

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Enforcement of 2016
Settlement and Permanent Base Rate Reductions
Against Florida Power & Light Company

DOCKET NO. 20180224-EI

FILED: December 28, 2018

OPC'S AND FRF'S REQUEST FOR ORAL ARGUMENT

The Citizens of the State of Florida, represented by the Office of Public Counsel (“Citizens” or “OPC”), and the Florida Retail Federation (“FRF”) (collectively the “Customers” herein),¹ by and through undersigned counsel and pursuant to Rule 25-22.0022, F.A.C., hereby respectfully request oral argument on the pleadings pending in this docket, including FPL’s pleading styled “Florida Power & Light Company’s Response to Joint Petition for Enforcement of 2016 Settlement and Permanent Base Rate Reductions Against Florida Power & Light Company” (hereinafter “FPL’s Response”), which includes an embedded motion to deny the Joint Petition filed by OPC, FRF, and FIPUG on December 5, 2019, and also including OPC’s and FRF’s response to FPL’s Response filed herein contemporaneously with this Request for Oral Argument.

The OPC and the FRF assert that they (and FIPUG) are entitled to be fully heard in argument supporting their Joint Petition in any consideration of potentially dispositive action on the Joint Petition. This is fundamental due process. The issues posed by FPL’s Response, with its embedded motion, and OPC’s and FRF’s response to FPL’s Response, involve somewhat complex procedural issues, but more significantly, they involve claims and assertions by FPL that are misleading and erroneous. The gravity of the matter at hand – the proper and fair treatment of \$736.8 Million per year in windfall tax cost savings being realized by FPL, for the benefit of its

¹ The Florida Industrial Power Users Group (“FIPUG”), a co-petitioner with OPC and the FRF on the Joint Petition that initiated this docket, has on December 27, 2018, filed a motion for extension of time to respond to FPL’s Response, and thus is not a party to either OPC’s and FRF’s response to FPL’s Response or to this specific request for oral argument. OPC and FRF will not object to oral argument addressing any responsive pleading that FIPUG may file.

retail customers – warrants full argument before the Commission on any procedural issues. Accordingly, oral argument is appropriate here to permit a full and fair airing of all issues.

Pursuant to Commission Rule 25-22.0022, F.A.C., requests for oral argument are required to be made separately, and accordingly, OPC and the FRF respectfully submit this Request for Oral Argument contemporaneously with their response to FPL's Response.

Respectfully submitted this 28th day of December, 2018.

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 28th day of December, 2018, to the following:

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