

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of FPL
SolarTogether program and tariff, by Florida
Power & Light Company.

DOCKET NO. 20190061-EI
ORDER NO. PSC-2019-0285-PCO-EI
ISSUED: July 17, 2019

ORDER REQUESTING ADDITIONAL COMMENTS CONCERNING
MOTION FOR INTERVENTION BY VOTE SOLAR

Having reviewed Vote Solar's Motion to Intervene and Florida Power & Light Company's (FPL) Amended Response in opposition, I request written comments from Vote Solar by July 22, 2019, concerning whether Vote Solar meets the three prong associational standing test set out in *Florida Home Builders v. Dept. of Labor and Employment Security*, 412 So. 2d 351 (Fla. 1982), and *Farmworkers Rights Organization, Inc. v. Dept. of Health and Rehabilitative Services*, 417 So. 2d 753 (Fla. 1st DCA 1982). Specifically, comments are requested concerning whether Vote Solar can demonstrate: (1) how its members will be substantially affected by the Commission's decision in Docket No. 20190061-EI; (2) how the subject matter of the proceeding is within Vote Solar's general scope of interest and activity;¹ and (3) how the relief requested is of a type appropriate for Vote Solar to receive on behalf of its members. This request is made under Rule 28-106.211, Florida Administrative Code, "to prevent delay" and "to promote the just, speedy, and inexpensive determination of all aspects of the case." The comments must be filed in Docket No. 20190061-EI.

The order on intervention will consider any comments received relating to this request, as well as Vote Solar's Motion to Intervene and FPL's Amended Response in opposition. If Vote Solar timely files additional comments, FPL will have until July 25, 2019, to file any additional comments to Vote Solar's response to this Order.

Based on the foregoing, it is

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that Vote Solar is requested to file additional comments concerning its Motion to Intervene as described in the body of this Order. It is further

ORDERED that if Vote Solar timely files additional comments in response to this Order, Florida Power & Light Company will have until July 25, 2019, to file any additional comments to Vote Solar's response to this Order.

¹ See footnote 1 in FPL's Amended Response in opposition relating to a failure to produce organizational documentation.

By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 17th day
of July, 2019.



GARY F. CLARK
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.