

IN THE SUPREME COURT OF FLORIDA

SIERRA CLUB

Appellant,

vs.

JULIE IMANUEL BROWN, ETC.,
ET AL.

Appellees.

CASE NO.: SC17-82

Lower Tribunal Nos.: 160021-EI

160061-EI

160062-EI

160088-EI

COMMISSION
CLERK

2017 FEB -6 AM 10:19

RECEIVED-FPSC

**APPELLEE FLORIDA PUBLIC SERVICE COMMISSION'S
SUPPLEMENTAL DIRECTIONS TO THE CLERK OF THE
FLORIDA PUBLIC SERVICE COMMISSION**

Pursuant to Rule 9.200(a)(2), Florida Rules of Appellate Procedure, the Florida Public Service Commission hereby informs and directs the Clerk of the Florida Public Service Commission to include in the record on appeal the documents set forth below in addition to the documents identified by Appellant Sierra Club.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
01382-16	03/15/2016	Petition for approval of storm hardening plan; direct testimony of Manuel B. Miranda and Exhs MBM-1 and MBM-2.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
01637-16	03/29/2016	AFD/Maurey - Copy of letter dated 3/29/16, to FPL/Silagy, advising that the company has met the filing requirements imposed by Rule 25-6.043, FAC.
01743-16	04/04/2016	Order PSC-16-0133-CFO-EI granting FPL's request for confidential classification (of DN 01414-16).
02379-16	04/22/2016	RECOM for 5/5/16 Commission conference, Item 3, from AFD and GCL staff.
02590-16	04/28/2016	FAR notice (to be published 4/29/16) of public customer meetings; to be held 6/2/16 at 5:00 p.m., in Ft. Myers; 6/3/16 at 9:30 a.m., in Sarasota; 6/15/16 at 6:00 p.m., in West Palm Beach; 6/16/16 at 9:30 a.m., in Melbourne; 6/16/16 at 6:00 p.m., in Daytona Beach; 6/27/16 at 6:00 p.m. in Miami; 6/28/16 at 9:30 a.m., in Ft. Lauderdale; 6/28/16 at 5:00 p.m., in Pembroke Pines; 6/29/16 at 9:30 a.m., in Miami Gardens; with attached acknowledgment of submittal by Administrative Code and Register.
02635-16	05/02/2016	Notice of customer service hearings; to be held 6/2/16 at 5:00 p.m. in Ft. Myers; 6/3/16 at 9:30 a.m. in Sarasota; 6/15/16 at 6:00 p.m. in West Palm Beach; 6/16/16 at 9:30 a.m. in Melbourne; 6/16/16 at 6:00 p.m. in Daytona Beach; 6/27/16 at 6:00 p.m. in Miami; 6/28/16 at 9:30 a.m. in Ft. Lauderdale; 6/28/16 at 5:00 p.m. in Pembroke Pines; 6/29/16 at 9:30 a.m. in Miami Gardens.
02715-16	05/04/2016	Order PSC-16-0179-CFO-EI granting FPL's request for confidential classification (of DN 02144-16).

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
02834-16	05/09/2016	Order PSC-16-0188-PCO-EI suspending FPL's request for permanent rate increase and associated tariffs; docket to remain open pending final determination.
02907-16	05/11/2016	FAR notice (to be published 5/12/16) of special Commission conference to be held 5/23/16 at 1:30 p.m. in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.
02918-16	05/12/2016	TRANSCRIPT - 5/5/16 Commission conference, Item 3.
02997-16	05/17/2016	RECOM for 5/23/16 Commission conference, Item 1, from AFD and GCL staff.
03149-16	05/23/2016	Vote sheet from 5/23/16 Commission conference, Item 1.
03209-16	05/25/2016	OPC (Sayler) - Citizens' motion for extension of testimony filing dates established by Order PSC-16-0182-PCO-EI.
03223-16	05/26/2016	TRANSCRIPT - 5/23/16 Commission conference, Item 1.
03229-16	05/26/2016	FPL (Butler) - Response to Citizens' motion for extension of filing dates.
03491-16	06/09/2016	TRANSCRIPT - 6/2/16 service hearing held in Ft. Myers.
03526-16	06/10/2016	TRANSCRIPT - 6/3/16 service hearing held in Sarasota.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
03929-16	06/22/2016	TRANSCRIPT - 6/15/16 service hearing held in West Palm Beach.
03953-16	06/23/2016	TRANSCRIPT - 6/16/16 service hearing held in Melbourne.
03979-16	06/23/2016	TRANSCRIPT - 6/16/16 service hearing held in Daytona Beach.
04434-16	07/11/2016	TRANSCRIPT - 6/27/16 service hearing held in Miami.
04752-16	07/13/2016	TRANSCRIPT - 6/28/16 service hearing held in Pembroke Pines.
04753-16	07/13/2016	TRANSCRIPT - 6/28/16 service hearing held in Fort Lauderdale.
05034-16	07/15/2016	TRANSCRIPT - 6/29/16 service hearing held in Miami Gardens.
05077-16	07/15/2016	Notice of Commission hearing and prehearing – Hearing to be held 8/22/16 at 9:30 a.m., Rm 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee; prehearing to be held 8/12/16 at 10:00 a.m., Rm 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee.
05096-16	07/15/2016	FAR notice (to be published 7/18/16) of prehearing conference and hearing; prehearing to be held 8/12/16 in Tallahassee; hearing to be held 8/22/16 in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.
05627-16	07/27/2016	Third Order PSC-16-0300-PCO-EI revising order establishing procedure.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
05735-16	07/29/2016	FPL (Rubin) - Letter dated 7/29/16, with attached report on nine service hearings; includes a summary of customer service concerns, and FPL's responses to those concerns.
05837-16	08/03/2016	Order PSC-16-0311-CFO-EI granting FPL's request for confidential classification (of DN 04206-16).
05838-16	08/03/2016	Order PSC-16-0312-CFO-EI granting and denying in part FPL's request for confidential classification (of DN 03148-16, x-ref 02689-16, 04833-16).
05905-16	08/05/2016	Order PSC-16-0317-CFO-EI granting FPL's request for confidential classification of DN 04319-16, x-ref 03742-16. (Audit Control No. 16-095-4-1).
05913-16	08/05/2016	AARP (Coffman) - Prehearing statement.
05929-16	08/05/2016	GCL/Brownless - Staff's prehearing statement.
05932-16	08/05/2016	FEA (Jernigan, Cepak) - Prehearing statement.
05933-16	08/05/2016 1	FRF (Wright) - Prehearing statement.
05938-16	08/05/2016	Walmart (Roberts) - Prehearing statement.
05942-16	08/05/2016	OPC (Sayler) - Prehearing statement.
05943-16	08/05/2016	SFHHA (Wiseman) - Prehearing statement.
05946-16	08/05/2016	FPL (Butler) - Prehearing statement.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
05948-16	08/05/2016	D. Larson; A. Larson (Skop) - Prehearing statement.
05950-16	08/05/2016	Sierra Club (Csank) - Prehearing statement.
05951-16	08/05/2016	FIPUG (Moyle) - Prehearing statement.
06421-16	08/11/2016	Order PSC-16-0326-CFO-EI granting FPL's fourth request for confidential classification of DN 04446-16.
06422-16	08/11/2016	Order PSC-16-0327-CFO-EI granting FPL's fifth request for confidential classification of DN 05506-16, x-ref 04204-16.
06476-16	08/11/2016	Order PSC-16-0331-CFO-EI granting FPL's sixth request for confidential classification of DN 05884-16.
06502-16	08/12/2016	D. Larson; A. Larson (Skop) - Amended prehearing statement.
06544-16	08/12/2016	SFHHA (Siqueland) - Amended prehearing statement.
06656-16	08/15/2016	SFHHA (Wiseman) - Second amended prehearing statement.
06840-16	08/18/2016	FPL (Moncada) - Motion for official recognition [of orders listed in Schedule A].
06911-16	08/22/2016	Order PSC-16-0344-CFO-EI granting FPL's request for confidential classification of late-filed deposition exhibits (DNs 06492-16 and 06790-16).

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
06912-16	08/22/2016	Order PSC-16-0345-CFO-EI granting FPL's seventh request for confidential classification of DN 06791-16.
06972-16	08/23/2016	(CONFIDENTIAL) Hearing Exhibit No. 606 from 8/23/16 hearing.
06989-16	08/24/2016	TRANSCRIPT - Vol 7, pages 722 to 784 of 8/23/16 hearing.
06996-16	08/24/2016	TRANSCRIPT - Vol 9, pages 971 to 1021 of 8/23/16 hearing.
06998-16	08/24/2016	(CONFIDENTIAL) Hearing Exhibit No. 636 from 8/24/16 hearing.
07018-16	08/26/2016	TRANSCRIPT - Vol 14, pages 1607 to 1756 of 8/24/16 hearing.
07019-16	08/26/2016	TRANSCRIPT - Vol 15, pages 1757 to 1803 of 8/24/16 hearing.
07020-16	08/26/2016	TRANSCRIPT - Vol 16, pages 1804 to 1992 of 8/25/16 hearing.
07022-16	08/26/2016	FPL (Butler) - Letter dated 8/26/16, with attached amended errata sheet for witness Ned W. Allis (rebuttal).
07044-16	08/26/2016	FPL (Cano) - Letter dated 8/26/16 with attached additional errata sheet for rebuttal testimony and exhibits of Robert B. Hevert, including revised Exh RBH-14.
07058-16	08/26/2016	TRANSCRIPT - Vol 17, pages 1993 to 2218 of 8/25/16 hearing.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
07062-16	08/26/2016	TRANSCRIPT - Vol 19, pages 2291 to 2381 of 8/25/16 hearing.
07074-16	08/29/2016	FIPUG (Moyle) - Notice of joinder of OPC's motion to dismiss FPL's amended request for creation of a reserve amount amortization mechanism or alternatively, motion for directed final decision that FPL has failed to produce any evidence in support of its request.
07082-16	08/29/2016	TRANSCRIPT - Vol 22, pages 2728 to 2868 of 8/26/16 hearing.
07083-16	08/29/2016	TRANSCRIPT - Vol 23, pages 2869 to 3007 of 8/26/16 hearing.
07084-16	08/29/2016	TRANSCRIPT - Vol 24, pages 3008 to 3028 of 8/26/16 hearing.
07118-16	08/30/2016	TRANSCRIPT - Vol 25, pages 3029 to 3175 of 8/29/16 hearing.
07141-16	08/30/2016	TRANSCRIPT - Vol 27, pages 3671 to 3977 of 8/29/16 hearing.
07142-16	08/30/2016	(CONFIDENTIAL) Hearing Exhibit No. 743 from 8/30/16 hearing.
07163-16	08/31/2016	CORRECTED TRANSCRIPT - Vol 26, pages 3176 to 3682 of 8/29/16 hearing.
07174-16	08/31/2016	CORRECTED TRANSCRIPT - Vol 27, pages 3683 to 3989 of 8/29/16 hearing.
07177-16	08/31/2016	TRANSCRIPT - Vol 28, pages 3990 to 4164 of 8/30/16 hearing.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
07237-16	09/01/2016	FPL (Moncada) - Response in opposition to OPC's motion to dismiss FPL's amended request for creation of a reserve amount amortization mechanism or alternatively, motion for directed final decision that FPL has failed to produce any evidence in support of its request.
07331-16	09/07/2016	TRANSCRIPT - Vol 34, pages 5127 to 5292 of 8/31/16 hearing.
07334-16	09/07/2016	TRANSCRIPT - Vol 36, pages 5469 to 5749 of 8/31/16 hearing.
07336-16	09/07/2016	TRANSCRIPT - Vol 37, pages 5750 to 6034 of 9/1/16 hearing.
07362-16	09/08/2016	CORRECTED TRANSCRIPT - Vol 18, pages 2219 to 2290 of 8/25/16 hearing.
07372-16	09/08/2016	CLK/Stauffer- Memo dated 9/8/16 advising of corrections made to the 8/22/16 - 9/1/16 hearing transcript.
07452-16	09/12/2016	FPL (Moncada) - Letter dated 9/12/16, with attached executive summary of rate case which was mailed on 4/13/16, in compliance with Rule 25-22.0406(2)(d) to main county libraries in service area and to chief executive officer of each county and municipality in service area; declarations of Susan Hengy and Cynthia Zinni regarding compliance and notification requirements.
07554-16	09/15/2016	CORRECTED exhs of 8/22/16 - 9/1/16 hearing.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
07644-16	09/19/2016	Walmart (Roberts) - Post-hearing brief.
07650-16	09/19/2016	AARP (Coffman) - Post-hearing brief.
07658-16	09/19/2016	FEA (Jernigan) - Post-hearing brief.
07659-16	09/19/2016	SFHHA (Siqueland) - Post-hearing brief.
07664-16	09/19/2016	D. Larson; A. Larson (Skop) - Post-hearing statement and brief.
08069-16	10/07/2016	FPL (Butler) - Notice of need for Commission decision.
08129-16	10/11/2016	FAR notice (to be published 10/11/16) of special Commission conference to be held 10/27/16 at 9:30 a.m. in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.
08184-16	10/12/2016	Notice of Commission hearing to be held 10/27/16 at 9:30 a.m. (ET), Rm 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee.
08200-16	10/13/2016	FAR notice (to be published 10/13/16) CANCELLATION of special Commission conference to be held 10/27/16 at 9:30 a.m. in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.
08201-16	10/13/2016	FAR notice (to be published 10/13/16) of hearing to be held 10/27/16 at 9:30 a.m. in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
08216-16	10/13/2016	AARP (Coffman) - Objection to non-unanimous stipulation and request to extend hearing date on settlement.
08218-16	0/13/2016	D. Larson; A. Larson (Skop) - Response in opposition to joint motion for approval of settlement agreement.
08273-16	10/17/2016	FPL; OPC; SFHHA; FRF (Butler, Rehwinkel, Sundback, Wright) - Joint response in opposition to AARP's request to extend hearing date on settlement.
08377-16	10/20/2016	Order PSC-16-0472-PCO-EI denying AARP's request to extend hearing date on settlement.
08422-16	10/21/2016	AARP (Coffman) - Notice of witness appearance [of Michael Brosch at expedited supplemental hearing scheduled for 10/27/16].
08499-16	10/27/2016	D. Larson; A. Larson (Skop) - Written statement in lieu of appearance.
08616-16	11/02/2016	Hearing Exhibits 808 to 812 from 10/27/16.
08768-16	11/10/2016	Walmart (Eaton) - Letter dated 11/10/16, submitting letter in lieu of filing a second post-hearing brief.
08772-16	11/10/2016	AARP (Coffman) - Brief regarding non-unanimous stipulation.
08773-16	11/10/2016	D. Larson; A. Larson (Skop) - Post-hearing statement and brief.

<u>Document No.</u>	<u>Date Posted</u>	<u>Item</u>
08794-16	11/14/2016	FAR notice (to be published 11/15/16) of special Commission conference to be held 11/29/16 at 9:30 a.m. in Tallahassee; with attached acknowledgment of submittal by Administrative Code and Register.
08870-16	11/18/2016	FPL (Butler) - Notice of intent to implement rates pursuant to file and suspend provision.
08943-16	11/22/2016	AFD/Maurey; GCL/Brownless - Memo dated 11/22/16 to CLK/Stauffer, with attached presentation for docket file.
09229-16	12/09/2016	FPL (Butler) - Letter dated 12/9/16, with attached correction to thirty-second revised tariff sheet No. 8.542 for rate schedule CST-3, which was included as page 76 of 107 in Exh B to the stipulation and settlement that was approved by the Commission on 11/29/16 to resolve all issues in this and consolidated dockets.

Respectfully submitted,

/s/ Rosanne Gervasi
 Rosanne Gervasi
 Florida Bar No. 0001848
rgervasi@psc.state.fl.us

Samantha M. Cibula
 Florida Bar No. 0116599
scibula@psc.state.fl.us

Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0850
 Telephone: (850) 413-6199
 Facsimile: (850) 717-0118

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the individuals listed below by electronic mail this 6th day of February, 2017:

Joshua Smith, Esq.
Sierra Club
2101 Webster St., Suite 1300
Oakland, CA 94612
Joshua.Smith@sierraclub.org

Wade Litchfield, Esq.
John T. Butler, Esq.
Maria J. Moncado, Esq.
Florida Power & Light Co.
700 Universe Boulevard
Juno Beach, FL 33408-0420
wade.litchfield@fpl.com
john.butler@fpl.com
maria.moncado@fpl.com

Kenneth A. Hoffman, Esq.
Florida Power & Light Co.
215 South Monroe St., Suite 810
Tallahassee, FL 32301
ken.hoffman@fpl.com

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Bowden, Bush, Dee,
LaVia & Wright, P.A.
1300 Thomaswood Dr.
Tallahassee, FL 32303
schef@gbwlegal.com
jlavia@gbwlegal.com

Diana A. Csank, Esq.
50 F St. NW, 8th Floor
Washington, DC 20001
Diana.Csank@sierraclub.org

J.R. Kelly, Esq.
Charles J. Rehwinkel, Esq.
Patricia A. Christensen, Esq.
Erik Sayler, Esq.
Stephanie Morse, Esq.
Office of Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
christensen.patty@leg.state.fl.us
sayler.erik@leg.state.fl.us
morse.stephanie@leg.state.fl.us

Jon C. Moyle, Jr., Esq.
Karen A. Putnal, Esq.
Moyle Law Firm, P.A.
118 North Gadsden St.
Tallahassee, FL 32301
jmoyle@moylslaw.com
kputnal@moylslaw.com

Nathan A. Skop, Esq.
420 NW 50th Blvd.
Gainesville, Florida 32607
n_skop@hotmail.com

Kenneth L. Wiseman, Esq.
Mark F. Sundback, Esq.
William M. Rappolt, Esq.
Andrews Kurth LLP
3501 I Street NW, Suite 1100
Washington, DC 20005
kwiseman@andrewskurth.com
msundback@andrewskurth.com
wrappolt@andrewskurth.com

John B. Coffman
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

Stephanie U. Roberts, Esq.
Walmart Stores East, LP
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
sroberts@spilmanlaw.com

Thomas A. Jernigan, Esq.
AFCEC/JA-ULFSC
Federal Executive Agencies
139 Barnes Dr., Suite 1
Tyndall Air Force Base, FL 32403
Washington, DC 20005
Thomas.Jernigan.3@us.af.mil

Jack McRay, Advocacy Manager
AARP Florida
200 West College Avenue, # 304
Tallahassee, Florida 32301
jmcray@aarp.org

Derrick Price Williamson, Esq.
Walmart Stores East, LP
Spilman Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com

/s/ Rosanne Gervasi
Rosanne Gervasi
Florida Bar No. 0001848