

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 160021-EI

PETITION FOR RATE INCREASE BY
FLORIDA POWER & LIGHT COMPANY.

_____/ DOCKET NO. 160061-EI

PETITION FOR APPROVAL OF
2016-2018 STORM HARDENING PLAN,
BY FLORIDA POWER & LIGHT
COMPANY.

_____/ DOCKET NO. 160062-EI

2016 DEPRECIATION AND
DISMANTLEMENT STUDY BY FLORIDA
POWER & LIGHT COMPANY.

_____/ DOCKET NO. 160088-EI

PETITION FOR LIMITED PROCEEDING
TO MODIFY AND CONTINUE INCENTIVE
MECHANISM, BY FLORIDA POWER &
LIGHT COMPANY

_____/

PROCEEDINGS: SERVICE HEARING

COMMISSIONERS
PARTICIPATING: CHAIRMAN JULIE I. BROWN
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER ART GRAHAM
COMMISSIONER RONALD A. BRISÉ
COMMISSIONER JIMMY PATRONIS

DATE: Tuesday, June 28, 2016

TIME: Commenced at 9:30 a.m.
Concluded at 12:07 p.m.

PLACE: County Commission Chambers
Broward County Government Center
115 S. Andrews Avenue
Fort Lauderdale, Florida 33301

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REPORTED BY: LINDA BOLES, CRR, RPR
Official FPSC Reporter
(850) 413-6734

1 APPEARANCES:

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4 Street, Room 812, Tallahassee, Florida 32399-1400,
5 appearing on behalf of the Citizens of the State of
6 Florida.

7 PATRICK BRYAN, ESQUIRE, and MARLENE SANTOS,
8 700 Universe Boulevard, Juno Beach, Florida 33408-0420,
9 appearing on behalf of Florida Power & Light Company.

10 ROBERT SCHEFFEL WRIGHT, ESQUIRE, Gardner Law
11 Firm, 1300 Thomaswood Drive, Tallahassee, Florida 32308,
12 appearing on behalf Florida Retail Federation.

13 KEITH HETRICK, ESQUIRE, General Counsel, and
14 MARY ANNE HELTON, ESQUIRE, Advisor to the Commissioner,
15 FPSC General Counsel's Office, 2540 Shumard Oak
16 Boulevard, Tallahassee, Florida 32399-0850, appearing on
17 behalf of the Florida Public Service Commission.

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P R O C E E D I N G S

CHAIRMAN BROWN: Good morning, everyone.

Please take your seats. Welcome to this customer service hearing in the Florida Power & Light rate case in Fort Lauderdale. My name is Julie Brown, and I have the privilege of serving as Chairman of the Florida Public Service Commission. And I'm very happy to be here today in Fort Lauderdale. With me are all the Commissioners minus one, who is traveling, trying to get here, having some parking difficulties. And I'd like to give them an opportunity to welcome you all and introduce themselves, starting with Commissioner Edgar.

(Interpreter commenting in Spanish.)

CHAIRMAN BROWN: Thank you.

COMMISSIONER EDGAR: Good morning. I'm Lisa Edgar. I'm very pleased to be here in Fort Lauderdale this morning. Thank you all for being here as well.

COMMISSIONER GRAHAM: Good morning. My name is Art Graham, and I'm very happy to be here. I actually used to live down in South Florida, so it's good to be back.

COMMISSIONER PATRONIS: Good morning. My name is Jimmy Patronis. Thank you for allowing us to use your wonderful facility today, and look forward to your testimony.

1 **CHAIRMAN BROWN:** Thank you, Commissioners.

2 And as you can see, we do have a Spanish translator
3 here, who will be translating the introductory comments
4 up here for you all and explaining what -- how the
5 proceedings are going to be like today. She will also
6 be available to translate for those Spanish-speaking
7 customers who would like to address the Commission. So
8 we're grateful to have her. Welcome.

9 (Interpreter commenting in Spanish.)

10 **CHAIRMAN BROWN:** Thank you. And at this time,
11 staff counsel, will you please read the notice.

12 **MR. HETRICK:** Thank you, Madam Chair. By
13 notice issued on May 2nd, 2016, this time and place has
14 been set for a customer service hearing in Docket No.
15 160021-EI, petition for a rate increase by Florida Power
16 & Light Company.

17 **CHAIRMAN BROWN:** Thank you. At this time we
18 will take appearances of counsel, starting with Florida
19 Power & Light.

20 **MR. BRYAN:** Thank you and good morning. I am
21 Patrick Bryan, and I represent Florida Power & Light
22 Company.

23 **CHAIRMAN BROWN:** Thank you. Office of Public
24 Counsel.

25 **MR. KELLY:** Thank you, Madam Chair. Good

1 morning, Commissioners and ladies and gentlemen. My
2 name is J. R. Kelly. I'm with the Florida Office of
3 Public Counsel, and we have the pleasure and privilege
4 of representing the ratepayers of Florida Power & Light
5 in this proceeding.

6 **CHAIRMAN BROWN:** Thank you.

7 Retail Federation.

8 **MR. WRIGHT:** Thank you, Madam Chairman. My
9 name is Robert Scheffel Wright. I represent the Florida
10 Retail Federation in this case.

11 **CHAIRMAN BROWN:** Thank you so much.

12 Now let me begin by thanking you all for
13 taking time out of your busy schedules to come down here
14 this morning today. This is your meeting. As such, we
15 are looking forward to hearing from each of you today.
16 It's designed so that you can come up and talk before us
17 and express your thoughts, comments, feelings about the
18 pending rate case.

19 Later in the year, in August, we'll be having
20 a technical hearing that will consist of about two weeks
21 where we'll take evidence and there will be witnesses
22 and we'll evaluate the case, and then later in the year
23 we'll make a decision ultimately.

24 First, I want to let you know that there are
25 company representatives here from Florida Power & Light

1 who are here to address any service issues that you may
2 have or billing issues. We also have some of our Public
3 Service Commission staff here to address any questions
4 you may have. If during your time that you want to ask
5 us questions directly, I'd ask that you reserve those
6 for later where the Public Service Commission staff
7 members can help assist you.

8 We do have, just for the record, we have, from
9 our Accounting and Finance Department we have Cheryl
10 Banks and Bart Fletcher; our Economics Department, we
11 have Elisabeth Draper; our Engineering Department, we
12 have Robert Graves; we have our General Counsel here,
13 who you heard from before, Keith Hetrick, and Mary Anne
14 Helton; we have our Executive Director, Mr. Braulio
15 Baez; and from the Public Information Office, we have
16 Cindy Muir and Dick Durbin and Kelly Thompson. And I
17 will just note that it is Dick Durbin's last month at
18 the Public Service Commission. I'm going to have to say
19 that every time we have a customer service hearing
20 because we're going to miss him so much. Finally, we
21 have our court reporter, who's sitting right here,
22 Ms. Linda Boles.

23 And this is an official hearing that will be
24 transcribed and become part of the official record in
25 this case. As such, you will need to be sworn in prior

1 to appearing before us and testifying. What that means
2 also is that any of the Commissioners or the parties may
3 be able to ask you questions or otherwise cross-examine
4 you.

5 (Interpreter commenting in Spanish.)

6 **CHAIRMAN BROWN:** Thank you. And at this time,
7 I would like to ask all of you in the audience to please
8 silence your phones or other media devices so as not to
9 interrupt the flow of this meeting. Please be mindful
10 and respectful of your neighbors who came out here
11 today. This is an official record, as I said, so it is
12 being transcribed. So please refrain from clapping or
13 outbursts or anything of that nature because we do
14 appreciate the professional nature of these hearings.
15 So thank you for that.

16 (Interpreter commenting in Spanish.)

17 **CHAIRMAN BROWN:** You may have noticed when you
18 came in that there's a sign-up form, and so if you would
19 like to speak, you need to go ahead and sign that to
20 speak before us. But if you'd rather not speak today
21 and rather just provide something in writing, we can
22 also receive your written comments too. And whether you
23 speak today or provide us written comments, each will be
24 given equal weight in this proceeding, and we will all
25 review those as part of the record.

1 (Interpreter commenting in Spanish.)

2 **CHAIRMAN BROWN:** Gracias. And now I'd like to
3 invite the parties and the intervenors to provide some
4 brief opening comments. Florida Power & Light will have
5 six minutes, Office of Public Counsel will have six
6 minutes, and Retail Federation will have three. They
7 can go ahead and address the audience right now.

8 Florida Power & Light.

9 **MR. BRYAN:** Thank you, Chairman Brown and
10 Commissioners. Good morning again. In a moment, you
11 will hear from Marlene Santos, who is FPL's vice
12 president of customer service. She will explain to you
13 what FPL is asking for in this rate case and why. But
14 before she speaks to you, I wanted to briefly mention,
15 as Chairman Brown did, that FPL has several customer
16 service representatives here in the building today.
17 They are available to meet with you if you have a
18 question about your bill or a problem with your service.
19 They've got computers all hooked up so they can access
20 your account information right now, and they will do
21 their very best to answer your question or solve your
22 problem today. They are located in Room 430 on this
23 floor. If you're interested, please go to the FPL table
24 outside these chambers and they will assist you.

25 Marlene.

1 **MS. SANTOS:** Thank you, Commissioners, and
2 thank you to all of our customers who are here today. I
3 am very proud to be among the nearly 9,000 FPL employees
4 whose mission every single day is to provide you with
5 affordable, reliable, and clean energy. I'm also
6 honored to be among thousands of FPL employees who call
7 South Florida their home, and we're very grateful to be
8 a part of this wonderful community and looking forward
9 to all of your comments today.

10 Today, the service that we provide to you is
11 cleaner and more reliable than ever before, while our
12 typical residential customer bill is about 15 percent
13 lower today than it was ten years ago. This did not
14 happen by accident. It's because we've made a
15 commitment to you, our customers, to be the best utility
16 possible. We know that's what you expect, and you
17 deserve better than average service. That's why we're
18 proud to provide to you reliability that is among the
19 best in the nation, while our typical residential bills
20 are among the lowest.

21 Some people think our bills are lower today
22 because natural gas prices have come down, but that's
23 only part of the story. Our power plants are now more
24 efficient and use less energy. When we use less fuel,
25 it saves you money, no matter what price the gas is.

1 Since our last rate proceeding four years ago, we have
2 been investing billions of dollars to continue to
3 improve your service, but many of these improvements are
4 not covered by current rates. So we have submitted a
5 proposal to the Public Service Commission to raise base
6 rates beginning in 2017, phasing in the increase over
7 four years. The numbers you'll hear may sound large,
8 but keep in mind that FPL serves about half of the state
9 of Florida, more than 10 million people.

10 Our proposal will help us to continue to
11 modernize our grid and the power we generate. We
12 currently operate three solar power plants and we're
13 building three more this year that would make us -- that
14 would be among the largest constructed in the eastern
15 United States.

16 In addition, we've built more than 100 solar
17 arrays for Florida schools and other educational and
18 public facilities, including right here in Fort
19 Lauderdale, the Young At Art Museum and Broward County
20 Library.

21 We're also investing to improve the
22 reliability and storm resiliency of our system. We've
23 strengthened many of the main power lines that serve
24 critical community facilities in Broward such as Port
25 Everglades and local emergency operation centers, along

1 with every major local hospital, fire rescue and police
2 stations, and other essential services.

3 We're also continuing to invest in our smart
4 grid program, which is delivering great benefits.
5 Thanks to smart grid investments, you can go to your
6 online account and see detailed, personalized,
7 hour-by-hour usage data and lots of other good
8 information.

9 Behind the scenes, our smart grid technology
10 enables FPL to identify potential outages before they
11 happen and take action to prevent them so your life
12 isn't interrupted, and when outages do occur, we can
13 respond more quickly to get your power back on.

14 Today, we're one of the most affordable and
15 cleanest utilities in the nation because we have planned
16 ahead. In fact, while most electric providers are
17 concerned about how to comply with the Environmental
18 Protection Agency's Clean Power Plan, FPL is already
19 there. We're cleaner today than the EPA's goal for
20 Florida to meet by 2030.

21 Let me close by returning to rates. I want to
22 emphasize that even with our proposal, we expect typical
23 customer bills will remain lower than they were in
24 2006 through 2020. That said, we're also mindful that
25 some customers may need help paying their bills, and we

1 have employees here that can help.

2 We've asked some local customers who have told
3 us they value our service if they would be willing to
4 share their thoughts today. But whether you're here to
5 support our plan or not, please know that we care about
6 your feedback. Thank you so much for being here today
7 and for the opportunity to serve you.

8 **CHAIRMAN BROWN:** Thank you.

9 And now we will hear from Public Counsel,
10 Mr. J.R. Kelly.

11 **MR. KELLY:** Good morning again. As I
12 mentioned earlier, I'm J.R. Kelly with the Office of
13 Public Counsel, and we represent the ratepayers of
14 Florida Power & Light: the residential customers, the
15 business customers, as well as the industrial customers.

16 We're here today because Florida Power & Light
17 has filed a petition for a \$1.3 billion rate increase
18 that's going to be phased in in three years. Next year
19 they want \$866 million, the next year they want another
20 \$262 million, and in the mid-2019 period they want \$209
21 million more.

22 We've intervened in this proceeding, we've
23 hired six experts, and we're going to be contesting
24 those areas that we do not feel where Florida Power &
25 Light has been either reasonable or prudent in what

1 they're asking for, and I wanted to mention just a
2 couple of those items. We have not finalized our
3 testimony. It will be filed a week from tomorrow.

4 The first one is what we believe is excess
5 profit. Florida Power & Light is asking for 11 percent
6 return on equity. That's the profit level. Our expert
7 is reviewing this case and is going to be recommending
8 an ROE, a return on equity, of approximately 9 percent
9 or less. Let me put it in perspective. For 1 percent,
10 or 100 basis points, for Florida Power & Light,
11 ratepayers pay an additional \$240 million more per year.
12 So if you go from 11 percent to 9 percent, that's
13 \$480 million. Folks, that's nothing but pure profit.
14 It will not affect the reliability, nor will it affect
15 Florida Power & Light's ability to invest in
16 infrastructure, technology, whatever they need to
17 provide reliable service.

18 Another issue that we're going to be
19 contesting is capital structure. Capital structure for
20 a corporation is made up of basically two items, the way
21 a corporation raises capital. Number one, they do it
22 through equity. They sell shares to stockholders.
23 Another way they do it is they raise money, debt
24 capital, by borrowing money or selling bonds.

25 Now, inherently, equity capital is more

1 expensive than debt capital; therefore, you would expect
2 a prudent utility to have an even, balanced portfolio
3 when they raise capital because you, the ratepayer, pay
4 for that. In this case, Florida Power & Light is asking
5 for a 60 percent equity ratio.

6 Now let me explain how that works or how that
7 translates here. Their own expert that is recommending
8 11 percent as being fair and reasonable that you pay
9 uses a proxy group that has a 48 percent equity ratio --
10 60 versus 48. NextEra, Florida Power & Light's parent,
11 they have a 44 percent equity ratio -- 44 to 60. Our
12 expert believes that a very reasonable, balanced
13 portfolio is 50/50 equity -- excuse me -- equity to
14 debt.

15 Now what does that mean to you? Well, if you
16 take what Florida Power & Light is asking for at
17 60 percent, bring it down to 50 percent of equity, that
18 means you, the ratepayers, would pay \$360 million less
19 per year. Florida Power & Light is also asking for a
20 performance adder, nothing but pure excess profit of
21 .5 percent, or 50 basis points, because they have very
22 low rates and they provide good service. That is
23 \$120 million more a year. Now let's add up those three
24 things I just mentioned -- \$120 million, \$360 million,
25 \$480 million -- that's \$960 million per year that's

1 nothing but pure profit. Again, it will not affect
2 safe, adequate, reliable service that Florida Power &
3 Light provides to you, nor will it impair them in
4 investing in infrastructure, technology, whatever they
5 need. It's nothing but pure profit. There are going to
6 be some other areas that we're going to be contesting,
7 but we have not finalized those yet and we will in the
8 coming week.

9 What this case is not about, folks, is
10 personalities. Many of you, I know, are here today
11 testifying to Florida Power & Light's good quality of
12 service. That's not what this case is about. What this
13 case is about is Florida Power & Light has the burden to
14 prove to these ladies and gentlemen behind me that what
15 they're asking for is fair, reasonable, and prudent. We
16 do not believe that is true, and we're going to be
17 contesting those areas that I've mentioned to you along
18 with some others.

19 This is your hearing, as the Chairman said.
20 Please take this opportunity to come up to the podium
21 and speak to the Commissioners and tell them how you
22 feel. Good, bad, I want to hear the good stories, I
23 want to hear the bad stories. I just want to hear the
24 truth from you. Thank you so much for being here today,
25 and I do look forward to hearing your comments.

1 **CHAIRMAN BROWN:** Thank you, Mr. Kelly. Now
2 we'll hear from Mr. Schef Wright from the Florida Retail
3 Federation.

4 **MR. WRIGHT:** Good morning. My name is Schef
5 Wright. I have the privilege in this case of
6 representing the Florida Retail Federation, a statewide
7 organization of more than 8,000 members, from the
8 largest groceries, pharmacies, department stores,
9 electronic stores, big box stores and so on to literally
10 thousands of mom and pop sole proprietorships.

11 I've been working in energy for more than 35
12 years. I started by serving in Governor Bob Graham's
13 Energy Office from 1980 to 1982. I served for seven
14 years on -- not quite seven years on the PSC staff from
15 '82 to '88. I got a break and went to law school, and
16 here I am, lo these 28 years after that, representing
17 customers, municipalities, and rural energy producers.

18 The Retail Federation works closely with your
19 Public Counsel, who represents all customers, to
20 advocate for and fight for the lowest possible rates
21 that are still consistent with Florida Power & Light
22 doing its job of providing safe, adequate, reliable
23 service. You know, it would be easy to say, "Oh, no,
24 free electricity." No, that's wrong. We want a healthy
25 FPL. We want FPL to have all the money it needs to

1 provide safe, adequate, reliable service, but not
2 anymore than that. And that brings home what this case
3 really is about. This case is about wants versus needs.

4 FPL wants \$866 million additional revenue next
5 year, they want an additional \$266 million a year
6 starting a year after that, and another 2.5 -- two point
7 -- \$209 million starting in the middle of 2019. All in,
8 folks, that's \$4.5 billion of customer money, additional
9 customer money that they want over the next four years.
10 That's roughly \$1,000 for every residential customer
11 that they serve.

12 Now our position is that Florida Power & Light
13 does not need that. How can I say that? I can tell
14 you, because their own filing, the first page of their
15 minimum filing requirements shows that with no rate
16 increase at all in 2017, after they make all their
17 planned investment in new infrastructure that will be in
18 service in 2017, after they pay all their projected
19 expenses, line workers, linemen, people who work --
20 linewomen, people who work in the office and so on, they
21 will still make profits of \$1.6 billion. They want
22 another \$866 million of profit on top of that. We
23 believe that's excessive.

24 Their requested return on equity, 11.5
25 percent, is, in my opinion and in the opinion of the

1 Public Counsel's expert, grossly excessive. It's far
2 more than they need to attract capital to provide
3 service. It's far more than they need to provide safe,
4 reliable service. Nine percent, probably less, is
5 completely reasonable. By the way, 9 percent is
6 14.4 after taxes, 11.5 is 18.7. When all the evidence
7 is in, it will show that Florida Power & Light can do
8 its job, provide safe and reliable service, with no
9 increase at all in 2017, maybe a modest increase in 2018
10 and '19. Please tell the Commissioners what you think.
11 Thanks for coming.

12 **CHAIRMAN BROWN:** Thank you, Mr. Wright.

13 Mr. Bryan, I believe you have a notice of
14 publication for us.

15 **MR. BRYAN:** Yes. Thank you. At this time I
16 would like to offer the affidavits of publication from
17 two local newspapers of general circulation, the Sun
18 Sentinel and the El Sentinel, and these affidavits
19 merely demonstrate that FPL complied with the
20 Commission's requirements to advertise this service
21 hearing in Fort Lauderdale to the general public.

22 **CHAIRMAN BROWN:** Thank you. That will be --
23 we'll mark that as Exhibit 17.

24 (Exhibit 17 marked for identification.)

25 Okay. Now seeing that there are no elected

1 officials present, we will move into the customer public
2 comment portion, and that's the most important part of
3 this process. We've had so far -- this is our seventh
4 customer service hearing. We'll have two more over the
5 next day and a half. We want to make sure that every
6 customer who wants to speak is given that opportunity.
7 You will have three minutes to speak. When the light
8 turns yellow, you have about 30 seconds, and when it
9 turns red, unfortunately you're going to have to stop
10 and I will have to interrupt you because we would love
11 to give everyone their allotted time and be as courteous
12 as we can. So please be considerate of others.

13 Also, please note that if someone else before
14 you has said something that you just feel the exact same
15 sentiment, you can just say ditto and adopt that, those
16 comments as well. But this is your opportunity to
17 address the Commission, and so we're here to listen to
18 you.

19 (Interpreter commenting in Spanish.)

20 **CHAIRMAN BROWN:** Gracias. We will be swearing
21 all of you in at the same time, so I'll ask --

22 (Interpreter commenting in Spanish.)

23 **CHAIRMAN BROWN:** Gracias. So I would ask if
24 you would kindly, if you'd like to testify before us
25 today, please stand with me and raise your right hand.

1 (Interpreter commenting in Spanish.)

2 **CHAIRMAN BROWN:** Thank you. Do you swear or
3 affirm that you will provide the truth in this matter?

4 (Interpreter commenting in Spanish.)

5 (Collective affirmative responses.)

6 (Witnesses collectively sworn.)

7 **CHAIRMAN BROWN:** I just love our translator.
8 Thank you so much.

9 Okay. So when you come to the microphone,
10 please state three things, your name, your address, your
11 telephone number, and please also let us know whether
12 you're an FPL customer or not.

13 (Interpreter commenting in Spanish.)

14 **CHAIRMAN BROWN:** Gracias. And I said this
15 before, but please know that your verbal comments are
16 being transcribed by our court reporter. As such,
17 please be courteous and not speak while a customer is
18 speaking.

19 (Interpreter commenting in Spanish.)

20 **CHAIRMAN BROWN:** Gracias. Finally, Mr. Kelly,
21 Office of Public Counsel, will be calling your name, the
22 order in which you've signed up. He'll call the first
23 person up and then the second person behind them.
24 Please be prepared when your name is called.

25 (Interpreter commenting in Spanish.)

1 **CHAIRMAN BROWN:** Muchas gracias. And with
2 that, Mr. Kelly, your first customer.

3 **MR. KELLY:** Thank you, Madam Chair. The first
4 speaker is Henry Salomon, followed by Jon Polenberg.

5 **MR. SALOMON:** My name is Henry Salomon. I
6 live in Florida. My phone number is (954)345-3840. I'm
7 from Coral Springs.

8 Good morning. First, I want to say that FP&L
9 is a very well-managed company. From what I've learned,
10 it is much more efficient than any other utility of
11 similar size. The company changed its name to NextEra
12 Energy, or NEE, in 2010. The earnings per share of NEE
13 are about two-thirds more than Duke Energy and more than
14 double the size, double of the Southern Company. Its
15 dividends are higher than either of those two companies,
16 and I know that because I'm a happy NEE stockholder.
17 The profit margin of NEE is higher than either of the
18 companies.

19 Two, as a return on assets and return on
20 equities, why then is the company asking for a huge
21 increase in their base rate of 24 percent? It is
22 completely unjustified. The request would push FP&L
23 allowable profits up to 12.5 percent above the national
24 average and above what Florida law allows. They already
25 get storm charge, fuel charge, gross receipt tax,

1 environmental cost recovery, capacity payment recovery,
2 energy conservation cost recovery, non-fuel charge, and
3 customer charge. They also are asking for an increase
4 in customer charge from \$7.57 by \$2, a fee that is
5 unrelated to usage. I feel ripped off.

6 By the way, the stockholders -- as a
7 stockholder, I resent FP&L using funds to expense TV
8 ads. It's not as if a consumer can choose which company
9 to get their energy from. This is not Coke versus
10 Pepsi. FP&L is a monopoly. Why is the money that could
11 be used for dividends used for ads? Thank you.

12 **CHAIRMAN BROWN:** Thank you, Mr. Salomon.

13 Mr. Kelly, next customer.

14 **MR. KELLY:** After Mr. Polenberg is Michael
15 McNerney.

16 **CHAIRMAN BROWN:** Good afternoon.

17 **MR. POLENBERG:** Good morning.

18 **CHAIRMAN BROWN:** Where am I?

19 **MR. POLENBERG:** Don't confuse me. Jon
20 Polenberg. I'm here on behalf of the law firm Polenberg
21 Cooper, a firm I founded in 2005. We have had our
22 offices located at 1351 Sawgrass Corporate Parkway,
23 33323, since April of 2011.

24 And what I wanted to address to the
25 Commission, to the board is that in preparing for

1 today's meeting, I learned a little bit about what FPL
2 was doing, and I compared it to my other service
3 provider that provides a fundamental service that we
4 have, which is our communications, which includes voice
5 and internet and all like that. By the way, I think
6 they make a lot more profit than FPL. But those two
7 providers essentially are the lifeblood of our
8 organization. And in the last -- since 2011, I have had
9 at least five communications outages that lasted more
10 than an hour, which for my firm is the end.

11 **CHAIRMAN BROWN:** Disregard that. That's
12 incorrect, that flashing light.

13 **MR. POLENBERG:** Okay. Thank you. And as far
14 as FPL is concerned, we have not had one outage that
15 lasted more than a minute. And for us, that's huge.
16 The lights go out, they come right back on. And for a
17 law firm that might get calls from judges' offices,
18 clients, that's just an unbelievable track record of
19 reliability that I don't see in any of the service
20 providers that we hire or that we pay on an annualized
21 basis. And it would seem to me that if the board were
22 to determine that the rate is reasonable after due
23 process, that it's the proper thing to do. Therefore,
24 Polenberg Cooper and the people that work there support
25 this increase. Thank you.

1 **CHAIRMAN BROWN:** Thank you, Mr. Polenberg.
2 Commissioners, any questions?
3 Oh, just a second, sir.

4 Commissioners, any questions?
5 Mr. Kelly, any questions?

6 **MR. KELLY:** No, ma'am.

7 **CHAIRMAN BROWN:** Thank you for your testimony.

8 **MR. POLENBERG:** Thank you.

9 **MR. KELLY:** After Mr. McNerney, Reverend
10 Ronald Perkins.

11 **CHAIRMAN BROWN:** Good morning.

12 **MR. MCNERNEY:** Good morning. I'm happy to be
13 here to address you all. I appreciate the opportunity.
14 I have to resist the temptation not to try to address
15 all these different issues, given the time restraint.

16 I'm here to emphasize two points. I've lived
17 in Fort Lauderdale since 1973. That means that I've had
18 the pleasure of participating in all the hurricanes that
19 have hit us in that period of time. One time I had five
20 houses that I was trying to help different families take
21 care of, and the common denominator was that FP&L was
22 there when we needed them, and they were there quick and
23 they did a great job. And I want to be sure that in
24 your evaluation of what's needed, that you take into
25 account the fact that they're really our first line of

1 defense when we get hit with a hurricane and have that
2 kind of a problem, and we get hit on a regular basis.
3 So please be sure that nothing that you do influences
4 their ability to deliver that great service.

5 The other thing that I've been impressed about
6 FPL is that they come and tell me they have a problem
7 when I don't even know it. And I've had many times when
8 there's a truck on my street and they're doing something
9 to our lines and I'm going over to say, "What's
10 happening?" And they're saying, "Well, blah, blah,
11 blah, blah, blah, blah, and we've figured that out and
12 we're here to fix it." Impressive. Impressive.

13 And the third and last point I'd like to make
14 is that where I live in downtown Fort Lauderdale, I can
15 see the towers. There's a lot more people coming.
16 There's a lot more people in our city. That's a great
17 thing in a lot of ways, but it means they need to have
18 the power to survive in all those units that are coming
19 online. I'd ask you to consider that point as well.

20 Thank you very much.

21 **CHAIRMAN BROWN:** Thank you, Mr. McNerney.

22 Commissioners, any questions? Thank you for
23 your testimony.

24 **MR. McNERNEY:** Thank you.

25 **MR. KELLY:** After Reverend Perkins is Dennis

1 Ulmer.

2 **REVEREND PERKINS:** Good morning.

3 **CHAIRMAN BROWN:** Good morning, Reverend.

4 **REVEREND PERKINS:** I was a little concerned
5 when I walked in and I found the podium facing the other
6 way. Normally when I'm behind the podium with a
7 microphone, I'm talking to people, I'm looking at people
8 that I'm talking to. So thank you for turning it
9 around.

10 **CHAIRMAN BROWN:** You can do that too.

11 **REVEREND PERKINS:** My name is Ron Perkins. I
12 live at 1640 East Sunrise Boulevard in Fort Lauderdale.
13 I am a customer of FP&L. My phone number is
14 (954)494-5104. I'm also the Chaplain at Seafarers' House
15 in Port Everglades. We are adjacent to the FPL plant,
16 and we are a 27-year-old multi-faith-based ministry
17 serving the pastoral and practical needs of seafarers
18 visiting our port, as well the port workers themselves.
19 We care for over 150,000 visitors from over
20 100 countries. FPL is among many supporters of
21 Seafarers' House, and I was made aware of today's
22 hearings by the company.

23 My duties include invocations at major port
24 events, and a couple of years ago I had the privilege of
25 doing my first "demo-cation" as they blew up the towers

1 and prepared the ground for the new building. And just
2 in April of this year, I presided over the commissioning
3 and dedication of the new plant.

4 It's my understanding that FPL has invested in
5 excess of \$1.2 billion in that facility and created over
6 a thousand jobs for people that benefited many of our
7 local businesses.

8 As a chaplain, I'm concerned for the safety
9 and wellness of all persons in and around Port
10 Everglades, and FPL's new plant reduces air emissions by
11 more than 90 percent and cuts carbon dioxide output by
12 50 percent, which obviously will have a positive impact
13 on individuals' lives and health and a positive
14 ecological impact.

15 In addition, the new facility uses
16 domestically produced natural gas, which is cleaner,
17 more fuel efficient, and less costly than the previous
18 fuel sources.

19 As a Fort Lauderdale resident and FPL customer
20 both at work and at home, I'm thankful that we pay among
21 the lowest rates because it does have an impact on all
22 of our budgets.

23 FPL will increase our tax revenues as a result
24 of the new plant, and these increases in revenues
25 directly to Broward County and its municipalities by

1 over \$20 million. FPL will pass along a fuel savings of
2 more than 8 billion to us over the life of the new
3 plant, which will result in our maintaining the low
4 overcall cost.

5 As a U.S. citizen, I respect FPL for reducing
6 our country's dependence on foreign oil in this time of
7 international unrest. FPL's next generation clean
8 energy facility has been and will continue to be a
9 critical infrastructure improvement for our community.

10 I thank the management of FPL for their
11 foresight in making such a major capital investment in
12 our part of the state and wholeheartedly support their
13 rate increase request.

14 Thank you for the opportunity to provide my
15 input this morning, and thank you for the service you
16 provide the citizens of Florida.

17 **CHAIRMAN BROWN:** Thank you, Reverend Perkins.
18 Commissioners, any questions of the Reverend?
19 Mr. Kelly has a question.

20 **REVEREND PERKINS:** Yes, sir.

21 **MR. KELLY:** First, Reverend, thank you for
22 your work with your non-profit --

23 **REVEREND PERKINS:** Thank you.

24 **MR. KELLY:** -- to help those that are in need.
25 Just a couple of questions. Did I understand

1 correctly that you indicated Florida Power & Light
2 contributes financially directly or indirectly to the
3 non-profit?

4 **REVEREND PERKINS:** They do, correct.

5 **MR. KELLY:** And the second question is you
6 mentioned that they'll contribute ad valorem taxes for
7 their investments. Do you understand that all of those
8 taxes are paid for directly by the ratepayers of Florida
9 Power & Light?

10 **REVEREND PERKINS:** Correct.

11 **MR. KELLY:** Okay. Thank you, sir. I
12 appreciate your testimony.

13 **REVEREND PERKINS:** Thank you.

14 **CHAIRMAN BROWN:** Thank you for your testimony
15 today.

16 Next customer, please, Mr. Kelly.

17 **MR. KELLY:** After Mr. Ulmer is Mark Watson.

18 **MR. ULMER:** Good morning.

19 **CHAIRMAN BROWN:** Good morning.

20 **MR. ULMER:** I'm Dennis Ulmer. My address is
21 1007 Northwest 11th Place, Fort Lauderdale. Zip is
22 33311. My telephone number is (954)763-1913.

23 The proposed rate increase by Florida Power &
24 Light is too much. It's a burden, especially for those
25 of us living on disability payments or social security.

1 The proposed rate increase not only affects our personal
2 bill, but our overall finances as well. The cost of
3 electricity is passed on to consumers in a higher cost
4 for goods and services and by government by increasing
5 taxes. There's also a burden for non-profits. I attend
6 one of the larger churches here in Fort Lauderdale, and
7 our electric bill is in the thousands of dollars. A
8 rate increase will cost organizations that serve the
9 community dollars that could be used for their missions
10 in serving the community instead of going for increased
11 operating expenses.

12 Thank you for your time.

13 **CHAIRMAN BROWN:** Thank you for your testimony.

14 Commissioners, any questions?

15 Thank you.

16 **MR. ULMER:** Thank you.

17 **MR. KELLY:** After Mr. Watson is Sharon Sassen
18 Croy.

19 **CHAIRMAN BROWN:** Good morning.

20 **MR. WATSON:** Good morning. Thank you very
21 much, Chairperson Brown and to the Commissioners, for
22 allowing me the opportunity to speak today. My name is
23 Mark Watson. I live at 3507 Oaks Way, Apartment 609 in
24 Pompano Beach. My home phone number is the
25 (954)974-9672. And I'm here to speak very briefly in

1 favor of the proposal by FPL today. And really when I
2 was thinking about it, it came down to what's important
3 to me over the long term, and really two things pop to
4 mind and they're pretty simplistic. One is a relatively
5 flat expense curve over the years; and the other is
6 really basic, right after food and shelter, is when I
7 flip the switch, do the lights come on? And I think
8 that, as we have seen over the last number of years,
9 that increasing investments by FPL, not only in
10 generation but in terms of maintaining and upgrading the
11 grid, will go a long way to ensuring those two basic
12 needs for myself as a consumer. And for those reasons,
13 I'm in favor of the proposal. Thank you.

14 **CHAIRMAN BROWN:** Thank you, Mr. Watson.

15 Commissioners, any question?

16 Mr. Kelly has a question for you.

17 **MR. KELLY:** Thank you, Mr. Watson, for taking
18 the time to be here today. Did someone ask you to come
19 and attend?

20 **MR. WATSON:** Yes, a representative asked if
21 I'd be willing to speak today.

22 **MR. KELLY:** Of FPL?

23 **MR. WATSON:** Yes, sir.

24 **MR. KELLY:** Okay. Thank you, sir.

25 **MR. WATSON:** You're welcome.

1 **CHAIRMAN BROWN:** Thank you.

2 Next customer, please.

3 **MR. KELLY:** After Ms. Croy is Dyan Beasington
4 (sic).

5 **CHAIRMAN BROWN:** Good morning.

6 **MS. CROY:** Good morning. I am Sharon Sassen
7 Croy. I live in Fort Lauderdale, and my phone number is
8 (319)389-3466. And I just want to say my husband and I
9 and my family recently relocated from the Midwest to
10 South Florida, and I was very pleased with the customer
11 service we received and the smooth process of getting
12 power established for our home as well as our business.

13 I am in support of the rate increase from this
14 idea of improved infrastructure and also, you know, to
15 have the appropriate power grids in place to handle
16 devastation. From the Midwest, obviously we haven't
17 suffered a hurricane in the Midwest, but coming from the
18 Cedar Rapids area in 2008, there was a massive flooding
19 that hit national news, and it took a long time for
20 power to get back on. And you see the stress and the
21 anguish of the people who are trying to run businesses
22 and trying to operate and trying to live daily life
23 without power, and I think that's where it's very
24 important to make sure the proper things are in place to
25 assure that we'll have power when we need it, and

1 hopefully we won't suffer any bad weather. So thank
2 you.

3 **CHAIRMAN BROWN:** Thank you, Ms. Croy.

4 Commissioners, any questions?

5 Mr. Kelly has a question.

6 **MR. KELLY:** Hi, Ms. Croy. Thank you for being
7 here today.

8 **MS. CROY:** Sure.

9 **MR. KELLY:** Did someone ask you to come and
10 attend to speak today?

11 **MS. CROY:** Yeah. I have a cousin of mine
12 that -- she keeps track of a lot of things that go on in
13 Florida and just wants to make sure that things are
14 represented in a good way, and she asked me -- she asked
15 my opinion on Florida Power & Light. I said I had a
16 great opinion, because I said coming from the Midwest, I
17 didn't find the rates to be ridiculously higher and
18 things like that. And she just said, "If you're willing
19 to speak" -- she made me aware of this, so.

20 **MR. KELLY:** Is she with Florida Power & Light?

21 **MS. CROY:** No.

22 **MR. KELLY:** Okay. Thank you.

23 **CHAIRMAN BROWN:** Thank you for your testimony.

24 **MS. CROY:** Thank you.

25 **CHAIRMAN BROWN:** Thank you.

1 Next customer, please.

2 **MR. KELLY:** After Ms. Beasington (sic) is
3 Calvin Glidwell (sic) -- Glidewell.

4 **MS. BRASINGTON:** Good morning, Madam Chairman
5 and members of the Commission. My name is Dyan
6 Brasington. I live at 1 North Ocean Boulevard in
7 Pompano Beach. My phone number, (443)458-3276. I am an
8 economic development professional. I have been for the
9 last 30 years. And many of you know economic
10 development is a team endeavor. Florida Power & Light
11 is a terrific partner working with our organization and,
12 I know, many economic development organizations in the
13 state of Florida.

14 I have -- I am a Florida native, but I'm back
15 after many years of developing my career elsewhere, and
16 I'm very impressed. When I first got here, of course, I
17 had to figure out what are our tools, what are our
18 resources, what are our assets as we keep Florida
19 competitive to retain our business and industry and
20 provide jobs? And Florida Power is part of our team.
21 They offer great resources, a lot of tools. They help
22 in our professional development. They come with us to
23 customers and provide competitive rates. They have a
24 reputation for reliable service. And as we look to the
25 future and we make investments in our community to help

1 sustain what we're trying to do, which is to bring
2 prosperity to our communities and keep it there, I think
3 critical infrastructure investments that look to the
4 future to do that are essential. So thank you so much
5 for the opportunity to be here.

6 **CHAIRMAN BROWN:** Thank you, Ms. Brasington.
7 And could you please tell us who you work for and what
8 your --

9 **MS. BRASINGTON:** I work for The Beacon Council
10 in Miami-Dade.

11 **CHAIRMAN BROWN:** Okay. Thank you.

12 **MR. BRASINGTON:** Sure.

13 **CHAIRMAN BROWN:** Commissioners, any other
14 questions?

15 **MR. KELLY:** And I apologize for botching your
16 name.

17 **MS. BRASINGTON:** My handwriting might have
18 been bad.

19 **MR. KELLY:** Is The Beacon Council a
20 non-profit?

21 **MS. BRASINGTON:** Yes, we are. We are a
22 public-private partnership.

23 **MR. KELLY:** And Florida Power & Light
24 contributes financially directly or indirectly?

25 **MS. BRASINGTON:** They are one of our

1 investors, as well as work with us in a lot of other
2 ways.

3 **MR. KELLY:** Okay. Thank you, ma'am. I
4 appreciate you being here.

5 **MS. BRASINGTON:** Thank you.

6 **MR. KELLY:** After Mr. Glidewell is Maria
7 Johnston.

8 **MR. GLIDEWELL:** Good morning, Commissioners.
9 My name is Calvin Glidewell, and I've lived here in
10 Broward County since 2007. I lived for about 6.5 years
11 in the beautiful community of Lighthouse Point, and I
12 currently reside in a condominium unit, 821 North
13 Riverside Drive in Pompano Beach. Both places I've
14 lived always received excellent residential service from
15 Florida Power & Light. Any rare power outage that we
16 had was quickly remedied. And the good thing is you
17 could always call FP&L and get an accurate reading as to
18 when power might be restored in your residence.

19 But I really came here to talk about my role
20 as the chief executive officer at Broward Health Medical
21 Center, where I served from 2011 until January of 2016.
22 Broward Health Medical Center is one of the largest
23 public safety net hospitals here in Broward County, 716
24 beds, over 3,000 employees and about 900 doctors, and we
25 see about half a million patients every year, and it's

1 important for us to have power all the time. And we do
2 work closely with FP&L to be sure that we test our
3 generators in the event that we did have a hurricane or
4 other natural disaster where we might lose power that
5 our generators work properly and that our automatic
6 transfer switches do automatically transfer immediately
7 so that we can make sure that we're maintaining the
8 patient safety that we need to in the hospital. FP&L
9 has been very good to us and have -- has created
10 redundancy in our hospital with two main power trunk
11 lines serving the hospital.

12 The planned power outages, we work well with
13 FP&L. They're not the problem. It's the unplanned ones
14 that are the real issue, and we have had a couple of
15 those. Most of the time it's when our generators kicked
16 in and one of our automatic transfer switches didn't
17 work properly, which we've replaced. We did have an
18 unplanned power outage last year when a large sailboat
19 mast hit a power line across the New River here, and
20 actually -- we actually had to go on manual proceedings
21 for a while. A couple of automatic transfer switches
22 failed: one of ours and one of FP&L's.

23 FP&L was immediately available. They replaced
24 that automatic transfer switch within hours and made
25 sure that power would be restored to the hospital as

1 quickly as possible.

2 FP&L is always available to us. They make us
3 a priority, they're reliable, their engineering team is
4 a pleasure to work with, they're accessible, and they're
5 responsive. I just wanted to let you know that they
6 take the safety of our patients just as --

7 **CHAIRMAN BROWN:** Thank you, Mr. Glidewell.

8 **MR. GLIDEWELL:** -- seriously as we do at the
9 hospital. So I just wanted to make that statement.
10 Thank you.

11 **CHAIRMAN BROWN:** Thank you.

12 Commissioners, any questions for
13 Mr. Glidewell?

14 Mr. Kelly has a question.

15 **MR. KELLY:** Thank you, Madam Chair.

16 Thank you for being here today. If your
17 rates -- or you said, I think, you used to be at the --

18 **MR. GLIDEWELL:** I was at Broward Health
19 Medical Center until January of 2016. Right.

20 **MR. KELLY:** Okay. If the electric bills go
21 up -- rates go up there at the medical center, does the
22 medical center absorb those, or do they have to pass
23 those on to their patients in the form of their hospital
24 rates?

25 **MR. GLIDEWELL:** Every -- you know, our rates

1 are really based upon the expenses that we have as a
2 hospital. Utility expenses are a piece of that. We'd
3 have to factor that into the rates that we would charge
4 our customers.

5 **MR. KELLY:** Thank you, sir.

6 **CHAIRMAN BROWN:** Thanks for your testimony.

7 **MR. GLIDEWELL:** Thank you.

8 **CHAIRMAN BROWN:** Mr. Kelly, next customer,
9 please.

10 **MR. KELLY:** After Ms. Johnston is Kathy Koch.

11 **MS. JOHNSTON:** Good morning. My name is Maria
12 Johnston. My address is 560 El Dorado Parkway,
13 Plantation, Florida 33317. And my phone number is
14 (954)792-5777. I'm an FPL customer and I'm in support
15 of this request.

16 I want you to know I've taken advantage of
17 FPL's offers over the years. We have a family of five,
18 three children. My -- I had at one point a ridiculous
19 bill, and I had FPL come out and do an audit for me.
20 They provided me a plan, told me what I needed to do to
21 reduce my bill. I implemented it and my bill dropped.
22 I also take advantage of their budget billing, which is
23 great, so I don't have to worry about those summer
24 months when that usage goes up. And that's really been
25 helpful because I can budget accordingly.

1 In addition to that, I'll tell you I can't
2 recall the last time that I've seen the "PF" on my oven
3 light or my appliances. I haven't had a power outage in
4 a long time, which is great. I've seen them upgrade the
5 infrastructure. I don't see as many wooden poles
6 anymore. It's more concrete poles, which is great. The
7 reliability has definitely kicked in, which I love.
8 When you have children, you want reliability, and I have
9 to say FPL has really stepped it up. I'd like to see
10 them continuing that trend.

11 I've now got a smart meter at my home, which
12 is awesome. I'm able to go into my account and see my
13 utilization regularly. I really believe that they've
14 done a great job, and I'd like to see them continue to
15 do that.

16 **CHAIRMAN BROWN:** Thank you, Ms. Johnston.

17 **MS. JOHNSTON:** You're welcome.

18 **CHAIRMAN BROWN:** Commissioners, any questions?

19 All right. Thank you for your testimony.

20 **MS. JOHNSTON:** Thank you.

21 **MR. KELLY:** After Ms. Koch is Roy Rogers.

22 **CHAIRMAN BROWN:** Roy Rogers, is he here?

23 **MS. KOCH:** Good morning. Good morning. Thank
24 you, Chairperson Brown and Commissioners, for allowing
25 me to speak today. My name is Kathy Koch. I've both

1 lived and worked in Fort Lauderdale for 30 years. My
2 agency is at 19 Northwest 5th Street in Fort Lauderdale,
3 (954)568-2100.

4 All I know is that every time I turn on my
5 light switch, whether it's home or at the business, the
6 lights go on, and every morning my hairdryer and my
7 toaster and my PC work. Everything always has the
8 electricity it needs. Same thing at the office. We're
9 a 24/7 office. The lights are always on. I never need
10 to wonder about whether my little world or the bigger
11 one here in South Florida is going to have enough
12 electricity and whether it will be accessible every
13 single time that we need it.

14 The fact that FPL rates are lower than what
15 they were a decade ago is meaningful and speaks to
16 business decisions that they made to invest in
17 infrastructure and efficiencies that are paying off now.
18 And that they're lower than the national average speaks
19 to competitiveness. I'm a business owner. I appreciate
20 that.

21 FPL has been making good decisions. As one of
22 their residential and their business customers who has
23 been benefiting from those decisions, my thought is that
24 we need to listen to the company that has been providing
25 electricity efficiently and has projected that their

1 customer bills through 2020 will remain lower than they
2 were in 2006, and to support the additional dollars that
3 they need to continue to do the good job of providing
4 essential electricity that we all depend upon. Thank
5 you.

6 **CHAIRMAN BROWN:** Thank you. Ms. Koch.

7 Commissioners, any questions?

8 Mr. Kelly.

9 **MR. KELLY:** Thank you for being here this
10 morning.

11 **MS. KOCH:** Thank you.

12 **MR. KELLY:** I just have a couple of questions.

13 **MS. KOCH:** Yes. Yes.

14 **MR. KELLY:** Did anyone ask you directly or
15 indirect --

16 **MS. KOCH:** A representative of FPL asked me to
17 speak.

18 **MR. KELLY:** Okay. Does your company do any
19 business indirectly or directly with Florida Power &
20 Light?

21 **MS. KOCH:** No, we don't. No.

22 **MR. KELLY:** Okay. Thank you.

23 **CHAIRMAN BROWN:** Thank you.

24 Roy Rogers, where are you?

25 **MR. KELLY:** After Mr. Rogers is Teri

1 Goldsmith.

2 **MR. ROGERS:** Good morning, Madam Chair,
3 Commissioners, and staff. My name is Roy Rogers,
4 5141 Northeast 31st Avenue. Also from Lighthouse Point.
5 And my number is (954)445-1701.

6 I come today, and I won't repeat what the
7 previous speaker, Kathy Koch, who is a dear friend, and
8 Calvin Glidewell have said, but I would add two elements
9 that you haven't heard yet and probably won't.

10 The first is that I've been where you are.
11 It's been my privilege to have served under five
12 governors in a statewide organization such as yours.
13 One of them is the Environmental Regulation Commission,
14 where we also went around the state and took
15 testimonies. And I know it's a tough job and your
16 excellently -- your excellent staff and your general
17 counsels and the way you receive input is what I have
18 personally experienced. That's one. I've been there.
19 I know what you have to do. I know it's a tough job. I
20 thank you for doing what you do and listening.

21 The other point I'd like to make is that I
22 feel I am an informed customer in that I have the unique
23 and wonderful responsibility of being the senior vice
24 president for developing a large community immediately
25 to the west, Weston, and that is a 10,500-acre

1 60,000-population community. When I began, it was the
2 start of the community. And I found FPL not only a
3 partner in making a dream come true, and that is having
4 a great hometown, but a willing participant in the
5 process so that we could have a building process that
6 was seamless and all hands were involved, all hands were
7 respected. FPL came through.

8 Way back then, I volunteered, whether it to be
9 at meetings like this, I could come and tell them what
10 you gain from being helped by cooperative, very
11 important people in the building process.

12 We did have Wilma strike Weston. The first
13 hit from, coming from the west to the east was the
14 community of Weston, 10,500 acres. We didn't lose
15 power. I could speak to why that is the case, but I'll
16 just leave you with that.

17 I volunteered to be here today. I'm not a
18 receiver of any remuneration. Among those, the
19 responsibilities of being the chair of the Commission of
20 Ethics.

21 So I stand here today to tell you the truth,
22 that -- another thing you might not have heard loudly
23 enough is that FPL is a terrific participant in the
24 community. And that's how I made my connection, Mr.
25 Kelly. I wasn't contacted. But it was really me that

1 set it up as far as volunteering. I do have an
2 expertise in the nuclear part of it for another time at
3 another hearing.

4 But for now, thank you for being here. I know
5 it's a tough job. I have to remember my plain name;
6 it's my father's name.

7 **CHAIRMAN BROWN:** Thank you.

8 **MR. ROGERS:** And the fact that I had something
9 that I could share with you in regards to what they're
10 doing.

11 **CHAIRMAN BROWN:** Thank you, Mr. Rogers. I
12 appreciate your testimony today. I didn't --
13 Mr. Rogers?

14 **MR. ROGERS:** Yes.

15 **CHAIRMAN BROWN:** I didn't get the name of the
16 developer that you work for.

17 **MR. ROGERS:** It's Arvida. We were owned by
18 Disney at the time.

19 **CHAIRMAN BROWN:** Great. Thank you.
20 Commissioners, any other questions of
21 Mr. Rogers?

22 All right. Have a great day.

23 **MR. ROGERS:** Thank you.

24 **CHAIRMAN BROWN:** Thank you.
25 Next customer, please.

1 **MR. KELLY:** After Ms. Goldsmith is Ric Green.

2 **MS. GOLDSMITH:** Good morning. My name is Teri
3 Goldsmith. I am president of Goldsmith Resources. I'm
4 a business owner here in South Florida going on 20
5 years. Address is 525 Northeast 13th Avenue. I live in
6 a little house in Victoria Park. I'm also president of
7 the Florida Master Naturalists and Master Gardeners of
8 Broward County. And like Roy, I happened to be --
9 become aware of this hearing at the same time he did.
10 We both volunteered.

11 From my angle, I would have to say ditto to
12 John Polenberg and Calvin Glidewell, because my business
13 doesn't -- it stops cold when there's no power. And I
14 can't say a single good thing about any other utility
15 that I happen to pay for at this time. But I can tell
16 you that as a master gardener, master naturalist, these
17 are things that were not mentioned, it's noteworthy to
18 point out that I'm in charge now of delegating 400-plus
19 volunteers. We're all civic-minded civil stewards of
20 the environment, and we're trained by the University of
21 Florida Extension Office, about 150 hours plus lectures
22 and fieldwork. And our job is to offer the residents of
23 Broward County free advice, science-based advice on
24 their landscaping and Florida landscaping, pest control,
25 all kinds of different things, without suggesting or

1 referring companies. So totally nonpartisan,
2 science-based information.

3 Time and again when I'm at a volunteer event
4 there's either FPL involved or there's an FPL employee
5 or employees that are there, not at the request of their
6 company, simply because of the nature of the type of
7 people that FP&L seems to employ.

8 My business is sales and marketing. I can
9 tell you when it comes to branding and when it comes to
10 corporate culture, I certainly -- it's easy to pick out
11 the bad ones when you see them. There's something
12 remarkable about Florida Power & Light. They seem to
13 recruit from top to bottom the same kind of individual.
14 No matter where I go, I can almost pick them out without
15 knowing where they work.

16 So I can tell you that from the standpoint of
17 electricity, I'm more than supportive of what they plan
18 to do. I like the clean energy idea, I like what
19 they're doing with the environment, I like the way they
20 treat me when I need their help. They always respond.
21 And I love hearing from them when I haven't had to call
22 100 times. Every hour I hear from Florida Power &
23 Light. So they give me what I need. I'm happy to
24 support them. Thanks for listening.

25 **CHAIRMAN BROWN:** Thank you, Ms. Goldsmith, and

1 thank you for sharing with us about the master gardener.
2 My neighbor is one.

3 **MS. GOLDSMITH:** My pleasure.

4 **CHAIRMAN BROWN:** I had no idea what they did.

5 **MS. GOLDSMITH:** Master Gardeners of Broward.
6 We're also at WRLN every month, so check it out.

7 **CHAIRMAN BROWN:** Very interesting. Thank you
8 so much.

9 Commissioners, any questions?

10 Mr. Kelly has a question.

11 **MS. GOLDSMITH:** Sure.

12 **MR. KELLY:** Thank you for being here this
13 morning. Is your organization, is it a non-profit?

14 **MS. GOLDSMITH:** It is.

15 **MR. KELLY:** Okay. And does Florida Power &
16 Light contribute directly or indirectly to that?

17 **MS. GOLDSMITH:** They do not.

18 **MR. KELLY:** Okay. Thank you.

19 **MS. GOLDSMITH:** Sure.

20 **CHAIRMAN BROWN:** You have a great day.

21 **MS. GOLDSMITH:** You too.

22 **MR. KELLY:** After Mr. Green, Dennis Smith.

23 **MR. GREEN:** Well, good morning.

24 **CHAIRMAN BROWN:** Good morning.

25 **MR. GREEN:** My name is Ric Green. I'm the

1 president and CEO of the Greater Pompano Beach Chamber
2 of Commerce, which is housed at 2200 East Atlantic
3 Boulevard in Pompano Beach. The phone number is
4 (954)941-2940.

5 As the president of the Chamber of Commerce
6 and also the president of the Association of Chambers of
7 Commerce in Broward County, I'd like to welcome you, and
8 let's hope it's a Chamber of Commerce day while you're
9 here and we don't see the weather fighting with us as we
10 have come to expect afternoon storms.

11 I've been a resident of Broward County since
12 1958, which makes me four years old when I came here, my
13 parents came. Every time I've -- the only thing I can
14 tell you about electricity is since that time, every
15 time I've gone to a light switch, the power has come on.
16 I can also tell you about the time when I was probably
17 about four or five and I learned that you never touch a
18 light socket when you're wet. But, you know what, it's
19 always worked.

20 I've been in economic development since 1989.
21 I worked for the Broward Economic Development Council,
22 and I now work for the Chamber of Commerce, and I've
23 been there for the past nine years. It's always been a
24 great, great organization as FP&L helps us in attracting
25 businesses, events, and helping with the general overall

1 climate of business in South Florida.

2 They do financially support the Chamber and
3 are a sponsor of some of our events, as are numerous
4 companies, and help us with our mission and in other
5 organizations as well. But what I've learned is they
6 have various energy programs. They have come to the
7 Chamber, they've helped us. We've -- the lady spoke
8 about the budgeting. That was very beneficial to us.
9 The building that I'm housed in that we own was built in
10 1947. You can only imagine it's not real energy
11 efficient, but we've, through the help of FP&L, we've
12 come to understand that.

13 With FPL, though, I've also seen them do
14 numerous things. I've seen them go do things like help
15 with the beach and remove invasive plants, since we're
16 talking about gardening, and cleanup. I've also seen
17 them help us when we go to attract businesses by talking
18 to those businesses about when they come in, is there
19 going to be an influx. We just had a company move in
20 2,500 employees. One of the first things we did was
21 contact FP&L to help us attract that business and make
22 that transition more effective.

23 Lastly, I have a hobby, and I'm very proud of
24 that hobby, and that's I'm the announcer at Homestead
25 Motor Speedway. And I travel up to Daytona on a regular

1 basis, and I'm very impressed with the parking garage
2 they've done with the solar panels. With that, I thank
3 you very much.

4 **CHAIRMAN BROWN:** Thank you. Thank you for
5 your testimony today.

6 Commissioners, any questions?

7 Mr. Kelly, do you have one?

8 **MR. KELLY:** Yes, ma'am. Thank you.

9 Mr. Green, did the Pompano Beach Chamber of
10 Commerce, are you speaking on their behalf?

11 **MR. GREEN:** I'm speaking on their behalf.

12 **MR. KELLY:** And they have voted to --

13 **MR. GREEN:** They have not voted either way.

14 The only thing they gave me permission to talk about was
15 the economic plans and what they have done for us.

16 **MR. KELLY:** Okay. Thank you, sir.

17 **CHAIRMAN BROWN:** Have a great day.

18 **MR. GREEN:** Y'all have a great day.

19 **MR. KELLY:** After Mr. Smith is Rigoberto
20 Morales.

21 **CHAIRMAN BROWN:** Good morning, Mr. Smith.

22 **MR. SMITH:** Good morning. I did want to
23 mention I'm part of the law firm of Tripp Scott. I'm
24 not here on their behalf. Norman Tripp and Jim Scott
25 and I have been together for 39 years, but I'm here for

1 my own personal behalf.

2 I live in Lighthouse Point, as some of the
3 other speakers do. I get the fact that this is a very
4 challenging task for you to balance cost versus benefit.
5 What is interesting, as Rick would say, I've been here
6 since 1950. I didn't really realize FP&L was our
7 provider then, but I certainly have understood that they
8 have been.

9 My issues are that I really would like you all
10 to accept renewable energy as something we should fund.
11 Even if the cost is a little bit more, we have an
12 obligation to our environment, we have an obligation to
13 the state, and all of you are here to be fulfilling that
14 obligation, to use renewable energy more. FP&L does a
15 phenomenal job in expanding their renewable energy. We
16 need to support renewable energy.

17 We also need to harden our system even more.
18 I'm happy that almost all the time I can depend on the
19 electricity, but there are times -- and with hurricanes,
20 it's not if you're going to get hit, it's when are you
21 going to get hit and how often you're going to get hit.
22 We need our systems to be hardened more.

23 As to what FP&L has done, they have spent a
24 significant amount of dollars, and what they have done
25 is eliminate 99 percent of our dependence on foreign

1 oil. I think moving to natural gas that is domestic
2 natural gas is incredibly important to our state and to
3 all of our citizens and to me personally that we no
4 longer have to depend on foreign oil.

5 A small story. I was just in the Bahamas. My
6 family and I went there for a vacation. I love the
7 Bahamas. I've been going there since I was a little
8 kid. But every day we lost power for two to four hours
9 every day. And you could -- what you can count on there
10 is that you will lose power. What you can count on here
11 is that you won't. Why? Because they don't have money
12 to spend to harden up their systems and to make sure
13 they have reliable and dependable services. They don't
14 have people that make any money from it. Somehow,
15 Mr. Kelly, who, by the way, you're supposed to be
16 representing me, you're doing a shitty job.

17 **MR. KELLY:** Fair enough.

18 **MR. SMITH:** I actually want you to do a better
19 job of representing me, and I would like you to question
20 people who are against this why they're here --

21 **CHAIRMAN BROWN:** You've got about ten seconds
22 left, Mr. Smith.

23 **MR. SMITH:** -- and not just ask people who are
24 in favor of it why we're here.

25 **CHAIRMAN BROWN:** Thank you, Mr. Smith, so much

1 for your testimony.

2 **MR. SMITH:** Thank you.

3 **CHAIRMAN BROWN:** You're funny.

4 Commissioners, do you have any questions? All
5 right.

6 **MR. SMITH:** Well, and just by the way, we do
7 not work for FP&L.

8 **CHAIRMAN BROWN:** Mr. Smith, please, please,
9 thank you.

10 **MR. SMITH:** Thank you.

11 **CHAIRMAN BROWN:** All right. Next customer.

12 **MR. KELLY:** After Mr --

13 **CHAIRMAN BROWN:** Mr. Kelly, one second. And I
14 would like to address the public, please. If you could
15 keep the decorum in here. We do have a court reporter
16 who's transcribing every word. Thank you.

17 Next customer, please.

18 **MR. KELLY:** After Rigoberto Morales, Charles
19 Caulkins, followed by Marcia Barry-Smith.

20 (No response from Rigoberto Morales.)

21 **MR. CAULKINS:** I am Charles Caulkins, but
22 who's before me?

23 **MR. KELLY:** I said Rigoberto Morales.

24 **CHAIRMAN BROWN:** No.

25 **MR. KELLY:** Then Mr. Charles Caulkins,

1 followed by Marcia Barry-Smith.

2 **CHAIRMAN BROWN:** Good morning.

3 **MR. CAULKINS:** Good morning. Thank you. I
4 appreciate y'all's service to the state. And I'm a
5 lawyer, I'm with the law firm of Fisher & Phillips, and
6 I'm here speaking on behalf of myself. We're a business
7 as well as representing clients. We have 340 lawyers
8 around the United States, three offices in Florida,
9 32 offices around the country. I'm involved in managing
10 the firm, and I'm very appreciative of what we have in
11 South Florida and in the state of Florida with respect
12 to our power sources, particularly here in South
13 Florida. I'm here to speak in favor of FP&L's request.

14 I look at the criteria about how the company
15 is doing. Reliability, cost, fuel sources have all been
16 referred to already. There is -- since Wilma, we've had
17 a fantastic record here of reliability in Broward County
18 and South Florida. We have a grid that's very
19 resilient, and that's because we have smart people
20 running the company that knows how to provide these kind
21 of services to our citizens. I think FP&L, from what
22 I've read, is one of the top electric power generating
23 companies in the country, maybe the world.

24 On the cost, the data I've seen is we're
25 lower -- the lowest cost in Florida and one of the

1 lowest costs in the United States, and believe me,
2 companies that are coming to South Florida or Florida
3 are looking at that as part of the reason why they might
4 relocate to Florida. They also are looking at that as
5 reasons to stay in Florida.

6 I'm involved in several business organizations
7 and regularly get involved with companies that are
8 thinking about coming to South Florida, and I think that
9 is definitely one of the factors they look at to decide
10 whether to locate here. We like that. We want it to
11 continue.

12 My view of the company, very well managed.
13 You've heard the testimony about that, and so I'm not
14 going to repeat it. But they do return calls, they do
15 get service. When you go down, they're there. So I'm
16 very appreciative of what they're doing. That tells me
17 it's a very well-managed company. They also give back
18 to the community. You've heard that, and I've seen it
19 in action. That's something to be rewarded.

20 Business. They're giving jobs, great jobs
21 around South Florida. They're retaining those people in
22 those jobs because it's obviously a good place to work.

23 It's the easiest game in town to criticize a
24 company like this, easiest game in town to say that
25 they're making too much money. I think it ought to be

1 looked at in a different way, and the different way is
2 to reward them for what they're doing. And if they --
3 if they're making profits that are in the norm of what
4 power companies are making in America, they should get
5 more. They should be rewarded for what they're doing,
6 not penalized for what they're doing. So I would
7 encourage you to support and grant the request that
8 Florida Power & Light has made for a rate increase.

9 **CHAIRMAN BROWN:** Mr. Caulkins, you said that
10 you work for a law firm?

11 **MR. CAULKINS:** Yes.

12 **CHAIRMAN BROWN:** Can you say what law firm?

13 **MR. CAULKINS:** Yeah. Fisher & Phillips is the
14 law firm, 450 East Las Olas Boulevard, (954)525-4800.

15 **CHAIRMAN BROWN:** Thank you.

16 Commissioners, any questions?

17 Mr. Kelly?

18 **MR. KELLY:** Does your law firm do any business
19 directly or indirectly with Florida Power & Light?

20 **MR. CAULKINS:** No, sir. We don't do any
21 business. I'm here -- I heard about this and I asked
22 one of the FP&L people what this was about and said,
23 "Wow, I'd like to come and give my opinion," because I
24 think they're doing a fine job for us in Florida."

25 **MR. KELLY:** Thank you, sir.

1 **MR. CAULKINS:** Yeah.

2 **CHAIRMAN BROWN:** Thank you for your testimony.
3 Mr. Kelly, next customer.

4 **MR. KELLY:** After Ms. Barry-Smith is Richard
5 Schroeder.

6 **CHAIRMAN BROWN:** Good morning.

7 **MS. BARRY-SMITH:** Good morning. Thank you so
8 much for allowing me this opportunity. My name is
9 Marcia Barry-Smith. I own MBS Consulting Services. I'm
10 a long-time senior banker in Broward County. As they
11 say about bankers, we never retire, we just go into
12 consulting. And so as a result, I have several clients
13 who are non-profits, one of which is Housing Foundation
14 of America, with whom I serve the population of low to
15 moderate income persons on less -- earning less than
16 80 percent of the area median income in the tri-county
17 area. We have a homebuyer's club called H2H, which is
18 from homeless to homeowner, from hopeless to hope
19 filled, breaking the cycle at last.

20 My clients have benefited so much from Florida
21 Power & Light. Why would I be here when I represent
22 people earning less than 80 percent AMI? And it is
23 because of the -- I'm sorry. It's because of the
24 commitment from Florida Power & Light. The staff such
25 as Mr. Coston, Mr. Toledo (phonetic), Mr. Bradley, who

1 spends their spare time coming out and speaking to my
2 clients between 6:00 and 8:00 in the evening, we have
3 five clubs, teaching them how to benefit from various --
4 taking various steps to reduce their bills. The people
5 who will listen to my clients when they call and say, "I
6 can't make it this month. The baby had a fever. I have
7 a doctor's bill. My car broke down." Florida Power &
8 Light has always, always come through for them. They
9 teach them, as I said, how to reduce the costs of their
10 electricity each and every month. So \$8.13 per month
11 increase for the first year, my clients will be able to
12 absorb that. Not only that, they've been well educated
13 by the field representatives who come out and teach
14 what's happening next. And, therefore, I say that even
15 though I was invited whether I wanted to speak, and I
16 was not asked whether I supported it or not, I certainly
17 support it because of the community, they give back, and
18 the way that my clients have been able to benefit from
19 learning and from adapting so very many of the pieces of
20 information that have been given to them by Florida
21 Power & Light. Thank you.

22 **CHAIRMAN BROWN:** Thank you so much for your
23 testimony.

24 Commissioners, any questions?

25 Mr. Kelly, do you have a question?

1 **MR. KELLY:** Just one. Thank you, ma'am, for
2 being here today. Does Florida Power & Light contribute
3 financially directly or indirectly to the non-profits?

4 **MS. BARRY-SMITH:** Not at all. No.

5 **MR. KELLY:** Okay. Thank you.

6 **MS. BARRY-SMITH:** Thank you.

7 **CHAIRMAN BROWN:** Thank you for your testimony.

8 **MS. BARRY-SMITH:** Thank you.

9 **CHAIRMAN BROWN:** Mr. Kelly?

10 **MR. KELLY:** After Mr. Schroeder is Margery
11 Marcus.

12 **CHAIRMAN BROWN:** Good morning, Mr. Schroeder.

13 **MR. SCHROEDER:** Good morning. Thank you for
14 having me. My name is Richard Schroeder. I live at
15 8120 Northwest 51st Street in Lauderhill, Florida. I
16 have lived in South Florida for 64 years, you can
17 probably tell by the hair, and have been a ratepayer --
18 notice I say ratepayer, not customer -- for 43 years. I
19 ditto all the opinions against a rate increase.

20 Now I want to preface, I was in communications
21 for over 40 years myself and -- but I got a solar
22 contractor license as I was going to the bottom of my
23 career because I figured the next big thing is 2G
24 energy.

25 So I think Mr. Kelly is doing a great job. I

1 think -- I ditto all the opinions against a rate
2 increase, and I'll give you real short bullets.

3 **CHAIRMAN BROWN:** Mr. Kelly appreciates that.

4 **MR. SCHROEDER:** Okay. Ratepayers have no
5 retail alternative, which is unbelievable in the 21st
6 Century, absolutely unbelievable. FPL crushes efforts
7 to provide alternatives. I could go on for hours on
8 that. FPL's basic architecture of big generators and
9 big wires is 100 years old. FPL promotes reliability,
10 and that's great, don't get me wrong, it's great, but we
11 need resilience.

12 As a member of the IEEE and the Power and
13 Energy Society, there have been many articles on
14 resilience and how energy companies have to move to
15 resilience. We need resilience in our energy
16 infrastructure as we convert to electric vehicles. I
17 guarantee you there's going to be enough kilowatt hours
18 to go around for a lot of people.

19 I offer as an exhibit the dissenting opinion
20 on the PW Ventures' Supreme Court -- it's very apropos
21 even today after all these years. And I'd like to add,
22 since I'm still on green, that if I had all the money
23 and resources in my -- available to me, I would actually
24 file an antitrust lawsuit over y'all's objections
25 because it was done in the communications over the FCC

1 objection, but it was -- it went through, and now we
2 have multiple options in the communications. Even
3 though one gentleman said he had problems, he can
4 actually go to another provider. I cannot. Okay. So I
5 am done. Thank you very much.

6 **CHAIRMAN BROWN:** Thank you.

7 **MR. SCHROEDER:** Any questions?

8 **CHAIRMAN BROWN:** Mr. Schroeder, one second.
9 You want to offer an exhibit? That's a case --

10 **MR. SCHROEDER:** Oh, yes.

11 **CHAIRMAN BROWN:** Ms. Helton?

12 **MS. HELTON:** That's the PW Ventures case, and
13 we can find the cite and have that case inserted into
14 the record as an exhibit.

15 **CHAIRMAN BROWN:** Okay. Thank you.

16 **MR. SCHROEDER:** Yeah, I even found it.

17 **CHAIRMAN BROWN:** Thank you. We'll put that in
18 as Exhibit 18.

19 (Exhibit 18 marked for identification.)

20 **MR. SCHROEDER:** Okay.

21 **CHAIRMAN BROWN:** Just one second.

22 Commissioners, any questions?

23 Mr. Kelly, any comments or questions?

24 **MR. KELLY:** No.

25 **CHAIRMAN BROWN:** Okay. Thank you for your

1 testimony.

2 **MR. SCHROEDER:** Thank you.

3 **CHAIRMAN BROWN:** Great. Next.

4 **MR. KELLY:** After Margery Marcus, after
5 Ms. Marcus is Basil Bernard.

6 **CHAIRMAN BROWN:** Good morning.

7 **MS. MARCUS:** Good morning.

8 **CHAIRMAN BROWN:** How are you?

9 **MS. MARCUS:** I'm fine, thank you. My name is
10 Margery Marcus. I live at 639 Northwest 101 Terrace in
11 Coral Springs, Florida. My number is (954)464-4165, and
12 I've been an FPL customer for 31 years.

13 First of all, I want to thank FP&L for its
14 excellent service. And I remember particularly how we
15 cheered those FP&L trucks when they came down our street
16 right after Hurricane Wilma. So this has nothing
17 whatsoever to do with the excellent service that FPL
18 provides and continues to provide. It has everything, I
19 believe, to do with its desire for higher profits for
20 shareholders on the backs of so many of us struggling to
21 get by. Unfortunately, those of us most impacted by the
22 rate hike cannot afford to be shareholders. We are too
23 busy juggling our budgets to make ends meet. The 24
24 percent increase asked for by FP&L is unjustified and
25 harmful to the most vulnerable in our community.

1 Already included in my FP&L bill are
2 surcharges which increase my payment. Now, over the
3 next four years or so at the end of the increase, I will
4 be paying an additional \$13 more a month. This is a
5 hardship on those of us on fixed incomes. We will have
6 to ask monthly where that extra money is going to come
7 from.

8 On behalf of myself and senior citizens like
9 myself, I ask that you please deny this exorbitant rate
10 increase. Thank you.

11 **CHAIRMAN BROWN:** Thank you, Ms. Marcus.

12 Commissioners, any questions?

13 Thank you for your testimony today.

14 Next customer, please.

15 **MR. KELLY:** After Mr. Bernard is Mike McNeal.

16 **CHAIRMAN BROWN:** Good morning, Mr. Bernard.

17 **MR. BERNARD:** Good morning. Basil Bernard. I
18 live at 113 Nighthawk Avenue, Plantation. My telephone
19 number is (954)382-2159. I had to think for a minute
20 there. Speed dial.

21 I grew up in Jamaica in the West Indies and it
22 was a charming place to grow up, but one of the things
23 you noticed and you came to live with was scheduled
24 power cuts. Being a Third World country, these things
25 do happen. So when you move to the United States, one

1 of the things that you come to expect and enjoy is that
2 smooth, reliable electricity that comes into your house
3 every day.

4 As you travel around the world, you realize
5 that the rates that we pay here are much less than
6 everywhere else, and the kind of reliability that we get
7 from FP&L is, you know, to be envied by the rest of the
8 world.

9 Now we might look at it and say, well, you
10 know, the company is making enough money, but the fact
11 of the matter is we want to have first rate and
12 first-rate costs in terms of R&D, in terms of the kind
13 of employees. Just generally you have to pay for first
14 rate. As we look at our budgets every month, we decide
15 what's most important. I know this, just like everybody
16 else here, I can't run my business without electricity.
17 If you look at the rates compared to other states, we're
18 doing pretty well in terms of the cost of electricity
19 that is provided to us. And reliability is something
20 that I cherish and want to make sure that that
21 continues.

22 Nobody wants to pay more. Everybody wants to
23 get that low cost that has you not even think about it.
24 However, if you look at over a period of time the rates
25 going up modestly, that's all you can ask for. You want

1 to keep that first-rate service but at a reasonable
2 price as well. I'm willing to pay for good, reliable
3 service that I can count on. I got up this morning.
4 The first thing I did, like everybody else, I turned on
5 the light. I went to the microwave oven and I had my
6 oatmeal. My wife says I'm a little bit portly. I
7 turned on my computer to do my work, just like everybody
8 else.

9 **CHAIRMAN BROWN:** You've got 30 seconds.

10 **MR. BERNARD:** And there is no way that I can
11 continue to run my small business if I don't have
12 smooth, reliable electricity. And I'm not a vendor to
13 FP&L.

14 **CHAIRMAN BROWN:** Thank you, Mr. Bernard.

15 Commissioners, any questions?

16 Mr. Kelly?

17 **MR. KELLY:** No, ma'am. No, sir.

18 **MR. BERNARD:** And I think you're first class
19 because I want you to fight for me in other things too.

20 **MR. KELLY:** Thank you, sir.

21 **CHAIRMAN BROWN:** That's nice.

22 Next customer, please.

23 **MR. KELLY:** After Mr. McNeal is June Wolfe.

24 **CHAIRMAN BROWN:** Good morning.

25 **MR. MCNEAL:** Good morning. I'm Mike McNeal.

1 I'm president of the The Warehouse at Oakland Park
2 Boulevard, and we're a facility that has storage of
3 collector cars, antiques, exotic cars, and a lot of
4 crazy people. I live in Pompano Beach. Our facility is
5 at -- in Oakland Park, of course, by Holy Cross
6 Hospital.

7 And I just want to mention that last summer --
8 oh, excuse me, I'm not for or against the rate at this
9 time. I'm still debating what was said earlier, so
10 that's in limbo.

11 Anyway, I want to say that last summer we
12 experienced a power interruption during the -- a bad
13 storm. We lost, you know, everything. I called FPL.
14 Forty-five minutes later a truck arrived, and they
15 investigated the problem and found the culprit, and it
16 was tree limbs. I don't like the idea of being able to
17 plant trees any darn place you want. There's no rules
18 against it. And the FPL people were good about cutting
19 someone else's trees that I don't think they should have
20 had to. However, the crew did replace or get the power
21 back on really quick, and I really appreciate what they
22 did. And the crew was very, very courteous and gave me
23 a lot of information. So since then the reliability has
24 been quite good. We haven't had any power
25 interruptions.

1 I own an electric car, and I'd like to see FPL
2 and their business enterprises get together and at least
3 do something about where do you plug your car in? I
4 came here today, and they have a plug out there
5 someplace but no one tells you where it is. And if you
6 have an electric car, whether it goes 40 miles,
7 20 miles, or 100 miles, if it's sitting there all day,
8 why not plug it in? FPL could make some money. But
9 they have no place where you can be billed because
10 they're the only person that can bill for electricity.
11 So the business owners have to have some source of
12 recouping that electricity being spent, which I'm really
13 concerned about.

14 The other thing I'm concerned about is this is
15 the Sunshine State, and I would like to see customers
16 and the utility work together with more solar equipment.
17 And this would diversify the energy source that the
18 company uses, which is natural gas, and it seems to be
19 the dominant source of energy since nuclear power
20 doesn't represent so much at this time, although I do
21 look at what they're trying to do and build more plants.
22 So we need a bit more diversity and hopefully do better.

23 **CHAIRMAN BROWN:** Thank you, Mr. McNeal, for
24 your testimony. Your time is up.

25 **MR. MCNEAL:** Thank you.

1 **CHAIRMAN BROWN:** Commissioners, any questions?

2 Mr. McNeal, there are FPL representatives, if
3 you'd like to ask those questions, in the back, about
4 plugging in vehicles. I'm sure they'd be happy to
5 answer some.

6 **MR. MCNEAL:** Thank you.

7 **CHAIRMAN BROWN:** Thank you. Have a great day.

8 **MR. KELLY:** After Ms. Wolfe, Debra Case.

9 **CHAIRMAN BROWN:** Good morning.

10 **MS. WOLFE:** Good morning, Chair Brown and
11 Commissioners. Thank you. I'm June Wolfe with the
12 South Florida Manufacturers Association. I'm president
13 of that organization located at 1000 West McNab Road,
14 Pompano Beach, Florida 33069, (954)941-3558. And I'm
15 here to speak in favor of this proposal and to mention
16 what a great partner Florida Power & Light has been to
17 the manufacturing industry for many years.

18 Let's face it, no one wants a rate increase in
19 anything, but when you look deeper into it and find out
20 what that increase could bring, it might not be such a
21 bad idea. Investment in the infrastructure and
22 improvement in power generation is a necessity, and
23 these improvements can actually lower one's energy bill
24 despite a higher base increase.

25 Manufacturers are very large users of energy,

1 and when their power is interrupted, everyone loses:
2 employees, customers, suppliers, and even the community.

3 FPL has supported the South Florida
4 Manufacturers Association since its inception in 1961,
5 55 years, first fighting for and obtaining a permanent
6 sales tax exemption for manufacturers on their power
7 bill. This sales tax exemption helps manufacturers save
8 money every month on their power bill.

9 Second, Florida Power & Light provides
10 economic development rates to lure large industrial
11 users into our state, providing more tax money and
12 bringing in more jobs.

13 And, thirdly, helping the manufacturers make
14 improvements in their factories, teaching them how to
15 reduce their electric bills.

16 An improved infrastructure helps keep the
17 power on even in trying circumstances for our
18 manufacturers. And as many people have said before in
19 today's meeting, FPL expects the typical customer to pay
20 less through 2020 than they did in 2006. So as you make
21 your decision on this referendum, I hope that you'll
22 consider all the facts. Thank you.

23 **CHAIRMAN BROWN:** Thank you for your testimony.

24 Commissioners, any questions?

25 Mr. Kelly, do you have a question?

1 **MR. KELLY:** No, ma'am.

2 **CHAIRMAN BROWN:** Okay. Thank you.

3 And I do want to remind the audience that if,
4 I said this earlier in the intro comments, if you do
5 have something to say that has already been said,
6 whether in favor or against, please feel free to just
7 say, "It's already been said, but I adopt that testimony
8 as well," because we're hearing a lot of repetitive
9 comments today. Thank you.

10 Good morning.

11 **MS. CASE:** Good morning, Commission and Chair
12 Brown. My name is Debra Case, and I live at 322
13 Buchanan Street in Hollywood, Florida 33019. And my
14 phone is (954)925-3048. And today I was informed of
15 this meeting through friends of FP&L.

16 I have lived on the barrier island in
17 Hollywood since 2000, and I own a restaurant business on
18 Hollywood Beach. Over the past 16 years, much has been
19 done in this redevelopment area to rid slum and blight.
20 That being said, having side streets and service roads
21 under construction was a temporary inconvenience.
22 However, during this process, all utilities were
23 upgraded through undergrounding, and coordination with
24 telephone, cable, gas, and electric occurred. Despite
25 the temporary disruption, the end result is fabulous.

1 When Hollywood reached out with a plan to
2 Florida Power & Light, FP&L responded positively. These
3 collaborators worked well to -- excuse me -- worked well
4 together. Florida Power & Light additionally assisted
5 in a 25 percent cost reduction to our city.

6 In sum, I am here today to enthusiastically
7 support the partnership of FP&L that FP&L can offer our
8 Broward County cities. Thank you.

9 **CHAIRMAN BROWN:** Thank you. Just one second,
10 please.

11 Commissioners, any questions?

12 Mr. Kelly, do you have a question?

13 **MR. KELLY:** No, ma'am.

14 **CHAIRMAN BROWN:** Okay. Thank you.

15 **MR. KELLY:** The next speaker is
16 John Passalacqua -- Pass -- never mind -- and he'll be
17 followed by Mr. George Cavros.

18 **CHAIRMAN BROWN:** Good morning.

19 **MR. PASSALACQUA:** Good after -- good morning.
20 I was going to say good afternoon, but it's still
21 morning. Madam Chair and Commission, John Passalacqua.
22 I reside at 4514 North Ocean Drive, Hollywood, Florida.
23 My number is (954)328-1907.

24 A lot's been said here this morning, so it's a
25 lot of ditto on what has been said positively about

1 FP&L, but I'd like to also add that as a resident of
2 Hollywood on the barrier island in an area called North
3 Beach just south of the port, and have been there for 30
4 years, I've known of great improvement in the quality of
5 our air and the soot on my boat since the improvement of
6 the facility at the port. So I want to commend FP&L for
7 that improvement, which has been not only a visual, even
8 though as a fisherman I do miss that landmark, but I've
9 learned to find my fishing spots other ways.

10 FP&L has been very helpful in my community.
11 We're working right now with FP&L representatives in
12 trying to do the undergrounding of our overhead lines.
13 I've met with FP&L representatives. We've talked about
14 different ways of approaching this throughout with
15 funding programs and grant availability. So as far I'm
16 concerned, FP&L has been a helping hand in trying to
17 improve the grid here in my area. So with that said,
18 I'll leave it that I am pleased to work with FP&L.

19 Maybe one additional thing, I'd like to see a
20 little bit more cooperative effort with FP&L and solar.
21 Thank you.

22 **CHAIRMAN BROWN:** Thank you, sir. Just a
23 question for you. You talk about undergrounding
24 efforts. Is this for a neighborhood, development, or --

25 **MR. PASSALACQUA:** Yes, it's for both actually.

1 I happen to be president of my community. I am speaking
2 but -- for myself. But as president of the community, I
3 have been spearheading conversations with FP&L to
4 underground the overheads in our little community. And
5 as a developer, I'm also working with FP&L to put some
6 undergrounds by my project.

7 **CHAIRMAN BROWN:** What community are you
8 president of?

9 **MR. PASSALACQUA:** North Beach.

10 **CHAIRMAN BROWN:** How many houses?

11 **MR. PASSALACQUA:** It's a community that has
12 about -- well, the area that we're speaking of is a
13 seven-block -- it has about 300 homes and families.

14 **CHAIRMAN BROWN:** Okay.

15 Commissioners?

16 Commissioner Graham has a question.

17 **MR. PASSALACQUA:** Yes, sir.

18 **COMMISSIONER GRAHAM:** Sir, did you say you
19 live in Hollywood?

20 **MR. PASSALACQUA:** Yes, sir.

21 **COMMISSIONER GRAHAM:** Have you been to this
22 Ocean Alley Restaurant?

23 **MR. PASSALACQUA:** Yes.

24 **COMMISSIONER GRAHAM:** Good food?

25 **MR. PASSALACQUA:** Yes, it is.

1 **COMMISSIONER GRAHAM:** Because we're looking
2 for a place to go to lunch.

3 **CHAIRMAN BROWN:** Personal question.

4 Commissioners, any other questions?

5 Sir, thank you so much for your testimony and
6 recommendation too.

7 **MR. PASSALACQUA:** Thank you.

8 **CHAIRMAN BROWN:** All right. Oh, I know the
9 next name.

10 **MR. KELLY:** After Mr. Cavros is Jason Liechty.

11 **CHAIRMAN BROWN:** Mr. Cavros, nice to see you
12 again today.

13 **MR. CAVROS:** Good morning, Commissioners.
14 George Cavros, 120 East Oakland Park Boulevard, Suite
15 105, Fort Lauderdale, Florida 33334.

16 **CHAIRMAN BROWN:** Thanks for coming.

17 **MR. CAVROS:** All right. Thank you. I'm here
18 to speak to you today as an FPL customer. I do not have
19 any customer reliability complaints with FP&L. FP&L, by
20 virtue of the regulatory compact, is supposed to provide
21 reliable service to all of us, so I'm not surprised that
22 they do that.

23 But I want to let you know that I do oppose
24 the proposed 24 percent rate increase. As part of that
25 proposal, the company is asking for additional profit.

1 It made \$1.6 billion last year in profit. In what
2 alternate universe is \$1.6 billion not enough profit for
3 a monopoly utility?

4 They're asking for an 11.5 percent rate of
5 return. I think that's obscene. It allows them to earn
6 up to 12.5 percent. I think 10.5 is outrageous. I
7 would support an ROE somewhere at about 8 percent. That
8 would save customers approximately \$720 million, and it
9 would also be more reflective of the kind of low-risk
10 environment the utility works in. You know, I mean,
11 let's be honest, they haven't had any major decisions or
12 bad decisions go their way. They typically get what
13 they want.

14 You know, I do believe that FPL's planning
15 process is focused more on maximizing shareholder value
16 than minimizing cost on customers. As you know, FP&L
17 came to the Commission in 2014 and essentially ended
18 efforts to help customers reduce energy use and save
19 money on their bills. They gutted efforts by over
20 90 percent.

21 I want to let you know that in Broward County
22 we have 275,000 people that are in poverty. These are
23 the people that don't have the financial resources or
24 the information to make their homes or businesses more
25 energy efficient. Those programs are critical to those

1 people, but FP&L argued that it was too expensive to
2 help customers save energy. And now they come to you
3 with an additional request for additional profit, and I
4 wonder where their concern is for those customers now.

5 Additionally, FP&L was part of a group, they
6 formed an alliance with some Koch Brother-funded groups
7 in an effort to derail a citizen-led solar initiative.
8 FP&L banked rolled the group called Consumers for Smart
9 Solar. That group launched its own petition. It used
10 deceptive language, but worse than that, it used dirty
11 tricks. I was part of that solar power initiative.

12 Their petition gather -- petition gathering company went
13 into the streets and doubled what we were offering our
14 paid petition gatherers. And in addition to that, they
15 told them that if they're going to carry their petition,
16 they could not carry ours, and if they did, they would
17 be liable for \$5,000 in damages.

18 So as part of my exhibits, I'd like to -- I'd
19 like to make FP&L's campaign contributions to Consumers
20 for Smart Solar part of the record, as well as the
21 clause in the contract for paid petition gathers that
22 clearly states they'll be liable for \$5,000 in fines.

23 **CHAIRMAN BROWN:** Just one second.

24 Mr. Durbin, can you get those? So those are
25 two separate documents. Can you hand them, please, to

1 Ms. Helton so we can identify them properly for the
2 record.

3 **MR. CAVROS:** In closing, I would just like to
4 urge you to deny FPL's rate increase request.

5 **CHAIRMAN BROWN:** Thank you, Mr. Cavros. Just
6 one second. I have a few questions.

7 Ms. Helton.

8 **MS. HELTON:** Exhibit No. 19 will be FPL's
9 campaign contribution, and Exhibit No. 20 would be the
10 independent contractor agreement addendum.

11 (Exhibits 19 and 20 marked for
12 identification.)

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

14 Mr. Cavros, I do have a question. You've been
15 such an active participant in so many of our proceedings
16 under -- representing SACE, and I appreciate that. I
17 appreciate your participation always in all of our
18 proceedings and a very integral role to the entire
19 process at the Public Service Commission. Today you're
20 speaking on behalf of yourself as an individual
21 customer; is that right?

22 **MR. CAVROS:** That's correct.

23 **CHAIRMAN BROWN:** Can you address any service
24 quality issues that you receive, you're facing as a
25 customer of FPL?

1 **MR. CAVROS:** Yeah, again, as I said at the
2 beginning, I don't have any service quality issues as an
3 FPL customer. In fact, I expect them to provide
4 reliable power. In fact, that's part of their, you
5 know, that's part of their charge as a regulated
6 monopoly.

7 **CHAIRMAN BROWN:** So really the crux of your
8 concerns are the rate request and the ROE requested
9 associated with that.

10 **MR. CAVROS:** Correct. The crux of my concern
11 is the ROE that's requested. I don't know enough to dig
12 into what -- the additions they want to put into the
13 base rate itself. And just generally what I see as sort
14 of a company that will do, you know, kind of almost
15 anything to hold its monopoly control over its, you
16 know, over its monopoly, and also just one that's kind
17 of focused on preserving its sales and maintaining its
18 sales.

19 **CHAIRMAN BROWN:** Thank you, Mr. Cavros.
20 Again, as always, it's always a pleasure to see you.
21 Commissioners, do you have any questions of
22 Mr. Cavros?

23 Mr. Kelly, any questions?

24 **MR. KELLY:** No, ma'am.

25 **CHAIRMAN BROWN:** Thank you for your testimony.

1 Next customer.

2 **MR. KELLY:** After Mr. Liechty is Roderick
3 Cuff.

4 **MR. LIECHTY:** Good morning, Commissioners. My
5 name is Jason Liechty, enviromental projects coordinator
6 with --

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

8 **MR. LIECHTY:** -- that's okay -- Broward County
9 and speaking on behalf of Broward County government
10 today. Our address is 115 South Andrews Avenue, Fort
11 Lauderdale, 33301. Phone number is (954)519-0310.

12 FPL's proposed rate increase includes an
13 increase in its rate of return on equity in recognition
14 of the company's, quote, superior performance, unquote.
15 No competent employer would grant an employee a raise
16 without asking what has the employee done to deserve it?
17 Since FPL's raise will be partly paid for by the 900,000
18 customer accounts in Broward, including an estimated
19 \$1.8 million per year from the Broward County government
20 alone, and hundreds of millions of dollars more from
21 Broward's residential, commercial, and other public
22 accounts, Broward County, therefore, asks the Commission
23 to carefully examine if FPL has, in fact, been
24 delivering superior performance to the public.

25 On the positive side of the ledger, customer

1 rates have been low by national standards and FPL has
2 made investments to improve the resilience of its
3 electric grid and generating system. Locally, the
4 replacement of the Port Everglades coal plant with a
5 natural gas plant is a notable improvement. Broward
6 County has also benefited from the demonstration of a
7 Solar PV project financed and installed by FPL at the
8 Young At Art Museum.

9 On the negative side, however, FPL has
10 consistently taken actions which reduce customer --
11 consumer access to renewable energy and conservation,
12 actions which preclude its customers from reducing their
13 exposure to the very rate increase being discussed
14 today. FPL sought and won approval from the PSC to
15 eliminate virtually all customer-focused incentives and
16 programs, despite knowing that energy efficiency and
17 renewable energy are core public policy priorities of
18 Broward County and dozens of other Florida governments.
19 And they contributed \$4 million to a ballot initiative
20 to ensure that a competing citizen-led initiative to
21 allow third-party sales of electricity would not make
22 the 2016 ballot. Further, the amendment FPL currently
23 backs threatens to undermine net metering, one of the
24 few pro solar policies in Florida.

25 In addition, FPL supports making customers pay

1 for its speculative ventures and mistakes. This
2 includes \$50 million from customers to clean up
3 saltwater contamination emanating from FPL's Turkey
4 Point cooling canals, millions in continued early cost
5 recovery from customers for new reactors at Turkey
6 Point, even while the company seeks to pause planning
7 for the project and an exemption from the law's
8 requirement to prove the project's feasibility, and
9 nearly \$6 million from customers for unprecedented
10 fracking speculation in Oklahoma that has not reduced
11 fuel costs as FPL asserted it would. In addition, FPL
12 has increased its reliance on natural gas to unwise
13 levels, exposing consumers to serious risk if and when
14 the price of natural gas increases.

15 On balance, this record does not demonstrate
16 superior performance by FPL, and it certainly does not
17 justify an increased rate of return on equity for the
18 company. Thank you for your time.

19 **CHAIRMAN BROWN:** Thank you for your testimony,
20 sir. Could you say your name again?

21 **MR. LIECHTY:** Yes, Jason Liechty,
22 L-i-e-c-h-t-y.

23 **CHAIRMAN BROWN:** Thank you. And would you
24 like to offer an exhibit on behalf of Broward County?
25 Do you have a resolution?

1 **MR. LIECHTY:** No, it's just comments I had
2 typed up to -- for speaking.

3 **CHAIRMAN BROWN:** Thank you. What's your
4 position with Broward?

5 **MR. LIECHTY:** I'm environmental projects
6 coordinator in the Environmental Planning and Community
7 Resilience Division.

8 **CHAIRMAN BROWN:** Thank you. Did the Broward
9 County government have a vote against, for or against
10 the rate increase?

11 **MR. LIECHTY:** The testimony -- I was
12 authorized by the county administrator to deliver the
13 testimony today.

14 **CHAIRMAN BROWN:** Okay. Commissioners, any
15 other questions?

16 Thank you for your testimony.

17 **MR. LIECHTY:** Thank you.

18 **MR. KELLY:** Roderick Cuff.

19 (No response.)

20 Elizabeth Gambino. And after Ms. Gambino is
21 Joe Gutfuso (sic).

22 **MR. GUTTUSO:** Guttuso.

23 **MR. KELLY:** Guttuso. I'm sorry.

24 **MS. GAMBINO:** Good morning. Thank you for
25 having me today, allowing me to speak. Thank you,

1 Mr. Kelly. I think you're doing a great job.

2 Appreciate it.

3 I have this printed thing, but as I've been
4 listening to the comments today, I'm sort of -- I'm
5 going to read a little bit of it. But I'm a senior
6 citizen and I represent a lot of senior citizens, I
7 believe, in Florida who have not got a cost of living
8 increase from social security. And I think the last one
9 came out to like \$2 a month. So with everything else
10 going up, I don't know if you guys have been to the
11 store lately and seen the cost of bread, eggs. You
12 know, eggs used to be a cheap meal. My mother used to
13 make it every Friday. It was, you know, no meat on
14 Friday, so it was definitely an egg day. And today I
15 don't think your person who's living on just social
16 security who's in their 80s, and I live in a condo where
17 there are many people with those circumstances, can
18 afford this \$13-a-month increase. If they have to
19 pay -- they have no choice because you have to have
20 electric; however, they're going to have to cut back
21 perhaps on their medicines or on their food or on
22 something else in order to pay this extra \$13 a month
23 that it will end up costing them.

24 Nobody is arguing that -- well, I should say
25 this, no one is arguing that FPL isn't efficient. They

1 are efficient. Let's face it. The point is a mass -- a
2 massive increase like this is just unwarranted,
3 completely unwarranted. They're making enough profits.
4 I wish I had had money to invest in them so I could have
5 made some of that money and then I would have been able
6 to pay my bill better.

7 I pay an average of about -- I live in a
8 two-bedroom condo west in Tamarac. Oh, and I forgot to
9 give you my address and phone number. I'm sorry.
10 6085 North Sabal Palm Boulevard, Apartment 104, Tamarac,
11 Florida. I've been here about 20 years now, I guess you
12 can guess, from New York and I drink coffee. And so
13 everybody makes fun of it when I say coffee. But I've
14 had my -- I lived on Long Island where electric was
15 extremely high, so this was like, you know, came down a
16 bit. But now with these increases and now that I'm on a
17 fixed income and not working anymore, and other people
18 who aren't working, my husband is disabled, you just --
19 they just can't afford it, and I wish that was taken
20 more into consideration. And how efficient, and I could
21 get you busloads of seniors who would tell you how
22 unefficient (verbatim) FPL was when they were without
23 electric for two weeks, who lived on the third floor and
24 had no elevator, had no way to get to the store during
25 storms, during the electric shortages during the last

1 hurricane. So I could bring you busloads of those
2 people. But everybody is telling you how efficient FPL
3 is. Yeah, they're efficient, but there were times when
4 they weren't, and there were some people who really
5 suffered because of that. And I don't think they need
6 this increase. I thank you.

7 **COMMISSIONER EDGAR:** Any questions,
8 Commissioners?

9 Mr. Kelly.

10 **MR. KELLY:** After Mr. --

11 **COMMISSIONER EDGAR:** Thank you very much.

12 **MS. GAMBINO:** Good. Thank you.

13 **COMMISSIONER EDGAR:** Thank you.

14 **MR. KELLY:** After Mr. Guttuso is Richard
15 Grosro (sic) or Grosso.

16 **MR. GUTTUSO:** My name is Joseph Guttuso. I am
17 the land development manager for D.R. Horton Homes. We
18 are a developer here in Broward County, Dade County,
19 Palm Beach, and Martin County. Our address is 6123
20 Lyons Road, Coconut Creek, Florida 33073. My phone
21 number to my office is -- the direct line is
22 (954)949-3073. I am the land development manager for
23 the four counties here in Southeast Florida, and what
24 that entails is I developed 32-single family and
25 townhome communities from Stuart all the way down to

1 Homestead and Florida City at present.

2 FPL became a partner when I came on board with
3 D.R. Horton over a year ago. We were closing -- we had
4 364 closings at that time. By the end of this year,
5 2016, we project to close 800 homes and townhomes, and
6 without the help of FPL, we would not be able to achieve
7 that at the present. They enhanced their staff from the
8 four counties from approximately eight members that I
9 deal with to 16. And by the end of 2017, I'll be
10 dealing with probably at least 20 to 24 other members at
11 FPL to help us close approximately by the end of 2017
12 1,200 homes. I'm in favor of what they're presenting
13 here, and I'm here to answer any questions of any
14 communities that we're developing. At present time,
15 we're developing five communities here in Broward
16 County: two in Pompano, two in Deerfield Beach, and one
17 in the City of Oakland Park.

18 **CHAIRMAN BROWN:** Thank you for your testimony.

19 Commissioners, any questions?

20 Commissioner Graham has one.

21 **COMMISSIONER GRAHAM:** Thank you. How long
22 have you worked for D.R. Horton?

23 **MR. GUTTUSO:** Over a year right now at
24 present.

25 **COMMISSIONER GRAHAM:** Have you dealt with any

1 other utilities when it comes to building large tracts
2 like this?

3 **MR. GUTTUSO:** Yes.

4 **COMMISSIONER GRAHAM:** Same sort of experience,
5 different experience, a lot worse?

6 **MR. GUTTUSO:** A lot better with FPL, much
7 better. The City of Homestead, I deal with power down
8 there at the City of Homestead, I deal with the power at
9 the City of Lake Worth, and there's no comparison. FPL
10 is far superior.

11 **COMMISSIONER GRAHAM:** So what's the difference
12 as far as their -- the reaction time or --

13 **MR. GUTTUSO:** They have taken the funds that
14 we as customers -- and enhanced what I use to deal with
15 our project managers, our service advisors with FPL to
16 make it, you know, easier. From a flow perspective,
17 from the time we sit down with FPL, many months before
18 we put a shovel to the ground to actually sticking the
19 meter on a townhome or single family home, it has
20 reduced that, the time frames so we are able to close
21 faster.

22 **COMMISSIONER GRAHAM:** Thank you.

23 **CHAIRMAN BROWN:** Thank you for your testimony.
24 Commissioners, any other questions?
25 Mr. Kelly has one.

1 **MR. KELLY:** Thank you for being here today.

2 Are you speaking on behalf of D.R. Horton Homes?

3 **MR. GUTTUSO:** Yes.

4 **MR. KELLY:** And D.R. Horton Homes is in favor
5 of this \$1.3 billion rate increase?

6 **MR. GUTTUSO:** I am not speaking on behalf of
7 Mr. Horton himself. But as far as myself -- let me
8 rephrase that. I am in favor of that, yes.

9 **MR. KELLY:** Okay. So you're not speaking on
10 the part of D.R. Horton Homes?

11 **MR. GUTTUSO:** I'm employed by them. I'm
12 employed.

13 **MR. KELLY:** Right. But you're not speaking on
14 their behalf.

15 **MR. GUTTUSO:** Correct.

16 **MR. KELLY:** Thank you, sir.

17 **MR. GUTTUSO:** You're welcome.

18 **CHAIRMAN BROWN:** Thank you for your testimony.

19 Are there any customers in the room who would
20 like to speak but have -- and have signed up but have
21 not been sworn in? Okay. Please stand and raise your
22 right hand with me.

23 (Interpreter commenting in Spanish.)

24 **CHAIRMAN BROWN:** Gracias. Do you swear or
25 affirm to tell the truth in this proceeding?

1 (Interpreter commenting in Spanish.)

2 (Collective affirmative responses.)

3 (Witnesses collectively sworn.)

4 **CHAIRMAN BROWN:** Thank you. Thank you all.

5 You may be seated.

6 All right. Mr. Kelly, next customer.

7 **MR. KELLY:** After Mr. Grosso is Leslie -- is
8 it Boucher, Boutcher (sic)?

9 **CHAIRMAN BROWN:** All right.

10 **MR. GROSSO:** Good morning, Madam Chair,
11 members of the Commission, and Counselor. My name is
12 Richard Grosso. I'm a 20-year resident of Broward
13 County. I live at 424 Farmington Drive in Plantation.
14 I'm a law professor and a lawyer. In recent years, I've
15 worked with some organizations who are opposing the
16 expansion at Turkey Point, so by way of disclosure. I,
17 once a month, have the occasion to sit where you do. I
18 sit on our Broward County Planning Council. There's not
19 a month goes by we don't wring our hands for a very long
20 time about the critical and increasing affordable
21 housing problem in this county. It's at all levels of
22 affordable housing and includes a lot of working class.
23 Those folks are not here today; they're working. They
24 can't be here. This public policy, your decision you're
25 making would gratuitously increase the profits of a

1 company that has monopoly customers at the expense of
2 those working class people, \$15 at least a month
3 additional for working class people.

4 Good quality service. When you are a monopoly
5 in South Florida where we've got a talent pool that
6 rivals anybody in the country, you ought to be that
7 good. It ought to be reliable. All of the good deeds,
8 all of the service provided by Florida Power & Light
9 ought to be able to be done. It doesn't earn a reward
10 of an additional gratuitous profit. All the prosperity
11 that they support, all of the charitable contributions
12 and the partnership with non-profits and with
13 businesses, that is exactly what you ought to do as a
14 minimum expectation if you are given a guaranteed rate
15 of return as you are given under Florida law and under
16 the law of every state in this country. That is not a
17 public policy basis to grant this gratuitous profit
18 increase on the back of people who have no choice but to
19 be customers of this company.

20 It is the people who aren't here today because
21 they have jobs, they would love to have a guaranteed
22 rate of return at what FPL has now, let alone a
23 gratuitous increase. There's been no demonstration of
24 validation or justification for this increase. It's
25 pure and simple additional profit at a time when people

1 are still struggling to come out of the recession, when
2 that -- getting over the hump is still very much in
3 doubt for millions of people in South Florida. I do not
4 know how we could possibly justify an affirmative vote
5 here when it's pure and simple for nothing but
6 additional profit.

7 And then as a Florida citizen, frankly, I'm a
8 little offended that my dollars are then in turn used to
9 lobby the legislature to roll back conservation
10 requirements, to oppose meaningful 21st Century solar
11 energy policy in the state that shouldn't be done with
12 my dollars that I have no choice but to pay this company
13 because they are given a state-sponsored monopoly. The
14 recent court orders that have shown so many of their
15 positions to not be consistent with Florida law, there
16 are some negatives too.

17 **CHAIRMAN BROWN:** You have 30 seconds.

18 **MR. GROSSO:** I ask you to deny the rate
19 increase. I support Mr. Cavros' position --

20 **CHAIRMAN BROWN:** Thank you, sir.

21 **MR. GROSSO:** -- that of Mr. Wright, and that
22 of your counsel.

23 **CHAIRMAN BROWN:** Thank you, sir.

24 **MR. GROSSO:** Thank you, ma'am.

25 **CHAIRMAN BROWN:** We appreciate it.

1 **MR. GROSSO:** All right.

2 **CHAIRMAN BROWN:** A question for you.

3 **MR. GROSSO:** Yes, ma'am.

4 **CHAIRMAN BROWN:** You said you're a law
5 professor.

6 **MR. GROSSO:** Yes.

7 **CHAIRMAN BROWN:** What law school?

8 **MR. GROSSO:** Here in Nova Southeast University
9 in Davie, Florida.

10 **CHAIRMAN BROWN:** Nice. Good job.

11 Commissioners? Commissioner Graham has one.

12 **COMMISSIONER GRAHAM:** This is just a comment.

13 You were talking about people that couldn't make it
14 today. We're actually here for four meetings. We were
15 in Miami Shores last night. We'll be in Pembroke Pines
16 tonight. So if there are some people that couldn't make
17 it today, if you'd spread the word, we'll be more than
18 welcomed to listen to them tonight.

19 **CHAIRMAN BROWN:** Thank you, Commissioner
20 Graham, for that, yes.

21 **MR. GROSSO:** Thank you, Commissioner Graham.

22 **CHAIRMAN BROWN:** Commissioners, any other
23 questions?

24 Appreciate that.

25 **MR. GROSSO:** Thank you, ma'am.

1 **CHAIRMAN BROWN:** Next customer.

2 **MR. KELLY:** Leslie B-o-u-c-h-e-r.

3 **MR. BOUCHER:** Boucher.

4 **MR. KELLY:** Boucher. I'm sorry.

5 **MR. BOUCHER:** Yeah. My name is Leslie
6 Boucher, originally from Jamaica. But I've been in --
7 up north. You see, I was a second field service
8 engineer working with General Electric in Chicago. But
9 where I stay right now is a senior citizen condominium
10 association where it's in phase 3 and phase 4. I know
11 you guys have done pretty good somehow, but some people
12 are complaining about the raise because of the fact that
13 they think more or less most of them are retired senior
14 citizens like myself and they're worried about the rates
15 going up. You know, there were certain things that
16 occurred over the last few days which I think -- is that
17 sometimes the power goes on and off, on and off, and it
18 was about three buildings the power went off completely
19 for about a couple of hours. It was near to where I
20 stay, you see. Where I live is 9121 Sunrise Lakes
21 Boulevard. And a couple of places beside me that said
22 the power went off and people were shocked. It was
23 getting night. I think they called, and someone, they
24 came over and after a while they fixed it. But one of
25 the things that happens during the day is that you'll

1 have your TV on, people have their computer on, blip,
2 blip. And there are many of them who suffer from a lot
3 of things, you see.

4 I have -- my air conditioner was messed up
5 because of a surge. And the fact is that there was
6 about a half a dozen people who had the same problem.
7 The main switch clicked and that proved what it was.
8 But it happened all over the area and people are
9 complaining, you see, because they have the TVs, the
10 radios, and a lot of other things that it went through.

11 But one thing I'd like to say anyhow, I do
12 appreciate FPL anyhow in certain ways, but the raising
13 is the main thing that people are complaining about.
14 Other than that, everything is okay. Thank you.

15 **CHAIRMAN BROWN:** Thank you for your testimony.

16 Commissioners, any questions?

17 Thank you, sir. Have a great day.

18 And I hate to do this, but we are at the
19 two-hour mark, and our court reporter needs to rest her
20 fingers. So we're going to take a ten-minute break.
21 For those of you -- we have a few more left to get
22 through, but I'd like to give her and the rest of you
23 all a little break. So we'll reconvene in ten minutes
24 at 11:40. Thank you.

25 (Recess taken.)

1 **CHAIRMAN BROWN:** This will reconvene the
2 service hearing in Fort Lauderdale.

3 Mr. Kelly, our next customer that we will hear
4 from today.

5 **MR. KELLY:** Jeanie Henderson, followed by Mara
6 Shlatman (sic), Shlackman.

7 **CHAIRMAN BROWN:** Jeanie Henderson? No.

8 (No response.)

9 **MR. KELLY:** Henderson?

10 **CHAIRMAN BROWN:** Okay.

11 **MR. KELLY:** Is it Mara Shlackman?

12 **MS. SHLACKMAN:** Mara Shlackman.

13 **MR. KELLY:** Shlackman, I'm sorry.

14 **MS. SHLACKMAN:** That's okay.

15 **MR. KELLY:** And she will be followed by Sue
16 Caruso.

17 **CHAIRMAN BROWN:** Good morning.

18 **MS. SHLACKMAN:** Good morning, Commissioners.
19 Thank you for this opportunity to speak. I live at
20 2100 South Ocean Drive, Apartment 8E, Fort Lauderdale,
21 Florida 33316. Phone, (954)767-6123.

22 I speak today to oppose this rate increase.
23 I'm an FP&L customer. I've lived in South Florida my
24 whole life, so I've been an FPL customer directly or
25 indirectly my whole life, but I oppose this rate

1 increase. I certainly, by the way, wouldn't choose to
2 be a customer, if I could, but I have to be, so I am.

3 Aside from things that have been mentioned by
4 other speakers, including Mr. Cavros and Mr. Grosso, I
5 want to mention that FP&L is planning to build a
6 3,000-acre solar array in Hendry County in primary
7 panther habitat. Solar is a good thing, but certainly
8 not in a location like that. And FP&L is still
9 potentially planning to put a natural gas plant in
10 Hendry County that would be three miles away from the
11 site where it's looking to put solar energy. And so
12 FP&L is not, in that sense, a good steward of our
13 environment. And instead of promoting concentrated
14 solar facilities that take up more footprint of land,
15 what FP&L should be doing is promoting rooftop solar.
16 But instead they've put roadblocks to interfere with the
17 spread of solar and to interfere with people having more
18 options to finance that. And as a ratepayer, I
19 certainly oppose that and find myself unwillingly
20 funding that by being a rate-paying customer. Thank
21 you.

22 **CHAIRMAN BROWN:** Thank you so much for your
23 testimony.

24 Commissioners, any questions?

25 Thank you. Have a great day.

1 Next customer, Mr. Kelly.

2 **MR. KELLY:** After Ms. Caruso is John Dunnuck.

3 **CHAIRMAN BROWN:** Good morning.

4 **MS. CARUSO:** Good morning. My name is Susan
5 Caruso. I live at Wilton Manors, Florida 33334. My
6 phone number is (954)684-6747. And I do want to give
7 you the -- thank you for this opportunity to speak to
8 you today. Probably repeat things but hopefully from a
9 different perspective.

10 I've been a resident for 38 years. I have
11 three children, four grandchildren, all born here, and
12 for 27 years I've been a teacher here in Broward County.
13 In those years, I've done things like stock my file
14 cabinet with food because I know there are hungry kids.
15 I spent ten days in my summer to learn to drive the
16 activity bus so I could take my students on field trips
17 and they wouldn't have to pay extra. I've written
18 grants to get butterfly gardens, vegetable gardens,
19 nature trail, and all those things were done with great
20 reward, just none of them monetary. I haven't had a
21 raise in, oh, since FP&L got their last rate hike.

22 But I also have to sit here and I kind of
23 shake my head and wonder when we have all gotten so
24 jaded that we expect bad service for our money. We
25 should be expecting good service, and I do believe

1 Florida Power & Light does offer that as a consumer.
2 But I also have to agree that if the rate hike was maybe
3 5 percent, I might not be here. If their rate hike was
4 going to fund more responsible solar and wind, I might
5 not be here. If the Turkey Point wasn't polluting the
6 water, I might not be here. But that is why I'm here.

7 I'm just a regular Joe Schmo. I just retired
8 and I passed my first payday where I didn't get a
9 paycheck. That's a scary thing, you know. Man. And I
10 can guarantee you, I'm not going to get a 24 percent
11 increase in my social security. I don't think anybody
12 in this room is. And when you ask where are these
13 people that are against this, I'm kind of it because I
14 don't have to go to school today. But there are people
15 out there who agree with me that this is going to be a
16 burden on us. And it's not the most responsible rate
17 hike, especially when it's -- they already make profits.
18 They are rewarded for doing a good job. They are making
19 record profits.

20 So, please, I -- one other thing, when I came
21 here this morning I said to my husband, I said, "You
22 know, you can go with me." And his response was, "Why?
23 It won't make a difference." And that's how so many
24 people who won't be here tonight -- yeah, they could
25 come out to Pembroke Pines, but that's what they think,

1 we don't make a difference, our voice doesn't matter.
2 So, please, I beseech you make this -- turn down this
3 rate hike. Thank you.

4 **CHAIRMAN BROWN:** Thank you so much,
5 Ms. Caruso. Appreciate your comments.

6 **MS. CARUSO:** Thank you.

7 **CHAIRMAN BROWN:** Commissioners, any questions?
8 Commissioner Graham has a question or comment.

9 **MS. CARUSO:** Yes, sir.

10 **COMMISSIONER GRAHAM:** Ms. Caruso, thank you
11 very much for -- it's interesting, as you were talking
12 about the things you do for your students, I just got
13 this picture of my third grade teacher down in Miami and
14 I have vivid memories of all that and the extra miles
15 that she always went. So I guess I appreciate, you
16 know, having other teachers out there that go that extra
17 mile.

18 Your comment you said about good service, you
19 know, I wish that were true all the time, that, you
20 know, you're always going to get the good service. But
21 we've been at other rate hearings, and you've heard
22 people saying the service isn't good, and the people,
23 they argue because it's a monopoly and you have no
24 option. So it's not like if you get bad service, you
25 got to go somewhere else. So one of things I think that

1 we insist upon is the fact that, you know -- first of
2 all, you have to have good service. I mean, you got to
3 make sure you turn the light switch on, the power is
4 there.

5 **MS. CARUSO:** Right.

6 **COMMISSIONER GRAHAM:** That's one of the things
7 that we hold all our utilities, their feet to the fire
8 on. And so I know it should be obvious, but it's not
9 always obvious like that.

10 **MS. CARUSO:** Right. As long as they realize
11 that switching to gas is a great temporary measure, but
12 as we need more gas and it gets harder to get out of the
13 ground, you have to frack it to get it out of the
14 ground. It's not a great long-term solution. We need
15 to be looking ahead, and Florida Power & Light is
16 responsible for that. We need to make them responsible
17 for that.

18 **COMMISSIONER GRAHAM:** And you need to pass the
19 word on to your husband and other people that it really
20 does matter.

21 **MS. CARUSO:** Thank you. And I will. Thank
22 you so much.

23 **COMMISSIONER GRAHAM:** I mean, this is our --
24 we're going to do nine of these different stops so we --
25 that's why we're out here, so we can really hear. I

1 mean, we can guess, we can read the paper and that sort
2 of stuff, but we want to hear firsthand how you guys
3 feel about this stuff.

4 **MS. CARUSO:** Thank you for the opportunity. I
5 appreciate it.

6 **CHAIRMAN BROWN:** Thank you.
7 Commissioners, any other questions or
8 comments?

9 Thank you, Ms. Caruso.

10 **MR. KELLY:** After Mr. Dunnuck is Theresa
11 Woody.

12 **CHAIRMAN BROWN:** Hello.

13 **MR. DUNNUCK:** Good morning. John Dunnuck.
14 I'm with Broward College. We're at 6400 Northwest 6th
15 Way, Fort Lauderdale, Florida (954)201-7405.

16 First and foremost, thank you for coming here
17 today. I know you have, as you mentioned, nine of these
18 meetings. I saw that on your website, and I know you're
19 traveling all over. So we appreciate that.

20 **CHAIRMAN BROWN:** Thank you.

21 **MR. DUNNUCK:** We're not here to speak about
22 the rate increase per se. We don't feel that's our
23 role. But we do want to speak about the customer
24 service side that we've had with FPL.

25 As a college of 67,000 students and as vice

1 president of operations, it's very important that we
2 make sure the lights are on for our students, and when
3 we have an event, that they take care of it. And FPL
4 has been a tremendous partner in working with us on
5 that.

6 They've been a tremendous partner in
7 preventative energy savings with us. When we look at
8 working our chiller plants in the middle of the night so
9 we have a different rate structure, they're with us,
10 right beside us. When we have -- we hosted the
11 Governor's debate last year. When we had the Governor's
12 debate, we wanted to make sure the lights stayed on
13 during that event. We just did a \$6 million renovation
14 prior to that event and upped the electrical, but we
15 also wanted to make sure we had the generator backup and
16 have everything working seamlessly, and they worked
17 through that process with us. So from a relationship
18 standpoint, we've had a tremendous relationship with
19 FPL. We hope to continue it. And we just wanted to
20 speak in support of the customer service side, as you
21 mentioned today, because that is very important. When
22 we have as many students as we have in this community
23 going to our school, we want to ensure that things are
24 working properly.

25 **CHAIRMAN BROWN:** Thank you so much for your

1 testimony. How many students does Broward College have
2 now?

3 **MR. DUNNUCK:** 67,000.

4 **CHAIRMAN BROWN:** Wow. It has grown big time.

5 Commissioners, any questions or comments?

6 Mr. Kelly?

7 **MR. KELLY:** No questions.

8 **CHAIRMAN BROWN:** All right. Thank you for
9 your testimony.

10 **MR. DUNNUCK:** Thank you very much.

11 **CHAIRMAN BROWN:** Next customer, please.

12 **MR. KELLY:** Theresa Woody. After Ms. Woody is
13 Victoria Olson.

14 **CHAIRMAN BROWN:** Good morning.

15 **MS. WOODY:** Good morning, Commissioners. My
16 name is Theresa Woody. I live at 206 Foxtail Drive,
17 Apartment A1, in Green Acres, Florida, (561)601-6483. I
18 do appreciate the fact that you have traveled around the
19 FP&L service area. I wasn't able to attend the hearing
20 that you had at the Solid Waste Authority and traveled
21 here.

22 I want to echo many of the comments that
23 Ms. Caruso said. This is a very large rate increase
24 that will really impact those of us on social security.
25 I too am in month three of getting my social security

1 check, and I watch it and very closely. My bank balance
2 is a little different than when I was working, and I'm
3 certainly not anticipating a 24 percent increase in
4 those monies, as are most of my friends and neighbors
5 that collect social security.

6 I also wanted to echo her comment that my
7 partner thinks that I am crazy to travel to Broward
8 County and that my comments will not make a difference.
9 I believe that they will.

10 **CHAIRMAN BROWN:** Thank you.

11 **MS. WOODY:** I am concerned that the, in
12 addition to the rate increase, the rate of profit that
13 the company is requesting is on the table and they want
14 to increase that. I'm sure you understand that once you
15 increase this for FP&L, every other utility in the state
16 is going to come forward with their hand out saying,
17 "Where's mine?"

18 We are also concerned, many of us that I
19 talked to, about the conservation side of FP&L. I am
20 very disappointed that the utility is on the wrong side,
21 I believe, of the two solar amendments, and I am very,
22 very discouraged that my dollars are being used for
23 commercials on television to tell me what great
24 environmental stewards they are and how wonderful they
25 are about expanding their solar. And I do commend their

1 public service -- their public affairs people for
2 getting a lot of front page coverage in the Palm Beach
3 Post, most notably yesterday, about what wonderful work
4 they're going to do in St. Lucie County with the nuclear
5 power plant to rescue and save turtles and make sure
6 that they don't get caught in the turbines. And then if
7 you read the entire article, you will find out that this
8 problem has been in existence for well over 30 years.

9 I would encourage the PSC to please remember
10 your mission, that you really are here to protect us,
11 the little people, the consumer. Thank you so much for
12 your travels.

13 **CHAIRMAN BROWN:** Thank you, and thank you for
14 your comments and for your travel here to Fort
15 Lauderdale.

16 Commissioners, do you have any questions or
17 comments?

18 Thank you for your testimony, ma'am.

19 Next customer.

20 **MR. KELLY:** Victoria Olson.

21 (No response.)

22 **CHAIRMAN BROWN:** No Victoria Olson.

23 **MR. KELLY:** Elijah Manley. After Mr. Manley
24 is Gary Hecker.

25 **CHAIRMAN BROWN:** Good morning.

1 **MR. MANLEY:** Good morning. I'm a resident of
2 Fort Lauderdale. My name is Elijah Manly. I'm just a
3 17 year old coming here today to say I do not like this.
4 Just this month, earlier this month my mom had a very
5 high bill and our lights were cut off because we make an
6 income of probably less than \$10,000 a year and we
7 couldn't afford it. And we were, you know, sleeping in
8 the heat without any lights, without being able to heat
9 our food. And you just got to think about little people
10 like us that are literally at the bottom. They're like
11 the gum at the bottom of someone's foot. And I want to
12 say that I completely reject this. And thanks to the
13 county commissioners for helping us pay our bill. That
14 was a very emotional time for me.

15 First of all, I want to say FPL is being
16 greedy here. They're being greedy. Let's face it. And
17 they're already making enough profit, and what they're
18 trying to do is increase their profit. 22.58 percent
19 increase. Who are they kidding? Right here it says,
20 under accounting issues, "Expert consultants hired by
21 OPC are currently poring through documents to determine
22 the sufficiency of FPL," blah, blah, blah, "requested
23 levels of salaries and benefits," for those that are in
24 charge of FPL, not the employees. How much is FPL
25 making right now in salary? How much are the leaders of

1 the FPL making right now? Probably a lot more than the
2 people who are doing the actual work.

3 I just want to show you a few things while I'm
4 going on. The customer service scoreboard gives the FPL
5 a 32 -- a score of 32.79 out of a possible 200 points.
6 This score rates FPL customer service and customer
7 support as disappointing, sadly, when they're supposed
8 to be giving us the best of best out of customer
9 service. We don't need any increases. How is it going
10 to help us, the people at the bottom, making, like,
11 incomes of less than \$10,000 a year who can't afford to
12 pay their light bill and their water bill? And you've
13 just got to think to yourself, how can we live? How can
14 we live if this is what they're going to do?

15 Like someone else said, they're a monopoly.
16 It's not like we can go anywhere else to get our lights
17 turned back on. I'm all in favor of solar power energy,
18 but I don't think a monopoly like FPL should be in
19 charge of that.

20 What happened in Flint, Michigan, was
21 terrible, and we don't want that happening here. I
22 mean, my generation -- I'm going to tell you just right
23 now, I'm scared for our generation because I don't know
24 if we're going to be waking up one day in the morning
25 and we're under the water because we won't -- we don't

1 care about our climate, we don't care about our
2 environment because your generation, sadly, your
3 generation is the generation that is telling our
4 generation you don't, you don't -- really, to be frank,
5 you don't give a damn about our future. You don't give
6 a damn about the environment. You don't care about
7 what's going on right now in our environment. You don't
8 care about the wildlife. You don't care about the
9 Everglades. We're going to allow a freakin' monopoly
10 like the FP&L to control our lives and just destroy
11 everything.

12 So I'm going to speak because I don't get the
13 opportunity to speak at all. I don't get the
14 opportunity to speak at all about things like this --

15 **CHAIRMAN BROWN:** Elijah --

16 **MR. MANLEY:** -- because nobody cares about
17 people like us at the bottom who are making that less
18 than \$10,000. And you're going to tell me a monopoly is
19 going to come in here and say we're going to increase
20 it, we're going to increase these profits for
21 operating -- I mean, who are they shitting? Who are
22 they shitting?

23 **CHAIRMAN BROWN:** Elijah, thank you so much for
24 your testimony.

25 **MR. MANLEY:** I'm sorry. I'm going to keep

1 speaking because I don't think that the FPL understands.

2 **CHAIRMAN BROWN:** Sir, sir, I want to ask you a
3 question, sir. I do want to ask you a question first.

4 First and foremost, thank you so much for
5 taking the time to come out here. You have very, very
6 moving comments, and I really appreciate you and your
7 family coming out here today, and we do take them into
8 consideration.

9 A question for you. You live in Fort
10 Lauderdale?

11 **MR. MANLEY:** Yes.

12 **CHAIRMAN BROWN:** Okay. You said your service
13 was cut off?

14 **MR. MANLEY:** Yes.

15 **CHAIRMAN BROWN:** Was that after non-payment
16 for one month?

17 **MR. MANLEY:** We recently moved from Sunrise
18 and we had a bill from over there, and that bill with
19 the new bill combined. And because we don't really have
20 a stable income, there's no way we would be able to pay
21 that.

22 **CHAIRMAN BROWN:** There are some different
23 types of programs that I'm sure that there are some
24 customer representatives from FPL in the back that they
25 can go through some budget billing, different type of

1 things that maybe can help out in the future. But I do
2 want to take the opportunity to thank you for coming.
3 You're extremely articulate and knowledgeable, and it
4 makes a big difference to hear from you.

5 Commissioners, do you have any questions or
6 comments?

7 Commissioner Brisé.

8 **COMMISSIONER BRISÉ:** No questions, just a
9 comment. I want to commend you for coming and speaking
10 on behalf of your family. I don't imagine myself when I
11 was 17 speaking at a public forum like this on behalf of
12 my parents. So I want to commend you for doing that.
13 And, you know, it takes a lot of courage to do that and
14 it takes a lot of skill to do that. And so I certainly
15 see a very bright future for you in the public arena, so
16 continue working on those skills, continue your advocacy
17 for the things that are important to you, and we are
18 certain you will make a difference.

19 **MR. MANLEY:** Just remember one thing, there
20 are a lot of angry people out there just like me who are
21 probably much angrier than me who are out there and
22 they're living, like my friend, my Latin-American
23 bothers and sisters who I experience out there living
24 without lights and water. I can tell you like this,
25 they're very, very angry, and many of them can't make it

1 here today because they're out there trying to find a
2 way to live, just like my family is. So remember those
3 people and keep those people in mind because there's not
4 a lot of people out there that probably are making the
5 salary that you all are making.

6 **CHAIRMAN BROWN:** Thank you so much for your
7 testimony.

8 Commissioners, any other questions?

9 Thank you. Have a great day.

10 **MR. KELLY:** The last speaker I have signed up
11 is Mr. Gary Hecker.

12 **MR. HECKER:** Good afternoon. My name is Gary
13 Hecker. I live at 641, Southwest 6th Avenue, Fort
14 Lauderdale, Florida 33315. My telephone number is
15 (954)525-5903. I don't know if you saved the best for
16 last, but anyway I guess I'm it.

17 **CHAIRMAN BROWN:** Thanks for sticking around.

18 **MR. HECKER:** I also represent the Ecology
19 Party of Florida. We're just a little splinter party
20 here in the state of Florida, but we do exist and I am
21 speaking on behalf of the Ecology Party.

22 I have to give FP&L credit. You know, when
23 you look at the worldwide situation with negative
24 interest rates in Japan and other countries, you have to
25 have a lot of confidence to ask for a guaranteed pay

1 raise in this environment. It's astounding. I don't
2 understand what the leadership of FP&L, where they're
3 drawing their reality. But, frankly, if I could get
4 10 percent, I would dump every dollar I've ever saved in
5 my life right now. It just isn't going to happen, you
6 know. And I think it's just outrageous for them to ask
7 for more. Reasonable expenses, of course, you have to
8 pay reasonable expenses for any business.

9 The negatives -- it's a monopoly. Most of the
10 issues that I was going to speak about have already been
11 covered. But, you know, it's important to remember it
12 is a monopoly. They deserve a fair rate of return.
13 Frankly, I think 10 percent is more than fair. To go
14 higher is ridiculous.

15 The Turkey Point cooling canals, they have no
16 reasonable fix for that. They're drawing money only
17 because of the nuclear early cost recovery program. I
18 have serious questions as to whether that project will
19 ever come online. All the money that they're getting
20 from the customers is not ever going to be returned to
21 the customers. That's just money down the tube.

22 The antisolar stance, they've cut their
23 conservation programs, the lobbying that goes on, the
24 whole thing is just really sort of ludicrous to actually
25 be sitting here and discussing what we are discussing.

1 One of the big things, I don't care what FP&L does for
2 --

3 **CHAIRMAN BROWN:** Sir, you have 30 seconds.

4 **MR. HECKER:** -- non-profits. That's really on
5 their dime and that's fine. But whether or not FP&L
6 provides quality service, we're not really sure. I
7 didn't have power for 14 days after Wilma. We've gone
8 11 years now without a hurricane. That's going to be
9 the real test. I hope FP&L has used this decade of
10 grace to improve the infrastructure, and that's really
11 going to decide whether or not FP&L is doing a decent
12 job or not.

13 So thank you very much, and, of course, I'm
14 opposed to this.

15 **CHAIRMAN BROWN:** Thank you, sir. Are you
16 speaking on behalf of the Ecology Center of Florida?

17 **MR. HECKER:** The Ecology Party of Florida.
18 Yes, I am.

19 **CHAIRMAN BROWN:** Thank you very much for your
20 testimony.

21 Commissioners, any questions or comments?

22 Thank you very much. Have a great day.

23 Sir, would you like to speak? Have you signed
24 up?

25 **MR. HINTON:** No, I didn't get a chance to sign

1 up.

2 **CHAIRMAN BROWN:** Oh, please come on up.

3 Sir, will you do me a favor and raise your
4 right hand.

5 Do you swear or affirm to provide the truth in
6 this matter?

7 **MR. HINTON:** I do.

8 **CHAIRMAN BROWN:** Thank you so much. Could you
9 state your name and address for the record?

10 **MR. HINTON:** My name is Walter Nicky Hinton.
11 I was reared up in Fort Lauderdale since 1937. I've
12 seen a lot of changes in my city, but I don't see many
13 changes in my neighborhood. And I want to tell you my
14 phone number is (954)599-5377. And I'm coming here in
15 my neighborhood and it comes to some things that I
16 really want to talk about. I know we don't have the
17 time, but there are things on a lower level that need to
18 be straightened out with Florida Power & Light.

19 And as far as raising the price, I don't see
20 it at all. I mean, what you don't understand that the
21 young man said, I am on fixed income, my wife is on
22 fixed income. And when I see the water bill and the
23 light bill, that's the only thing that will worry me to
24 death, the water and the light. And when you live with
25 an income like I have, it's kind of hard to do the

1 things that is necessary.

2 So I'd like to tell you that Florida Power has
3 been great. I moved in my house in 19 -- December the
4 21st, 1961, and I've been paying Florida Power & Light.
5 My lights have been cut on and off different times. I'm
6 not going to tell you no story. And just last week my
7 wife said, "Nicky, take me to the water place. Let's
8 pay the water bill and go to the store and pay the light
9 bill." And sometime or another I'll ask, you know,
10 Florida Power, "Can we pay it late?" And, yes, they've
11 been good, very good. I have nothing against them at
12 all, not at all in all these years that I've been paying
13 light bills, and I want to thank you for that and
14 grateful.

15 But there are some others things on the lower
16 echelon scale that I need to talk to a representative
17 because I have a very serious problem. And I'd say I
18 want to go over to go to the top of the line and I never
19 could get to the top of the line, nobody would help the
20 situation, so I'd like to -- if you can get me to the
21 top of the line or to someone who can help with a very
22 important situation.

23 **CHAIRMAN BROWN:** Absolutely. Absolutely, sir.

24 **MR. HINTON:** And I'm going to tell one little
25 thing about it. It's about this. At Fort Lauderdale

1 Water Department, it's about eviction. You can go to
2 the City of Fort Lauderdale and they wants to see who
3 owned the land. And if the person don't own the land,
4 if I go there and I owned the land and I want my water
5 turned off, they will turn it off because I am the
6 owner. But --

7 **CHAIRMAN BROWN:** Sir, your time has run out.
8 What's your last name? Could you spell it for the
9 record?

10 **MR. HINTON:** My last name is H-i-n-t-o-n.

11 **CHAIRMAN BROWN:** Okay. Thank you, Mr. Hinton.

12 **MR. HINTON:** Okay.

13 **CHAIRMAN BROWN:** And there are customer
14 service representatives, and I'm going to ask them to
15 please meet up with him right now as we conclude the
16 hearing to address some of his customer service issues.

17 **MR. HINTON:** And I'm really -- and I'm against
18 you raising my rates.

19 **CHAIRMAN BROWN:** Commissioners, any other
20 questions?

21 **MR. HINTON:** Thank you.

22 **CHAIRMAN BROWN:** Commissioner Brisé has a
23 question.

24 **COMMISSIONER BRISÉ:** Not a question, just a
25 comment. Just make sure that when you speak to the FPL

1 representatives, you talk to them about your power
2 issues, not your water issues.

3 **CHAIRMAN BROWN:** Thank you. Thank you very
4 much.

5 **MR. HINTON:** I will do so. Thank you very
6 much.

7 **CHAIRMAN BROWN:** Thank you. And if there's no
8 other person in the audience that would like to address
9 the Commission at this time, this will conclude this
10 hearing in Fort Lauderdale. We will be having our
11 service hearing in Pembroke Pines starting at 5:00, not
12 6:00, 5:00 tonight. But I want to take this time to
13 thank you all for coming out here. It really is a
14 privilege serving the state of Florida in this capacity,
15 and we appreciate all of your input. Thank you.

16 (Interpreter commenting in Spanish.)

17 (Service Hearing adjourned at 12:07 p.m.)

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4 I, LINDA BOLES, CRR, RPR, Official Commission
5 Reporter, do hereby certify that the foregoing
6 proceeding was heard at the time and place herein
7 stated.

8 IT IS FURTHER CERTIFIED that I stenographically
9 reported the said proceedings; that the same has been
10 transcribed under my direct supervision; and that this
11 transcript constitutes a true transcription of my notes
12 of said proceedings.

13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the action.

18 DATED THIS 13th day of July, 2016.

19 *Linda Boles*

20 _____
21 LINDA BOLES, CRR, RPR
22 FPSC Official Hearings Reporter
23 (850) 413-6734
24
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