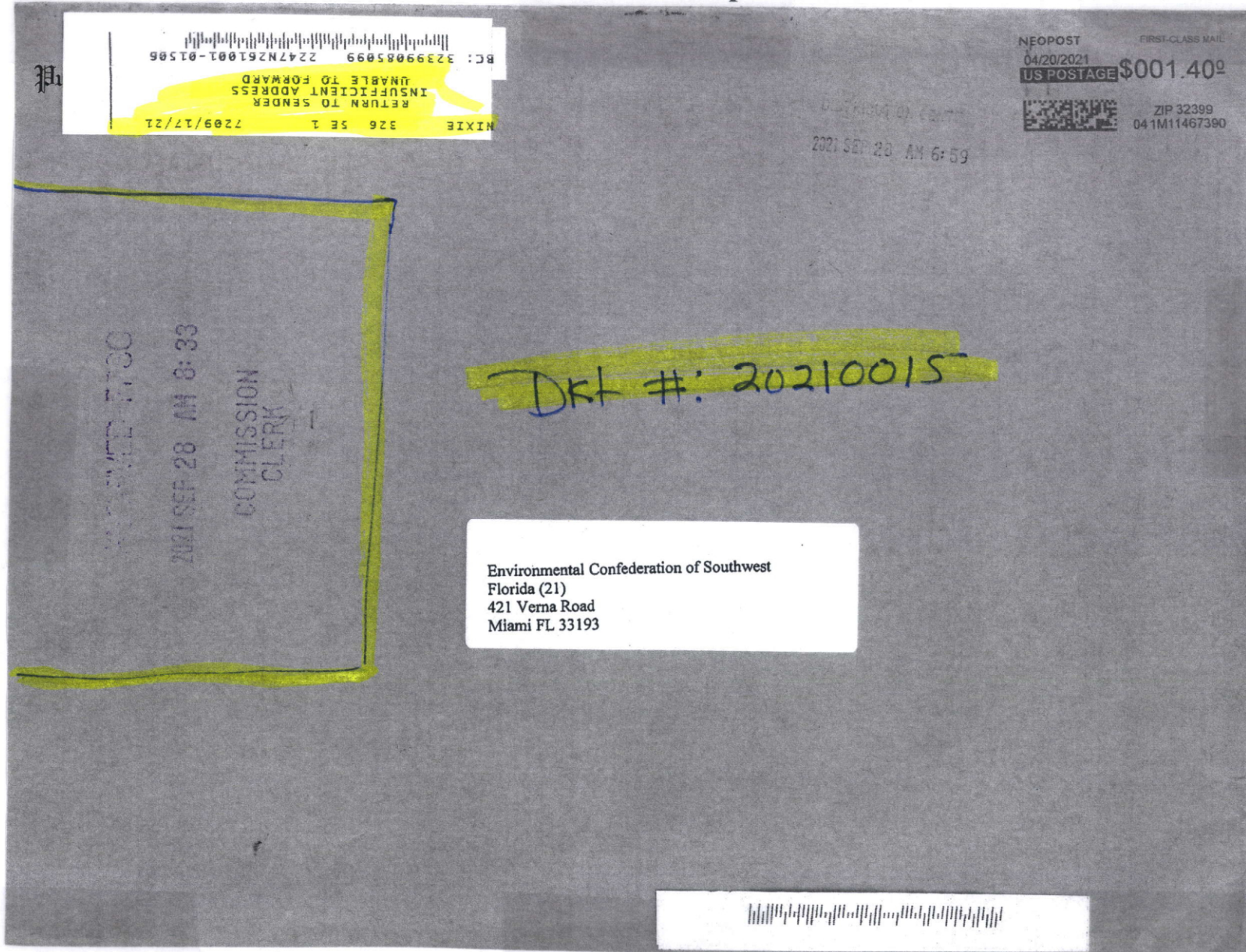


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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0137-PCO-EI
ISSUED: April 20, 2021

ORDER PROVISIONALLY GRANTING LEAGUE OF UNITED LATIN
AMERICAN CITIZENS OF FLORIDA'S PETITION TO INTERVENE

On January 11, 2021, Florida Power & Light Company (FPL) filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition between March 12 and March 31, 2021, for an increase in rates effective January 2022. On March 12, 2021, Florida Power & Light Company (FPL) filed a petition, minimum filing requirements, and testimony for a base rate increase effective January 2022. Pursuant to Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021, the hearing for the FPL rate case is scheduled on August 16 through August 27, 2021.

Petition for Intervention

On February 22, 2021, the League of United Latin American Citizens of Florida (LULAC) filed its Petition to Intervene (Petition). On March 1, 2021, FPL filed a Motion for Leave to File a Response to the Petition (Response).

LULAC states that it is part of the largest and oldest Hispanic civil rights organization in the United States whose purpose is to educate “the public on issues related to the environment . . . [and] economic empowerment.” LULAC alleges that it has a substantial number of its members who are customers of FPL who will be directly and substantially affected by the rates set in this proceeding. LULAC argues that in this proceeding FPL has requested to recover the costs of investments in fossil-fuel generation which will unnecessarily increase the rates paid by its members and increase the adverse effects of climate change. Finally, LULAC states that it has been granted intervention to litigate against FPL on behalf of its members in the Energy Efficiency Act goal-setting process.¹

In its Response, FPL acknowledges that based upon the facts stated in LULAC's petition LULAC appears to substantially meet the three-prong test for associational standing stated in Florida Home Builders v. Dept. of Labor and Employment Security (Florida Home Builders), 412 So. 2d 351 (Fla. 1982). However, FPL argues that LULAC has an affirmative duty, when challenged, to provide evidence supporting the allegations in its Petition establishing associational standing. FPL is challenging the facts that appear to support LULAC's associational standing. Therefore, citing Order No. PSC-2002-1260-PCO-EI,² FPL states that it

¹ Order No. PSC-2019-0293-PCO-EG, issued July 25, 2019, in Docket No. 20190015-EG, In re: Commission review of numeric conservation goals (Florida Power & Light Company).

² Order No. PSC-2020-1260-PCO-EI, issued September 13, 2020, in Docket No. 20020262, In re: Petition to determine need for an electric power plant in Martin County by Florida Power & Light Company and Docket No. 20020263-EI, In re: Petition to determine need for an electrical power plant in Manatee County by Florida Power &

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0138-PCO-EI
ISSUED: April 20, 2021

ORDER PROVISIONALLY GRANTING THE ENVIRONMENTAL
CONFEDERATION OF SOUTHWEST FLORIDA, INC.'S PETITION TO INTERVENE

On January 11, 2021, Florida Power & Light Company (FPL) filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition between March 12 and March 31, 2021, for an increase in rates effective January 2022. On March 12, 2021, Florida Power & Light Company (FPL) filed a petition, minimum filing requirements, and testimony for a base rate increase effective January 2022. Pursuant to Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021, the hearing for the FPL rate case is scheduled on August 16 through August 27, 2021.

Petition for Intervention

On February 22, 2021, the Environmental Confederation of Southwest Florida, Inc. (ECOSWF) filed its Petition to Intervene (Petition). On March 1, 2021, FPL filed a Motion for Leave to File a Response to the Petition (Response).

ECOSWF states that it was organized for the purpose of conserving the natural resources of Southwest Florida, implementing energy efficiency improvements and alternatives, and engaging in actions in furtherance of energy conservation and alternative energy source development. ECOSWF alleges that it has over 100 members consisting of businesses, organizations, and individuals, a substantial number of whom are customers of FPL, who will be directly and substantially affected by the rates set in this proceeding. ECOSWF states that in this docket, FPL is seeking to recover the costs of fossil-fuel generation that has not been subject to the Power Plant Siting Act's review regarding cost-effectiveness, risk, and whether other alternatives are available to meet the identified capacity needs of FPL's ratepayers. Finally, ECOSWF states that it has been granted intervention in FPL need determination hearings based on its members' substantial interests as FPL ratepayers.

In its Response, FPL acknowledges that based upon the facts stated in ECOSWF's petition, ECOSWF appears to substantially meet the three-prong test for associational standing stated in Florida Home Builders v. Dept. of Labor and Employment Security (Florida Home Builders), 412 So. 2d 351 (Fla. 1982). However, FPL argues that ECOSWF has an affirmative duty, when challenged, to provide evidence supporting the allegations in its Petition establishing associational standing. FPL is challenging the facts that appear to support ECOSWF's associational standing. Therefore, citing Order No. PSC-2002-1260-PCO-EI,¹ FPL states that it

¹ Order No. PSC-2002-1260-PCO-EI, issued September 13, 2002, in Docket No. 20020262, In re: Petition to determine need for an electric power plant in Martin County by Florida Power & Light Company and Docket No. 20020263-EI, In re: Petition to determine need for an electrical power plant in Manatee County by Florida Power &

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0139-PCO-EI
ISSUED: April 20, 2021

ORDER GRANTING FLORIDA RISING, INC.'S
PETITION TO INTERVENE

On January 11, 2021, Florida Power & Light Company (FPL) filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition between March 12 and March 31, 2021, for an increase in rates effective January 2022. On March 12, 2021, Florida Power & Light Company (FPL) filed a petition, minimum filing requirements, and testimony for a base rate increase effective January 2022. Pursuant to Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021, the hearing for the FPL rate case is scheduled on August 16 through August 27, 2021.

Petition for Intervention

On February 22, 2021, Florida Rising, Inc. (Florida Rising) filed its Petition to Intervene (Petition). On March 1, 2021, FPL filed a Response to the Petition (Response). On March 8, 2021, Florida Rising filed a Reply to FPL's Response.¹ On March 30, 2021, Florida Rising filed an Amended Petition to Intervene (Amended Petition). On March 31, 2021, FPL filed a Response to the Amended Petition (Amended Response).

Florida Rising states that it is a membership-based organization dedicated, under its articles of incorporation, to building "broader multiracial movements with individuals from historically marginalized communities to seize power and govern to advance social, economic, and racial justice." Florida Rising argues that it is "committed to climate justice and pushing for a regenerative future and just transition that puts frontline communities as the center of energy policy, disaster response, food policy, and all climate change initiatives." Florida Rising alleges that its mission "to advance social, economic, and racial justice" includes advocating for fair, just, and reasonable rates for a substantial number of its members who live in FPL's service territory and receive their electric service from FPL. In addition to its members who are customers of FPL, Florida Rising states that the organization itself is also an FPL customer whose substantial interests will be directly affected by any rate increase which results from this proceeding.

Further, Florida Rising alleges that it and its members are also substantially affected by the fossil fuel generation costs that FPL is seeking to recover as prudent in this rate proceeding. Florida Rising states that it is authorized to represent its members' interests in legal actions and that the subject matter of this docket is within its scope of interest and activities. Finally, Florida Rising states that its members cannot be adequately represented by any other party and that its

¹ Rule 28-106.205, F.A.C., does not permit a reply to a response opposing intervention and Florida Rising's reply was not considered in the disposition of this request for intervention.