

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Idalia, by Duke Energy Florida, LLC.

DOCKET NO.: 20230116-EI

DOCKET NO.: 20230020-EI

FILED: May 12, 2025

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel (OPC), pursuant to Florida Public Service Commission (Commission) Order Establishing Procedure, Order No. PSC-2025-0067-PCO-EI, issued March 5, 2025, hereby submit this Prehearing Statement.

APPEARANCES:

Walt Trierweiler
Public Counsel

Charles Rehwinkel
Deputy Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Suite 812
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Attorneys for the Citizens of the State of Florida

1. WITNESSES:

Witness	Subject	Issue Numbers
None	N/A	N/A

2. **EXHIBITS:**

Witness	Proffered By	Exhibit No.	Description	Issue Numbers
None	N/A	N/A	N/A	N/A

3. **STATEMENT OF BASIC POSITION:**

The OPC's basic position is that DEF's recovery of the storm restoration cost should be based only on reasonable and prudent costs incurred for Hurricanes Elsa, Eta, Isaias, Ian, Nicole, Tropical Storm Fred and Hurricane Idalia in accordance with the provisions of Rule 25-5.0143, F.A.C., the 2019 Storm Cost Settlement Agreement ("Corrected") and Commission practice and policy. DEF has the burden to prove that the recovery of costs for which it seeks approval in this docket meets that burden. At this point the OPC is not convinced that the company has fully met that burden for Hurricanes Elsa, Eta, Isaias, Ian, Nicole, Tropical Storm Fred and Hurricane Idalia.

4. **STATEMENT OF FACTUAL ISSUES AND POSITIONS:**

ISSUE 1: Should the incremental cost and capitalization approach (ICCA) found in Rule 25-6.0143, F.A.C., be used to determine the reasonable and prudent amounts to be included in restoration costs for Hurricane Idalia?

OPC Position: Yes. However, DEF has not met its burden of demonstrating compliance with this standard.

ISSUE 2: Have the terms of DEF's 2021 Settlement Agreement, approved by Order No. PSC-2021-0202A-AS-EI, issued June 28, 2021, been complied with? If not, why not?

OPC Position: No. DEF has not met its burden of demonstrating compliance with this standard.

ISSUE 3: What is the reasonable and prudent amount of regular payroll expense to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 4: What is the reasonable and prudent amount of overtime payroll expense to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 5: What is the reasonable and prudent amount of contractor costs, including vegetation and line clearing, to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 6: What is the reasonable and prudent amount of vehicle and fuel expense to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 7: What is the reasonable and prudent amount of employee expenses to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 8: What is the reasonable and prudent amount of materials and supplies expense to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 9: What is the reasonable and prudent amount of other costs to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 10: What is the reasonable and prudent total amount of costs to be included in Total Storm Related Restoration Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 11: What is the reasonable and prudent amount of storm-related costs that should be capitalized for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 12: What is the reasonable and prudent amount of storm-related costs that should be ICCA non-incremental O&M adjustments for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 13: What is the reasonable and prudent amount of retail Recoverable Storm Costs for Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 14: What is the reasonable and prudent amount of the combined retail Recoverable Storm Costs for Hurricanes Elsa, Eta, Isaias, Ian, Nicole, Tropical Storm Fred and Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 15: What is the combined amount of Recoverable Storm Costs recovered through the Storm Cost Recovery Surcharge for Hurricanes Elsa, Eta, Isaias, Ian, Nicole, Tropical Storm Fred and Hurricane Idalia?

OPC Position: No position at this time.

ISSUE 16: What is the appropriate accounting treatment associated with any storm costs for Hurricanes Elsa, Eta, Isaias, Ian, Nicole, Tropical Storm Fred and Hurricane Idalia found to have been imprudently incurred?

OPC Position: Any such costs should be recorded below-the-line and a credit provided to customers via the appropriate clause mechanism.

ISSUE 17: If applicable, how should any under-recovery or over-recovery be handled?

OPC Position: Any true-up should be reflected via the appropriate clause mechanism.

ISSUE 18: Should this docket be closed?

OPC Position: No.

5. **STIPULATED ISSUES**

The OPC is not aware of any stipulated issues in the other dockets.

6. **PENDING MOTIONS**

The OPC is not aware of any formal motions to be disposed of at this time.

7. **STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY**

There are no pending requests or claims for confidentiality filed by OPC.

8. **OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT**

OPC has no objections to the qualification of any witnesses as an expert in the field in which they pre-filed testimony as of the present date.

9. **SEQUESTRATION OF WITNESSES**

OPC does not request the sequestration of any witnesses at this time.

10. **STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE**

OPC is unaware of any aspect of the Order Establishing Procedure in this docket with which it cannot comply.

Respectfully submitted,

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Public Counsel

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CERTIFICATE OF SERVICE
DOCKET NO. 20230116-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 12th day of May 2025, to the following:

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