

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-2019-0431-PCO-EI
ISSUED: October 22, 2019

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On March 13, 2019, Florida Power & Light Company (FPL) filed a petition for a new voluntary community solar program, called FPL SolarTogether, which would allow FPL customers to subscribe to a portion of new solar capacity built through the program and to receive a credit for a portion of the system savings produced by that solar capacity. Order No. PSC-2019-0272-PCO-EI (Order Establishing Procedure), issued on July 5, 2019, established hearing procedures to govern this Docket, including controlling dates. OPC filed a motion for continuance of the hearing on September 27, 2019. In response to OPC's motion, Order No. PSC-2019-0399-PCO-EI (First Order Modifying Procedure) was issued, amending the Order Establishing Procedure by establishing new controlling dates and modifying discovery response times.

On October 9, 2019, FPL, Southern Alliance for Clean Energy, Walmart, Inc., and Vote Solar (Joint Movants) filed a Joint Motion to Approve Settlement (Joint Motion), with the Joint Movants' Stipulation and Settlement attached as Exhibit A. The Office of Public Counsel filed a response in opposition to the Joint Motion on October 16, 2019.

In consideration of these new filings, the parties may, in addition to current discovery efforts, conduct discovery and prefile testimony on Exhibit A of the Joint Motion. This will allow the Commission to hear this case with the benefit of the most complete and accurate record, and will avoid any unnecessary delay in the proceedings. Parties should continue to follow the amended dates and response times set out in the First Order Modifying Procedure.

Based on the foregoing, it is

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that the parties may conduct discovery and prefile testimony on Exhibit A of the Joint Motion. It is further

ORDERED that the parties shall proceed as set forth in the First Order Modifying Procedure.

By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 22nd day of October, 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.