

Collin Roehner

From: Collin Roehner on behalf of Records Clerk
Sent: Wednesday, March 08, 2017 8:46 AM
To: 'Beatrice Balboa'
Subject: FW: FPL issues
Attachments: FPL Moves to Put Miami-Dade County Permitting Employee on the Utility Company's Payroll _ Miami New Times.pdf; Legislators propose allowing FPL to charges customers so it can invest in fracking _ Tampa Bay Times.pdf

Good morning Ms. Balboa,

We will be placing your comments below in consumer correspondence in Docket No. 160251-EI and forwarding your comments to the Office of Consumer Assistance and Outreach.

Sincerely,

Collin D. Roehner
Commission Deputy Clerk I
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida, 32301
(850) 413-7123

From: Beatrice Balboa [<mailto:beatricebalboa@gmail.com>]
Sent: Tuesday, March 07, 2017 10:14 PM
To: Records Clerk
Subject: FPL issues

I was reading the latest news media article(s) regarding the latest Florida Power & Light Co. (FPL) environmental activities in Southeastern Florida with great interest. Please review and implement an action plan to thoroughly address this extremely troubling issue. Media reports continue to underscore the ongoing significant environmental law violations by FPL, despite strong evidence of adverse impact of these activities. It is imperative that these FPL activities be brought into compliance with Federal, State and County environmental laws and statutes. And yet, FPL may be requesting ratepayers to "foot the bill" for their wanton disregard for the rule of environmental law. Please coordinate, collaborate and cooperate on Federal, State and/or local jurisdictional levels in addressing these concerns potentially impacting adversely the public's health, finances, policies, trust, confidence, and quality of life issues. Thank you for your time in this matter and hope to hear from you soon.

Sincerely,
Beatrice Balboa
1010 South Ocean Boulevard, Apt. 1008
Pompano Beach, Fl 33062-6631

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FPL Wants to Pay Salary of County Employee in Charge of Approving Its Permits

BY JESSICA LIPSCOMB

TUESDAY, MARCH 7, 2017 AT 9 A.M.



via Florida Power & Light

In South Florida, the regulated monopoly of Florida Power & Light is the only game in town when it comes to keeping your lights on. That means that despite FPL's history of **jacking up rates**, **fighting to store radioactive waste beneath our aquifer**, and **spending \$8 million on a deceitful anti-solar amendment**, consumers basically have no other choice but to patronize the utility giant.

That history should give Miami-Dade residents serious pause about a new agreement FPL is about to reach with the county, though.

This morning, county commissioners **will vote on a contract** that would allow FPL to pay the full salary of the county employee responsible for approving the power company's permits. That's right: FPL is offering the county \$70,000 a year to fully fund an employee whose only job would be to review the company's applications for electric projects. The item **already sailed through a meeting of the county's Public Works Committee** without so much as a sentence of discussion.

The tentative agreement says the employee would exclusively process FPL's applications for permits "on a priority basis," although he or she would be supervised by the county and considered part of the county's workforce. The rest of the contract, however, raises questions about whether the position would be just a rubber stamp for FPL's projects. If approved, the agreement states the county would designate an experienced employee to process applications "with a goal of permit issuance within 30 days."

FPL says the new employee is necessary to handle an increase in the utility company's "critical electric infrastructure projects," though the agreement doesn't specifically name those projects. FPL spokesman Bill Orlove says the company "plans to increase the number of projects in the county to strengthen the grid and enhance the reliability of service for our customers."

But longtime FPL critics say the deal smells worryingly like a conflict of interest for the county. South Miami Mayor Phil Stoddard, a vocal critic of FPL's nuclear programs, says the employee could face pressure to help FPL so his or her \$70,000 contract is renewed every year.

"The question is whether this [employee] is really working for the county or whether the company applying for the permit will indirectly or directly have any influence over the permitting process," Stoddard says.

Orlove did not respond to questions from a *New Times* reporter asking how FPL will avoid a conflict of interest or whether there is any precedent for FPL funding the salary of a municipal or county permitting employee.

Ben Wilcox, the executive director of Integrity Florida, a nonpartisan ethics watchdog group, says he's unaware of any similar arrangements.

"I don't think that's something that typically happens in local government," Wilcox says. "I'd have concerns about a conflict of interest if someone's salary is being paid to basically expedite permits for one particular business."

Others involved in policing ethics violations were less concerned, though. Joseph Centorino, director of the Miami-Dade Commission on Ethics and Public Trust, says the agreement likely won't rise to the level of being unethical as long as the county truly remains in charge of the employee.

"The question would be control, if the county retains complete control over that person's work and assignment," Centorino says. "The county can certainly accept contributions from a contractor or person if it goes to the public good. As long as the county is in control, I don't see it as creating an ethics issue."

According to the terms of the agreement, the position initially would be funded for one year, though FPL may choose to renew the contract on annually. The county also has the leeway not to renew the position at the end of the year.

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THE BUZZ

From the staff of the Tampa Bay Times

Legislators propose allowing FPL to charge customers so it can invest in fracking



Mary Ellen Klas, Times/Herald Tallahassee Bureau

Tuesday, March 7, 2017 3:51pm

After losing a major battle in court last year, Florida Power & Light is now turning to the Florida Legislature to change the state law and give it the authority to charge customers, and profit off, speculative natural gas fracking.

The bill, HB 1043 by Rep. **Jason Brodeur**, R-Sanford, is titled "Prudent Utility Investments in Natural Gas Reserves," and the Senate companion is SB 1248 by Sen. **Aaron Bean**, R-Fernandina Beach.

"Natural gas is a proven commodity that brings rates down and so we are going to allow FPL to go forward with a proven technology to have these reserves so that we pay down the road," Bean said in an interview.

The bill would essentially overturn a Florida Supreme Court ruling last year that said that Florida regulators exceeded their authority when they allowed FPL to become the first utility in the nation to be allowed to charge its customers, not its shareholders, for its speculative investment in fracking operations.

In June 2015, the Florida Public Service Commission unanimously went against its staff recommendations and approved FPL's request to charge customers up to \$750 million annually for the speculative natural gas fracking activities. FPL, a regulated monopoly and Florida's largest utility, then entered into a \$191 million joint venture with PetroQuest Energy of Louisiana to explore for natural gas in Oklahoma.

The process involves injecting large volumes of water, sand and chemicals at high pressures to release oil and natural gas from rock caverns deep underground.

The proposal, called the Woodford Gas Reserves Project, allowed FPL to earn a guaranteed profit off of the investment — about 11.3 percent. Although FPL claimed the investment would provide a long-term hedge against volatile fuel costs and save customers money, FPL revealed that the Woodford project had cost customers about \$5.8 million and did not save fuel costs.

The Office of Public Counsel, which represents ratepayers in utility cases, filed a lawsuit arguing that the PSC exceeded its authority in allowing the company to charge customers for the speculative investment. The Florida Supreme Court agreed and, in a 6-1 ruling, ordered FPL to refund nearly \$24.5 million to customers.

"Treating these activities as a hedge requires FPL's end-user consumers to guarantee the capital investment and operations of a speculative oil and gas venture without the Florida Legislature's authority," wrote Justice Ricky Polston. Justice Charles Canady dissented, saying regulators did have the authority to use the fuel clause to allow the company to make risk-based investments.

Bean said his bill is intended to help FPL "do what's best for their ratepayers in Florida."

"I am looking to save the taxpayers and ratepayers money and there is proven technology that can lower consumers energy bills," he said. "Do we have things to iron out? We do. And will not everybody agree? maybe."

Photo: Workers tend to a well head during a hydraulic fracturing operation in Colorado. Brennan Linsley AP File/2013

6

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