

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Tuesday, April 27, 2021 3:23 PM
To: 'Shelia@guildaylaw.com'
Cc: Consumer Contact
Subject: FW: COMMENTS - Docket # 20210016-EI / Duke Energy
Attachments: PSC - FPMA COMMENTS (Duke Energy) Docket No. 20210016-EI -- Final.pdf

Good Afternoon, Ms. Moser.

We will be placing the comments below in consumer correspondence in Docket No. 20210016, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

Toni Hover
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Florida Public Service Commission
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From: Shelia Moser <Shelia@guildaylaw.com>
Sent: Tuesday, April 27, 2021 3:15 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Cc: Bob Fingar <Bob@guildaylaw.com>
Subject: COMMENTS - Docket # 20210016-EI / Duke Energy

Good afternoon. Please see attached Comments from the Florida Petroleum Marketers Association, Inc., to be filed in the above-referenced docket. Thank you for your kind assistance.

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FOR ROBERT D. FINGAR, ESQ.
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Florida Petroleum Marketers Association, Inc.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for limited proceeding to approve)	
2021 settlement agreement, including general rate base)	Docket No. 20210016-EI
increases, by Duke Energy Florida, LLC)	Filed: April 27, 2021

COMMENTS OF THE FLORIDA PETROLEUM MARKETERS ASSOCIATION

The Florida Petroleum Marketers Association (“FPMA”) hereby submits comments to the Public Service Commission (“Commission”) in Docket No. 20210016-EI, Duke Energy Florida, LLC (“DEF”) Petition for Limited Proceeding to Approve 2021 Settlement Agreement, Including General Rate Base Increases. FPMA appreciates the opportunity to provide written comments.

Over the past several years, the market for electric vehicles (“EV”) and the associated charging services has steadily grown. FPMA represents more than 80 member companies who own or operate over 90% of the fuel and convenience store locations in Florida and have long provided fueling services in a competitive marketplace. FPMA believes private sector investment in the installation of EV charging stations is critical to the long-term provision of EV charging services. In reviewing the limited information provided by DEF and responses to Staff’s data request, we are concerned that DEF’s continued expansion of its monopolistic business model into the competitive marketplace for fueling services will have a disastrous impact on our members’ ability to transition to providing EV charging services on a level playing field. We also note the historic aversion to allowing energy production and retail distribution to be combined in a single entity, and the resulting debate over divorcement of those functions in Florida and a number of other states. Therefore, to support a competitive EV charging market, FPMA recommends the Commission establish a new docket to DEF’s proposed EV charging program -- independent from this settlement case. A new docket would provide all stakeholders and market participants the ability to engage in important considerations related to utility involvement in EV charging. Failing that, the Commission should deny the settlement.

FPMA’s position is that the issues raised by this particular rate case go to the heart of Florida’s EV infrastructure policy and should be dealt with in a separate, unique docket available

to all stakeholders. Our members are working diligently to invest private capital in charging infrastructure. If DEF's proposal is approved, FPMA members will likely have to battle for a share of the EV charging market with a monopoly utility that sees EV charging as a new business opportunity. Essentially, DEF will deploy ratepayer capital with little to no risk to directly compete with our members. FPMA is not necessarily opposed to all DEF participation in the EV marketplace. Utilities may spur EV demand through education and promotion of EVs, provide competitive and affordable rates, offer beneficial infrastructure investment including "make-ready" sites, and make available rebates for private infrastructure investment. However, FPMA fervently believes an individual utility rate case is a highly inappropriate venue for establishing EV charging infrastructure ownership and investment.

It is also important to remember that the current model of fueling station did not arise from a monopolistic utility investment, rather fueling station operators invested their private capital to secure fueling locations and attract customers. When utilities, like DEF, install, own, and operate EV charging stations, they also seek the ability to include that cost as part of their capital investment structure. Subsequently, the Commission approves these costs and DEF passes them on to ratepayers, including ratepayers who are not users of EV charging stations. FPMA believes this provides DEF and similarly situated regulated utilities, an unfair competitive advantage, with which, non-regulated businesses simply cannot compete. Our membership must economically justify and self-fund at-risk investments like new equipment like EV charging stations. FPMA concludes utilities should be required to do so as well.

Florida is the second-largest EV market in the United States and important to future growth. FPMA appreciates the Commission's consideration of these issues related to EV infrastructure and vehicles. Public utilities will play an important role in the coming years supporting investment in EV charging infrastructure. The proper role should be determined by continuing the engagement of all stakeholders and the Commission to support the electrification of transportation in Florida. FPMA recommends the Commission establish a new docket for DEF's proposed EV charging program -- independent from this settlement case or deny the settlement case. A new docket would provide all stakeholders and market participants the ability to engage in important considerations related to utility involvement in EV charging.

/s/ Robert D. Fingar

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