There They Go Again in Florida, Abandoning Customers Who Want to Lower Bills*, at https://cleanenergy.org/blog/there-they-go-again-in-florida-abandoning-customers-who-want-to-lower-bills/

[23] FPL, Ten Year Site Plan, April 2021, p. 81.

[24] American Council for an Energy Efficiency Economy, *Unrealized Potential: Expanding Energy Efficiency Opportunities for Customers in Florida*, January 2021, p. 2.

[25] Southern Alliance for Clean Energy, *Energy Efficiency in the Southeast*, February 2022, p. 10.

already indicated that it is coming to the Commission *again*, to recover additional fuel costs from customers due to higher than projected fossil gas costs.[26] The Company, and the other state's utilities, continue to be heavily reliant on fossil fuels for generating electricity. With increasing global geo-political market uncertainty and continued construction of LNG export terminals in the US there is no end in sight, in the near term, to high and volatile fossil gas prices. FPL's proposed move to greater reliance on fossil gas is a step in the wrong direction.

Conclusion

The proposed FPL preferred resource plan is fatally flawed. It is based on extreme weather assumptions that are unlikely, if ever, to occur. The associated projected load of such an extreme event was not developed in a transparent or customary fashion, nor is FPL's plan to overbuild its system based on standard industry practice. Moreover, FPL presents no evidence that it explored demand side management as a resource before proposing to pile on more cost on to customer bills. The preferred plan is the wrong direction for customers and the state and should be deemed unsuitable by the Commission.

Sincerely,

/s/Maggie Shober
Maggie Shober, Research Director

/s/George Cavros
George Cavros, Florida Director & Energy Policy Attorney

[26] FPL, Maria Moncada, mid-course correction letter, Docket No. 20220001-EI, April 15, 2022.

Environmental Groups

Solar Untied Neighbors

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Tuesday, May 31, 2022 8:18 AM
To: 'Heaven Campbell'
Cc: Consumer Contact
Subject: RE: Docket 20220000 - Comments on the Ten Year Site Plan

Good Morning, Heaven Campbell.

We will be placing your comments below in consumer correspondence in Docket No. 20220000, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover
Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467

From: Heaven Campbell <heaven@solarunitedneighbors.org>
Sent: Friday, May 27, 2022 5:22 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Subject: Re: Docket 20220000 - Comments on the Ten Year Site Plan

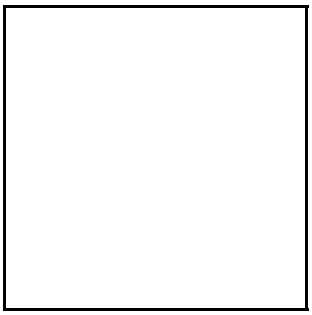
I apologize, the correct document is attached here. Please disregard the previous document.

On Fri, May 27, 2022 at 5:20 PM Heaven Campbell <heaven@solarunitedneighbors.org> wrote:

> Good Afternoon,
>
> Please find the attached comments on Ten Year Site Plans, for the June 1 workshop.
>
> Best Regards,
>
> Heaven Campbell
>
> --
> **Heaven Campbell**
> Florida Program Director
> p: 904-701-4059
> Pronouns: she/her/hers

--
Heaven Campbell
Florida Program Director

p: 904-701-4059
Pronouns: she/her/hers



Ways to Support Solar: Go Solar Volunteer Donate

Dear Public Service Commissioner and Staff,

Thank you for your hard work in ensuring a reliable and reasonable energy system for Floridians. I am the Florida Program Director of Solar United Neighbors. We represent 40,000 Floridians.

So many of our members in NW FL are, frankly, traumatized by rate hikes, due largely to gas volatility, and customer service and billing failures. Another point of stress has been the minimum bills from FPL and Duke Energy that have left families with large, long-term investments recalculating paybacks. That is why we are providing written comments on some of the anomalies we feel are in the TYSPs. The most glaring being an implausible winter load forecasting being requested by FPL. I would also posit that it is not a coincidence that they supported HB 741 with the "kill switch" provision of 6.5% of projected DG penetration of summer peak load of a utility and are now proposing that they forecast larger winter peaks. The implied devaluation of solar peak shavings is apparent. We ask that you find this unreasonable.

I would like to specifically note that FPL predicts 1.2% of annual customer growth. This will amount to–just as we saw last year–larger growth than all of their current net metered customer class since 2008. This will continue the trend of extremely low DG penetration and minority ratepayer class representation.

Customers in JEA and still demanding the reinstatement of their net metering rate. Instead, JEA has touted their battery incentive sharing, "since its inception, over 370 residential storage systems have been installed." This is unnecessarily vague and doesn't share the monetary amount of incentives distributed or if all of those new battery installs have *received* the incentive or simply been connected to the grid. Clarity on this and the DSM incentives impact on T&D savings and peak load shavings should be requested.

Lastly, Lakeland Electric claims that customer-owned distributed generation "contributes to reduce system peak demand/energy avoiding the generation/purchase at higher cost. This helps to reduce the average cost of electricity to LE Customers[,]" yet plans to build out additional gas infrastructure despite our state's overreliance. They could encourage customer-owned renewables to continue to reduce the peak demand for one of Florida's fastest growing areas. They share that LE "has allowed the interconnection of these systems in a "net meter" fashion." They fail to mention that they are the only utility in Florida, and in a national minority, with a residential demand charge that customers have testified cripples their families' lifestyles. One of the staunchest critics is a local dad who feels financially punished for making his kids pancakes on weekend mornings. This demand charge is the required rate plan for all residential solar customers.

We ask that the PSC more closely scrutinize the role, or lack thereof, of customer-owned renewables in TYSPs and respectfully believe that reasonable planning often excludes customer-level consideration from the utilities.

Nonprofit Agencies

Our Children's Trust

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Monday, August 22, 2022 2:57 PM
To: 'david@ourchildrenstrust.org'
Cc: Consumer Contact
Subject: FW: Letter re: Utilities' 2022 Ten-Year Site Plans, Docket No. PSC-20220000
Attachments: 2022.08.22_PSC 2022 TYSP Letter_Final.pdf

Good Afternoon, Mr. Schwartz.

We will be placing your comments below in consumer correspondence in Docket Number 20220000, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover
Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467

From: David Schwartz <david@ourchildrenstrust.org>
Sent: Monday, August 22, 2022 1:59 PM
To: Keith Hetrick <khetrick@psc.state.fl.us>; Margo DuVal <mduval@psc.state.fl.us>; Jacob Imig <JImig@psc.state.fl.us>; Records Clerk <CLERK@PSC.STATE.FL.US>
Subject: Letter re: Utilities' 2022 Ten-Year Site Plans, Docket No. PSC-20220000

Dear Mr. Hetrick, Ms. Duval, Mr. Imig, and PSC Clerk,

On behalf of Florida's youth, including Delaney Reynolds, Levi Draheim, Valholly Frank, and Isaac Augsperg, Our Children's Trust submits the attached letter concerning the 2022 ten-year site plans submitted to the Florida Public Service Commission by Florida's electric utilities. We respectfully urge the Commission to find all 2022 ten-year site plans "unsuitable" as they are not consistent with various state legal requirements nor the utilities' own public commitments to increase the use of renewable energy and achieve decarbonization targets.

We appreciate your consideration of this letter and look forward to working with the Commission as it reviews and evaluates utilities' 2022 ten-year site plans. We respectfully request that you respond to this letter, in writing, at your earliest convenience and in advance of your determination as to the suitability of utilities' 2022 ten-year site plans.

Please let me know if you have any trouble accessing the attachment.

Sincerely,

David

David Schwartz
Staff Attorney
he/him

Our Children's Trust
P.O. Box 5181
Eugene, OR 97405
O: 541-375-0158
C: 310-918-3858

#YouthvGov
DONATE NOW

August 22, 2022

Keith Hetrick, General Counsel
Margo Duval, Office of the General Counsel
Jacob Imig, Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Via email to: Keith Hetrick: khetrick@psc.state.fl.us; Margo Duval: mduval@psc.state.fl.us; Jacob Imig: jimig@psc.state.fl.us ; and PSC Clerk: clerk@psc.state.fl.us.
Re: Utilities' 2022 Ten-Year Site Plans; Docket No. PSC-20220000

Dear Mr. Hetrick and Ms. Duval,

On behalf of Florida's youth, including Delaney Reynolds, Levi Draheim, Valholly Frank, and Isaac Augsperg, Our Children's Trust ("OCT") submits the following letter concerning the 2022 ten-year site plans submitted to the Florida Public Service Commission ("PSC") by Florida's electric utilities.[1] We respectfully urge the PSC to find all site plans "unsuitable"[2] as they are not consistent with state legal requirements nor the utilities' own public commitments to increase the use of renewable energy and achieve decarbonization targets. OCT is the only law firm in the United States dedicated to representing youth whose fundamental, constitutional rights to life, liberty, property, and equal protection of the law are being infringed by the government's climate change-inducing conduct. OCT's work aims to secure young people's constitutional rights to a safe climate and systemic and science-based climate remedies at every level of government.

As you know, time is running out to avoid the worst effects of climate change, and these effects are already being felt by Florida's youth in ways that were unimaginable one generation ago. The PSC's ten-year site plan review process represents the only long-term energy planning undertaken by the State of Florida. For years, the PSC has routinely found utilities' ten-year site plans to be "suitable" even though they are inconsistent with state law and energy policy, and have resulted in an energy system that is violating the constitutional rights of Florida youth. The PSC is required by law to regulate public utilities "in the public interest" as "an exercise of the police power of the state for the protection of the public welfare." Fla. Stat. § 366.01. The PSC should not abdicate its responsibility to rigorously determine whether utilities' ten-year site plans are "suitable" under Florida law and consistent with state legal requirements to "diversify the

[1] *See* Fla. Admin. Code §§ 25-22.071(1)(a), (b) (only electric utilities with existing generating capacity of 250 mW or greater, or those that construct a new generating facility of 75mW or greater are required to submit ten-year site plans). Ten (10) electric utilities submitted 2022 ten-year site plans – Duke Energy Florida, Florida Municipal Power Agency, Florida Power & Light, Gainesville Regional Utilities, JEA, Lakeland Electric, Orlando Utilities Commission, Seminole Electric Cooperative, City of Tallahassee Utilities, and Tampa Electric Company. *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans.
[2] *See* Fla. Stat. § 186.801(2).

types of fuel used to generate electricity in Florida" and "lessen Florida's dependence on natural gas and fuel oil for the production of electricity."[3]

OCT asks the PSC to find that the utilities' 2022 ten-year site plans are "unsuitable" under Fla. Stat. § 186.801(2) for the reasons set forth in this letter. The utilities' 2022 ten-year site plans violate Florida law by, among other deficiencies as described below, facilitating increased natural gas infrastructure and use over this critical period for climate change mitigation opportunity. Although NextEra and Duke Energy have publicly announced emissions reduction plans, their 2022 site plans still forecast significant—and in the case of Duke Energy Florida, increased—natural gas use over the next decade. The PSC cannot continue to find such plans "suitable" that lock-in Florida's reliance on fossil fuels and which are contrary to state law and harmful to the public interest. OCT urges the PSC to find utilities' 2022 ten-year site plans to be "unsuitable for planning purposes" and to suggest alternatives to each plan pursuant to Fla. Stat. § 186.801(2). We respectfully request that you respond to this letter, in writing, at your earliest convenience and in advance of your determination as to the suitability of the 2022 ten-year site plans. Our clients are also available to meet with you in person to discuss the contents of this letter, should you find that useful.

Respectfully submitted,

/s/ *Andrea K. Rodgers*
Andrea K. Rodgers
OCT Senior Litigation Attorney
andrea@ourchildrenstrust.org

/s/ Mitchell A. Chester
Law Office of Mitchell A. Chester, P.A.
Plantation, Florida
mchester@mitchellchester.com

David Schwartz
OCT Staff Attorney
david@ourchildrenstrust.org

[3] Fla. Stat. § 366.92(1).

The PSC's Suitability Findings Must Comply With State Law & Policy

The PSC is mandated to regulate and supervise Florida's electric utilities in the public interest with respect to rates, services, and other matters.[4] The PSC oversees the ten-year site plan process, through which electric utilities submit their plans for power-generation, including forecasts of energy sources and proposed locations of new generating units.[5] The PSC is the sole agency tasked with reviewing utilities' ten-year site plans and has the sole authority to determine whether a utility's plan is "suitable" or "unsuitable."[6] The PSC also has the power to "suggest alternatives" to utilities' plans.[7]

The PSC's ten-year site planning process is the "culmination" of Florida's version of integrated resource planning, and the ten-year site plans themselves set forth the utilities' load forecasts and how it plans to meet those generation needs over a ten-year period, so as to "give state, regional, and local agencies advance notice of proposed power plants and transmission facilities."[8] The PSC is tasked with undertaking a "preliminary study" of utilities' ten-year site plans, and while the plans may be amended at any time upon notification to the PSC so that they are up-to-date for planning purposes, a "suitable" determination from PSC serves as the agency's official endorsement of the utility's approach to electricity generation as being in the public interest in the short- and long-term. Indeed, the PSC's suitability findings are made available by PSC "to the Florida Department of Environmental Protection for its consideration at any subsequent certification proceeding pursuant to the Electrical Power Plant Siting Act or the Electric Transmission Line Siting Act."[9]

Since at least 1999, the furthest back the PSC's publicly-available online records go,[10] the PSC has not once found a utility's ten-year site plan to be "unsuitable."[11] For over two decades, the PSC has published a report that contains a largely copy-pasted analysis of utilities' ten-year site plans (save for the changing figures) and which invariably finds such plans "suitable."[12] As detailed below, the PSC's suitability determinations have historically been made without a

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[4] *See* Fla. Stat. § 366.01.
[5] *See* Fla. Stat. § 186.801(1).
[6] *See* Fla. Stat. § 186.801(2).
[7] *Id*.
[8] Fla. Pub. Serv. Comm'n, *Review of the 2021 Ten-Year Site Plans of Florida's Electric Utilities* 7 (Oct. 2021), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2021/Review.pdf.
[9] *Id.* at 1-2.
[10] *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans.
[11] Although in 2000, PSC found the City of Tallahassee Utilities' plan to be "conditionally suitable", *see* Fla. Pub. Serv. Comm'n, *Review of Electric Utility 2000 Ten-Year Site Plans* 7, http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/archive/tysp2000.pdf.
[12] *See, e.g.,* Fla. Pub. Serv. Comm'n, *Review of the 2021 Ten-Year Site Plans of Florida's Electric Utilities* 9 (Oct. 2021), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2021/Review.pdf. (The Commission's ultimate statement finding all utilities' plans "suitable" is largely the same year-after-year: "Based on its review, the Commission finds all 11 reporting utilities' 2021 Ten-Year Site Plans to be suitable for planning purposes. During its review, the Commission has determined that the projections for load growth appear reasonable and that the reporting utilities have identified sufficient generation facilities to maintain an adequate supply of electricity at a reasonable cost.").

proper analysis of the factors set forth in the ten-year site plan statute and without consideration of whether the plans anticipate providing energy in a way that protects public welfare.[13] Ultimately, the PSC's systematic approval of ten-year site plans that continuously project increases in fossil fuel use has led to precisely the sort of electricity system that Florida's Legislature sought to avoid when it enacted the ten-year site plan requirement, the Florida Renewable Energy Policy, and other state laws designed to protect the public interest.[14] The PSC's decisions have resulted in an electrical power system that is economically harmful to Florida consumers and that causes climate change that is injuring Florida's youth.

Given the technical and economic feasibility of wide-scale adoption of zero-carbon renewable sources of energy in Florida—as evidenced by Florida Power & Light ("FPL") and Duke Energy Florida's ("DEF") public decarbonization commitments and studies by experts showing how to decarbonize Florida—the PSC should find utilities' 2022 ten-year site plans "unsuitable" for the following reasons:

1. Plans fail to consider the lack of fuel diversity they propose and fail to consider the anticipated environmental impacts of near complete dependence on natural gas.
2. Plans do not analyze alternatives to heavy reliance on natural gas, including renewable energy alternatives that are available and economically and technologically feasible.
3. Plans are inconsistent with the State Comprehensive Plan.
4. Plans violate Florida's Renewable Energy Policy.
5. Plans are inconsistent with FDACS' Renewable Energy Goals.
6. Plans ignore city and county decarbonization requirements.
7. Plans are inconsistent with utilities' own public decarbonization commitments.

Once the PSC finds utilities' 2022 plans "unsuitable," it should "suggest alternatives" to the plans pursuant to Fla. Stat. § 186.801(2) that bring the plans into compliance with Florida law and with certain utilities' own public decarbonization commitments.

Utilities' 2022 Ten-Year Site Plans Fail to Consider Lack of Fuel Diversity—Fla. Stat. § 186.801(2)(b)

Fuel diversity in electricity production is vital as it provides options and flexibility to ensure that Floridians can keep the lights on in times of expected, and unexpected, events. It also serves to ensure rate affordability and Florida's energy independence. The utilities' 2022 plans overwhelming reliance on one source of fuel—natural gas—supports a finding that the plans are unsuitable. The PSC is required to consider plans' collective effect on fuel diversity in Florida.[15] The PSC's analysis of fuel diversity must be consistent with the express legislative intent to "lessen Florida's dependence on natural gas and fuel oil for the production of electricity"

[13] *See* Fla. Stat. §§ 186.801(2), 366.01.
[14] *See* Fla. Stat. § 366.92.
[15] Fla. Stat. § 186.801(2)(b).

mandated in Florida's Renewable Energy Policy.[16] By approving ten-year site plans that project significant new or increased dependence on natural gas generation, the PSC fails to consider the effects of the current and projected lack of fuel diversity in Florida's electricity system, with devastating consequences to Florida's environment, economy, and young Floridians.

Of the ten electric utilities to submit 2022 ten-year site plans, seven utilities—DEF, Florida Municipal Power Agency, Gainesville Regional Utilities, Lakeland Electric, Seminole Electric Cooperative, City of Tallahassee Utilities, and Tampa Electric Company—propose increases in their natural gas use over the 2021 to 2031 time period.[17] For these utilities proposing to increase their natural gas usage by 2031, the *lowest* proposed percentage of energy generation to come from natural gas in 2031 is 70.6 % (Gainesville), while the highest is nearly 100% (Tallahassee).[18] Four of these utilities—Florida Municipal Power Agency, Lakeland, Seminole, and Tallahassee—propose more than 80% of their power to come from natural gas in 2031.[19] Seminole Electric Cooperative, which serves approximately 1.9 million customers, has the most drastic proposed increase in natural gas use over the planning period of 55.9% (26.9% in 2021 to 82.8% natural gas in 2031).[20] Collectively, these seven utilities serve over 5 million residential and commercial customers across the state of Florida.

Although the utilities all propose to complement their natural gas generation with one or more other forms of power production—increasingly solar, but generally also coal, nuclear, or "landfill" "biogas" or other forms of "renewable" natural gas—the overall trend in Florida's electricity sector is dominated by fossil natural gas. Florida's dependence on natural gas is not an aberration or accident—it is the result of the PSC's long-standing practice of rubber-stamping utilities' ten-year site plans as "suitable," since this is the only form of long-range energy planning done by Florida's government. Florida's dependence on natural gas is a bad deal for both consumers and the environment.

Current natural gas prices are highly volatile and have increased dramatically,[21] and this price volatility is typically passed directly onto consumers.[22] Indeed, earlier this year, the PSC

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[16] *See* Fla. Stat. § 366.92(1).
[17] *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans (2022 – in particular the "Schedule 6.1" and "Schedule 6.2" Tables in each utility's plan details its fuel requirements in both GWh and percentages, respectfully).
[18] *See id*.
[19] *See id*.
[20] Seminole Electric Cooperative, *Ten-Year Site Plan 2022 – 2031 (Detail as of December 31, 2021)*, at 22 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Seminole%20Electric%20Cooperative.pdf (Schedule 6.2).
[21] Scott Disavino, *U.S. Natgas Volatility Jumps to a Record as Prices Soar Worldwide*, REUTERS.COM (Oct. 7, 2021), https://www.reuters.com/business/energy/us-natgas-volatility-jumps-record-prices-soar-worldwide-2021-10-06/; Liz Hampton, *Price Volatility and Rising Demand Revive U.S. Natural Gas Trading*, REUTERS.COM (Apr. 8, 2022), https://www.reuters.com/business/energy/price-volatility-rising-demand-revive-us-natural-gas-trading-2022-04-08/.
[22] *EIA Forecasts U.S. Winter Natural Gas Bills Will be 30% Higher than Last Winter*, U.S. Energy Info. Admin., EIA.GOV (Oct. 25, 2021), https://www.eia.gov/todayinenergy/detail.php?id=50076 ("Changes in natural gas spot prices typically get passed along to retail rates over a period of months because of regulatory rate structures. Utilities

approved a massive rate increase for FPL customers and did so in large part due to the rising costs of natural gas.[23] Florida's overreliance on natural gas also thwarts Florida's energy independence and economic wellbeing, as up to $5 billion leaves the state's economy every year to pay for out-of-state gas.[24] The utilities' 2022 ten-year site plans do not address the troubling lack of fuel diversity that will continue if the plans are fully implemented, and for this reason alone the PSC should find these plans to be "unsuitable."

Utilities' 2022 Ten-Year Site Plans Do Not Analyze Anticipated Environmental Impacts of Proposed Natural Gas Power Plants—Fla. Stat. § 186.801(2)(c)

Under Fla. Stat. § 186.801(2)(c) the PSC must specifically consider the "anticipated environmental impact of each proposed electrical power site" detailed in a utility's ten-year site plan.[25] Not only do the utilities' 2022 ten-year site plans not address the substantial environmental and climate impacts stemming from their natural gas-dependent plans, the plans that do propose new natural gas units do not evaluate the environmental or climate impacts of these new generation facilities. Of the ten utilities that filed 2022 ten-year site plans, three—DEF, Lakeland, and Seminole—propose to construct new natural gas-fired generation over the course of the planning period.[26] This proposed new generation totals more than 2,000 MW.[27] The most significant natural gas additions over the current planning period are proposed by Seminole Electric Cooperative—it plans to add 1134 MW of natural gas in Q4 of 2022; 609 MW of natural gas in 2025; and 347 MW of natural gas in 2027.[28]

Seminole's plan does not evaluate the "anticipated environmental impacts" from these plants' construction; the site plan does not contain the words "climate change," "methane," or

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generally cannot profit or lose money from natural gas commodity sales, whose costs are passed along directly to the consumer.")

[23] *See, e.g.,* Hannah Morse*, Your Next Florida Power & Light Electric Bill is Going Way Up. Here is Why and How Much*, PALMBEACHPOST.COM (Jan. 7, 2022), https://www.palmbeachpost.com/story/news/2022/01/07/florida-power-light-fpl-customers-see-higher-electricity-bills-2022/9080639002/.

[24] Katie Chiles Ottenweller, *Vote Solar, More than $5 Billion Flees Florida's Economy Every Year to Pay for Out-of-state Fossil Fuels*, VOTESOLAR.ORG (July 13, 2020), https://votesolar.org/more-than-5-billion-flees-floridas-economy-every-year-to- pay-for-out-of-state-fossil-fuels/.

[25] Fla. Stat. § 186.801(2)(c).

[26] *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans.

[27] *See* Duke Energy Florida, *Ten-Year Site Plan as of December 31, 2021; Undocketed*, at 3-2 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Duke%20Energy%20Florida.pdf (214 MW natural gas proposed in 2029); Lakeland Electric, *Ten Year Site Plan 2022-2031*, at 1-1 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Lakeland%20Electric.pdf (adding 120 MW natural gas by end of 2023); Seminole Electric Cooperative, *Ten-Year Site Plan 2022 - 2031 (Detail as of December 31, 2021)*, at 35 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Seminole%20Electric%20Cooperative.pdf (noting three planned natural gas projects – 1134 MW planned for Q4 2022; 609 MW planned for 2025; and 347 MW planned for 2027).

[28] *See* Seminole Electric Cooperative, *Ten-Year Site Plan 2022 - 2031 (Detail as of December 31, 2021)*, at 35 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Seminole%20Electric%20Cooperative.pdf.

"carbon dioxide"[29]—terms one would expect to be included in a document required to contain an evaluation of "[t]he anticipated environmental impact of each proposed electrical power plant site." Seminole's ten-year site plan does not evaluate the environmental or climate impacts that will result from the proposed natural gas plants' carbon dioxide ("CO_2") emissions, nor does the plan evaluate the environmental impacts relating to the plant's operation, such as the transport of natural gas to the plant via pipeline which carries risks of leaks or spills or the harmful methane that is emitted during the production and transport of the natural gas. The Florida Legislature made clear that these anticipated environmental impacts must be assessed by the PSC at the Ten-Year Site Plan stage, not only on a site-specific basis, such as when the PSC makes a determination of need for an electrical power plant under Fla. Stat. § 403.519.[30] It is unlawful for the PSC to read the requirement to assess anticipated environmental impacts out of the ten-year site plan statute.

In addition to these proposed sites, FPL's 2022 ten-year site plan notes that the utility plans to bring online a new 1,267 MW natural gas fired unit by the end of 2022 as part of a modernization of an existing facility.[31] FPL claims the modernization will result in a lower amount of natural gas used across FPL's system.[32] However, FPL's 2022 ten-year site plan does not address the environmental or climate impacts of this particular addition or revision, even if the plan does tout FPL's progress in reducing its overall carbon dioxide emissions and donating to environmental organizations.[33] While natural gas power plants do emit less carbon dioxide per megawatt hour than coal-fired power plants,[34] natural gas plants still emit on average 976 pounds of CO_2 per MWh, compared to 0 pounds of CO_2 per MWh for renewables and nuclear. Additionally, natural gas plants also contribute to additional, non-CO_2 pollution in the form of methane emissions from natural gas pipeline leaks and other leaks from natural gas-related infrastructure, none of which are assessed in the plans.[35]

Utilities' 2022 Ten-Year Site Plans Do Not Analyze Economically and Technologically Feasible Alternatives to Continued Natural Gas Dependence—Fla. Stat. § 186.801(2)(d)

The PSC is required to review "possible alternatives" to each utility's proposed plan under Fla. Stat. § 186.801(2)(d) and has the authority to suggest alternatives to utilities' plans

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[29] *See id.*
[30] *See* Fla. Stat. §§ 186.801(2)(c), 403.519(3) (PSC "shall be the sole forum for the determination [of need for an electrical power plant subject to the Florida Electrical Power Plant Siting Act.").
[31] Florida Power & Light Company, *Ten Year Power Plant Site Plan 2022 – 2031*, at 96 (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Florida%20Power%20and%20Light%20Company.pdf.
[32] *Id*. at 101.
[33] *Id*. at 283-84.
[34] U.S. Energy Info. Admin, *Electric Power Sector CO_2 Emissions Drop as Generation Mix Shifts from Coal to Natural Gas,* EIA.GOV (June 9, 2021), https://www.eia.gov/todayinenergy/detail.php?id=48296#:~:text=When%20generating%20electricity%2C%20coal%20emits,pounds%20of%20CO2%2FMWh.
[35] *See, e.g.,* Hannah Morse, *Why FPL's 'Clean' Power Plants are Ranked in Report Among Top Carbon Producers*, PALMBEACHPOST.COM (Mar. 28, 2022), https://www.palmbeachpost.com/story/news/local/2022/03/28/florida-power-light-plant-ranks-dirty-but-company-disputes-claim/7041464001/.

under Fla. Stat. § 186.801(2). While this statutory obligation applies to the PSC and not to the utilities, it is notable that only one utility—FPL—included an alternative forecast in its plan.[36] Even then, the differences between its "business as usual" and alternative plans were relatively minor – such as differences in absolute energy use to account for higher winter loads in anticipation of extreme weather events like the devastating 2021 winter storm in Texas.[37]

Otherwise, the utilities' 2022 ten-year site plans fail to consider or provide information to the PSC about feasible plan alternatives. Notably, though, both NextEra and Duke Energy, parent companies for FPL and DEF respectively, have announced goals to achieve significant emissions reductions by 2050, with interim goals of around 50% renewables by 2030.[38] These public goals, which as discussed below are inconsistent with FPL and DEF's 2022 ten-year site plans, indicate that major utilities are aware of alternatives to continued natural gas dependence. Where, as here, such plans run afoul of numerous aspects of Florida law—as well as fail to satisfy the utilities' own public decarbonization commitments—the PSC must find the utilities' plans to be "unsuitable."

Further, there is no question that economically and technologically feasible alternatives to continued natural gas dependence exist. In 2020, the energy modeling and consulting firm Evolved Energy Research ("EER") released a report detailing five technically and economically feasible pathways for Florida to decarbonize all sectors, including the electricity sector, by 2050, while keeping costs below the historical cost of energy in Florida under a business-as-usual approach.[39] Dr. Mark Jacobson, co-founder and Director of Stanford University's Atmosphere/Energy Program, has similarly determined that Florida could meet all of its energy needs with wind-water-solar supply while still keeping the grid stable 100% of the time, creating jobs, saving lives, and cutting emissions.[40] The PSC should review these alternative scenarios when assessing alternatives to the utilities' proposed plans.

Realizing alternative energy scenarios will require early investments in renewable energy infrastructure to harness Florida's abundant solar energy potential, as opposed to investments in new natural gas generation. This has become the obvious choice for Florida given the recent passage of the Inflation Reduction Act, which has been called "An Energy Transition 'Game

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[36] *See* Florida Power & Light Company, *Ten Year Power Plant Site Plan 2022 – 2031* (Apr. 1, 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Florida%20Power%20and%20Light%20Company.pdf.

[37] *Id.* at 93.

[38] *A Real Plan for Real Zero*, NextEra Energy, NEXTERAENERGY.COM, https://www.nexteraenergy.com/real-zero.html; *Duke Energy Expands Clean Energy Action Plan*, Duke Energy, NEWS.DUKE-ENERGY.COM (Feb. 9, 2022), https://news.duke-energy.com/releases/duke-energy-expands-clean-energy-action-plan.

[39] Ben Haley et al., Evolved Energy Research, *350 PPM Pathways for Florida* (Oct. 6, 2020), https://static1.squarespace.com/static/571d109b04426270152febe0/t/5f7ff0f44a97c21b0c0d82c7/1602220328211/350+PPM+Pathways+Florida+Report.pdf.

[40] Mark Z. Jacobson et al., *Zero Air Pollution and Zero Carbon from All Energy Without Blackouts at Low Cost in Florida* (Dec. 7, 2021), https://web.stanford.edu/group/efmh/jacobson/Articles/I/21-USStates-PDFs/21-WWS-Florida.pdf. *See also* Mark Jacobson et al., *Zero Air Pollution and Zero Carbon from all Energy at Low Cost and Without Blackouts in Variable Weather Throughout the U.S. with 100% Wind-Water-Solar and Storage*, 184 Renewable Energy 430, 430-42 (2022), https://web.stanford.edu/group/efmh/jacobson/Articles/I/21-USStates-PDFs/21-USStatesPaper.pdf.

Changer'"[41] and a means "to accelerate decarbonization."[42] Duke Energy's CEO, Lynn Good, said, "The clean energy tax credits will lower our cost of service, which in turn reduces the cost to customers of our energy transition."[43] Florida utilities in their ten-year site plans, on the other hand, are still planning for new natural gas generating units that are not in the public interest, even though there are technically and economically feasible alternatives that do not contribute to climate change and will save Floridians money. This is equivalent to investing in land lines instead of cell phones. For example:

- DEF will add a new combustion turbine unit in 2029 that will have 214 MW of capacity;
- FPL will make various upgrades to its combined cycle unit at its existing Lauderdale power plant site in 2022;
- Lakeland Electric will add six Reciprocating Internal Combustion Engines (RICEs) for 120 MW of natural gas-generated capacity in 2024;
- Seminole Electric will add two combined cycle facilities and one combustion turbine facility in 2022, 2025, and 2027 respectively for over 2,000 MW of new natural gas generating capacity; and
- Tampa Electric will add natural gas projects in 2022, 2023, 2025, and 2028 for a total of five new units with a combined capacity of over 550 MW.[44]

In addition, many utilities have accounted for power purchase agreements that add natural gas capacity.[45] Utilities' 2022 ten-year site plans do not consider approaches to renewable energy generation at the necessary scale. Though many utilities tout their efforts and abilities to invest in solar and battery storage technologies, those promises must be viewed in the context of Florida's overwhelming reliance and dependence on natural gas. According to data from the Florida Reliability Coordinating Council, natural gas is projected to generate 171,226 GWh in 2021 and 185,330 GWh in 2030 while renewable energy sources are projected to generate only 15,392 GWh in 2021 and 41,656 GWh in 2030.[46] Renewable energy production is projected to increase linearly at about 2,802.6 GWh per year (99.99% certainty) whereas natural gas production is projected to increase linearly at about 1,482.5 GWh per year (99.97% certainty).[47]

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[41] Sidley Austin, LLP, Tax and Energy Update, *Inflation Reduction Act: Overview of Energy-Related Tax Provisions – An Energy Transition "Game Changer"* (Aug. 18, 2022), https://www.sidley.com/en/insights/newsupdates/2022/08/inflation-reduction-act-an-energy-transition-game-changer.

[42] Marianne Lavelle, *The New US Climate Law Will Reduce Carbon Emissions and Make Electricity Less Expensive, Economists Say*, Inside Climate News (Aug. 19, 2022), https://insideclimatenews.org/news/19082022/inflation-reduction-act-electricity-prices-carbon-reduction/?utm_source=InsideClimate+News&utm_campaign=604a0b954b-&utm_medium=email&utm_term=0_29c928ffb5-604a0b954b-327830353.

[43] *Id.*

[44] *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans (2022, Schedule 9 Tables).

[45] *See id.*

[46] Christina Rau, Florida Reliability Coordinating Council, *2021 Regional Load & Resource Plan FRCC-MS-PL-378 Version 2*, at S-18, Form 9.1 (2021), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2021/FRCC_RLRP.pdf.

[47] *Id.*

At these rates of increase, renewable energy production will not equal natural gas energy production until the year 2140. Taking almost five generations just to achieve parity between natural gas and renewable energy use represents an abject failure to capitalize on Florida's "significant solar energy potential" and to comply with Florida's explicit Renewable Energy Policy.[48] In the absence of analyses considering renewable alternatives to new fossil fuel infrastructure to meet projected future energy demand, the PSC should designate utilities' 2022 ten-year site plans as "unsuitable".

Utilities' 2022 Ten-Year Site Plans are Inconsistent with the State Comprehensive Plan—Fla. Stat. § 186.801(2)(f)

Section 186.801(2)(f), Florida Statutes, requires the PSC to review "the extent to which the [utility's] plan is consistent with the state comprehensive plan." The State Comprehensive Plan is unambiguous in its intent to reduce Florida's reliance on fossil fuels. The stated goal of the comprehensive plan regarding energy is that Florida "***shall*** reduce atmospheric carbon dioxide by promoting an increased use of renewable energy resources and low-carbon-emitting electric power plants."[49] Legislatively established policies include "promot[ing] the development and application of solar energy technologies and passive solar design techniques" and "promot[ing] the use and development of renewable energy resources and low-carbon-emitting electric power plants."[50] In addition, the Florida Legislature has declared policies to "improve air quality and maintain the improved level to safeguard human health and prevent damage to the natural environment,"[51] and "encourage the use of alternative energy resources that do not degrade air quality."[52] Importantly, the Legislature has dictated that "Florida shall provide programs sufficient to protect the health, safety, and welfare of all of its children."[53] The PSC cannot continue to ignore these clear legislative directives.

The utilities say nothing about how their plans are consistent with these provisions of the State Comprehensive Plan. The PSC should designate utilities' 2022 ten-year site plans as "unsuitable" because the plans are facially inconsistent with the State Comprehensive Plan because they have no analysis as to how the plans will reduce atmospheric CO_2 nor do they explain how proposing an increase in natural gas use and development while simultaneously failing to adequately account for renewable energy alternatives is compliant with the State Comprehensive Plan. Nor do the plans explain how a fossil fuel dominated energy system protects the health, safety, and welfare of all of Florida's children, which is not surprising. Climate change has created a children's health crisis and "present and future generations of children bear and will continue to bear an unacceptably high disease burden from climate

[48] Fla. Stat. § 366.92.
[49] *See* Fla. Stat. § 187.201(11)(a).
[50] *See* Fla. Stat. §§ 187.201(11)(b)(7), (b)(9).
[51] *See* Fla. Stat. § 187.201(10)(b)(1).
[52] *See* Fla. Stat. § 187.201(10)(b)(4).
[53] *See* Fla. Stat. § 187.201(1)(a).

change."[54] Energy generation from natural gas expected by Florida's utilities hardly changes over the current ten-year period (i.e., 2022 to 2031). Though natural gas as a percentage of total energy generation may decrease by a few percentage points from 2022 to 2031, utilities' 2022 ten-year site plans collectively indicate that the total amount of energy (MW) coming from natural gas will increase from 2022 to 2031, which will in turn *increase* atmospheric levels CO_2 and *increase* the health harms being imposed on Florida's children.[55]

Utilities' 2022 Ten-Year Site Plans Violate Florida Renewable Energy Policy—Fla. Stat. § 366.92

The Florida Legislature clearly intends to drive a renewable energy transition in the state, as there are many environmental and economic reasons to do so, and the PSC's suitability determination should be guided with this intention in mind. In 2006, the Legislature adopted the Florida Renewable Energy Policy, which set forth the Legislature's intent to "diversify the types of fuel used to generate electricity," and "lessen Florida's dependence on natural gas and fuel oil for the production of electricity."[56] The PSC is charged with implementing Florida's Renewable Energy Policy.[57] Although the Renewable Energy Policy has been amended a number of times since 2006, the legislative intent provision has remained consistent and unchanged.[58]

In its previous suitability determinations, the PSC has both acknowledged its role in fulfilling that intent and recognized that Florida's utilities have failed to increase fuel diversity in the state.[59] In its 2005 and 2006 ten-year site plan review, the PSC observed the lack of fuel diversity for electricity generation and signaled that it would "continue to closely monitor the progress of Florida's utilities to increase fuel diversity within the state."[60] Yet, the PSC continues to violate the Florida Renewable Energy Policy by systematically finding electric utilities' ten-year site plans as suitable even though they lock-in decades of natural gas use and infrastructure. For example, in 2020, the PSC found each utility's ten-year site plans to be "suitable" because their "projects for load growth appear[ed] reasonable" and because "the reporting utilities ha[d] identified sufficient generation facilities to maintain an adequate supply of electricity at a reasonable cost."[61] The PSC found these plans to be "suitable" despite the fact that they

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[54] Daniel Helldén et al., *Climate Change and Child Health: A Scoping Review and an Expanded Conceptual Framework*, 5 Lancet Planet Health e164-75 (2021), https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196%2820%2930274-6/fulltext.
[55] *See Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans (2022).
[56] *See* Fla. Stat. §366.92(1).
[57] Fla. Stat. § 366.92(5) ("The commission may adopt rules to administer and implement the provisions of this section.").
[58] *Compare* Fla. Stat. § 366.92(1) *with* Ch. 2006-230, § 18, http://laws.flrules.org/files/Ch_2006-230.pdf.
[59] Fla. Pub. Serv. Comm'n, *Review of 2006 Ten-Year Site Plans for Florida Electric Utilities* 1 (Dec. 2006), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2006/tysp2006.pdf; *See also* Fla. Pub. Serv. Comm'n, *A Review of Florida Electric Utility 2005 Ten-Year Site Plans* 5 (Dec. 2005), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2005/tysp2005.pdf.
[60] *Id*.
[61] Fla. Pub. Serv. Comm'n, *Review of the 2020 Ten-Year Site Plans of Florida's Electric Utilities* 9 (Oct. 2020), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2020/Review.pdf.

collectively showed that utilities would continue to rely on natural gas for at least 60% of their electricity production needs every year through 2029.[62]

In 2021, the PSC again found each utility's plan suitable despite the fact that 73.3% of the electricity generated in 2020 was from natural gas, and that utilities continued to project a reliance on natural gas for at least 68% of generation through 2030, an increase over the previous year's projection for 2029.[63] Instead of regulating Florida's utilities in a manner that accords with the public interest and furthers the public welfare by pushing utilities to diversify their energy generation sources with more renewable sources—as the Legislature intended when it wrote the Florida Renewable Energy Policy—the PSC has, for years, rubber-stamped utilities' ten-year site plans that have steadily solidified a natural-gas fueled future. That approach is inconsistent with black letter Florida law.

Utilities' 2022 Ten-Year Site Plans Are Not Consistent with FDACS' Renewable Energy Goals—F.A.C. 5O-5.001–5O-5.004

In April 2022, Commissioner of Florida's Department of Agriculture and Consumer Services ("FDACS") Nikki Fried announced new goals to increase statewide renewable energy use in response to OCT and youth petitioners' request for rulemaking. The goals set out the science-based target of 100 percent renewable energy by 2050, with interim goals of 40 percent renewables by 2030; 63 percent by 2035; and 82 percent by 2040.[64] The rule requires utilities to report the amount of renewable energy produced and purchased each year through their ten-year site plans. FDACS must then annually review each utility's report to provide the PSC with comments on whether they will meet the renewable energy goals. FDACS' renewable energy goals became effective August 9, 2022.[65]

The utilities' 2022 ten-year site plans filed with the Commission in April of this year are inconsistent with achieving FDACS's renewable energy goals. By 2031, only one utility forecasts a renewable energy percentage (including solar, wind, biofuels, landfill gas, and nuclear) above 40 percent—Orlando Utilities Commission expects to derive 62.74% from renewables in 2031.[66] FPL's plan is close to the FDACS goals, with a forecast of 38.7%

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[62] *Id.* at 42 (Fig. 15).
[63] Fla. Pub. Serv. Comm'n, *Review of the 2021 Ten-Year Site Plans of Florida's Electric Utilities* 9, 38 (Oct. 2021), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2021/Review.pdf (Fig. 16).
[64] Press Release, Fla. Dep't of Ag. & Consumer Servs, VIDEO: Commissioner Nikki Fried Announces New Statewide Renewable Energy Goals, FDACS.GOV (Apr. 21, 2022), https://www.fdacs.gov/News-Events/Press-Releases/2022-Press-Releases/VIDEO-Commissioner-Nikki-Fried-Announces-New-Statewide-Renewable-Energy-Goals.
[65] *See* Fla. Dep't of State, *Florida Administrative Code & Florida Administrative Register*, FLRULES.ORG, https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5O-5 (containing link to FDACS renewable energy goal rules, effective August 9, 2022. Codified at 5O-5.001 through 5O-5.004, Fla. Admin. Code).
[66] Orlando Utilities Commission, *2022 Ten-Year Site Plan* 12-12 (Apr. 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Orlando%20Utilities%20Commission.pdf.

renewables by 2031.[67] Every other utility's forecast falls far short of FDACS's renewable energy goals for 2030: Duke Energy Florida (22.2%), Florida Municipal Power Association (17.8%), Gainesville Regional Utilities (29.8%), JEA (0.6% renewables, 25% from unknown firm inter-region interchange sources), Lakeland Electric (4.4% renewables, 8.3% unknown purchases), Seminole Electric Cooperative (8.6% through firm interchange), City of Tallahassee Utilities (3.9%), and Tampa Electric Company (20.4%).[68]

As a regulatory requirement established by FDACS pursuant to its clear delegated statutory authority, the PSC has the responsibility to designate the utility ten-year plans that are inconsistent with this requirement as "unsuitable". Doing otherwise would contravene the Legislature's intent to have FDACS set renewable energy goals for the state of Florida.

Utilities' 2022 Ten-Year Site Plans Ignore City and County Renewable Energy Goals—Fla. Stat. § 186.801(2)(e)

Section 186.801(2)(e), Florida Statutes, requires that the PSC consider "[t]he views of appropriate local, state, and federal agencies . . ." as part of its review of utilities' ten-year site plans. In the past five years, cities and counties across Florida have taken strong stances on renewable energy, with many local governments unanimously passing resolutions committing to the science-based target of 100% renewable energy by 2050. Utilities' 2022 ten-year site plans ignore these goals and it is the PSC's responsibility to ensure that the plans are consistent with these locally derived objectives.

For instance, the City of Tallahassee established a goal in 2019 to transition to 100% renewables by 2050.[69] This goal includes all forms of energy across the Tallahassee community, and would "include the electric utility, natural gas utility and transportation."[70] In striking contrast, the City of Tallahassee Utilities' 2022 ten-year site plan forecasts nearly 100% of its energy will derive from natural gas in 2031, making it impossible for the City of Tallahassee to achieve its own goal.[71] Similarly, in 2018 the City Commission of Gainesville unanimously passed a resolution committing the city to 100% renewable electricity by 2045.[72] Yet the Gainesville Regional Utilities' 2022 site plan forecasts 70.6% of its electricity will be generated

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[67] Florida Power & Light Company, *Ten Year Power Plant Site Plan 2022-2031*, at 175, 177 (Apr. 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Florida%20Power%20and%20Light%20Company.pdf.

[68] *Ten-Year Site Plans*, Fla. Pub. Serv. Comm'n, PSC.STATE.FL.US, http://www.psc.state.fl.us/ElectricNaturalGas/TenYearSitePlans (2022, *see* Schedule 6.2 Tables).

[69] City of Tallahassee, *A Resolution of the City Commission of the City of Tallahassee, Florida, Supporting 100% Clean Renewable Energy for our Community*, Resolution No. 19-R-04 (adopted Feb. 20, 2019), https://www.boarddocs.com/fla/talgov/Board.nsf/files/B9KTU963E005/$file/Clean%20Energy%20Resolution.pdf.

[70] City of Tallahassee Electric System Integrated Planning, *City of Tallahassee Utilities Ten Year Site Plan 2022-2031*, at 47 (Apr. 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/City%20of%20Tallahassee.pdf.

[71] *Id*. at 38.

[72] City of Gainesville, *A Resolution of the City Commission of the City of Gainesville, Florida, Establishing a Goal of Providing 100 Percent of the City's Energy from Renewable Resources by 2045*, Resolution No. 180442 (adopted Oct. 18, 2018), https://gainesville.legistar.com/LegislationDetail.aspx?ID=3697405&GUID=3CD4A873-4D4C-4F5E-B635-CFE99D412BF3.

from natural gas in 2031, a nearly 20% increase from 2021.[73] The PSC should find these 2022 site plans "unsuitable" because they thwart the specific goals of local governments across Florida.

Utilities' 2022 Ten-Year Site Plans are Inconsistent with Utilities' Own Public Plans for Decarbonization

NextEra, FPL's parent company, and Duke Energy, DEF's parent company, have both made public decarbonization commitments consistent with current climate science and the FDACS renewable energy goals. On June 14, 2022, NextEra announced its plan to reach "Real Zero," defined as achieving zero carbon-emissions without the use of carbon offsets, by 2045.[74] The announcement also detailed interim goals specific to NextEra's FPL operations: 36% decarbonization by 2025, 52% by 2030, 62% by 2035, 83% by 2040, and 100% by 2045.[75] NextEra's plan considers renewable natural gas as a renewable fuel, but only for "reliability purposes."[76]

In contrast with these ambitious goals, FPL's 2022 ten-year site plan indicates that the utility is not on track to meet the Real Zero goal. FPL's plan predicts that in 2031 renewables will makeup 38.6% of all generation, creating a 13.4% deficit on its 2030 interim goal of 52% decarbonization and a 23.3% gap with its 2035 interim goal of 62% decarbonization.

In 2019, Duke Energy announced comparable goals – committing to reach net-zero by 2050 with an interim goal of a 50% reduction of emissions from 2005 levels by 2030.[77] Unlike with NextEra and FPL, Duke Energy has not announced specific targets for DEF, but notably DEF's 2022 site plan is well behind the company's nationwide decarbonization commitments. DEF's 2022 ten-year site plan forecasts that DEF's energy generation will become increasingly reliant on fossil fuels through 2031, when 74.3% of generation will come from natural gas.[78]

These differences represent major discrepancies between utilities' public commitments and their 2022 ten-year site plans. Importantly, the public announcements reveal that Florida's

[73] Gainesville Regional Utilities, *2022 Ten-Year Site Plan* 36 (Apr. 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Gainesville%20Regional%20Utilities.pdf.
[74] *A Real Plan for Real Zero*, NextEra Energy, NEXTERAENERGY.COM, https://www.nexteraenergy.com/real-zero.html; *Duke Energy Expands Clean Energy Action Plan*, Duke Energy, NEWS.DUKE-ENERGY.COM (Feb. 9, 2022), https://news.duke-energy.com/releases/duke-energy-expands-clean-energy-action-plan.
[75] Press Release, NextEra Energy, *NextEra Energy Sets Industry-Leading Real Zero Goal to Eliminate Carbon Emissions from its Operations, Leverage Low-Cost Renewables to Drive Energy Affordability for Customers*, NEXTERAENERGY.COM (June 14, 2022), https://newsroom.nexteraenergy.com/2022-06-14-NextEra-Energy-sets-industry-leading-Real-Zero-TM-goal-to-eliminate-carbon-emissions-from-its-operations,-leverage-low-cost-renewables-to-drive-energy-affordability-for-customers.
[76] *Id*.
[77] *Duke Energy Aims to Achieve Net-Zero Carbon Emissions by 2050*, Duke Energy, NEWS.DUKE-ENERGY.COM (Sept. 17, 2019), https://news.duke-energy.com/releases/duke-energy-aims-to-achieve-net-zero-carbon-emissions-by-2050.
[78] Duke Energy Florida, *Duke Energy Florida, LLC Ten-Year Site Plan* 2-30 (Apr. 2022), http://www.psc.state.fl.us/Files/PDF/Utilities/Electricgas/TenYearSitePlans/2022/Duke%20Energy%20Florida.pdf.

two largest utilities are aware of and have committed to pursuing alternatives to a natural gas-dependent future. These commitments should be applauded and supported by the PSC. However, based on their 2022 ten-year site plans, it appears that FPL and DEF are publicly saying one thing and privately proposing another. The PSC is responsible for furthering the public's interest and welfare in its regulation of Florida's public utilities and should hold the utilities accountable for their own public pronouncements. Accordingly, the PSC should weigh these public announcements against these utilities' ten-year site plans when evaluating the plans' suitability. The clear economic and technical feasibility of achieving a100% renewable energy system in Florida by at least 2050 should therefore weigh heavily on the PSC's analysis of whether utilities' (and not just DEF and FPL) 2022 ten-year site plans are unsuitable.

Conclusion

Since as early as 2006, Florida law has made clear its vision to transition the state away from fossil fuel reliance towards a clean energy future. Florida's young people have asked for strong, science-based goals to make the renewables transition a reality, and FDACS has listened. Local governments across the state have shown unambiguous support for reaching 100% renewable electricity generation by 2050. A handful of utilities themselves have made public commitments to such goals, and experts have time and again highlighted the economic and technological feasibility of attaining these targets. Yet, Florida's utilities' 2022 ten-year site plans submitted to PSC for review paint a much different picture of Florida's energy future—one where natural gas continues to dominate energy generation for at least the next decade, causing dangerous climate-changing effects, harming children's health, and jeopardizing the continued existence of Florida's treasured coastlines.

Florida lies at ground zero in terms of climate change impacts, with children most at risk. The Florida Legislature long ago declared the regulation of public utilities "to be in the public interest" and "an exercise of the police power of the state for the protection of the public welfare."[79] Here, the public interest and public welfare demand that PSC cease its regulatory "rubber-stamping" of utilities' ten-year site plans as "suitable," and find each utility's 2022 ten-year site plan to be "unsuitable" for the reasons detailed herein. The utilities should be provided with specific direction as to what is required for the plans to comply with all of the legal requirements specified herein. OCT greatly appreciates PSC's consideration of this letter and hopes this information helps inform the PSC's ongoing review of utilities' 2022 ten-year site plans. We would appreciate an acknowledgement and response to this letter at your convenience, and are happy to meet with you to discuss any of its contents.

Sincerely,

/s/ *Andrea K. Rodgers*
Andrea K. Rodgers
OCT Senior Litigation Attorney
andrea@ourchildrenstrust.org

/s/ Mitchell A. Chester
Law Office of Mitchell A. Chester, P.A.
Plantation, Florida
mchester@mitchellchester.com

[79] Fla. Stat. § 366.01.

David Schwartz
OCT Staff Attorney
david@ourchildrenstrust.org