

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of FPL) Docket No. 20190061-EI
SolarTogether program and tariff, by)
Florida Power & Light Company) Filed January 4, 2020
_____)

SOUTHERN ALLIANCE FOR CLEAN ENERGY’S PREHEARING STATEMENT

The Southern Alliance for Clean Energy, Inc. (“SACE”), by and through its undersigned counsel, and pursuant to Order No. PSC-2019-0272-PCO-EI Establishing Procedure as modified by subsequent Order Nos. PSC-2019-0399-PCO-EI and PSC-2019-0431-PCO-EI hereby submits its Prehearing Statement.

I. Witnesses

All Known Witnesses:

<u>SACE Direct Witnesses:</u>	<u>Subject Matter:</u>	<u>Issues No.:</u>
Bryan Jacob	Design of <i>SolarTogether</i> program	4

All witnesses listed or presented by any other party or intervenor.

II. Prefiled Exhibits

SACE will sponsor the direct exhibits as set out below. However, SACE reserves the right to use other exhibits during cross examination of any other party’s or intervenor’s witnesses.

<u>Witness</u>	<u>Proffered By</u>	<u>Exhibit #</u>	<u>Description</u>	<u>Issue Nos.</u>
Bryan Jacob	SACE	BAJ-1	Bryan Jacob Resume	N/A

III. Statement of Basic Position

On March 13, 2019, Florida Power and Light (“FPL”) filed a petition for approval of the *SolarTogether* community solar tariff and subsequently filed direct testimony on July 29, 2019 in support of the tariff. It subsequently filed rebuttal testimony, on September 23, 2019, that enhanced the system benefits of the associated program to non-participating customers. A settlement agreement was filed on October 9, 2019 in this docket between FPL, SACE, Vote Solar, and Walmart that resolved all issues in the case between them and additionally enhanced the program for low income customers by reserving ten percent of the residential customer allocation for low-income customers and providing a more immediate economic benefit to them from the first month of participation.

If the Commission approves the settlement agreement, FPL’s *SolarTogether* community solar tariff will provide FPL customers the option to participate in the largest community solar program in the United States. The *SolarTogether* program will lead to the construction of 1,490 megawatts (“MW”) of cost-effective, clean solar power in Florida over the next two years and will catapult Florida into a leadership position in the United States on solar development while also decreasing Florida’s over-reliance on fossil fuels that are driving climate change. Other utilities and states should take note of this novel and innovative program.

Both utility scale and rooftop solar installations continue to grow in Florida, yet some residential customers cannot directly access the economic benefits of solar power because they may rent their homes, live in multi-unit dwellings, or have shaded roofs. Likewise there are commercial customers that may not own their business property or may not want the ownership responsibility of rooftop solar. The *SolarTogether* community (shared) solar program provides

those customers the option to participate in the program and realize a direct economic benefit from solar power. It prioritizes the customer experience by allowing participation with no upfront subscription fees, flexible subscription amounts, no cancellation fees, and allows the subscription to stay with the customer if they move within FPL's service territory. The large amount of capacity already committed to through the *SolarTogether* presubscription process evidences enormous customer demand for solar power in Florida.

The Commission is afforded great deference to determine that a settlement agreement between parties is in the public interest, and it will be presented with substantial, competent evidence during the hearing upon which to make a public interest determination. Taken as a whole, the tariff and program provision embodied in the settlement agreement between FPL, SACE, Vote Solar, and Walmart strike a reasonable balance in the sharing of economic benefits of the *SolarTogether* program between participants and the general body of customers, expands opportunities for participation to low-income families, and is consistent with the principle of fair, just and reasonable rates. As such, SACE requests that the Commission approve the settlement agreement in its entirety.

IV. Statement of Issues and Positions

ISSUE 1: Is FPL's proposed *SolarTogether* Rider tariff an appropriate mechanism to seek approval for the construction of 1,490 MW of new solar generation facilities?

POSITION: Yes. The settlement agreement filed in this docket on October 9, 2019 between FPL, SACE, Vote Solar, and Walmart on the *SolarTogether* community solar tariff and program fully resolves all matters between the referenced parties and is in the public interest.

ISSUE 2: Does FPL's proposed *SolarTogether* Rider tariff give any undue or unreasonable preference or advantage to any person or locality or subject the same to any undue or unreasonable prejudice or disadvantage in any respect, contrary to Section 366.03, Florida Statutes?

POSITION: No. The settlement agreement filed in this docket on October 9, 2019 between FPL, SACE, Vote Solar, and Walmart on the *SolarTogether* community solar tariff and program fully resolves all matters between the referenced parties and is in the public interest..

ISSUE 3: Should the Commission allow recovery of all costs and expenses associated with FPL’s proposed *SolarTogether* Program in the manner proposed by FPL?

POSITION: Yes. The settlement agreement filed in this docket on October 9, 2019 between FPL, SACE, Vote Solar, and Walmart on the *SolarTogether* community solar tariff and program fully resolves all matters between the referenced parties and is in the public interest.

ISSUE 4: Should the Commission approve FPL’s proposed SolarTogether Program and associated tariff, Rate Schedule STR, which is the same tariff attached as Attachment I to the Settlement Agreement filed October 9, 2019?

POSITION: Yes. The settlement agreement filed in this docket on October 9, 2019 between FPL, SACE, Vote Solar, and Walmart on the *SolarTogether* community solar tariff and program fully resolves all matters between the referenced parties and is in the public interest.

ISSUE 5: What adjustments, if any, should the Commission make to any affiliate transaction costs associated with FPL’s *SolarTogether* Rider tariff?

POSITION: No position at this time.

ISSUE 6: Should this docket be closed?

POSITION: No position at this time

V. Stipulated Issues

None.

VI. Pending Motions or Other Matters

There is a pending joint motion to approve the above-referenced settlement agreement.

VII. Pending Request or Claims for Confidentiality

None.

IX. Request for Sequestration of Witnesses

None.

X. Compliance with Order Establishing Procedure

SACE has complied with the orders establishing procedure in this docket.

RESPECTFULLY SUBMITTED this 4th day of January, 2020

/s/ George Cavros
George Cavros
Southern Alliance for Clean Energy
120 E. Oakland Park Blvd., Suite 105
Fort Lauderdale, FL 33334
(954) 295-5714

Counsel for Petitioner
Southern Alliance for Clean Energy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served on this 4th day of January, 2020 via electronic mail on:

Florida Public Service Commission Walter Trierweller Office of the General Counsel 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 wtrierwe@psc.state.fl.us	Maria Moncada Florida Power & Light Company 700 Universe Blvd. Juno Beach, FL 33408 maria.moncada@fpl.com
Jon C. Moyle, Jr./Karen Putnal/Ian Waldick Florida Industrial Power Users Group 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com iwaldick@moylelaw.com	J.R Kelly/Stephanie Morse Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 rehwinkel.charles@leg.state.fl.us kelly.jr@leg.state.fl.us morse.stephanie@leg.state.fl.us
Vote Solar Marsha Rule 119 South Monroe Street, Suite 202 Tallahassee, FL 32301 marsha@rutledge-ecenia.com richzambo@aol.com katie@votesolar.org tyler@votesolar.org	Ken Hoffman Florida Power and Light Company 134 W. Jefferson Street Tallahassee, FL 32301 ken.hoffman@fpl.com
Spillman Law Firm representing Walmart Stephanie U. Eaton & Derrick Price Williamson 110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103 seaton@spillmanlaw.com dwilliamson@spillmanlaw.com	

DATED this 4th day of January, 2020.

/s/ George Cavros
Attorney