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8 appearing on behalf of the Florida Retail Federation.

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11 appearing on behalf of the Village of Pinecrest.

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22 appearing on behalf of the Florida Public Service  
23 Commission.

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## P R O C E E D I N G S

1  
2           **CHAIRMAN BRISÉ:** Good morning, everyone. I'm  
3 glad to be down here in sunny South Florida, sunny  
4 Miami. We are here for the customer service hearings  
5 associated with Docket Number 120015-EI.

6           At this time I'm going to ask our staff  
7 counsel, Ms. Klancke, to read the notice.

8           **MS. KLANCKE:** By notice, this time and place  
9 has been set for a customer service hearing in Docket  
10 Number 120015-EI.

11           **CHAIRMAN BRISÉ:** Thank you very much.

12           At this time we're going to take appearances  
13 from counsel.

14           **MR. BRYAN:** Good morning. Patrick Bryan  
15 appearing on behalf of Florida Power & Light Company.

16           **CHAIRMAN BRISÉ:** Thank you.

17           **MR. KELLY:** Good morning. I'm J. R. Kelly  
18 with the Office of Public Counsel here on behalf of the  
19 ratepayers.

20           **CHAIRMAN BRISÉ:** Thank you.

21           **MR. WRIGHT:** Robert Scheffel Wright on behalf  
22 of the Florida Retail Federation.

23           **CHAIRMAN BRISÉ:** Thank you.

24           **MR. GARNER:** Bill Garner on behalf of the  
25 Village of Pinecrest.

1           **CHAIRMAN BRISÉ:** All right. Thank you.

2           Any other Intervenors?

3           **MR. NELSON:** Larry Nelson appearing pro se.

4           **CHAIRMAN BRISÉ:** Thank you.

5           **MR. SAPORITO:** Thomas Saporito appearing as a  
6 private citizen.

7           **CHAIRMAN BRISÉ:** Thank you.

8           **MS. LARSON:** Alexandria Larson.

9           **CHAIRMAN BRISÉ:** Thank you. Any other  
10 Intervenors that we missed? Okay. Seeing none, staff.

11           **MS. KLANCKE:** Caroline Klancke, Commission  
12 legal staff.

13           **CHAIRMAN BRISÉ:** All right. At this time I'm  
14 going to give the Commissioners an opportunity to  
15 introduce themselves.

16           We'll start from, I guess, from my right,  
17 which would be your left.

18           **COMMISSIONER BALBIS:** Good morning. My name  
19 is Eduardo Balbis, and thank you all for coming to this  
20 service hearing.

21           **COMMISSIONER EDGAR:** Good morning, Lisa Edgar.  
22 Glad to be here in Miami.

23           **COMMISSIONER GRAHAM:** Good morning. Art  
24 Graham.

25           **COMMISSIONER BROWN:** Good morning. Julie

1 Brown.

2 **CHAIRMAN BRISÉ:** And good morning once again.  
3 I am Ronald Brisé and I have the, I guess, pleasure,  
4 privilege of serving as Chairperson of the Florida  
5 Public Service Commission. We are here to hear from  
6 you, the customers; that is the primary role of this  
7 meeting this morning.

8 In the process later on there is opportunity  
9 for what we call the technical hearings where all the  
10 lawyers get involved and we go through the actual case.  
11 But this is the time where we hear from the customers so  
12 that your information will be included in the case as  
13 part of the record so that we can use that information  
14 as we move along the process eventually when we get to  
15 the decision-making point so that we can take into --  
16 your thoughts into account.

17 We have several staff here with us this  
18 morning. We have Mr. Willis, we have Mr. Maurey, we  
19 have Ms. Draper. You were probably signed in by  
20 Ms. Cindy Muir in the rear. And we have Mr. Durbin, who  
21 handles all of our AV and audio and all that kind of  
22 stuff. And we have our court reporter, Ms. Linda Boles,  
23 who's here with us today.

24 If you have -- later on in this process you  
25 will be given the opportunity to provide testimony. And

1 as the process moves forward, if you for some reason  
2 feel uncomfortable speaking in public, you have the  
3 green forms that are available to you and you can place  
4 your comments in the rear and turn that in. And those  
5 comments are just as good as the information that you  
6 would have provided on the microphone. You also can  
7 e-mail us this information and you could also mail it  
8 in, and all of that information is just as good as the  
9 testimony provided here on the microphone.

10 There is also a blue form that is available to  
11 you, and that is for comments on smart meters. So today  
12 we are dealing with the base rate case, and those issues  
13 that relate strictly to smart meters that have nothing  
14 to do with the rate impact, if any, on smart meters,  
15 those comments are appropriate for this blue form. And  
16 we are having a workshop at -- excuse me -- the  
17 Commission on the 20th of September, and that meeting  
18 will be completely dedicated to the issue of smart  
19 meters.

20 Just so that you know, if you veer off into  
21 comments that have nothing to do with this rate case,  
22 then I am going to remind you what we are here to talk  
23 about this morning. So don't feel offended if I do so.  
24 We want to run an efficient hearing because we know that  
25 your time is very important.

1           Everything that you will say here today, as we  
2           stated -- as I stated before, is going to be part of the  
3           record. So, therefore, when you come up to testify,  
4           before you do that, I'm going to ask all of you who are  
5           interested in testifying this morning, at the  
6           appropriate time I'm going to ask you to stand and raise  
7           your right hand, and we're going to go ahead and swear  
8           you in so that those comments will be part of the  
9           record.

10           We have some translators, both Creole and  
11           Spanish, for those individuals who are not as  
12           comfortable speaking in English. So you will have the  
13           opportunity to provide those comments in Spanish and  
14           Creole.

15           (Comments by Chairman Brisé in Spanish and  
16           Creole.)

17           Okay? So I think that covers everybody. And  
18           with that, we are going to move forward with opening  
19           statements by the parties and Intervenors.

20           The way this works, we will have eight minutes  
21           by the petitioning company, which in this case is FPL.  
22           We will also have eight minutes by the Office of Public  
23           Counsel. And the other four Intervenors which are  
24           present here this morning, which are the Florida Retail  
25           Federation, and this is the order, Florida Retail

1 Federation, Alexandria Larson, then Thomas Saporito --  
2 oh, no, I'm sorry. We will do the Village of Pinecrest  
3 after the Florida Retail Federation, then we will have  
4 Alexandria Larson, then Mr. Saporito, Thomas Saporito,  
5 and then Larry Nelson. The Intervenors other than the  
6 Office of Public Counsel and the petitioning company,  
7 which is FPL, will have five minutes. Okay?

8 And the petitioning company can split their  
9 time, so they will be able to do whatever amount of time  
10 of the eight at the beginning. Whatever the balance of  
11 the time remains, they will be able to use that in the  
12 end to make their final comments.

13 Okay? So at this time we're ready to hear  
14 from FPL. And Intervenors, you, and petitioning  
15 company, you can come forward to the mike that is up  
16 here. I think that covers it all.

17 **MR. BRYAN:** Thank you, Mr. Chairman, and good  
18 morning. My name is Patrick Bryan. I'm an attorney for  
19 Florida Power & Light Company. I want to thank you all  
20 for coming out this morning. Your comments are very  
21 important to us.

22 In a moment you'll hear from FPL's Vice  
23 President of Customer Service, Marlene Santos. She will  
24 explain to you what we're asking for in this rate case  
25 and why we're asking for it.

1           But before that I also wanted to let you know  
2 that we have brought along with us several Customer  
3 Service Representatives. They are set up in a room  
4 outside of the auditorium on the second floor. If you  
5 have any question or problem with your electric service  
6 or your electric bill, please feel free to go speak to  
7 them. They have computers so they can access your  
8 account information readily, and they will do their very  
9 best to resolve your issue or answer your question today  
10 while you're here.

11           With that, I'd like to introduce Marlene  
12 Santos.

13           **MS. SANTOS:** Thank you, Commissioners, and Mr.  
14 Chairman, and good morning. I'd like to first take a  
15 brief moment to thank our Spanish speaking customers for  
16 coming.

17           (Comments by Ms. Santos in Spanish.)

18           Now Debbie Augustin from our Customer Care  
19 Center will briefly address our Haitian-American  
20 customers here today.

21           (Comments by Ms. Augustin in Creole.)

22           Thank you. Both Debbie and I are proud to be  
23 among the 10,000 FPL employees who work every day to  
24 provide affordable, reliable, clean electricity for you.  
25 While we operate in a regulated environment that makes

1 us the only electric company in our service area, we  
2 work hard to provide the prices, reliability, and  
3 service that would cause customers, if they had a  
4 choice, to choose us.

5 Consider this, FPL's typical residential  
6 customer bill is the lowest of the state's 55 electric  
7 utilities. A typical FPL residential customer saved  
8 \$357 last year compared to the Florida utility average.  
9 Even after the requested rate increase we expect our  
10 bill to remain the lowest in the state.

11 Our service reliability ranks in the top 25%  
12 of comparable utilities nationwide. Our emissions  
13 profile is one of the cleanest in the country, and our  
14 customer service has been ranked number one by a leading  
15 national study eight years in a row.

16 We have accomplished this by investing in  
17 clean, cost-efficient technologies and keeping operating  
18 costs down. From Turkey Point's clean, safe, and  
19 reliable nuclear power, which has saved our customers  
20 billions of dollars on fossil fuel costs, to our  
21 groundbreaking smart grid investments that enable  
22 enhanced reliability and give millions of customers new  
23 ways to save.

24 Our investments in efficient natural gas power  
25 plants have resulted in greater fuel efficiency, and

1 that means more money stays in your pocket. Like  
2 trading in an old gas guzzler for a more fuel efficient  
3 vehicle, you save on gas regardless of the price at the  
4 pump because you're using less fuel to get where you're  
5 going.

6 Indeed, since 2001 the investments we've made  
7 to improve the fuel efficiency of our plants have saved  
8 you \$5.5 billion in fuel costs. By burning less fuel,  
9 we're generating cleaner power that's saving money every  
10 single day.

11 Our strategy of switching to natural gas helps  
12 our environment and keeps your money here in America  
13 instead of buying foreign oil. This isn't just about  
14 fuel. It's about having a vision and an investment  
15 strategy that will provide benefits for many years to  
16 come to our customers, our state, and our country.

17 We're also focused on benefits today. Our  
18 investments in the smart grid and hardened  
19 infrastructure have helped make our service more  
20 reliable and efficient. In fact, because of our  
21 investments and our focus on keeping operating costs  
22 down, FPL is more efficient than 90% of the nation's  
23 utilities. That translates into lower bills for you.

24 We also work hard to be sensitive to the needs  
25 of less fortunate customers. Our Care To Share Program,

1 which is funded by shareholders, customers, and  
2 employees, helps customers who are unable to pay their  
3 electric bills. Approximately 68,000 Florida families  
4 have received help through this program.

5 Our current rates are based on a multiparty  
6 settlement approved by the Commission in 2010 and signed  
7 by the Public Counsel and many of the same parties who  
8 have intervened in this rate case. The agreement  
9 expires at the end of the year, which is why we are  
10 filing at this time. This agreement effectively froze  
11 our base rates for three years, but it also allowed for  
12 cost recovery for a new power plant and temporarily  
13 addressed our return on equity needs. It allowed us to  
14 maintain earnings at an acceptable level sufficient to  
15 attract the capital necessary to continue to invest to  
16 provide you with reliable service.

17 Now to help us continue our successful  
18 performance for you we're asking for an increase of  
19 \$7.09 a month, or 23 cents a day, on the base portion of  
20 a typical residential bill. But the base rate is only  
21 one part of your bill. And fortunately other parts are  
22 projected to be lower in 2013, so the net increase will  
23 be much less. Based on our April estimates for fuel  
24 prices and fuel use by our power plants, the actual net  
25 increase on the total bill would be \$1.41 a month, or

1 about 5 cents a day for a typical residential bill.

2 Small businesses, which make up more than 80%  
3 of FPL's commercial customers, would see a relatively  
4 small net change in their bills as well.

5 So what will the increase pay for? First is a  
6 new Clean Energy Center in Cape Canaveral. We will have  
7 spent about a billion dollars on this facility when it  
8 goes into service in June 2013. Primarily due to fuel  
9 savings estimated at more than a billion dollars this  
10 plant more than pays for itself over its 30-year  
11 operational life.

12 Second is the impact of the accelerated  
13 amortization of surplus depreciation which was ordered  
14 by the Commission in 2010. While this provided a  
15 temporary way to avoid a base rate increase at that  
16 time, the surplus depreciation essentially runs out in  
17 2013.

18 Third, we anticipate adding 100,000 new  
19 customer accounts that we have a duty to serve, so our  
20 request includes the cost of the infrastructure such as  
21 poles and wires needed to serve them.

22 Our request also includes an adjustment to our  
23 return on equity, or ROE. Our current rates are based  
24 on an authorized ROE midpoint of 10%, which is the  
25 lowest of Florida's investor-owned utilities and in the

1 bottom third of the country, despite providing customers  
2 with the lowest typical residential bills in the state  
3 and reliability that is among the best in the nation.

4 We're specifically asking for an allowed ROE  
5 midpoint of 11.25% and a performance incentive of  
6 one-quarter of 1% that will be allowed only if we  
7 maintain Florida's lowest typical residential bill.  
8 We're asking to be treated fairly when our performance  
9 is compared with the investor-owned utilities in this  
10 state, and we will be prepared to present our case in  
11 support of this request for the Commission's  
12 consideration during the upcoming technical hearings.

13 An appropriate ROE is crucial to our ability  
14 to finance the billions of dollars in improvements that  
15 keep reliability high and bills low and that create  
16 thousands of jobs for South Floridians like you.

17 Through difficult economic times FPL has  
18 invested in Florida. On average over the past five  
19 years our capital investments have far exceeded our net  
20 earnings. In fact, FPL is the state's biggest investor,  
21 with plans to invest roughly \$15 billion over the period  
22 2010 to 2014.

23 We're a major taxpayer too. Last year alone  
24 FPL paid more than \$1 billion in taxes --

25 **MR. NELSON:** Objection. I have nine minutes.

1 I have nine minutes.

2 **MS. SANTOS:** -- to the state and local  
3 governments. It's important to note that even with our  
4 requested increase our typical customer bill in 2013  
5 will still be 11.5% lower than it was in 2006. Compare  
6 that with food and healthcare costs, which are both up  
7 20%, or a gallon of gas up more than 40%. We're proud  
8 of keeping bills low and making Florida an even better  
9 place to live, to work, and to raise a family, and we  
10 ask for your support to continue doing so.

11 I know this is a lot of information. You can  
12 learn more by reading the fact sheets available at the  
13 door. We've asked a few local customers who've said  
14 they value our service if they would be willing to share  
15 their thoughts today.

16 We also want to hear from anyone who has a  
17 complaint. We're a company of human beings and, try as  
18 we may, we are not perfect. If that's what brought you  
19 here, our customer advocates are here to help you.

20 As a Miami-Dade resident and an FPL customer  
21 myself, I know there's never a good time for rates to  
22 rise. My fellow employees and I have worked hard to  
23 minimize the required increase. We appreciate your  
24 business and respect your opinions.

25 In closing, I assure you that we are committed

1 to exceeding your expectations today and continually  
2 improving for tomorrow. Thank you for coming.

3 **CHAIRMAN BRISÉ:** Thank you very much. Just so  
4 you know, FPL, you've exhausted all of your time this  
5 morning.

6 Mr. Kelly from the Office of Public Counsel.

7 **MR. KELLY:** Thank you, Mr. Chair.

8 Good morning. My name is J. R. Kelly. I'm  
9 with the Office of Public Counsel, and I have the honor  
10 and privilege of representing you, the ratepayers of the  
11 businesses and the individuals of Florida Power & Light  
12 in this rate case.

13 For those of you that are not familiar with  
14 our office, we are not part of the Public Service  
15 Commission. We're independently funded by the  
16 Legislature. We have one mission, and that is to  
17 represent ratepayers in rate cases in front of the  
18 Public Service Commission.

19 Why are we here today? We're here because  
20 Florida Power & Light has filed a request for  
21 \$690.4 million annual increase to their base rates.  
22 That's approximately a 16% increase over the current  
23 base rates that you pay. We've intervened in this  
24 matter on your behalf, and we are contesting several  
25 areas where we do not believe the evidence supports

1 FSU's -- excuse me -- FPL's request for an increase.

2 Now, let me say right up-front what this case  
3 is not about. It's not about personalities. Many of  
4 you may have personal knowledge about FPL being a good  
5 corporate neighbor, a good corporate citizen. Folks, we  
6 do not dispute that at all. We know they give a lot of  
7 money to charities. We know that they're made up of  
8 good men and women that work at FPL and that they give a  
9 lot back to the communities. We don't dispute that.  
10 But that's not why we're here.

11 We're here because the law requires FPL to  
12 prove to the Commissioners behind me that everything  
13 they're asking for is reasonable and prudent, and our  
14 job is to insist that the Commissioners seated behind me  
15 adhere to that standard when they hear this case.

16 Now let's look at some of the issues in this  
17 matter that we're contesting. First and foremost,  
18 excess profit. FPL is asking for 11.5% return on equity  
19 after-tax profit, after-tax profit. Bottom line is we  
20 believe that is totally excessive in today's economy.  
21 Many folks are still struggling, employment is still at  
22 an all-time high. Mortgage foreclosures, bankruptcies  
23 are up. The bottom line is the economy is still  
24 struggling. Who would not be happy to earn just a part  
25 of 11.5% on any of their investments?

1           Since the last rate case, when this Commission  
2 behind me granted FPL a 10% return on equity, capital  
3 costs have actually decreased. How many of you have  
4 looked recently at mortgage rates that are available,  
5 Treasury bills, commercial rates, commercial paper  
6 rates? They have all decreased significantly since the  
7 last rate case. Our expert is recommending 9% as a fair  
8 and equitable, reasonable rate of return for FPL.

9           Now to put this in proportion, for every 1% or  
10 100 basis points that this Commission approves for FPL,  
11 that amounts to approximately 130 to \$140 million more  
12 per year that you as a ratepayer would pay. This issue  
13 alone between what FPL is asking for and what we're  
14 recommending would reduce their ask over \$300 million.

15           Let's look at capital structure. For those of  
16 you that don't understand capital structure, basically  
17 it's made up of equity and debt. Equity a company goes  
18 out and raises by selling shares of stock. Debt they  
19 raise by borrowing money or selling bonds. As a result,  
20 equity is more expensive than debt. Therefore, a  
21 prudent utility would want to utilize and should utilize  
22 a sufficient amount of debt in its capital structure so  
23 that they lower their overall capital costs because that  
24 results in lower rates to you, the ratepayer.

25           Now let's look at this case for a second.

1 FPL's own expert, their own capital, cost of capital  
2 expert uses a proxy group of comparable electric  
3 utilities to support what he's recommending as that high  
4 ROE. That proxy group has an average equity ratio of  
5 47.3%. Keep that in mind, 47.3%. If you look at  
6 NextEra, which is the consolidated corporate parent that  
7 owns FPL and several nonregulated subsidiaries, if you  
8 look at their consolidated capital structure, meaning  
9 both FPL and NextEra together, the equity ratio is  
10 39.4%. 39.4. If you look at just the nonregulated  
11 subsidiaries in that capital structure, they are 21%  
12 equity. 21.

13 Now, what is FPL asking for? 59.6%, almost  
14 60%. Folks, the bottom line is that's not justifiable  
15 and it is too high. And it is absolutely absurd when  
16 you look at, one, FPL's own expert's comparable group of  
17 electric utilities; two, their consolidated equity  
18 ratio. And keep in mind, you can't go out and buy FPL  
19 stock. You have to buy NextEra stock. So you look at  
20 the overall equity ratio of NextEra at 39 and the  
21 nonregulated subsidiaries are at 21, essentially if you  
22 don't get the balance right, then you, as ratepayers of  
23 FPL, are financing their nonregulated activities.

24 Our expert is recommending what we believe to  
25 be a fair and reasonable equity ratio of 50%. 50%.

1 That's even higher, a little bit, than what their expert  
2 uses in their comparable group, 10% higher than what  
3 NextEra is, and that decrease alone would amount to  
4 \$214 million a year.

5 Third issue. FPL's asking for a performance  
6 adder, a bonus, a bonus of .25%. Doesn't sound like  
7 much; right? That's the bottom line excess profit of  
8 \$41.5 million that goes into their bottom line. Has  
9 nothing to do with them providing electric service.  
10 It's just added profit. They're asking for this because  
11 they have the lowest rates in the state. We commend  
12 them for that. I said earlier they're, they're a good,  
13 very well run company made up of good men and women, but  
14 we absolutely oppose this request.

15 First, differences in electric bills are  
16 caused by many factors that have nothing to do with the  
17 quality of management: Geography, weather, customer  
18 mix, just to name a few.

19 Second, FPL is a protected utility given a  
20 monopoly area to operate. They have no competition. By  
21 virtue of giving -- being given that monopoly area,  
22 they're obligated by law to serve the customers in that  
23 area and they must provide safe and reliable service at  
24 the least reasonable cost. Simply put, FPL should not  
25 be given a bonus for doing what it's required to do.

1           In fact, let's put it in a little context. In  
2 FPL's last rate case they came up here and argued they  
3 needed \$1.2 billion annual increase to operate. This  
4 Commission, thankfully, in their wisdom gave them  
5 \$75 million instead. Therefore, had it not been for  
6 these men and women behind me, FPL would have higher  
7 rates. Therefore, FPL should not be rewarded with a  
8 bonus as a result of this Commission not giving them  
9 what they asked for last time. It just doesn't make  
10 sense.

11           We're also recommending some other adjustments  
12 in other areas such as the number of additional staffing  
13 levels that they're requesting, employee incentive  
14 benefits, and cost of affiliate transactions. Together  
15 with some of the things that I've already mentioned, the  
16 bottom line is we believe that the evidence does not  
17 support what FPL is asking for and, in fact, supports  
18 the conclusion that their current rates are too high.

19           Now the bottom line is we've, we have engaged  
20 about a half dozen expert witnesses that are going to be  
21 testifying in this matter on your behalf and we'll be  
22 having a trial in about two weeks.

23           Now, how can you help? Your voice is very  
24 important, ladies and gentlemen. Please take this  
25 opportunity to come up and share your opinions with the

1 Commissioners behind me. They want to hear from you.  
2 More importantly, they need to hear from you. If you  
3 don't speak up, the Public Service Commission  
4 Commissioners cannot develop the best, most informed  
5 judgment of the impact that this rate case would have on  
6 you, the ratepayers.

7 Now I want to leave you with one thought. I  
8 want to mention what this case is not about. You've  
9 read a lot, I'm sure you've seen a lot of advertisements  
10 in the newspaper, you may have even read the special  
11 report that was handed to you when you came here. This  
12 case is not about fuel. It is not about fuel.

13 Fuel is paid separately, as Ms. Santos  
14 mentioned, on your bill. It's a separate part of your  
15 bill. We have a totally separate hearing in November on  
16 fuel. The bottom line is what FPL pays for fuel you pay  
17 for fuel. It's like going to the gas pump. You pay  
18 3.50 a gallon today, the ratepayers will pay 3.50 a  
19 gallon. You pay 3.70 a gallon, the ratepayers pay  
20 3.70 a gallon. It's the same way for the utilities.

21 Right now natural gas is low, and that is  
22 thankfully so because it helps out so many of you with  
23 lower bills. But nobody, not even FPL, will guarantee  
24 you what? That it will stay low. They can't because it  
25 is volatile. We all hope it stays low for many, many

1 years to come. Let's just think back three years ago,  
2 four years ago. What was natural gas trading at then?  
3 \$12, \$13, about six, five or six times what it is today.  
4 They won't guarantee that rate to you. Therefore, fuel  
5 could go up tomorrow.

6 This case is not about fuel. It is about a  
7 base rate increase that FPL is asking for. Bottom line  
8 is we do not believe that they have proven their case  
9 and will be able to prove their case to the Public  
10 Service Commission.

11 Thank you very much for being here. And,  
12 again, please take the opportunity to come up here and  
13 speak today. These men and women, men and women behind  
14 me need to hear from you and they want to. Thank you  
15 very much.

16 **CHAIRMAN BRISÉ:** Thank you, Mr. Kelly.

17 (Applause.)

18 **MR. WRIGHT:** Bright lights. Good morning. My  
19 name is Schef Wright. I was born in Jackson Memorial  
20 Hospital 62 and a half years ago. I've lived all but  
21 nine -- went to Gables High, Ponce Jr. High, University  
22 of Florida -- I've lived all, all but nine years of my  
23 wonderful life in this wonderful state. For the last  
24 31 and a half years I've been working on energy matters  
25 in Tallahassee; first for Governor Graham's Energy O

1 Office, then on the staff of the Florida Public Service  
2 Commission, and for the last 20 years as a private  
3 sector attorney.

4 I have the privilege today and throughout this  
5 case to represent the Florida Retail Federation. The  
6 federation is a statewide organization of more than  
7 9,000 members, from the largest big box grocery,  
8 department, appliance stores, including Publix,  
9 Wal-Mart, Macy's, and Best Buy, to literally thousands  
10 of mom and pop sole proprietorships, boutiques, shops,  
11 et cetera, et cetera.

12 We're here to hear from you about this  
13 important matter. This is important. Florida Power &  
14 Light Company is asking the Public Service Commission  
15 for its approval to collect an extra 690 plus million  
16 dollars a year of your money in order to do its job.

17 What's its job? FPL's job is to provide safe,  
18 adequate, reliable service at the lowest possible cost.  
19 The Public Service Commission's role is to ensure that  
20 FPL does its job.

21 At the Florida Retail Federation we're  
22 businesspeople. We understand that every business needs  
23 sufficient revenues to buy its inventory to provide its  
24 goods and services and to make a reasonable profit and  
25 keep the doors open. We understand that.

1           Where we differ with Florida Power & Light  
2 Company, where your Public Counsel differs with Florida  
3 Power & Light Company is on how much money FPL actually  
4 needs to do its job.

5           I want to mention one thing in passing.  
6 Although I represent the Retail Federation, the Retail  
7 Federation is fighting, working hard alongside your  
8 Public Counsel and the other consumer parties, for lower  
9 rates for all customers. We are not advocating  
10 positions that would favor commercial customers versus  
11 residential customers.

12           Okay. So historical context. Three years ago  
13 Florida Power & Light Company asked for a billion and a  
14 quarter, \$1.247 billion extra of your money a year  
15 supposedly because they needed it to do its job, needed  
16 it to do their job. The Public Service Commission in  
17 its wisdom gave them \$75.5 million a year, 5% of what  
18 they asked for.

19           How did FPL do since then? Stock price went  
20 up 38, 40%. Earnings have been maxed at their, at their  
21 capped level under the regulation and settlement  
22 agreement, 11% after-tax rate of return on equity, and  
23 they've increased their dividends three times. They're  
24 doing pretty darn well.

25           By the way, the FPL representative made a

1 reference to needing more money because they're building  
2 a power plant. Not so fast, my friend. Between 1985 --  
3 here's the point. Just because you build a power plant  
4 doesn't mean you need a rate increase. It means you  
5 need more money, but you might be getting the money  
6 anyway.

7           Between 1985 and 2005, Florida Power & Light  
8 Company built roughly a third of its fleet,  
9 8,400 megawatts of, of power plant capacity, without any  
10 base rate increase, and, in fact, with two base rate  
11 decreases in 1999 and 2002 totaling \$600 million a year.  
12 Just because you build a power plant doesn't mean you  
13 need a rate increase.

14           To touch on some of the specifics, FPL is  
15 asking for an after-tax rate of return on equity, profit  
16 to its shareholders of 11.5%. That's a before-tax  
17 return, folks, of almost 18.7%. That is overreaching,  
18 excessive, and unnecessary. They don't need that much  
19 to attract sufficient capital to conduct their business.

20           Public Counsel's witness and other, several  
21 other witnesses in this case recommend a return on  
22 equity, a profit rate, if you will, after tax of 9%.  
23 This, in my opinion, is more than fair. It's probably  
24 generous. That one adjustment would cut 340 to \$400  
25 million off FPL's request. That's half or more than

1 half their ask.

2           Additionally, Mr. Kelly told you about their  
3 request to base their rates on an assumed high equity  
4 ratio, a higher, using a higher cost capital to provide  
5 their services. They don't need to do that. They could  
6 borrow 50% of their capital needs instead of 59.6% and  
7 save a bunch of money that way.

8           They have understated, in our opinion they've  
9 understated their sales forecast, which means they need  
10 less revenues. They've asked for other unnecessary and  
11 excessive expenses in investments. Future plant sites  
12 they probably don't need, investments they don't need,  
13 payments to affiliates that our side questions, revenues  
14 for jobs that will probably not be filled based on known  
15 history of FPL's not filling jobs, and incentive  
16 payments for its employees that provide activities that  
17 benefit the shareholders, not customers.

18           At the bottom line, I said, we're  
19 businesspeople and we want the lights to stay on as much  
20 as everybody else does. We want Florida Power & Light  
21 Company to have enough money to do its job and provide  
22 safe, reliable service at the lowest possible cost, but  
23 we want them to have only enough money to do that.

24           We believe that the evidence in this case will  
25 show that they don't need a rate increase at all and

1 that, in fact, they can take a rate cut of \$250 million  
2 a year and still provide safe, adequate, and reliable  
3 service.

4 If the Commission agrees with us and the  
5 Public Counsel and the other consumer parties that FPL  
6 doesn't need a rate increase, that's an extra  
7 \$690 million a year that you and businesses will have to  
8 take care of your families and your needs. FPL's  
9 shareholders would have to get by with an after-tax  
10 profit of 9%. Thank you for coming out. Thank you for  
11 your time and attention. Tell the Commissioners what  
12 you think.

13 (Applause.)

14 **CHAIRMAN BRISÉ:** Thank you, Mr. Wright.

15 At this time we will hear from Mr. Garner from  
16 the Village of Pinecrest.

17 **MR. GARNER:** Thank you, Mr. Chairman,  
18 Commissioners.

19 I'm Bill Garner with the law firm of Nabors,  
20 Giblin & Nickerson, and we represent the Village of  
21 Pinecrest against FPL's rate increase.

22 FPL spent a lot of money on a slick ad  
23 campaign trying to convince people that their request  
24 for a \$690 million rate hike is no big deal. Part of  
25 that slick campaign are the fact sheets Ms. Santos

1 mentioned in her remarks. These sheets say the rates  
2 will go up, but only a little bit. That's because FPL's  
3 rate hike is offset by fuel savings. Using falling fuel  
4 prices in this way to mask the impact of the rate hike  
5 is misleading. Your advocate, Mr. Kelly, has explained  
6 why. By increasing its base rates, FPL robs you of big  
7 fuel savings. FPL didn't earn those fuel savings. They  
8 come from fuel costs dropping like a rock. They belong  
9 to you, not FPL, who will raise your rates dollar for  
10 dollar when the price of fuel goes back up. And FPL  
11 believes the price will go up. In fact, they count on  
12 it to justify expensive new nuclear plants at Turkey  
13 Point.

14 This rate hike takes from you only to give  
15 more to FPL's shareholders. They want a new profit  
16 margin of 11.5% up from 10%. According to discovery  
17 obtained by Pinecrest from FPL, for every 1% increase in  
18 profit margin, FPL collects \$158 million more from you.  
19 This represents about one-third of the rate hike.

20 Witnesses in the case will tell the PSC why  
21 increasing profits is not warranted. Part of the reason  
22 is this: FPL collects more than half of its revenues  
23 through dollar-for-dollar pass-through rates that are  
24 adjusted every year. Its risk is minimal.

25 FPL made this very point when it first sought

1 to use the various pass-through adjustments to help it  
2 borrow more cheaply. We don't want the PSC to forget  
3 this fact.

4 Evidence supports a profit margin between 8.5  
5 to 9.25% with no harm to FPL's bond ratings or project  
6 financing. This adjustment alone cuts FPL's rate hike  
7 nearly in half. FPL says that that's unreasonable and  
8 confiscatory. It's not.

9 Since the early '80s, when FPL's profit margin  
10 was more than 15%, the PSC has reduced the company's  
11 profit margin again and again to track falling interest  
12 rates. All the while FPL has flourished. Now interest  
13 rates are at an historic low.

14 After the PSC refused to hike rates in 2009,  
15 FPL shouted that the sky was falling. It halted  
16 construction of new plant, said it would suffer a  
17 downgrade, said it couldn't finance projects. None of  
18 that happened. The shareholders kept making money. In  
19 2011, FPL's parent company justified a new incentive pay  
20 plan claiming that FPL achieved its highest earnings  
21 ever in 2010.

22 To regulators and customers they said it was  
23 due to the weather. To investors they said it was due  
24 to the motivating influence of the new incentive pay.  
25 This year FPL investors continue to earn more money than

1 they did last year. They're well compensated at the  
2 current rates and we believe that the evidence proves  
3 that. Thank you for your time.

4 (Applause.)

5 **CHAIRMAN BRISÉ:** Thank you very much,  
6 Mr. Garner.

7 Ms. Larson.

8 **MS. LARSON:** Thank you, Commissioners. Good  
9 morning. My name is Alexandria Larson, and I'm here on  
10 behalf of my husband, Daniel Larson, and myself. As  
11 Florida ratepayers, we intervened in this rate case  
12 because we do not believe that FPL is entitled to the  
13 outrageous, outrageous rate increase that it has  
14 requested. Rather, the Commission should order FPL to  
15 decrease their rates.

16 Unfortunately, the greed of FPL has no  
17 boundaries. Facing the greatest recession since the  
18 Great Depression and high unemployment, the highest  
19 unemployment in our state, Floridians are struggling  
20 just to pay their bills, to make ends meet. Senior  
21 citizens cannot afford to pay for their prescriptions,  
22 yet FPL has the audacity to demand an 11.25 profit from  
23 the Commissioners sitting before you today, and another  
24 point, you know, quarter point percent just for doing  
25 the job they are supposed to do anyway.

1           What has changed from the last rate case to  
2 justify such a request? Absolutely nothing. Nothing.  
3 Keep that in mind. After being denied the largest  
4 unjustified rate increase in Florida's history in 2010,  
5 FPL complained that the Public Service Commission's  
6 decision to deny their \$1.3 billion rate case would  
7 cause terrible things to happen. The sky was falling.

8           Over the past two years FPL has reported  
9 healthy profits and earnings. FPL's parent company has  
10 raised its quarterly dividend by 26%, and its stock is  
11 currently trading at a 52-week high. I wish we had  
12 that.

13           Now FPL is once again making outrageous  
14 demands. The problem is that FPL management has no  
15 credibility based upon what it said after the last rate  
16 case denial. FPL has a track record of crying wolf and  
17 will use any means necessary to get its way.

18           An illustrative example. FPL, led by its  
19 current President, Eric Silagy, used its money and power  
20 to lobby the Legislature to purge four Commissioners who  
21 denied the FPL rate case last time. Former  
22 Commissioners Nancy Argenziano, Steve Stevens, David  
23 Klement, and Nathan Skop all lost their jobs for being  
24 fair and honest Commissioners.

25           With respect to the current rate request, FPL

1 is asking for roughly half of the \$1.3 billion that it  
2 asked for the last time, which they didn't need to begin  
3 with. Once again, FPL is recycling the same failed  
4 arguments from the last rate case.

5 Despite the expensive, I think it was  
6 \$5 million, FPL media campaign, which is not working,  
7 FPL ratepayers deserve to know the facts regarding the  
8 proposed rate increase. Having the low rate, having the  
9 low rates in the state does not provide a legal basis or  
10 justification for an increase in base rates. Six --  
11 \$690 million rate hike is not necessary for FPL to  
12 continue generating healthy profits.

13 If the Commission denied the FPL rate request,  
14 our total electric bills would actually go down because  
15 of the lower fuel costs that are in play everybody spoke  
16 about today.

17 Return on, return on equity has nothing to do  
18 with the ability to make investments because FPL  
19 receives full cost recovery once a plant is placed into  
20 service.

21 In closing, we believe that FPL should  
22 withdraw, withdraw this rate case and now is not the  
23 time for FPL to get a rate increase. Stop the greed.  
24 We can't afford it.

25 And I just want to add a little sidebar here.

1 You pay your taxes, pay the light bill for this county,  
2 your, you know, your food money pays for the taxes for  
3 Publix and everybody else, and retail, you pay those  
4 light bills too. In my county my light bill was  
5 \$24 million as of September of this year. Just thought  
6 you should know. Thank you.

7 **CHAIRMAN BRISÉ:** Thank you, Ms. Larson.

8 (Applause.)

9 Next we'll hear from Mr. Saporito.

10 **MR. SAPORITO:** Good morning. My name is  
11 Thomas Saporito. I'm a private citizen. I've been  
12 paying my expenses going around the state stalking the  
13 Commissioners and participating in this proceeding.

14 I am not as educated or talented as our  
15 Chairman. I only speak one language and that's English.  
16 So I came prepared for our good friends that speak  
17 Creole, Spanish, and whoever else in here that doesn't  
18 speaks English, I have a graphic display of what this  
19 rate case is all about. It's all about profits for  
20 FP&L.

21 (Applause.)

22 That's what it's about. They want a 16%  
23 raise. But, wait, they just reported earnings of 17%  
24 last quarter. They want 16% more. That's what it's  
25 about.

1           Ms. Santos said, oh, your bill is going to go  
2 up \$7 and change. But, wait, we're going to steal your  
3 fuel credit, so it's only going to go up a dollar and  
4 change. \$7, FPL says only a dollar. I'm here to tell  
5 you your rate, your bills for the month are going up a  
6 lot more than that. You heard the attorney for the  
7 federal retailers. The cost of your hospitalization,  
8 they pay electric; you go pump gas, that's going to buy  
9 electric; you go get your hair done, that's electric.  
10 Everything that you buy, even your groceries has FPL  
11 involved in it. So you're going to be paying maybe  
12 \$50 to \$100 more a month because all these --

13           **CHAIRMAN BRISÉ:** Mr. Saporito. Mr. Saporito.

14           **MR. SAPORITO:** Yes, sir.

15           **CHAIRMAN BRISÉ:** Use the mike. You might be a  
16 little more effective.

17           **MR. SAPORITO:** You're going to be paying a  
18 hell of a lot more than \$7.09 a month when you consider  
19 all the businesses that work on electricity. And I'm  
20 not going to elaborate because the Commissioners are  
21 here to hear from you, and these attorneys are a lot  
22 more skilled than me and they covered it very  
23 adequately.

24           The last thing I want to touch on though is  
25 these smart meters. FPL smart meters are part of this

1 rate case. You have every right to speak about them.  
2 This Commission suggests that you travel from Miami,  
3 Florida, to Tallahassee at the other end of the state at  
4 your expense to attend a workshop. That's outrageous.  
5 You come up here and you speak on these smart meters.  
6 They're in the rate base.

7 Smart meters are a threat to our national  
8 security and common defense of this country because they  
9 can be accessed remotely by terrorists and they can take  
10 down the grid. And it's documented by professionals  
11 that are a lot smarter than me and it's a fact.

12 (Applause.)

13 You, you can legally -- there's a fellow in  
14 California, the court ordered the company to put his old  
15 meter back in there or pay, pay restitution until they  
16 did. And you can legally challenge it.

17 Finally, if you don't want to go through all  
18 that trouble, I've invented the FPL smart meter buster.  
19 This device fits perfectly over FPL's smart meter, which  
20 is on your property which you didn't authorize them to  
21 put on there. You can get this FPL smart meter buster  
22 at Home Depot for about \$2. You put that over the  
23 meter. It shields all the RF. FPL cannot talk to it,  
24 they can't control your house, they cannot invade your  
25 privacy. But the meter will still tally your

1 electricity, so you're not interfering with their  
2 business. And it's your right, it's your property.  
3 This will protect your family from radiation, the RF;  
4 it'll protect your privacy because FPL can't see it; and  
5 you'll be protecting the United States of America's  
6 national security and common defense because terrorist  
7 hackers cannot get into your meter and access the Web.

8 And this is a very serious issue. It's before  
9 Congress right now, the Cyber Terrorist Law. The Diablo  
10 Canyon Nuclear Power Plant was just penetrated three or  
11 four days ago by the Chinese Red Army through a cyber  
12 attack. They wanted access to all our nation's nuclear  
13 security access points and they accessed the power  
14 plant's computer.

15 And I'm going to Congress -- not Congress, but  
16 I'm going to Washington, D.C., next month. I'm going to  
17 be providing testimony on this to high-level government  
18 officials because the President of the United States  
19 takes this very seriously. And, you know, we have a  
20 dysfunctional Congress. They're trying to get this bill  
21 passed. It's very important. I urge you to shield your  
22 FPL smart meter immediately. Thank you very much.

23 **CHAIRMAN BRISÉ:** Thank you, Mr. Saporito.

24 (Applause.)

25 **MR. SAPORITO:** Mr. Chairman, I would like to

1 put this document into evidence regarding the rate  
2 meters so that your, your smart meter committee can have  
3 it as support.

4 **CHAIRMAN BRISÉ:** Okay. If you can make that  
5 available to Ms. Klancke. Thank you very much.

6 **MS. KLANCKE:** For identification purposes.

7 **CHAIRMAN BRISÉ:** For identification purposes  
8 that would be Number 27.

9 **MS. KLANCKE:** 26.

10 **CHAIRMAN BRISÉ:** 26. Thank you.

11 (Exhibit 26 marked for identification.)

12 **MS. KLANCKE:** A short title, FPL Smart Meter  
13 National Security Threat.

14 **CHAIRMAN BRISÉ:** FPL Smart Meter document by  
15 Mr. Saporito. Thank you.

16 Mr. Nelson.

17 **MR. NELSON:** I didn't know we could say hell.  
18 That might have made a difference. I'm just a private  
19 citizen. My name is Larry Nelson and I used to practice  
20 law. I gave it up 20 years ago because, you know, being  
21 a lawyer sort of sucks. These are the last of my lawyer  
22 clothes, and, as you can see, they don't really fit all  
23 that well anymore.

24 This case isn't about FPL rates. This case is  
25 about FPL raising their profit on equity from 10% to

1 11.5%, not about their cost or investments. As has been  
2 stated, FPL is not entitled to a bonus for doing a good  
3 job. That's their legal duty. That's what they get  
4 paid for. They don't get to come here and ask for a  
5 \$690 million bonus.

6 Unlike some of the people here, I do not  
7 believe that FPL executives are just good folks who  
8 disagree about what rates should be. No, these are  
9 people whose job it is to take your money.

10 They gave their shareholders 22% return last  
11 year, 22%. And over the last ten years 209%. That's  
12 21% on average every year for the last ten years. This  
13 is from their documents, their annual reports, their  
14 proxy reports. How much is enough? The greed is  
15 unlimited. And they gave their head guy \$14.8 million  
16 last year. Why? For taking your money. That's what it  
17 says right there in their documents. I quote, The  
18 fundamental objective of the executive compensation  
19 program is to motivate and reward actions that will  
20 increase long-term shareholder value. They get paid to  
21 take your money and that's why they're spending  
22 \$5.5 million to bring, of your money to bring this case  
23 to get another \$690 million of your money.

24 They're not interested at the very top in  
25 keeping rates down or supporting renewable energy.

1 That's not in there about what they get their bonuses  
2 for. They get it for taking your money. They're  
3 spending \$5.5 million to bring this rate case charged to  
4 you to get \$690 million. That's called heads they win,  
5 tails we lose.

6 How do they do this? They do this by filing  
7 4,000 pages of stuff that looks like this. I couldn't  
8 even bring it in. It's a 30-pound box. This is just a  
9 small part. There are people at FPL whose job it is to  
10 figure out how to stick stuff in that 4,000 pages to get  
11 your money.

12 So what did they stick in here? What do they  
13 propose? They propose an advertising expense that's up  
14 367% from two years ago directly charged to you. Almost  
15 quadruples the amount directly charged to you per  
16 person, per account for advertising. They propose  
17 additional late fees of 103%. That gets them an extra  
18 \$33 million just from the late fees. They want to  
19 increase the returned payment fees. That's another  
20 \$2 million. It doesn't bear any relationship to their  
21 cost of processing late fees or returned payment fees.  
22 It's just like the credit card companies. Gotcha, fee,  
23 fee, fee, fee, fee. They want to raise the customer  
24 charge for being a customer, for not using any  
25 electricity at all by 19%.

1           Now, you know, you might say, well, you know,  
2           it's only \$1.10. That's small change. Well, it's not  
3           small change to them. To them it's \$54 million, and  
4           that's in these papers, these 4,000 pages that they  
5           filed.

6           And of particular offense to me, they don't  
7           support solar panels on your roof. They pretend they  
8           do, but they don't. And the reason they don't is  
9           because they don't make any money on them.

10           They're talking about return on equity. What  
11           that means is if they own a \$100 telephone pole, they  
12           get 10%, now they're asking for 11.5, they get 10% every  
13           year on that pole, ten bucks, every year forever on that  
14           pole. But if there are solar panels on my roof, which  
15           there are, or on your roof, then they get zip because  
16           they don't own them, they don't get 10%, plus you don't  
17           use as much electricity. So they do everything they can  
18           to discourage solar energy, even though many laws have  
19           been passed making it their duty to promote  
20           cogeneration, solar power, renewable solar, et cetera,  
21           et cetera, et cetera.

22           I would like them to be a good citizen, work  
23           with the people of Florida, have renewable energy, but  
24           that is not in the interest of their shareholders.

25           So this attempt to gouge you for another

1 \$690 million where they're already handing out 21%  
2 returns year after year is insane. So these people and  
3 myself are going to go to Tallahassee and try and stop  
4 it and we're paying our own money. It's going to cost  
5 us like 3,000 bucks each to stay up there for two weeks.

6 There is a fund-raising site on the Internet.  
7 And just, please, have people give \$5. It's Stop \$690  
8 Million FPL Rate Increase, and it's on Indiegogo.com.  
9 There, I'm one second over.

10 (Applause.)

11 **CHAIRMAN BRISÉ:** Thank you, Mr. Nelson.

12 Okay. Are there any legal matters that we  
13 need to deal with, I think, such as the notice and so  
14 forth? Mr. Bryan.

15 **MR. BRYAN:** Thank you, Mr. Chairman. At this  
16 time I'd like to offer three affidavits of publication  
17 from four local newspapers that demonstrate that this  
18 hearing and this afternoon's hearing in North Miami-Dade  
19 were advertised in accordance with Commission rules.

20 **CHAIRMAN BRISÉ:** Thank you very much.

21 At this time we're going to transition into --

22 **MS. KLANCKE:** Mr. Chairman, can we have a  
23 number for the affidavit?

24 **CHAIRMAN BRISÉ:** Sure. No problem. That  
25 would be 27.

1           **MS. KLANCKE:** And a short title?

2           **CHAIRMAN BRISÉ:** Affidavit publication for  
3 Miami hearings.

4           **MS. KLANCKE:** Thank you.

5           (Exhibit 27 marked for identification.)

6           **CHAIRMAN BRISÉ:** At this time we're going to  
7 transition into the public hearing. In other words,  
8 we're going to hear from the public. I think we have to  
9 move the, the microphones or adjust the podium and so  
10 forth. So if you'd give us about two minutes or so to  
11 do so. Okay. We'll take a, I guess a five-minute break  
12 at this time so we can transition appropriately. Thank  
13 you very much.

14           (Recess taken.)

15           All right. At this time we will reconvene.  
16 We have -- as part of the practice here at the  
17 Commission, if there are elected officials that would  
18 like to provide comments, testimony, or so forth, we  
19 generally do that prior to the swearing in. They do  
20 have the option of being sworn in, if they would like to  
21 do so. But we have a few that have signed up to make  
22 comments, and we have a few recognitions. So we will do  
23 the recognitions first and then we will move into public  
24 comment by the elected officials.

25           So we have from the Office of Representative

1 Cynthia Stafford from District 109, we have Gloria Barry  
2 who is present. Thank you for being here.

3 All right. We have Mayor Philip Stoddard from  
4 the City of South Miami. If you can come forward to  
5 make your comments at this time.

6 (Applause.)

7 **MAYOR STODDARD:** Thank you for coming down.  
8 We appreciate it. Glad we didn't have a storm to chase  
9 you off this time.

10 It's good to start your day off with a laugh.  
11 I got one on July 31st when I read the *Miami Herald*.  
12 FPL's Vice President, Pam Rauch, wrote this. She says,  
13 Every dollar FPL saves on fuel is a dollar the customers  
14 don't have to pay. Got that?

15 So FPL is saying the fuel savings belong to  
16 the customers, and don't forget that, please. But  
17 here's the part that got me. She went on to explain  
18 that under FPL's proposed rate increase the typical  
19 customer bill will increase \$85 a year. But if, if the  
20 PSC hands over customer fuel savings to NextEra  
21 shareholders, the bill will only go up \$17 a year, and  
22 that's when I lost it. So they're admitting that the  
23 savings belong to us, but then they're saying they want  
24 you to give our savings to NextEra shareholders.

25 So what happened to our fuel savings? Under

1 their proposal we lose \$60 a year per customer on  
2 average that we were promised, and under their proposal  
3 most of our fuel savings are going to go to the  
4 shareholders at FPL's parent company, NextEra Energy.

5 FPL says they need their increase -- they need  
6 to increase the rate of profit so people will invest in  
7 the company. This is crazy. They get the best price on  
8 money for infrastructure by issuing bonds, not by  
9 increasing the return to shareholders. And this was  
10 explained to us very eloquently by J. R. Kelly.

11 But the stock market doesn't need more of our  
12 money. Wall Street loves FPL. Their share price,  
13 NextEra's share price is coming up 40% this year. A 40%  
14 increase in one year. And I'd like you to think what  
15 else that you know of has gone up 40% in the past year?  
16 Has your take up pay gone up 40% this year, take-home  
17 pay? Have business profits gone up 40%, local business  
18 profits? Has your retirement account gone up 40% this  
19 year? Nothing has. So why would customers favor adding  
20 \$60 a year to increase profits to NextEra and further  
21 enrich their corporate executives? We would not.

22 I'm the Mayor of South Miami and my  
23 constituents have overwhelmingly told me they do not  
24 approve of a rate hike to increase FPL's percent  
25 profits. And the only resident, just one, who felt

1 otherwise happens to be an FPL employee himself.

2           So South Miami passed a resolution opposing  
3 FPL's rate hike, and we've joined the Village of  
4 Pinecrest to file in the legal intervention in the rate  
5 case. If this rate case go through, I figure that it'll  
6 cost my constituents \$1.7 million a year, and that's  
7 without their added quarter percent bonus. That's an  
8 amount equal to 10% of our city budget. That's  
9 \$1.7 million a year that could go to pay for education,  
10 for property insurance, or for job creation in our city.  
11 And I'd argue that my residents and business owners have  
12 better uses for our \$1.7 million than increasing the  
13 dividends of NextEra Energy shareholders.

14           So if Wall Street doesn't require more money  
15 to love FPL, who's driving the demand for FPL to keep  
16 more of your money? It's got to be FPL's corporate  
17 executives. They're getting their incentive bonuses and  
18 a lot of them get compensated in stock.

19           So how are they working the system? Well, FPL  
20 is actively discouraging cities from opposing their rate  
21 increase. FPL actually hired the state legislature to  
22 represent South Florida to lobby its own constituents to  
23 oppose the rate increase. And they tell elected  
24 officials such as myself that the rate increase will  
25 help FPL collect more franchise taxes from the residents

1 of our cities. You got that one? So FPL is working  
2 elected officials to increase the hidden tax on the  
3 residents.

4 And as Mayor of South Miami I'm not anti-tax,  
5 but I say a loud no to sneaky hidden taxes like  
6 franchise fees. So we're not saying FPL can't make a  
7 profit or increase their profit. FPL can sell more  
8 electricity such as for electric cars. FPL can  
9 introduce attractive new products like rooftop solar.  
10 FPL can implement new technology like biofuels or fuel  
11 cells.

12 What we're saying is that we oppose FPL  
13 increasing the amount of profit they make by selling the  
14 same amount of the same product made and transmitting it  
15 the same way. So we oppose being forced to pay the  
16 shareholders of NextEra Energy more profit on the same  
17 product. Thank you for your time, and please look after  
18 our interests.

19 (Applause.)

20 **CHAIRMAN BRISÉ:** Thank you very much.

21 At this time we'll have Commissioner Walter A.  
22 Harris from the City of South Miami.

23 **COMMISSIONER HARRIS:** Thank you for opening  
24 your ears hopefully, and I know this is a time-consuming  
25 situation that you're in, you do this over and over, but

1 you've got to see a pattern here. I'm going to be  
2 speaking on behalf, on behalf of South Miami, which is a  
3 small middle class community. Many people are on fixed  
4 incomes. All sorts of problems that are universal;  
5 however, there is -- first of all, obviously there's no  
6 support for a rate increase for Florida Power & Light  
7 amongst the constituents.

8           However, speaking in my own, in my own  
9 situation, we have, I think you call it performance  
10 added. We have made our home as efficient as we can.  
11 We have an energy efficient roof, we have solar tubing  
12 for lights, we have energy efficient light bulbs  
13 elsewhere. We turn off the lights, we don't leave  
14 things on, we do everything to cut our energy, and it's  
15 been reflected on our bill. Now I don't suppose that  
16 Florida Power & Light is thrilled about that, so they're  
17 trying to get that money back.

18           I just strongly urge you to listen to what is  
19 going on, protect the residents of the state.  
20 Corporations are not people. Greed is not a way to run  
21 a society. There are problems everywhere on every  
22 front, and this would just be one small victory for the  
23 small everyday person such as myself.

24           Thank you. Please vote with your conscience  
25 and keep things -- protect the citizens. Thank you.

1 (Applause.)

2 **CHAIRMAN BRISÉ:** Thank you, Commissioner.

3 Harris.

4 Okay. At this time we will hear from  
5 Ms. Gomez from the Village of Pinecrest. She's the City  
6 Manager there. She's representing Mayor Cindy Lerner.

7 **MS. GOMEZ:** Thank you for the opportunity to  
8 address the Commission and register on behalf of Mayor  
9 Cindy Lerner and the members of our council the  
10 Village's opposition to the proposed FPL rate increase.

11 The Village of Pinecrest has joined several  
12 Miami-Dade County municipalities, including the  
13 neighboring cities of South Miami and Palmetto Bay, as  
14 well as the Miami-Dade League of Cities Energy,  
15 Environment, and Natural Resources Committee in passing  
16 a resolution opposing the rate increase, a copy of which  
17 has already been filed with the Public Service  
18 Commission.

19 Specifically there are a handful of points  
20 that I'd like to mention to the Commission as you  
21 consider FPL's rate increase application. The present  
22 state of the nation's economy necessitates that the  
23 Public Service Commission proceed with extreme caution  
24 and in a conservative manner with respect to an  
25 adjustment to FPL's rates. The impact of looming

1 economic variables such as the mandatory budget cuts  
2 next year at the federal level may have further  
3 crippling effects on the nation's economic recovery.

4 Subsequently, any rate increase at this time  
5 could pose an additional hardship to people still  
6 reeling from the nation's worst recession in our  
7 history, who may be further affected by sequestration in  
8 the near future.

9 I would like to draw your attention to the  
10 fact that FPL has benefited from many pass-through  
11 recovery mechanisms and has experienced a significant  
12 return on equity for its shareholders over the last two  
13 years, even through these hard economic times.

14 The Village's calculations show that the  
15 proposed rate increase would cost the Village, a small  
16 municipality of less than 20,000, and its residents and  
17 businesses, approximately \$2 million per year.

18 Specifically we discourage the tactic that FPL  
19 applies with capitalize -- which capitalizes on the  
20 reduced fuel costs as a bait and switch to offset the  
21 rate increase, giving the impression of a decrease in  
22 energy cost when, in fact, the fuel cost savings must  
23 already be passed to our customers. As we know, the  
24 savings due to fuel, to lower fuel costs are volatile  
25 and are likely to disappear when the market rises again.

1           And, finally, I would like to take this moment  
2 to register the Village council's displeasure in FPL's  
3 lobbying effort to secure support for the rate increase  
4 from municipalities by citing the related increase in  
5 franchise fee revenues for the cities. This is a  
6 particularly onerous position for the utility to take  
7 considering the financial challenges residents and  
8 businesses are experiencing during these difficult  
9 times. The cities have an obligation to our residents  
10 first and foremost, and keeping costs down for everyone  
11 should be the primary objective.

12           In closing, over the course of the last four  
13 years, Pinecrest has taken a leadership role with  
14 regards to matters furthering sustainability, which have  
15 resulted in a number of very successful green  
16 initiatives including our certification as a silver  
17 level green local government, adoption of a green action  
18 plan, establishment of a Green Academy at Palmetto  
19 Senior High School, adopting green land development  
20 regulations, and, most importantly, partnering with area  
21 municipalities in the formation of the South Dade Green  
22 Corridor PACE District.

23           In this leadership role and as an active  
24 member of the National League of Cities with  
25 representation on the Energy, Environment, and Natural

1 Resources Policy Steering Committee it is the Village's  
2 view that Florida as a state is not as progressive as  
3 others with regards to efforts to develop a renewable  
4 energy profile. Rather than approving the proposed rate  
5 increase, the Village of Pinecrest would like to urge  
6 the Commission to look for opportunities in the future  
7 to provide incentives to FPL for energy efficiency and  
8 conservation efforts. And thank you for your time.

9 (Applause.)

10 **CHAIRMAN BRISÉ:** Thank you very much.

11 All right. At this time we're going to move  
12 into hearing from the customers. We want to remind you  
13 that if you are interested in speaking and you have not  
14 signed up, you can go to the front to the lobby area and  
15 you can sign up at any time to make yourself available  
16 on the list so that we can have your name and be well  
17 prepared to receive you.

18 As we started earlier, that if you feel  
19 uncomfortable speaking in public, you can e-mail your  
20 comments, you can send your comments on the green form  
21 and make those available to us at the front, or you can  
22 mail them in snail mail. Okay?

23 Now I'm going to at this time ask those of you  
24 who are prepared to provide testimony this morning to,  
25 to stand with me and I'm going to swear you in.

1                   (Witnesses collectively sworn in English and  
2 in Spanish.)

3                   Okay. Thank you very much. You may be  
4 seated.

5                   A couple of housekeeping notes, there is a  
6 device that is a counter -- that is a timer, rather, on  
7 the podium there, and it will be set to two minutes, and  
8 you will be able to provide your comments within those  
9 two minutes. When the yellow light comes on, that means  
10 you need to start wrapping up your comments. When the  
11 red lights comes on, it means that you should be done  
12 with your comments. And if by some strange reason your  
13 light starts blinking, that means that you should have  
14 finished with your comments. Okay? I certainly hope  
15 not to have to request that you stop, so that's why we  
16 have these lights so that you can govern yourselves  
17 accordingly.

18                   Please be mindful of your cell phone or any of  
19 your communication devices. Please put them on silent  
20 or vibrate so that, you know, while someone else is  
21 speaking that you do not interrupt them and that you do  
22 not interrupt someone's ability to hear what is being  
23 said.

24                   And finally, our preference is -- I know that  
25 there may be some things that may be very interesting

1 that are said, but we prefer that we keep or refrain  
2 from any outbursts such as clapping and things of that  
3 nature, or booing or anything like that. We certainly  
4 appreciate the professional nature that, that these  
5 hearings have gone so far and we trust that the same  
6 will be the custom here today.

7 Okay. Thank you very much. Let me see if I  
8 can get my timer here working properly.

9 Okay. Mr. Kelly is going to call you up, and  
10 so he's going to call the names. And for certain  
11 individuals he'll say your name, and then he'll say  
12 Spanish or Creole. That, that simply means that that  
13 person will be coming up and probably testifying in  
14 Spanish or Creole, and the interpreter needs to be  
15 prepared to, to be able to come and provide assistance.

16 Okay. With that, Mr. Kelly, call the first  
17 person.

18 **MR. KELLY:** The first person is Mr. Tony  
19 Gestido, who will be followed by Tony Moreno.  
20 Whereupon,

21 **TONY MORENO**

22 was called as a witness on behalf of the Citizens of the  
23 State of Florida and, having been duly sworn, testified  
24 as follows:

25 **DIRECT STATEMENT**

1           **MR. MORENO:** Good morning. My name is Tony  
2 Moreno. The decision to be here, so that you can have a  
3 fair decision. I am a Florida Power & Light customer.  
4 I have a business. I'm very happy with the service that  
5 they have provided in the tough moments, the hurricanes  
6 especially. And what I'm asking you is just to make a  
7 fair decision. Thank you.

8           **CHAIRMAN BRISÉ:** Thank you very much.

9           **MR. NELSON:** I have a question. I have a  
10 question.

11           **CHAIRMAN BRISÉ:** Yes, Mr. Nelson.

12                           **EXAMINATION**

13           **BY MR. NELSON:**

14           **Q** Are you, are you one of the people that FPL  
15 asked to come here and share their experience today?

16           **A** No.

17           **MR. NELSON:** Thank you.

18           **CHAIRMAN BRISÉ:** Thank you very much. We're  
19 also going to ask that as you come up, if you can  
20 provide your name, address, phone number for the record  
21 so that we can have that as part of the record.

22           **MR. KELLY:** Tony Gestido. Eddie Lamas.  
23 Whereupon,

24                           **EDDIE LAMAS**

25 was called as a witness on behalf of the Citizens of the

1 State of Florida and, having been duly sworn, testified  
2 as follows:

3 **DIRECT STATEMENT**

4 **MR. LAMAS:** Good morning, Commissioners. My  
5 name is Eddie Lamas. I'm an architect. I'm here to  
6 discuss my experience with FPL, which as an architect I  
7 think some things that I just want to point out. They  
8 have been very helpful in assisting municipalities and  
9 expediting projects that are for the community. And  
10 they're very helpful during emergency times, and people  
11 overlook that, which during hurricanes and storms  
12 they're there risking their lives and helping to restore  
13 power at all times. And I just wanted to share that  
14 experience.

15 **CHAIRMAN BRISÉ:** Thank you. If you can  
16 provide your name, address, and phone number.

17 **MR. LAMAS:** Eddie Lamas, 10875 Southwest 28  
18 Street, Miami, Florida 33165. (305)220-8354.

19 **CHAIRMAN BRISÉ:** Mr. Nelson, if you can wait  
20 for one second, there's a question from Commissioner  
21 Balbis.

22 **COMMISSIONER BALBIS:** Thank you, Mr. Chairman.  
23 Actually it's more of a disclosure. Mr. Lamas  
24 and I worked on a project or two many, many years ago,  
25 and it's good to see a familiar face and see that he's

1 doing well. I just wanted to point out on the record  
2 that him and I have worked together on projects about  
3 ten years ago or so.

4 **CHAIRMAN BRISÉ:** Good deal. I think there's a  
5 question for you from Mr. Nelson.

6 **EXAMINATION**

7 **BY MR. NELSON:**

8 **Q** Yes. I just want to ask the same question.  
9 The FPL representative said they had asked people to  
10 share their experiences, and I just wanted to know if  
11 you are one of the people that had, that they had talked  
12 to before you spoke today?

13 **A** Yes. Yes.

14 **Q** And, and who, who, who did you speak to and  
15 how did that occur?

16 **A** I spoke to a representative, Mr. Solarez  
17 (phonetic), that we work with all the time when we're  
18 working on a project to help us and assist us in  
19 expediting that process.

20 **Q** And he asked you to come here today?

21 **A** Yes.

22 **Q** Thank you.

23 **A** You're welcome.

24 **CHAIRMAN BRISÉ:** Thank you very much. Thank  
25 you.

1           Mr. Durbin, if you can make a microphone  
2 available for the Intervenors so that when the questions  
3 are posed, that it could be able to be heard by  
4 everyone. I think we have a cordless mike up here. I  
5 think we're going to go ahead and make that available.

6           Thank you very much.

7           Mr. Kelly.

8           **MR. KELLY:** The next speaker is Barry White.  
9 And Mr. White will be followed by, I apologize if I get  
10 this wrong, Jose Fundora. Fundora.  
11 Whereupon,

12                           **BARRY WHITE**

13 was called as a witness on behalf of the Citizens of the  
14 State of Florida and, having been duly sworn, testified  
15 as follows:

16                           **DIRECT STATEMENT**

17           **MR. WHITE:** Good morning. My name is Barry  
18 White, 10001 Southwest 129 Terrace, Miami, Florida  
19 33176.

20           Good morning. Welcome to South Miami. Just  
21 following what Mayor Stoddard said about franchise  
22 agreements, for your information the float from the  
23 franchise agreements I calculated is about \$165 million  
24 a year for FPL, just below seven. A rate increase  
25 temporarily offset by currently cheap fuel is still a

1 rate increase. It's no wonder that FPL is asking for an  
2 increase to 11.5% return on investment since they are  
3 using a business model and production and distribution  
4 models from the 19th century.

5 In 1882, Edison produced energy at a single  
6 point and sent it over wires to homes and businesses.  
7 Now, 130 years later, FPL is doing the same thing  
8 instead of moving to distributed decentralized  
9 production of renewable energy. The grid is fragile,  
10 expensive, and unsightly, and is subject to solar  
11 storms, windstorms, floods, accidents, and terrorism.  
12 It should only be used to connect our homes and  
13 businesses for the distribution of excess energy they  
14 produce.

15 Mr. Lew Hay said renewables in our homes is  
16 not in FPL's business model. FPL will say it is the  
17 largest producer of solar energy in the nation, true.  
18 But they are only producing solar energy at one point  
19 and sending it over wires. Not only is their production  
20 and distribution model out of date, so is their business  
21 model.

22 FPL and the State of Florida are overlooking  
23 \$112 billion in potential revenue. If FPL would  
24 integrate renewables vertically into its business model  
25 and could put solar, wind, and/or geothermal on the

1 4.4 million homes in their service area at a minimum  
2 cost of \$25,000 per home, that represents \$112 billion  
3 of potential new business. Through vertical integration  
4 FPL could make billions by selling, installing, and  
5 servicing renewable energy. They would not even talk to  
6 us, our organization, about this.

7 Turkey Point 6 and 7, if ever built, and we  
8 pray not, will cost \$27 billion, equal to \$6,500 for  
9 each FPL homeowner, or about 3% of the value of their  
10 home. And then FPL owns the installation, which they  
11 will soon need rowboats or scuba equipment to reach.

12 If Turkey Point was Fukushima, this building  
13 and we would be toast. And any timely evacuation plan  
14 from Turkey Point is not worth the paper it's written  
15 on.

16 Financially renewables on our homes and  
17 businesses can be done. The cost of solar is dropping  
18 like a rock. State and federal enabling legislation  
19 such as the PACE program is in place for creative and  
20 affordable financing of renewables using municipal  
21 bonds. Solar leasing is being done. The IKEA  
22 Corporation is putting solar on every one of its new  
23 stores. That should be the model for all big box  
24 stores, corporations, and municipal installations. And  
25 the best configuration might be solar and wind on each

1 home. GE just built a power plant in Turkey using gas,  
2 solar, and wind.

3 FPL and NextEra are reporting record profits.  
4 So if instead of FPL crying poverty to the PSC and  
5 squeezing money out of its customers, if FPL would get a  
6 little creative, they could generate sufficient revenue  
7 and profits by exercising the franchise they hold. And  
8 if they cannot, maybe it is time to find another company  
9 that can, or at least to encourage renewable energy  
10 firms to be more aggressive. Unfortunately, FPL's  
11 franchise agreements work against this.

12 We would be -- we should be using the  
13 availability of cheap gas to transition to renewables.  
14 Last week the CEO of GE said it was just --

15 **CHAIRMAN BRISÉ:** Mr. White, pay attention to  
16 your light.

17 **MR. WHITE:** Two small paragraphs? Okay? Last  
18 week the CEO of GE said it is just hard to justify  
19 nuclear, really hard. Gas is so cheap and at some point  
20 really economics rule. You can buy an affordable 1.3 kW  
21 wind turbine for your home to supplement your solar  
22 energy. Miami Beach heats and cools its municipal  
23 buildings using geothermal. Some of us drove here today  
24 in a --

25 **CHAIRMAN BRISÉ:** Mr. White.



**EXAMINATION**

1  
2 **BY MR. NELSON:**

3           **Q**     I have, I have a question. I have solar  
4 panels on my house and another house that we rent as a  
5 seasonal rental, and the regulatory scheme basically  
6 requires me to sell my excess power to FPL at the end of  
7 the year for about 3 cents a kilowatt hour. Now this is  
8 fall power and then I have to buy it back the next  
9 summer at 8.5 cents. And I was wondering if you think  
10 that that discourages people from putting solar panels  
11 on their house?

12           **A**     I don't have the answer for that. I'm sorry.

13           **MR. NELSON:** Thank you.

14           **CHAIRMAN BRISÉ:** Thank you, Mr. White, for  
15 your testimony.

16           Mr. Kelly.

17           **MR. KELLY:** Is it Fundora?

18           **MR. FUNDORA:** Fundora.

19           **MR. KELLY:** Fundora. I apologize. And he  
20 will be followed by Ly Lima.

21 Whereupon,

**JOSE FUNDORA**

22  
23 was called as a witness on behalf of the Citizens of the  
24 State of Florida and, having been duly sworn, testified  
25 as follows:

**DIRECT STATEMENT**

1  
2           **MR. FUNDORA:** Good morning. My name is Jose  
3 Fundora. My address is 3785 Southwest 149th Terrace,  
4 Miramar, Florida 33027. I am a facilities manager for  
5 Gulf Coast Beverage Distributors. I was asked by  
6 Florida Power & Light, my account executive, to come and  
7 speak on the service of FP&L.

8           FP&L has helped us lower our overall utility  
9 bill by giving us advice on lighting. We have done two  
10 major light renovations, one in Doral and one in Pompano  
11 that's reduced our electricity bill substantially. And  
12 they've also helped us with advice on white roofs and  
13 other energy saving matters.

14           I know you guys have a tough decision in front  
15 of you. I just hope that you do the right one for the  
16 consumers and also FP&L.

17           **CHAIRMAN BRISÉ:** Thank you very much. Any  
18 questions for Mr. Fundora?

19           **SPEAKER:** Yes, I have one.

20           **CHAIRMAN BRISÉ:** No, no, sir. You have to be  
21 an Intervenor or a Commissioner to, to ask questions.

22           **SPEAKER:** Can I speak through the Intervenor?

23           **CHAIRMAN BRISÉ:** No.

24           **MS. LARSON:** I have a question.

25           **CHAIRMAN BRISÉ:** Ms. Larson, if you could have

1 access to a mike on your side.

2 **EXAMINATION**

3 **BY MS. LARSON:**

4 **Q** Good morning. You talk about energy savings  
5 and FPL helped you with that. If you get a rate  
6 increase, will that negate your savings?

7 **A** Well, I, I, I implore to the people on the  
8 board and anyone else to make those judgment calls. I'm  
9 not familiar with all the regulations and all the, all  
10 the numbers, and I hope you guys have a little bit more  
11 data on that and can make that decision for all of us.

12 I just think that you, you know, with having  
13 better data than I have, could make a wiser, better  
14 decision, and I hope you do that.

15 **CHAIRMAN BRISÉ:** Thank you, Mr. Fundora.

16 **MR. FUNDORA:** Thank you.

17 **CHAIRMAN BRISÉ:** Mr. Kelly.

18 **MR. KELLY:** Mr. Ly Lima, followed by Bob  
19 Welsh.

20 Whereupon,

21 **LY LIMA**

22 was called as a witness on behalf of the Citizens of the  
23 State of Florida and, having been duly sworn, testified  
24 as follows:

25 **DIRECT STATEMENT**

1           **MR. LIMA:** Good morning. Ly Lima, 2050 Coral  
2 Way, Miami, Florida 33145. I'm a private resident here  
3 living in Miami-Dade County, and I'm also a developer  
4 and I've done some local developments of townhouses in  
5 the area. I also was asked to come in here today and  
6 share any positive experience I've had with FP&L.

7           And I did have a very positive experience on a  
8 specific property that I developed. Well into the  
9 construction stage we identified some issues with the  
10 existing utility in the area with the overheads and the  
11 service pole. And the local service, service planner  
12 for FP&L helped me go through any and all other  
13 alternatives and possibilities that I needed in order to  
14 circumvent or mitigate any issues that I would have had  
15 on my, my specific project.

16           Other than that, I also ask that the  
17 Commission use their best judgment in coming up with a  
18 good and fair decision for all the parties involved.  
19 Thank you.

20           **CHAIRMAN BRISÉ:** Thank you, Mr. Lima. Any  
21 questions for Mr. Lima? Seeing none, thank you for your  
22 testimony.

23           I think we have some documents that need to be  
24 put into the record, or at least recognized.

25           **MS. KLANCKE:** Mr. White, who spoke before

1 Mr. Fundora, he has a statement that he would like to  
2 have moved into the record. It is from Citizens Allied  
3 for Safe Energy. So if I could get a number just to  
4 mark it for identification purposes. It will be moved  
5 in at the convening of the technical hearing.

6 **CHAIRMAN BRISÉ:** Okay. So that would be  
7 Number 28. Mr. White's document from Citizens --

8 **MS. KLANCKE:** -- Allied for Safe Energy.

9 **CHAIRMAN BRIS :** Okay. Citizens Allied for  
10 Safe Energy.

11 **MS. KLANCKE:** Thank you.

12 **CHAIRMAN BRISÉ:** Thank you very much.

13 (Exhibit 28 marked for identification.)

14 Whereupon,

15 **BOB WELSH**

16 was called as a witness on behalf of the Citizens of the  
17 State of Florida and, having been duly sworn, testified  
18 as follows:

19 **DIRECT STATEMENT**

20 **MR. WELSH:** Hi. Bob Welsh, 7437 Southwest  
21 64th Court, South Miami. The phone is (305)667-4176.

22 **CHAIRMAN BRISÉ:** Thank you.

23 **MR. WELSH:** I do have a vote on the South  
24 Miami Commission.

25 (Comment made without assistance of

1 interpreter.)

2 **CHAIRMAN BRISÉ:** Gracias.

3 **MR. WELSH:** Ms. Santos was talking in front of  
4 the microphone here earlier, she's from FPL, and she  
5 said that FPL's low rates would cause people to choose  
6 us if they had a choice. Guess what, folks? We don't.  
7 They're the monopoly. And as, you know, when you get a  
8 monopoly status, you have to realize that you're not  
9 going to make as much money as if you were private  
10 industry. And, you know, they'd still like to make that  
11 money that private industry would like to have as their  
12 returns.

13 I'd ask that any governments out there  
14 consider joining the lawsuit that Pinecrest and South  
15 Miami have to try to keep our rates lower.

16 And when they talk about installing smart  
17 meters, that just means fire all the meter readers.

18 Maybe FPL should adopt the inverse of Robin  
19 Hood's motto and just boast that they take from the poor  
20 and give to the rich. Thank you very much.

21 **CHAIRMAN BRISÉ:** Thank you very much. Any  
22 questions? Okay. Seeing none, thank you for your  
23 testimony this morning.

24 (Applause.)

25 **MR. KELLY:** The next speaker is --

1                   **CHAIRMAN BRISÉ:** I'm going to remind everyone  
2 to please refrain from clapping or booing. We'd  
3 certainly appreciate that.

4                   **MR. KELLY:** Jose Villar, followed by Angie  
5 Echeverria.  
6 Whereupon,

7   **JOSE VILLAR**

8 was called as a witness on behalf of the Citizens of the  
9 State of Florida and, having been duly sworn, testified  
10 as follows:

11   **DIRECT STATEMENT**

12                   **MR. VILLAR:** Good morning, Commissioners. My  
13 name is Jose Villar, 515 Gondolier Avenue, Coral Gables,  
14 Florida 33143. I've been a lifelong resident of Miami  
15 and, as such, a customer of FPL for many, many years.  
16 As a professional operating manager in the field of  
17 construction (phonetic), I've been working for QSR,  
18 Quick Service Restaurant Company. My responsibilities  
19 includes deploying and building restaurants statewide.

20                   I've dealt with several utility companies, and  
21 I can tell you that I've always found FPL engineers and  
22 employees to be very professional and responsive to all  
23 my needs.

24                   In my business completing projects within the  
25 required time frame and on budget is essential.

1 Therefore, I appreciate dealing with companies like FPL  
2 which delivers on their promises (unintelligible) and  
3 maintains communications all the time to make sure that  
4 any unforeseeable circumstances can be mitigated.

5 For example, I'm working on a new restaurant.  
6 (unintelligible). I met with a planner on-site. It was  
7 (unintelligible) that we needed to improve the actual  
8 service to the restaurant. What we did was we walked  
9 out into the neighborhood, found the location for the  
10 actual pole that needed to be replaced. We walked  
11 through the whole planning of the lines that needed to  
12 be brought up to the restaurant. And after that we met  
13 with the neighbors and explained to them what was going  
14 to happen and how, what they were going to be, you know,  
15 they were going to be upgrading their services and so  
16 forth. So we, we were kind of communicating,  
17 communicating with neighbors as a win-win situation.  
18 So, again, I'm just hoping that you make a fair decision  
19 to everyone involved. Thank you for your time.

20 **CHAIRMAN BRISÉ:** Thank you, Mr. Villar.

21 **MR. NELSON:** Yes, I have a question.

22 **CHAIRMAN BRISÉ:** It seems like there is a  
23 question for you from Mr. Nelson.

24 **EXAMINATION**

1 **BY MR. NELSON:**

2 Q Did, did --

3 A Yes.

4 Q -- you speak with FPL before your testimony?

5 A Yes, I did.

6 Q And who did you speak with?

7 A Ramon Ferrer.

8 Q And are you in favor of the rate increase?

9 A I'm in favor of making a fair decision. Yes,  
10 I am in favor of the rate increase because of the  
11 service that FPL provides.

12 Q And how did it happen that you spoke with the  
13 FPL representative? Did he call you?

14 A No, he didn't call. I work with people in  
15 FPL. I build ten to 12 restaurants a year through the  
16 state. I deal with companies on the west side of  
17 Florida, the Keys, and Dade County. So the way I feel  
18 about this is this is a three-legged stool: The  
19 customers, the company, and the service people. If one  
20 of those legs fall down, then my business doesn't go.

21 **MR. NELSON:** Thank you very much.

22 **CHAIRMAN BRISÉ:** You have another question.  
23 Mr. Saporito has a question for you, Mr. Villar.

24 **EXAMINATION**

1 **BY MR. SAPORITO:**

2 **Q** Hi, how are you? Thanks for coming out and  
3 speaking today.

4 One simple question for you. If the  
5 Commission were to approve FPL's rate increase, would  
6 your business pass those rate increases back to the  
7 customers of your business?

8 **A** No, we would not.

9 **Q** So you would absorb them?

10 **A** Yes.

11 **CHAIRMAN BRISÉ:** Thank you very much. Seeing  
12 that there are no more questions.

13 Ms. Klancke.

14 **MS. KLANCKE:** I have a brief housekeeping  
15 matter. Mr. Welsh, who spoke before the last witness,  
16 has provided us with a document which he would like to  
17 have identified for the record. It pertains to Turkey  
18 Point, and thus perhaps Welsh Turkey Point document.

19 **CHAIRMAN BRISÉ:** Thank you. That will be  
20 Number 29.

21 **MS. KLANCKE:** Thank you.

22 (Exhibit 29 marked for identification.)

23 **CHAIRMAN BRISÉ:** Thank you. Okay. You may  
24 proceed.

25 Whereupon,

**ANGIE ECHEVERRIA**

1  
2 was called as a witness on behalf of the Citizens of the  
3 State of Florida and, having been duly sworn, testified  
4 as follows:

**DIRECT STATEMENT**

5  
6 **MS. ECHEVERRIA:** Hi. Good morning. My name  
7 is Angie Echeverria. I'm from the Biltmore Hotel  
8 located at 1200 Anastasia Avenue in Coral Gables,  
9 Florida 33134.

10 I'm here -- I was also asked from FPL to  
11 provide my testimony, and I'm here as a customer of them  
12 to testify about the good service, the way that they  
13 always support us in tough moments like in hurricanes.  
14 Also they provide us a great support when we have, with  
15 projects. And I believe that they, they have helped us  
16 in some different ways, and we, it's just fair to  
17 support them the same way that they have done to us. So  
18 that's, that's all that I wanted to testify.

19 **CHAIRMAN BRISÉ:** Thank you. Are there any  
20 questions for Ms. Echeverria?

**EXAMINATION**

21  
22 **BY MR. SAPORITO:**

23 Q Thank you for coming to testify today.  
24 Just one quick question. Would FP&L's rate  
25 request, if approved, would those costs, those higher

1 costs for electricity for your business be passed on to  
2 the customers of your business?

3 **A** No. No.

4 **Q** So your hotels would just absorb them?

5 **A** Yes, we do.

6 **CHAIRMAN BRISÉ:** Thank you very much.

7 **MR. KELLY:** The next speaker is Monica  
8 Calonge, followed by Marta Rodriguez.

9 Whereupon,

10 **MONICA CALONGE**

11 was called as a witness on behalf of the Citizens of the  
12 State of Florida and, having been duly sworn, testified  
13 as follows:

14 **DIRECT STATEMENT**

15 **MS. CALONGE:** Good morning. Thank you for the  
16 opportunity to speak to you today regarding -- I'm here  
17 because Florida Healthcare Association in Tallahassee,  
18 Florida, asked me if I would be willing to give my  
19 personal experiences that I have had with FP&L.

20 FP&L and Florida Healthcare Association  
21 represent about 70,000 frail elders and individuals with  
22 disabilities every day. Basically we're the nursing  
23 homes throughout the State of Florida.

24 For the last eight years FP&L has taken an  
25 active role in helping to keep nursing homes in our

1 service areas as disaster ready as possible. Their  
2 customer service teams assist all the different nursing  
3 home administrators and anybody who we decide should go  
4 be part of these tabletop exercises to actually walk  
5 through the different steps that we should take to  
6 protect our patients and residents before, during, and  
7 after a storm. And Florida is known to have one of the  
8 best as far as emergency preparedness. All the other  
9 states are modeling ours. They're taught jointly  
10 between Florida Healthcare Association and the  
11 Department of Health, and Florida Healthcare is usually  
12 there to assist us as well.

13           These scenario-based exercises allow nursing  
14 homes to walk through the critical actions and are  
15 usually sponsored by Florida Power & Light. The  
16 trainings have provided an invaluable learning  
17 opportunity for over 200 nursing home staff caring for  
18 elders in vulnerable coastal counties in Florida.

19           In addition to emergency preparedness  
20 training, FP&L also works hard to be sure that they are  
21 prepared to restore power to nursing homes after a  
22 storm. They're always contacting us before and after to  
23 find out who are the contact people so if there is an  
24 issue, what are the numbers so that we can get our  
25 services back up for our elderly.

1 I can attest to the fact that Florida Power &  
2 Light works very hard prior to and immediately following  
3 a storm to restore power in nursing homes.

4 And in closing, I'd like to note that FPL's  
5 commitment to the elderly is unique in our nation.  
6 Other states' nursing home associations don't have  
7 similar relationships with their energy providers, and  
8 we're very appreciative of FP&L's commitment to nursing  
9 homes and keeping residents as safe as possible. So  
10 thank you.

11 **CHAIRMAN BRISÉ:** Thank you very much for your  
12 testimony. Are there any questions? Seeing none, thank  
13 you once again for your testimony.

14 Mr. Kelly.

15 **MR. KELLY:** Marta Rodriguez, follow by Marcos  
16 Piloto.

17 Whereupon,

18 **MARTA RODRIGUEZ**

19 was called as a witness on behalf of the Citizens of the  
20 State of Florida and, having been duly sworn, testified  
21 as follows:

22 **DIRECT STATEMENT**

23 **MS. RODRIGUEZ:** Good morning. My name is  
24 Marta Rodriguez. I live at 9451 Southwest 67th Avenue,  
25 Pinecrest, Florida, (305)665-6531.

1 I'm here this morning, I was asked by FP&L to  
2 come and relate to you Commissioners my personal  
3 experience. I had a lot of intermittent outages in my  
4 house in a period of time, and as a response to my  
5 complaint, they came immediately, they investigated.  
6 The reason was the vegetation surrounding the area. Of  
7 course I was not the only one losing the power, but the  
8 neighborhood as well. And I learned at the time that  
9 that is a big and major problem that the company and  
10 many companies are facing these days because of the  
11 amount of vegetation growing and not being allowed to be  
12 cut by the people who own the trees.

13 A crew came, several crews, they cleaned the  
14 area, and ever since I haven't had any new problem with  
15 the outages. I'm very grateful to them, and I'm very  
16 grateful to your Commission for giving me the  
17 opportunity to come and relate my story.

18 **CHAIRMAN BRISÉ:** Thank you, Ms. Rodriguez.

19 Any questions for Ms. Rodriguez? Seeing none,  
20 thank you for your testimony today.

21 **SPEAKER:** I have a question.

22 **CHAIRMAN BRISÉ:** No, ma'am.

23 **SPEAKER:** Oh, I have to sign up to be a  
24 questioner?

25 **CHAIRMAN BRISÉ:** Yes, ma'am. Yes, ma'am.

1           **SPEAKER:** Oh, okay. I'll do that next time.

2           **CHAIRMAN BRISÉ:** Okay. Good deal.

3           **SPEAKER:** I have a lot of questions.

4           **MR. KELLY:** Marcos Piloto, followed by Victor  
5           Figueredo.

6           Whereupon,

7                           **MARCOS PILOTO**

8           was called as a witness on behalf of the Citizens of the  
9           State of Florida and, having been duly sworn, testified  
10          as follows:

11                           **DIRECT STATEMENT**

12          **MR. PILOTO:** Good morning, Commissioners. My  
13          name is Marcos Piloto, 10001 Northwest 87th Avenue,  
14          Hialeah Gardens, Florida 33016, (305)558-4114.

15                   I've worked for the City of Hialeah Gardens as  
16          the Director of the Office of Management and Budget for  
17          the past 12 years. I was asked by the city's  
18          representative to come before you and discuss the level  
19          of service that I have witnessed for the past 12 years.

20                   I can tell you that from streetlight issues to  
21          providing new streetlights to roadway projects, we  
22          currently have a \$10 million infrastructure improvement  
23          in the northwest district of our city. They are  
24          extremely competent. Extremely happy with their  
25          service. I want to thank, thank you for the opportunity

1 to come before you today.

2           **CHAIRMAN BRISÉ:** Thank you very much, Mr.  
3 Piloto. Are there any questions for Mr. Piloto?

4           **MR. NELSON:** Yes, I have a question.

5           **CHAIRMAN BRISÉ:** Mr. Nelson.

6                           **EXAMINATION**

7           **BY MR. NELSON:**

8           **Q** You know, I don't think we dispute that FPL  
9 gives excellent service. But do you think that that  
10 should justify this rate increase or any rate increase,  
11 and are you in favor of this rate increase?

12           **A** I do not have a position. I came here before  
13 the Commission today to simply talk about the level of  
14 service.

15           **CHAIRMAN BRISÉ:** Thank you. Thank you very  
16 much.

17           Mr. Saporito has a question.

18                           **EXAMINATION**

19           **BY MR. SAPORITO:**

20           **Q** Hi. If I recall your testimony, you are a  
21 management -- manager of budgets, is that what you said?

22           **A** The Office of Management and Budget.

23           **Q** So you have some consideration of the spending  
24 of funds for, what, the city or --

25           **A** For the City of Hialeah Gardens.

1           Q     So when the cost of materials and supplies and  
2     repairs to your, your city go up, you have to take  
3     consideration of that in your budget, is that not true?

4           A     That is correct.

5           Q     And part of that is the cost of FPL's  
6     electricity that your facilities utilize; is that  
7     correct?

8           A     There are many factors that increase the cost  
9     of projects.

10          Q     And are all those costs somehow passed on to  
11     the people of your city?

12          A     We -- when we do projects, we do a formal bid  
13     process and we select the lowest responsive bidder. And  
14     if those prices include any rate hikes, I'm not aware.  
15     They're already included in, in, in the price that we  
16     are accepting for whatever project that we are going out  
17     for bid at that time.

18                   **MR. SAPORITO:** Thank you very much.

19                   **CHAIRMAN BRISÉ:** Ms. Larson has a question for  
20     you, Mr. Piloto.

21                                   **EXAMINATION**

22           **BY MS. LARSON:**

23          Q     You work for the city?

24          A     That is correct.

25          Q     You are paid by the taxpayers?



1                   **MR. FIGUEREDO:** Good morning. I'm Victor  
2 Figueredo. I live in 3580 Southwest 13 Terrace, Miami,  
3 Florida.

4                   I've lived in this area for at least 30 years  
5 and I don't remember getting any problem with Florida  
6 Power & Light except when the hurricane coming, you  
7 know. But anyway my experience, when I call them, they  
8 respond quickly. And I have a lot of family in Cuba and  
9 they have at least a couple of days without electricity,  
10 two days a week, three days a week, and I don't want  
11 that for me, you know. I want to get the same, receive  
12 the same service (unintelligible). And if Florida Power  
13 & Light decides to increase the rate for a little bit to  
14 keep a good job like until now, I agree. Okay? Thank  
15 you.

16                   **CHAIRMAN BRISÉ:** Thank you very much. There  
17 seems to be a question for you from Mr. Nelson.

18                   **EXAMINATION**

19                   **BY MR. NELSON:**

20                   **Q** Did you, did you speak with anyone from FPL  
21 about your testimony here today?

22                   **A** Yeah. Day before yesterday (unintelligible)  
23 and a friend of mine talked about this meeting here, he  
24 speak about what's going to happen today and they  
25 (unintelligible) come in by myself.

1           **MR. NELSON:** Thank you very much.

2           **CHAIRMAN BRISÉ:** Thank you for your testimony  
3 today.

4           **MR. KELLY:** Rafael Breton, if I got  
5 that correct.

6           **MR. BRETON:** Breton.

7           **MR. KELLY:** Breton, I'm sorry.

8           **MR. BRETON:** No, it's okay.

9           **MR. KELLY:** Followed by Denny Wood.

10 Whereupon,

11                           **RAFAEL BRETON**

12 was called as a witness on behalf of the Citizens of the  
13 State of Florida and, having been duly sworn, testified  
14 as follows:

15                           **DIRECT STATEMENT**

16           **MR. BRETON:** Good morning, Chairman,  
17 Commissioners. As he mentioned, my name is Rafael  
18 Breton. Thank you for meeting with us today. I live at  
19 12500 Southwest 112 Avenue, Miami, Florida 33176. I'm a  
20 senior at FIU wrapping up my construction management  
21 program there and currently work within the construction  
22 industry. And in my young professional career I've come  
23 across working with FP&L employees, engineers, and, and  
24 staff. They've always had the most professionalism and  
25 they've always had, always going that extra mile to get

1 whatever we need for our projects.

2 And as a resident of Miami-Dade I can  
3 genuinely say that I don't recall the last time my power  
4 has ever gone out. And when we have storms, you figure  
5 a couple of hours, back on quickly.

6 I've read some articles in the newspaper  
7 lately and, you know, I've seen that there's been power  
8 outages throughout, you know, the north, the northeast  
9 in some major cities, and some experts in the articles  
10 said that this would be more common due to the aging  
11 infrastructure of the power grid and the demand is going  
12 to keep, you know, pushing on, on the power grid. So  
13 I'm here on my day off because I understand the  
14 importance of a, of a reliable electrical system. What  
15 good is a beautiful house you're building if you flip on  
16 that switch and the lights didn't turn on?

17 So I heard a lot of local governments here  
18 today possibly pushing agendas around or not, you know.  
19 So I'm just here to say just do, you know, what's in the  
20 best interest for us as businessmen, as private  
21 citizens, and, you know, what's in your good-natured  
22 heart. Thank you for your time.

23 **CHAIRMAN BRISÉ:** Thank you for your testimony.  
24 It seems that there's a question for you.

25 **MR. BRETON:** Sure.

1                   **CHAIRMAN BRISÉ:** Mr. Nelson.

2                   **EXAMINATION**

3                   **BY MR. NELSON:**

4                   **Q**     Did, did anyone from FPL ask you to speak here  
5 today?

6                   **A**     No. No. A professor from FIU was sending out  
7 emails to come here to speak against, and I'm not one to  
8 be told what to say or how to say it, so.

9                   **Q**     Now in regard to the rate increase, are you in  
10 favor of the rate increase?

11                  **A**     I'm not here to discuss that. I'm just here  
12 to present my testimony and my experience and, you know,  
13 to just -- they're, they're the ones with all the facts.  
14 I'm just here to say I hope you guys do what's right for  
15 everyone.

16                  **Q**     I understand that. But you would agree that  
17 excellent service is not an unlimited justification for  
18 unlimited profit.

19                  **A**     Thank you for your time.

20                  **CHAIRMAN BRISÉ:** Mr. Nelson, I think the  
21 question was asked and answered.

22                             There's another question for you from  
23 Mr. Saporito.

24                  **MR. BRETON:** Oh, I apologize.

25                   **EXAMINATION**

1 **BY MR. SAPORITO:**

2 Q Hi. How are you? Thanks for coming out here  
3 today. As I recall your testimony, you're an  
4 engineering student, is that true?

5 A Construction management student.

6 Q Okay. And you testified about, somewhat about  
7 reliability when you talked about your reading these  
8 newspaper articles. Would you agree that if FPL  
9 installed distributed power systems, the reliability  
10 would increase?

11 A Again, I'm just here to, you know, say my  
12 experience with everyone. And thank you for your time  
13 again.

14 **CHAIRMAN BRISÉ:** Thank you very much.

15 I'm going to remind the Intervenors that the  
16 primary purpose of the questions that are to be  
17 presented today are dealing with clarifying issues and  
18 things of that nature. If you want to mount a case as  
19 an Intervenor, you obviously have the ability to put up  
20 your own witnesses to, to pursue a particular track that  
21 you are interested in. So if you would like clarity on,  
22 on what was said or if you misunderstood what was said,  
23 you can pose a question. But this is not trying to add  
24 testimony that the individual didn't come prepared to  
25 provide.



1 gas price for me is still 3.65 a gallon. If you drive  
2 through Florida and you look at all the storefronts,  
3 you'll see that many of them are empty. There are more  
4 people working for less dollars than we've ever had  
5 since the Great Depression.

6 I am outraged every time I see FP&L  
7 advertising on TV. There's no reason that they have to  
8 advertise. I'm outraged that they're giving charitable  
9 donations to certain charities. That should be stopped.  
10 I don't know how you stop these high overhead salaries  
11 that I just heard today.

12 I'm also a candidate for Mayor for Miami-Dade  
13 County, this county, and part of my platform is to go  
14 after the 300 -- I'm sorry -- 3,000 salaries that exceed  
15 \$100,000, and we have a lot of administrators in our  
16 county making over 200,000. We cannot afford it.

17 The citizens of this state cannot afford to go  
18 and subsidize FP&L. You want to know where to get the  
19 money for this? Take it out of my dividend check. I'm  
20 a, I'm a minority stockholder. But this is where the  
21 money should come from. Roll this dividend check that I  
22 get every so many months back.

23 Lastly, I want to refute how they brag about  
24 how they treat customers. For \$85 they cut off my  
25 lights. I phoned in a check number for them and -- for

1       \$85. You've got to put a stop to FP&L cutting off  
2 people's lights for a hundred bucks or less. And all  
3 this got me was a disconnect notice. I have to pay a  
4 fee for that. And then within 30 days they cut my  
5 lights off again with no notice, and that was \$100 I  
6 paid.

7               And I want, I want to leave you this as a  
8 piece of evidence because this is something you've got  
9 to deal with. It says, FP&L will reconnect your service  
10 within 24 hours. My God. They cut your lights off for  
11 \$85, you come home and it's dark and you got this on  
12 your door. If they -- they have this system set up  
13 where you call in your check number and all that and pay  
14 it, they should be turning on the lights within two  
15 hours. This is the most horrible, cruel, and unusual  
16 punishment that I know that FPL can inflict on us.

17               The other part is their automated system. You  
18 can't even talk to people anymore at night. This has  
19 got to go, and I want to leave this as part of the  
20 evidence. But we, we cannot afford to prop up  
21 shareholders. Every stockholder in this country has  
22 bitten the bullet.

23               **CHAIRMAN BRISÉ:** Thank you, Mr. Wood. Thank  
24 you for your testimony today, Mr. Wood.

25               (Applause.)

1 Any questions for Mr. Wood?

2 **SPEAKER:** Mr. Chairman, I'd like to ask your  
3 permission to stand if -- as we're not permitted to  
4 applaud. My standing is the replacement for my  
5 applauding for what this gentleman has said, if that's  
6 permitted.

7 **CHAIRMAN BRISÉ:** I would not have a problem  
8 with that. The issue is if that there's people behind  
9 you, that, you know, that sort of poses a line of sight  
10 issue. Okay?

11 **SPEAKER:** Okay.

12 **CHAIRMAN BRISÉ:** Thank you very much.

13 **SPEAKER:** Thank you.

14 **CHAIRMAN BRISÉ:** Yes, Ms. Klancke.

15 **MS. KLANCKE:** The -- Mr. Wood has proffered  
16 his disconnection notice as Exhibit Number 30.

17 **CHAIRMAN BRISÉ:** Thank you. So that would be  
18 Mr. Wood, Disconnection Notice, Number 30. Thank you  
19 very much.

20 **MS. KLANCKE:** Thank you.

21 (Exhibit 30 marked for identification.)

22 **MR. KELLY:** The next speaker is Victoria  
23 Brimo, followed by Jose Gonzalez.

24 Whereupon,

25 **VICTORIA BRIMO**

1 was called as a witness on behalf of the Citizens of the  
2 State of Florida and, having been duly sworn, testified  
3 as follows:

4 **DIRECT STATEMENT**

5 **MS. BRIMO:** Good morning. I was not asked by  
6 anybody to come in. I'm here for my own free will.

7 My name is Victoria Brimo. My address is  
8 9965 Southwest 125th Avenue. My phone number is  
9 (786)282-0468.

10 I've been a consumer of Florida Power & Light  
11 for the last 33 years. During this time frame I've been  
12 unemployed. I've lost a job that was paying over  
13 \$150,000 a year. My usual electricity bill is over  
14 \$600 a month. And they've worked with me.

15 My -- the, the main component was  
16 communication. I called them and they were always  
17 available. During this 32 years their service has been  
18 incredible, and I do not oppose the rate increase.  
19 Thank you.

20 **CHAIRMAN BRISÉ:** Thank you. Any questions for  
21 Ms. Brimo?

22 Okay. Seeing none, thank you for your  
23 testimony.

24 **MS. BRIMO:** Thank you.

25 **MS. LARSON:** I have a question.

1           **CHAIRMAN BRISÉ:** You have a question?

2           **MS. LARSON:** I have a question. I'm sorry.

3           **CHAIRMAN BRISÉ:** Ms. Brimo, you have --  
4 there's a question for you.

5   **EXAMINATION**

6           **BY MS. LARSON:**

7           **Q**     Due to the fact of the testimony prior to you,  
8 how many months did they work with you on this  
9 \$600 light bill?

10           **CHAIRMAN BRISÉ:** If you can speak into the  
11 mike, Ms. Brimo.

12           **MS. BRIMO:** Over three months. Over  
13 three months. Thank you.

14           **CHAIRMAN BRISÉ:** Thank you very much.  
15 Mr. Kelly.

16           **MR. KELLY:** Jose Gonzalez, followed by  
17 Antoinette Fischer.  
18 Whereupon,

19   **JOSE GONZALEZ**

20 was called as a witness on behalf of the Citizens of the  
21 State of Florida and, having been duly sworn, testified  
22 as follows:

23   **DIRECT STATEMENT**

24           **MR. GONZALEZ:** Good morning. Jose Gonzalez,  
25 2855 Le Jeune Road, Coral Gables, Florida 33134.

1           And I work for a company name of Flagler  
2 Development. We're a statewide development company. We  
3 own, we manage over 22 million square feet of office  
4 industrial products in Florida. And I was asked by FPL  
5 to attend to give them, to give the Commissioners my  
6 testimony of our experiences with FPL through having  
7 been with the company for 16 years. So I've been  
8 working with FPL for the last 16 years.

9           And from, from our experiences they have  
10 always been a strategic partner. They provide reliable,  
11 efficient customer service through the development  
12 process, the construction process, and even through the  
13 properties we own and manage. They always work with our  
14 customers to identify energy savings potentials with  
15 different programs. That helps us with different size  
16 clients, whether it's a small client or a large client  
17 that have different energy needs.

18           As we go forward coming out of the economic  
19 times we have, we are starting to see development happen  
20 again in Florida. And what mostly concerns us as a  
21 development community is having good, reliable  
22 infrastructure.

23           If -- right now if you're reading the paper,  
24 you see the Water and Sewer Department in Miami-Dade  
25 County having a tough road ahead with the infrastructure

1 failing. Part of that is due to the lack of the funding  
2 that they've had. They haven't had rate increases in  
3 many, many years and, and the infrastructure has  
4 suffered. We don't want to see this happen to our  
5 energy.

6 Our energy systems have been reliable for as  
7 long as I've worked with them and we want them to  
8 continue to be reliable. There's going to be more of a  
9 push to have a redevelopment in our inner core. We're  
10 not going to go west anymore. You know, the Everglades  
11 is our boundary and pretty much it's gotten there. So  
12 the re, redevelopment of the inner core of our  
13 community, particularly Miami-Dade County and Broward is  
14 where development is going to happen. Those are the  
15 older infrastructures. So if FPL needs the funding and  
16 the support to actually redevelop those infrastructures,  
17 we need to do that as a community because that's the  
18 only way we're going to grow as a community. And we  
19 want to make sure that we support their efforts to do  
20 that. Thank you.

21 **CHAIRMAN BRISÉ:** Thank you, Mr. Gonzalez. Are  
22 there any questions for Mr. Gonzalez? Seeing none,  
23 thank you very much for your testimony.

24 **MR. KELLY:** Antoinette Fischer, followed by  
25 Yvonne Beckham.

1 Whereupon,

2 **ANTOINETTE FISCHER**

3 was called as a witness on behalf of the Citizens of the  
4 State of Florida and, having been duly sworn, testified  
5 as follows:

6 **DIRECT STATEMENT**

7 **MS. FISCHER:** I'm Antoinette Fisher,  
8 6211 Southwest 80th Street, South Miami, Florida. And I  
9 would like to say a few things.

10 First of all, the witnessing that I'm hearing  
11 of the people who are coming up and speaking in favor of  
12 the FPL rate hikes, as far as I'm concerned, this is a  
13 dog and pony show. Okay?

14 First, I heard a man talk about a three-legged  
15 stool and three components of the stool. The one -- one  
16 of the legs that he mentioned is the customers. And let  
17 me tell you something, in this economy that is the leg  
18 that is going to collapse, not the other two.

19 Another lady spoke about vegetation from  
20 Pinecrest, about trees growing up in the lines, and she  
21 unfairly blamed the problem with homeowners who refuse  
22 to get their trees cut. Yes, that is a problem. But  
23 FPL can change the policy on that and make sure that  
24 those trees are cut. Their policy is that they will  
25 only cut which is actually touching the lines, and

1 that's usually a very tiny amount. In this climate that  
2 grows back right away. I've seen that happen in my  
3 neighborhood surrounding my property. I've had them  
4 come out, and I have spoken extensively to the people  
5 who have come out from FP&L.

6 I am not disputing the level of their service.  
7 I agree with everyone that their service is very good;  
8 at times it's excellent. However, a man spoke about  
9 storms. I want to testify about my own experience with  
10 hurricane loss of power.

11 I live in South Miami. That's far away from  
12 the hard hit areas. After Hurricane Andrew my husband  
13 and I lost our power for one month. We were among the  
14 very last to get our power back in Dade County. We had  
15 to wait just as long as a lot of people in Homestead and  
16 Country Walk who were totally devastated.

17 After Hurricane Wilma we lost it for one week.  
18 After Hurricane Katrina we lost it for three weeks. We  
19 were outside washing ourselves with the garden hose for  
20 that length of time. So there is infra -- there are  
21 problems with infrastructure. Nothing is perfect.

22 And I just want to say this is a terrible time  
23 for FPL to be asking for a rate hike. We are in the  
24 midst of a recession, which will, according to the  
25 experts, get worse before it gets better, and that will

1 take years. I have heard experts testify that the  
2 foreclosure rate is only about one-third of the way  
3 through. We're going to be bottoming out much worse  
4 than we are now. In the meantime, prices are up and  
5 people are suffering. The working poor and the middle  
6 class are really squeezed. Please don't add to this  
7 hardship in order to enrich FPL's shareholders.

8 FPL is not a struggling company. FPL is  
9 consistently making a profit. The shareholders are not  
10 hurting like many of us who do not have the money to buy  
11 shares. Those who have money in a savings account are  
12 getting 35 -- .35% interest. I hope that puts, puts  
13 FPL's request into perspective. We aren't even getting  
14 a measly 1%.

15 There's two more points that I want to mention  
16 very briefly, please, because I really haven't heard too  
17 much about it and they are very related.

18 How about the nuclear plant that FPL wants to  
19 build out in the middle of the Everglades? This is  
20 something that should never even be considered. FPL is  
21 adding a charge for design plans to our bill every month  
22 yet for another nuke that is something that people do  
23 not want in the Everglades or anywhere else. Nuclear  
24 plants are not sustainable environmentally or in any  
25 other way. I would like to know if the money for design

1 plans will be refunded to us when the nuke is not built?

2 **CHAIRMAN BRISÉ:** Ms. Fischer. Ms. Fischer.

3 **MS. FISCHER:** Okay. Can I mention just one  
4 more thing, please? It's very, very, very pertinent to  
5 this.

6 **CHAIRMAN BRISÉ:** You've, you've exceeded your  
7 time by a minute and 13 seconds.

8 **MS. FISCHER:** Okay.

9 **CHAIRMAN BRISÉ:** Thank you.

10 **MS. BECKMAN:** I can give some of my time to  
11 her, please.

12 **CHAIRMAN BRISÉ:** No, ma'am.

13 **MS. BECKMAN:** Not allowed?

14 **MS. FISCHER:** Here. See if you can mention  
15 that.

16 **CHAIRMAN BRISÉ:** Mr. Kelly.

17 **MR. KELLY:** Yvonne Beckham followed by Eda  
18 Harris.

19 **MS. BECKMAN:** Sir, if I -- sir, if I were a  
20 Beckham, I wouldn't be here. It's Beckman.

21 **MR. KELLY:** I apologize. Beckman.  
22 Whereupon,

23 **YVONNE BECKMAN**

24 was called as a witness on behalf of the Citizens of the  
25 State of Florida and, having been duly sworn, testified

1 as follows:

2 **DIRECT STATEMENT**

3 **MS. BECKMAN:** Just a little joke. It's okay.  
4 Everybody says that. But my name is Beckman and I don't  
5 have any money. And I want to thank all the activists  
6 that don't have money either, and we're here just the  
7 same, taking time off from work.

8 To the consumer there's never a, a level  
9 playing field anymore. FP&L has the glitzy ads on TV  
10 and in the newspapers. FPL has the puff pieces in  
11 various publications in which they advertise. FPL has  
12 so much money they can give to the PACS and the  
13 political campaigns for politicians that promote their  
14 greed, all dollars that belong to consumers that could  
15 be in the pocket of the hardworking consumers that are  
16 struggling.

17 I have a special sympathy for the young people  
18 who are really struggling with all these increases  
19 directly and indirectly, and everybody has spoken about,  
20 about this. It seems ironic that it's a small group of  
21 people in this population that is very happy with their  
22 increases, and they must have tons of money to spend.  
23 But, you know, it's not me. And I'm an immigrant and I  
24 worked hard and my husband has worked hard for 40 years  
25 and, you know, we don't have all that money to just give

1 away to FP&L. And so I have a special sympathy for the  
2 young people. And, you know, your corporation just  
3 caters to stockholders is all.

4 And anecdotes aside, I ask you, for the sake  
5 of the consumer, that you do the right thing here. And  
6 the right thing to do right now in these horrible  
7 economic times that everybody has spoken about is to  
8 withdraw this rate case and to wait 'til better times  
9 and we can all grow together and become better together,  
10 not one corporation.

11 And Antoinette wanted to say that regarding  
12 the 230 transmission lines, if FP&L would be willing to  
13 bury those line, lines, I would be willing to pay for a  
14 rate hike.

15 And she brings up a good point because the  
16 rate hike is never for our neighborhoods. It always  
17 seems to be for the consumers. It's not to bury the  
18 lines so our oak trees can grow uninterrupted and don't  
19 have that ugly V shape cut into it everywhere you look.  
20 So that's about it. Thank you.

21 **CHAIRMAN BRISÉ:** Thank you, Ms. Beckman, for  
22 your testimony. Any questions for Ms. Beckman? Okay.  
23 Seeing none, thank you for your testimony this morning.

24 **MR. KELLY:** After Ms. Harris is Raul Martinez.  
25 Whereupon,

**EDA HARRIS**

1  
2 was called as a witness on behalf of the Citizens of the  
3 State of Florida and, having been duly sworn, testified  
4 as follows:

**DIRECT STATEMENT**

5  
6 **MS. HARRIS:** Eda Harris, 7100 Southwest 64th  
7 Court, Miami, Florida 33143. There was a lot of talk  
8 about cheap fuel and that is what it seems like FPL is  
9 coming, oh, there is cheap fuel. Can they guarantee  
10 this cheap fuel? What if Iran explodes? Will we still  
11 have cheap fuel? So we cannot really rely on cheap  
12 fuel, so I would like you not to consider it as  
13 something that would help FP&L.

14 Now FP&L is a corporation. No corporation is  
15 Mother Teresa. Corporations do not care about the  
16 people they serve. They care about profit, profit that  
17 is driven by greed. Please stand up against corporate  
18 greed. Please consider the economy. Please consider  
19 the hardships of the people in these difficult times and  
20 deny FPL's request.

21 I would also like to say here that I know of a  
22 person in my neighborhood that FP&L approached and said  
23 that if, if they will, if we will oppose the hike, guess  
24 what will happen during a storm? Do you think you will  
25 still get quick service? This is intimidation. So this

1 is how FP&L -- and this person refused to talk on behalf  
2 of FP&L. But this is how FP&L approached some people to  
3 talk on their behalf. Please consider this. Thank you.

4 **CHAIRMAN BRISÉ:** Thank you very much,  
5 Ms. Harris. Any questions for Ms. Harris?

6 All right. Seeing none, thank you very much.

7 **MR. KELLY:** After Mr. Martinez is Eduardo  
8 Fiorillo.

9 Whereupon,

10 **RAUL MARTINEZ**

11 was called as a witness on behalf of the Citizens of the  
12 State of Florida and, having been duly sworn, testified  
13 as follows:

14 **DIRECT STATEMENT**

15 **MR. MARTINEZ:** Good morning, gentlemen. Raul  
16 Martinez. I live in Palmetto Bay.

17 I came with a long list of things of why  
18 should we give Florida Power & Light what they want, and  
19 you people here have changed my mind. Not one speaker  
20 has gotten up and said they have bad service, they have  
21 power outages. No, everybody speaks so well of Florida  
22 Power & Light.

23 To be able to have the services that we do  
24 have, \$1, \$7 for 1,000 kilowatts, we, we pay more for  
25 toll hikes and for gas. 50 cents of gas is \$30 a month.

1 We don't seem to mind that. But to give them a dollar  
2 to \$7 more to keep what I have, give Florida Power &  
3 Light the extra dollar that it's going to cost me or the  
4 \$7 it's going to cost me a month. So I do agree with  
5 the hike. I get great service during hurricanes, after  
6 hurricanes, and I don't get power outages. Thank you.

7 **CHAIRMAN BRISÉ:** Thank you, Mr. Martinez.

8 **MR. KELLY:** Eduardo Fiorillo.

9 **INTERPRETER:** Mr. Fiorillo has requested the  
10 interpreter to let you know that he has gone to the  
11 restroom. And he will be back shortly, so you could  
12 pass him.

13 **CHAIRMAN BRISÉ:** Okay. Okay. Thank you.

14 **MR. KELLY:** William Armbrister, followed by  
15 Liz Nolan.  
16 Whereupon,

17 **WILLIAM ARMBRISTER**

18 was called as a witness on behalf of the Citizens of the  
19 State of Florida and, having been duly sworn, testified  
20 as follows:

21 **DIRECT STATEMENT**

22 **MR. ARMBRISTER:** Good morning, wonderful  
23 people. My name is William Armbrister, 3260 Thomas  
24 Avenue, and that's in Coconut Grove, Miami, Florida.

25 I came here to talk about the economic impact

1 that FP&L has not had in this South Florida community,  
2 but I was going to talk about how they're outsourcing  
3 the jobs to other states. So customer service, a lot of  
4 the line, a lot of the work that's done on the  
5 transmission lines, they're, they, as I've been  
6 informed, that the investors of Florida Power & Light  
7 are buying stock in other companies. And that's why  
8 before Hurricane Andrew you did not see contractors  
9 doing any of the work in South Florida. But since  
10 Hurricane Andrew, FP&L is taking away a lot of benefits  
11 from its employees so they can't spend the money that  
12 they used to be able to spend here in South Florida, and  
13 they're not hiring at the rate they used to hire because  
14 they're bringing in contractor, contracting linemen from  
15 other states to do the work that the employees that were  
16 employed in South Florida used to do. The customer  
17 service is in Texas and other places that used to be  
18 here in Florida for Florida Power & Light.

19 But I want to talk about the, the customer  
20 service aspect because people are giving FP&L their  
21 kudos on what they are responsible for doing. They're  
22 responsible for going out and letting these customers  
23 know how they can save money. They're responsible for  
24 those things. So that's not, that's no extraordinary  
25 job that they've been doing, and why are they requesting

1 an extraordinary rate increase?

2           You know, an extraordinary rate increase would  
3 say we've gone out and we have addressed the issues  
4 where the solar, solar paneling can be used in churches,  
5 for example. Churches, if they had -- they're only in  
6 business two or three days a week. So for the other  
7 four or five days, they would be providing electricity,  
8 electricity through solar paneling. Their electric bill  
9 would be just about zero, and that would offset any need  
10 for any additional power plants and things of that  
11 nature. And every new home should be wired so that if  
12 the customer wanted solar paneling, they wouldn't have  
13 to get any electricity to wire it. The wiring would be  
14 there. The stub would be on the roof, there'd be a box  
15 next to their meter as there is a breaker box now that  
16 did not have to be there before the past couple of  
17 decades. Now every meter has a breaker panel outside  
18 rather than inside. So they have not been doing  
19 anything on behalf of the consumer.

20           So until they can do something  
21 extraordinary -- and even if times were not bad, they  
22 still should not be asking for a rate increase that is  
23 greater than they're willing to offer their employees.  
24 I say let them ask for a rate increase equal to that of  
25 their employees because they're the ones that spend

1 money in South Florida that help boost this economy, and  
2 we need an economy boost. Thank you so very much.

3 **CHAIRMAN BRISÉ:** Thank you very much for your  
4 testimony. Are there any questions? Seeing none, thank  
5 you for your testimony.

6 **INTERPRETER:** Mr. Fiorillo is back.

7 **CHAIRMAN BRISÉ:** Was he next?

8 **MR. KELLY:** He's the one we skipped.

9 **CHAIRMAN BRISÉ:** He was the one we skipped.  
10 Perfect.

11 **INTERPRETER:** Thank you.

12 **CHAIRMAN BRISÉ:** Thank you.

13 Whereupon,

14 **EDUARDO FIORILLO**

15 was called as a witness on behalf of the Citizens of the  
16 State of Florida and, having been duly sworn, testified  
17 as follows:

18 **DIRECT STATEMENT**

19 **MR. FIORILLO:** I have been here in Miami for  
20 almost ten years. As a Latin I know the Latin people  
21 like to complain, complain, complain. We're here for  
22 complaining. And I have a blood Latin in my veins, so I  
23 have to turn that (unintelligible) complains like this.  
24 But I'm not here for complaining. I am a mechanical  
25 engineer. I work on a six-floor building with 76 units

1 and my job there is maintenance, no? (Unintelligible)  
2 what I call the vice of Miami syndrome.

3 (Unintelligible). I have to contact FPL many times, and  
4 this is my very personal opinion, professional opinion  
5 as a user of FPL service.

6 One experience I had, we have an outside line  
7 in the (unintelligible), and I call FPL to help me or  
8 give me their opinion about changing the light pole from  
9 65 to 45 watts because I didn't know if it was legal or  
10 you have some kind of limitation.

11 As I talked to the nice lady there I can hear  
12 the computer tick, tick, tick, tick, tick, tick, tick,  
13 tick, tick. And she start asking me questions. How  
14 many lights are on 24 hours a day, 7 days a week? Well,  
15 it surprised me. I wasn't prepared for that to get that  
16 calculating. Okay. I say 120. How many lights will be  
17 on for the 12 hours? 85, whatever. And she tick, tick,  
18 tick, tick, tick, tick, and she told me you can save  
19 almost \$200 a month if you go back, if you change the  
20 light bulb from 40, from 65-watt to 40-watt. And she  
21 was very helpful.

22 The other times I have contacted FPL was  
23 wonderful, very professional, and I think that they're  
24 the kind of people we need in this country that has so  
25 many problems, you know.

1           And but I heard about you yesterday afternoon,  
2 my maintenance man told me about that, this hearing  
3 here. So I brought some information here about what is  
4 called the vertical wind turbine. Vertical wind  
5 turbines is a design that was made through engineers  
6 that work from NASA and many things. So I would like to  
7 have the opportunity to, I don't know if this is the  
8 right moment or the right place, to take this  
9 information with you. And it's only an introduction  
10 paper because I didn't have time to (unintelligible).  
11 But I would like to have a meeting with FPL or whoever  
12 is interested in this program. Save a lot of money.  
13 Use air to generate electricity for free. Thank you for  
14 this.

15           **CHAIRMAN BRISÉ:** Thank you very much for your  
16 testimony. Thank you very much for your testimony.  
17 We're going to -- someone from our staff is going to  
18 have access to that document.

19           We have one more speaker before we take a  
20 break, so if Mr. Kelly could call that speaker.

21           **MR. KELLY:** Liz Nolan.

22           Whereupon,

23                           **LIZ NOLAN**

24           was called as a witness on behalf of the Citizens of the  
25           State of Florida and, having been duly sworn, testified

1 as follows:

2 **DIRECT STATEMENT**

3 **MS. NOLAN:** Good morning, Commissioners. My  
4 name is Liz Nolan. My address is 9001 Southwest  
5 31 Terrace, Miami.

6 I'm here to welcome you to Miami. And the  
7 choice before you is in the identity of the Commission  
8 of your name. It is called public service. It is not  
9 private development, it is not partisan politics, it is  
10 not development of business. It is public service. And  
11 in democracies this is what we have.

12 I want to tell you with respect to a  
13 day-to-day outcome when you increase rates for children.  
14 Half of my school is divorced; there is a single  
15 breadwinner. The difficulty of getting in touch with  
16 the parent, the custodial parent, is immense. And they  
17 will tell me, my mama paid the lights, my mama didn't  
18 pay the bill this month. We have actually had a child  
19 die because they were using candles in their townhouse  
20 because the power was turned off.

21 There are no children in this audience. There  
22 are many people here to represent many interests. But  
23 you are the gatekeepers for the public. And children  
24 don't make money. They vote in the future. But you  
25 have the responsibility, I pray, to defend them. They

1 didn't choose the households they live in, they don't  
2 choose the geography they live in, they don't choose  
3 their learning ability. And those kinds of consequences  
4 affect the day-to-day outcomes of the communications  
5 with the school to their literacy and future earning  
6 rates and their safety. So I ask you to consider that  
7 population when you make your decision. Thank you very  
8 much.

9 **CHAIRMAN BRISÉ:** Thank you, Ms. Nolan. Are  
10 there any questions for Ms. Nolan? Seeing none, thank  
11 you very much.

12 I think there's something that we have to take  
13 care of, Ms. Klancke.

14 **MS. KLANCKE:** That's correct. There was a  
15 document that was proffered by Mr. Fiorillo. It  
16 pertains to vertical wind turbines. So vertical wind  
17 turbine information.

18 **CHAIRMAN BRISÉ:** Sure. And that would be  
19 Number 31.

20 **MS. KLANCKE:** Yes, sir.

21 (Exhibit 31 marked for identification.)

22 **CHAIRMAN BRISÉ:** All right. Thank you very  
23 much.

24 At this time we're going to take a ten-minute  
25 break. It is now 11:43, so we'll make it an even 11:45.

1 So at 11:55 we look to resume or reconvene. Thank you  
2 very much.

3 (Recess taken.)

4 Okay. We are reconvening now. Mr. Kelly.

5 **MR. KELLY:** The next speaker is Fanny Brennan,  
6 followed by Lynn DeCoulaz.  
7 Whereupon,

8 **FANNY BRENNAN**

9 was called as a witness on behalf of the Citizens of the  
10 State of Florida and, having been duly sworn, testified  
11 as follows:

12 **DIRECT STATEMENT**

13 **MS. BRENNAN:** Hello. My name is Fanny  
14 Brennan. I've lived in Miami my whole life, and my  
15 husband and I had a small apartment, one bedroom. We  
16 just moved to Hollywood, Florida. My address is 4630  
17 West Park Road, zip code 33021.

18 And I'm here today because he and I, moving  
19 from a small apartment to this big home, our first bill  
20 was quite high. It was a big change. And he and I  
21 thought, what can we do? So we went online to FPL and  
22 saw that they offer, excuse me, many services to help us  
23 maintain a lower bill. And they do offer a home energy  
24 survey that they will come out and help us lower our,  
25 see different ways that we can maintain a lower energy

1 bill. So we are going to be scheduling that  
2 appointment.

3 And I am happy with their services. I feel  
4 that -- I think, I believe it's less than \$2 extra a  
5 month that they're asking from us. It's a very small  
6 price to pay in order to continue to have a good  
7 service. And, you know, everybody, every company, even  
8 ourselves at times have to upgrade our equipment. You  
9 know, we upgrade our cars, different things in our home.  
10 And I've learned that that's what they need to do to be  
11 able to continue to provide the service that they've  
12 been providing. Living here my whole life through, you  
13 know, hurricanes and everything, they've always been  
14 very excellent in providing good service.

15 As other people have said, they go out when  
16 the conditions might not be as safe and they do try  
17 their best to get everyone what they need to to have  
18 electricity. And because of that, I'm here today to say  
19 that I agree with the rate increase.

20 I do have a friend, I know you gentlemen were  
21 asking before, I do have a friend that works for FPL and  
22 told me about this hearing today. That's why I'm here  
23 today because I wanted to show my support. Thank you  
24 very much.

25 **CHAIRMAN BRISÉ:** Thank you very much. Any

1 questions for Ms. Brennan? Okay. Seeing none, thank  
2 you.

3 I would just remind everyone, I know that we  
4 took a break and you might have turned your ringer back  
5 up to normal. Please turn it back to vibrate or silent.

6 **MR. KELLY:** Lynn DeCoulaz.

7 **MS. DeCOULAZ:** DeCoulaz.

8 **MR. KELLY:** DeCoulaz, thank you, ma'am, will  
9 be followed by Jesus Gonzalez.

10 Whereupon,

11 **LYNN DeCOULAZ**

12 was called as a witness on behalf of the Citizens of the  
13 State of Florida and, having been duly sworn, testified  
14 as follows:

15 **DIRECT STATEMENT**

16 **MS. DeCOULAZ:** Hello. My name is Lynn  
17 DeCoulaz. I live at 16961 Southwest 92nd Court,  
18 Palmetto Bay, Florida.

19 I am a mother, a wife. I'm very concerned  
20 about the future of my children and my husband's health.  
21 I'm trying not to be emotional. I'm sorry.

22 My husband and I have and our family, we had  
23 to move to Texas for a couple of years. We came back to  
24 our home in Miami and they had put the smart meter on  
25 the back of our home without our permission, and out of

1 the blue my husband started suffering seizures. Now I  
2 don't have proof as of yet, but I can tell you we've had  
3 that meter removed. We've had the old one put back. My  
4 husband's health is steadily climbing right back up to  
5 the peak where he was.

6 My children live in Melbourne. They're in  
7 their 20s. I'm constantly getting the phone calls, they  
8 need help with their water bill or their electric bill.  
9 My, my bill in my house, the same house I lived in four  
10 years ago, has almost doubled. I got the first bill and  
11 I was like, this is a car payment. I drive a Corvette.  
12 That's not a cheap payment.

13 It's out of control. There's no reason in  
14 these tough, these tough times for them to get an  
15 increase in any way. If anything, they should be  
16 helping everybody out by decreasing. Thank you very  
17 much.

18 **CHAIRMAN BRISÉ:** Thank you very much, Ms.  
19 DeCoulaz. Are there any questions for Ms. DeCoulaz?  
20 None? Thank you very much.

21 **MR. KELLY:** Mr. Gonzalez will be followed by  
22 Jose Gonzalez.

23 Whereupon,

24 **JESUS GONZALEZ**

25 was called as a witness on behalf of the Citizens of the

1 State of Florida and, having been duly sworn, testified  
2 as follows:

3 **DIRECT STATEMENT**

4 **MR. GONZALEZ:** Good afternoon. My name is  
5 Jesus Gonzalez, 10950 Southwest 7th Street, Apartment  
6 112, Miami, Florida 33174.

7 I've lived in Miami since 1979, and all those  
8 times all the service that I have received from Florida  
9 Power & Light has been excellent. They've come to my  
10 house and they put the on-call system. They've come to  
11 my house and they've done surveys as to how I can save  
12 on energy. And when there have been increases in the  
13 past, I have hardly noticed a dollar or two. And I  
14 think it is worth to pay an extra dollar or two and to  
15 continue to receive the great service that we are  
16 getting.

17 And I wasn't invited here by anyone in  
18 particular, but I just wanted to say that I do know  
19 somebody from Florida Power & Light. Thank you.

20 **CHAIRMAN BRISÉ:** Thank you very much. Are  
21 there any questions for Mr. Gonzalez? Okay. Seeing  
22 none, thank you for your testimony today.

23 **MR. KELLY:** Jose Gonzalez, followed by Jose  
24 Moreno. And Mr. Moreno will want, needs, is going to  
25 be -- will need the interpreter.

1 Whereupon,

2 **JOSE GONZALEZ**

3 was called as a witness on behalf of the Citizens of the  
4 State of Florida and, having been duly sworn, testified  
5 as follows:

6 **DIRECT STATEMENT**

7 **MR. GONZALEZ:** My name is Jose Gonzalez. I  
8 live 10950 Northwest 7th Street, that's Miami, Apartment  
9 112.

10 What I want to say is that I've been here  
11 since 1979, and I've always received very --  
12 whatchamacallit -- (laughter) they've been -- they --  
13 the service has been excellent on behalf of FP&L.  
14 They've, they've been there. When we've called them,  
15 they've always been present. They've always been there  
16 when we need them. Thank you very much, and very  
17 appreciated for everything that you've done. Thank you.

18 **CHAIRMAN BRISÉ:** Thank you. Are there any  
19 questions for Mr. Gonzalez? All right. Seeing none,  
20 thank you for your testimony.

21 **INTERPRETER:** We have one more from that  
22 group.

23 Whereupon,

24 **MANUEL CARVAJAL**

25 was called as a witness on behalf of the Citizens of the

1 State of Florida and, having been duly sworn, testified  
2 as follows:

3 **DIRECT STATEMENT**

4 **MR. CARVAJAL:** Manuel Carvajal, 8511 Northwest  
5 8th Street is my address, Apartment 1208, Miami, Florida  
6 33128.

7 **MR. KELLY:** I apologize. Can you have him  
8 repeat his name?

9 **MR. CARVAJAL:** Manuel Carvajal,  
10 C-A-R-V-A-J-A-L.

11 I've been here since 1972. I've had FP&L  
12 service since then, and I've always had very good  
13 service. Every time we've called they've always been  
14 present when there's a problem and they solve it, the  
15 issue. And everything is very good, and I want to thank  
16 you for everything.

17 **CHAIRMAN BRISÉ:** Thank you. Any questions for  
18 Mr. Carvajal? Okay. Seeing none, thank you for your  
19 testimony.

20 **INTERPRETER:** One more.

21 **MR. KELLY:** Just so you know, ma'am, the next  
22 few, the next several are all going to be speaking in  
23 Spanish.

24 Whereupon,

25 **RAUL CONDE**

1 was called as a witness on behalf of the Citizens of the  
2 State of Florida and, having been duly sworn, testified  
3 as follows:

4 **DIRECT STATEMENT**

5 **MR. CONDE:** Raul Conde, C-O-N-D-E.  
6 13392 Southwest 26 Terrace, Miami, Florida.

7 I'm kind of like reiterating what my friends  
8 have said. I've always received a very good service  
9 from the company, and that's it really.

10 **CHAIRMAN BRISÉ:** All right. Thank you.

11 **INTERPRETER:** One more.

12 **CHAIRMAN BRISÉ:** One more?

13 **INTERPRETER:** No. That's it, I believe.

14 **MR. KELLY:** All right. The next one I have  
15 signed up is Jose Moreno -- Morello? No?

16 **CHAIRMAN BRISÉ:** I'm going to ask that if your  
17 cell phone is -- obviously it's on ring. If you could  
18 take that down to vibrate or silent, we would certainly  
19 appreciate it.

20 **MR. KELLY:** Carlos Verero. He may have been  
21 in that group also.

22 Amanda Fountain, followed by Gregorio Pena.  
23 Whereupon,

24 **AMANDA FOUNTAIN**

25 was called as a witness on behalf of the Citizens of the

1 State of Florida and, having been duly sworn, testified  
2 as follows:

3 **DIRECT STATEMENT**

4 **MS. FOUNTAIN:** Good morning. My name is  
5 Amanda Fountain. I live at 8420 Southwest 98 Court,  
6 Miami, 33173.

7 I'm just here today to tell you that myself  
8 and my partner are new parents and also new homeowners.  
9 And when we called to set up our service, everything  
10 was, went along perfectly, everyone was polite and  
11 friendly and helpful. And that's kind of the point is  
12 just to be able to call and make it easy and they did,  
13 so that's basically it.

14 **CHAIRMAN BRISÉ:** All right. Thank you for  
15 your testimony, Ms. Fountain. Congratulations on the  
16 baby.

17 **MS. FOUNTAIN:** Thank you.

18 **CHAIRMAN BRISÉ:** Any questions for  
19 Ms. Fountain? Okay. Seeing none, thank you for your  
20 testimony.

21 **MR. KELLY:** Gregorio Pena, Pena.

22 **MR. PENA:** Pena.

23 **MR. KELLY:** Pena. And he will be followed by  
24 Danielle Hernandez -- excuse me -- Daniel Hernandez.  
25 Whereupon,

**GREGORIO PENA**

1  
2 was called as a witness on behalf of the Citizens of the  
3 State of Florida and, having been duly sworn, testified  
4 as follows:

**DIRECT STATEMENT**

5  
6 **MR. PENA:** Good afternoon already. Well, good  
7 afternoon, Honorable Commissioners. My name is Gregorio  
8 Pena. My address is 3821 Southwest 140th Court in  
9 Miami-Dade County.

10 Thank you for the chance for speaking to you  
11 this afternoon. I normally don't participate in these  
12 meetings, but I found, found out that you were coming  
13 from an announcement in the newspaper and I thought it  
14 was important to recognize FP&L for their good job.  
15 They do day to day providing service to us.

16 I am a customer of FP&L, and as a resident I  
17 also own one of the largest nurseries in Miami-Dade with  
18 multiple locations. This is an important industry in  
19 this Miami-Dade of living, and that requires good,  
20 dependable electricity at a good price so that we can be  
21 competitive with other states and countries as well.  
22 And I get, I feel that we get that from FP&L.

23 In more than one occasions I have called FPL  
24 to upgrade our service in our work and houses or our  
25 operations and they have always been responsive and very

1 efficient. One time one of our tractors hit a  
2 transformer and knocked down power in all of our  
3 locations. I called FP&L and within minutes I had some  
4 guys there with trucks. They showed up and they were  
5 able to make the necessary repairs to keep operations.  
6 I saw those guys work very hard to complete their  
7 repairs in a very timely manner and I never got a chance  
8 to recognize their efforts. That's why I'm here today,  
9 to thank you for the opportunity of being here to  
10 express myself.

11 **CHAIRMAN BRISÉ:** Thank you, Mr. Pena.

12 **MR. PENA:** Yes, sir.

13 **CHAIRMAN BRISÉ:** There seems to be a question  
14 for you from Mr. Saporito.

15 **EXAMINATION**

16 **BY MR. SAPORITO:**

17 **Q** Hi, how are you?

18 **A** Good. And you?

19 **Q** I'm fine. Well, I'm actually a little tired,  
20 but it's a long drive down here.

21 As I recall your testimony, you're in the  
22 restaurant business; is that true?

23 **A** Nursery.

24 **Q** Oh, nursery. For, for --

25 **A** Yes, sir. We grow plants.

1 Q Oh, plants.

2 A I'm a farmer.

3 Q Okay. Okay. Very good. Let me just ask you,  
4 when you, when your costs and expenses for your, for  
5 your products increase like electricity, food for your  
6 plants, water, et cetera, how do you compensate for  
7 those costs? Do you increase your prices for your  
8 product?

9 A I would love to answer that question for you,  
10 sir, but I am an operations guy. I don't do the  
11 numbers. I let these guys do the numbers. I don't do  
12 numbers.

13 Q They do the numbers for your business?

14 A Well, they, they represent us. So whatever  
15 they do is up to them. And we do have a staff that  
16 takes care of that. But I am operations, strictly  
17 operations. I make sure the ball keeps rolling.

18 MR. SAPORITO: Good. Thank you very much.

19 MR. NELSON: I have, I have a question.

20 EXAMINATION

21 BY MR. NELSON:

22 Q Did you talk to anyone from FPL about your  
23 testimony before you came here today?

24 A No, sir.

25 MR. NELSON: Thank you.

1                   **CHAIRMAN BRISÉ:** Thank you, Mr. Pena. Thank  
2 you for your testimony today.

3                   **MR. PENA:** Thank you.

4                   **MR. KELLY:** Daniel Hernandez, followed by  
5 Angel Fajardo, I apologize, Fajardo.  
6 Whereupon,

7                                   **DANIEL HERNANDEZ**

8 was called as a witness on behalf of the Citizens of the  
9 State of Florida and, having been duly sworn, testified  
10 as follows:

11                                   **DIRECT STATEMENT**

12                   **MR. HERNANDEZ:** My name is Daniel. As he said  
13 before, thank you very much. My name is Daniel  
14 Hernandez. I represent the Hialeah Chamber of Commerce  
15 & Industries. I've been in the Hialeah Chamber of  
16 Commerce for the last 29 years. The chamber has been in  
17 existence for 33 years, and I've been to the day-to-day  
18 operations for 27 years. I've been the president for  
19 the last 18 years. I've lived in Hialeah since 1962.  
20 I've never moved out of Hialeah. I own a small business  
21 in the City of Hialeah.

22                   And we used to, we used to kid around with the  
23 members of the Florida Power & Light in the old days.  
24 We used to call them the electric octopus. And we said  
25 the electric octopus because they have many tentacles

1 and they could squeeze us to death whenever they want  
2 to. But through the years we learned that the octopus  
3 have many hands and a lot of those hands, all the time  
4 they were trying to help us in one way or another. And  
5 the difference, like we have the Hialeah concerned  
6 Families, which is for the poor people that come into  
7 the Hialeah area that don't have much money, they're  
8 always there to help them. Hialeah Concerned Families,  
9 Hialeah Pan American Lions Club, Hialeah Foundation and  
10 the Chamber of Commerce as a whole.

11 And when hurricanes come, the last Hurricane  
12 Andrew I was without light for 30 days. But I live in a  
13 cul-de-sac at the end of the street. But Hialeah  
14 Hospital, Palmetto Hospital, the hospitals within 24  
15 hours had their lights on. Their lights were on right  
16 there and then. And most of the main grocery stores had  
17 their lights on right away.

18 I believe that when a disaster like that  
19 happens in any area it is not possible to get it  
20 together within 24 to 48 to seven days a week. They  
21 have to have some time. But Florida Power & Light, if  
22 they don't make any money, they won't be able to help  
23 us.

24 I feel sorry for the Florida Public Service  
25 Commission with the job that we're all telling you.

1 We're telling you to open up your ears, to listen, to  
2 have your conscience open. Hey, you have a tough job on  
3 your hands. What is right, what is wrong to their  
4 rates? Nobody agrees in a tax raise, nobody wants a tax  
5 raise in a year which the economy is so bad as it is  
6 right now. But the reality of life, the economy is bad.  
7 I don't make the bonus (phonetic) I used to five years  
8 ago. But I bought a new car six months ago. And I  
9 bought a Lexus because I like to drive a nice car. I  
10 have to pay for the services of the Lexus.

11 (Unintelligible.)

12 The gentleman that spoke earlier about Cuba,  
13 most of us didn't understand that. But we are blessed  
14 in the United States, and I feel American because I've  
15 been part of my life here. Actually I came into Florida  
16 (phonetic) in '63 already, so to me America is my  
17 country. And we are blessed to have a country like ours  
18 that we can say and do about whoever we want to and  
19 insult them, and as long as you don't disrespect them,  
20 you can say whatever you want about them.

21 Florida Power & Light have given us a service  
22 in this country for many, many years way beyond what it  
23 is. And I know a lot of people that work for Florida  
24 Power & Light and through the Chamber of Commerce I know  
25 a lot of people that, that work for Florida Power &

1 Light, and we're very happy with the service and the  
2 things that we do for the community as a whole. Thank  
3 you very much. Have a good day all of you, and good  
4 luck in your decision.

5 **CHAIRMAN BRISÉ:** Thank you very much,  
6 Mr. Hernandez. Are there any questions for  
7 Mr. Hernandez? Yes, there is. Ms. Larson.  
8 Mr. Hernandez, Mr. Hernandez, if could you come back,  
9 please.

10 **MR. HERNANDEZ:** I'm sorry.

11 **CHAIRMAN BRISÉ:** There's a question for you  
12 from Ms. Larson.

13 **EXAMINATION**

14 **BY MS. LARSON:**

15 **Q** I'm curious. Is FPL a member of your Chamber  
16 of Commerce?

17 **A** Oh, I'm sorry. I'm not, I'm not really a  
18 spokesperson. I, I represent the Chamber of Commerce.  
19 That doesn't mean (unintelligible) public officials that  
20 came up earlier in the day and said that the whole  
21 Chamber of Commerce is behind what I'm saying. I came  
22 because the Chairman of the Chamber tell me to go you --  
23 I have to come to the meeting and tell what we feel  
24 about Florida Power & Light. Just because I'm here,  
25 that doesn't mean that all the members of the Chamber of

1 Commerce -- and because I belong to AARP -- that  
2 everybody in AARP are believing and say the same thing  
3 I'm saying. Yes, ma'am. Thank you very much.

4 **CHAIRMAN BRISÉ:** Thank you very much for your  
5 testimony.

6 **BY MS. LARSON:**

7 **Q** You represent yourself.

8 **A** I'm representing myself and I represent the  
9 Chamber of Commerce, Hialeah Chamber of Commerce &  
10 Industries.

11 **Q** They voted on this for you to come today?

12 **A** Yes, ma'am. The Chairman asked me to come and  
13 to speak here.

14 **Q** Okay.

15 **CHAIRMAN BRISÉ:** Thank you very much.

16 Mr. Kelly.

17 **MR. KELLY:** Angel or Angel Fajardo,  
18 F-A-J-A-R-D-O. Marcos Gonzalez-Balboa.

19 **CHAIRMAN BRISÉ:** He's coming, in the rear.

20 **MR. KELLY:** He'll be followed by Carlos  
21 Batista.

22 Whereupon,

23 **MARCOS GONZALEZ**

24 was called as a witness on behalf of the Citizens of the  
25 State of Florida and, having been duly sworn, testified

1 as follows:

2 **DIRECT STATEMENT**

3 **MR. GONZALEZ:** Good afternoon, everyone. My  
4 name is Marcos Gonzalez. I live at 17325 Northwest 81st  
5 Avenue, Miami.

6 I have two friends that went with me to the  
7 University of Florida that work for FP&L. They  
8 originally asked me to be here, and I had a lot of  
9 concerns about the people on fixed incomes. My initial  
10 reaction was to say I'm opposed to this. Okay? But I  
11 went, I researched a little bit, and I have changed my  
12 mind. And let me tell you why I've changed my mind.

13 I think that Florida Power & Light is trying  
14 to improve their services. They're trying to plan for  
15 the future, and I think we have to be -- we can't be  
16 shortsighted about this. We have to look at this in the  
17 long-term, and it's actually going to save people money  
18 in the long run.

19 The increase -- and, again, I'm not an  
20 accountant, I'm not into numbers, that's your job, but  
21 the increase is so minimal compared to what they're  
22 going to bring to us. The improvement to the  
23 infrastructure, the future plants that are going to  
24 actually save us energy and money in the long run I  
25 think are well worth it.



1 Carbonell.

2 Whereupon,

3 **CARLOS BATISTA**

4 was called as a witness on behalf of the Citizens of the  
5 State of Florida and, having been duly sworn, testified  
6 as follows:

7 **DIRECT STATEMENT**

8 **MR. BATISTA:** I'm Carlos Batista from the 613  
9 Ocean Drive in Key Biscayne. And I also have a business  
10 in Homestead, a hotel, Value Place Lodge.

11 As, as a businessperson I am very concerned  
12 about quality and I am very concerned about reducing  
13 cost as much as I can. So the next elections will look  
14 for a (unintelligible). But we also very much look for  
15 quality. We provide a service that is very clean and  
16 very safe. We really emphasize that element of it.

17 I want to mention that, something that affects  
18 me very much. Coming from Cuba, I have seen my country  
19 deteriorate into a third world country as a result of  
20 lack of attention, lack of quality, a lack of paying  
21 attention to maintenance. The electricity over there is  
22 terrible in the few times, few hours a day, if at all.  
23 So the maintenance of the quality of a system is  
24 extremely important. It's the most important. The long  
25 range quality of something is one of the most important

1 things you can do in order to get there and to get there  
2 in a good way.

3 So as a person that pays a lot of attention to  
4 what kind of a service I'm getting so I can provide the  
5 very best service possible I have to recognize that  
6 Florida Power & Light have been very efficient and very  
7 effective and very good quality. And if I compare it to  
8 my country or to Venezuela that has all the oil in the  
9 world and yet terrible administration or to other  
10 countries that cannot attain that quality. If you guys  
11 realize that increasing service will produce and  
12 maintain that quality, then by all means that's, that's  
13 what we should have. Thank you.

14 **CHAIRMAN BRISÉ:** Thank you, Mr. Batista. Are  
15 there any questions for Mr. Batista? Seeing none, thank  
16 you for your testimony.

17 **MR. KELLY:** Luis Carbonell will be followed by  
18 Raiza Figueredo.  
19 Whereupon,

20 **LUIS CARBONELL**

21 was called as a witness on behalf of the Citizens of the  
22 State of Florida and, having been duly sworn, testified  
23 as follows:

24 **DIRECT STATEMENT**

25 **MR. CARBONELL:** Good afternoon, ladies and

1 gentlemen. My name is Luis Carbonell. I'm a local  
2 builder and developer in the South Florida area, and  
3 I've been practicing for a little bit over 15 years.  
4 I've had the opportunity to participate in the, in the  
5 development and construction of communities of 600-plus  
6 units as well as commercial and residential buildings,  
7 and in doing so I've participated with FPL in the design  
8 and, of grids, electrical grids, services, and service  
9 facilities. And as such, you know, I'm here to support  
10 the increase as I believe that it would continue to  
11 enhance the growth of our city and add to the  
12 development of new technology in the field.

13 **CHAIRMAN BRISÉ:** Thank you very much. Any  
14 questions? Seeing none, thank you for your testimony  
15 today.

16 **MR. CARBONELL:** Thank you.

17 **MR. KELLY:** Raiza Figueredo.

18 Whereupon,

19 **RAIZA FIGUEREDO**

20 was called as a witness on behalf of the Citizens of the  
21 State of Florida and, having been duly sworn, testified  
22 as follows:

23 **DIRECT STATEMENT**

24 **MS. FIGUEREDO:** Good afternoon. My name is  
25 Raiza Figueredo. I live at 5506 Le Jeune Road, 33146.

1 I recently moved there to the Gables area, and I've had  
2 a very good experience with FPL. They actually had to  
3 send me a letter to cut down some trees because they  
4 were in the way. I didn't even know that you guys did  
5 that. They did that. They came, they were very polite,  
6 very nice. They went into the yard. They actually did  
7 almost a better yard than my landscapers.

8 They were very careful about leaving my gate  
9 closed, which I have dogs. It doesn't seem like a big  
10 deal until three weeks later Comcast came for something  
11 similar, left the door open, my dogs escaped, freaked  
12 out for four hours, found them, everything was okay.

13 But on top of that, I just want to say I'm a  
14 nurse also. I've been a pediatric nurse for 13 years.  
15 I've worked pretty much in every hospital in Miami. And  
16 you -- we take it a little bit for granted, you know,  
17 until a storm comes and you're on shift and you have  
18 three or four babies on, on ventilators and you're  
19 thinking -- there's always that little thing, if the  
20 generator doesn't kick in, you have to be there to  
21 manually do the, do the respirations for these kids, to  
22 bag them or whatever.

23 And that's when it hits me, wow, my family in  
24 Cuba, they're used to not having energy, you know, here  
25 and then. We're so lucky to be able to have that. And

1 I feel like such a small rate increase is a small price  
2 to pay to have that luxury of flipping the switch and  
3 it's there like magic. We don't really think about it.  
4 But when you're in certain situations where you lose  
5 power and then it's restored, you're like, wow, thank  
6 goodness that we do have such a great electrical  
7 service. And I'm, I'm very for the rate increase. I  
8 think it's needed.

9 **CHAIRMAN BRISÉ:** All right. Thank you,  
10 Ms. Figueredo.

11 **MS. FIGUEREDO:** Thank you.

12 **CHAIRMAN BRISÉ:** Are there any questions?  
13 Okay. Seeing none, thank you very much.

14 Mr. Kelly.

15 **MR. KELLY:** That's it.

16 **CHAIRMAN BRISÉ:** All right. We want to thank  
17 all of you for your participation here today. In case  
18 you are interested in going to the second hearing that  
19 we have later on this afternoon, it's at the Florida  
20 Memorial Lou Rawls Auditorium at 4:00 p.m.  
21 15800 Northwest 42nd Avenue. So you're welcome to, to  
22 come join us there. Thank you very much. We stand  
23 adjourned.

24 (Service hearing adjourned at 12:30 p.m.)  
25

