

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20250011-EI
ORDER NO. PSC-2025-0304-PCO-EI
ISSUED: August 12, 2025

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

ORDER ACKNOWLEDGING FLORIDA POWER & LIGHT COMPANY'S
NOTICE OF SETTLEMENT IN PRINCIPLE, GRANTING JOINT MOTION TO
SUSPEND SCHEDULE, AND DEFERRING ISSUANCE OF
AMENDED PROCEDURAL ORDER

BY THE COMMISSION:

Background

The final hearing on Florida Power & Light Company's (FPL) Petition for rate increase was scheduled to commence August 11, 2025. On August 8, 2025, FPL filed a Notice of Settlement in Principle and Joint Motion to Suspend Schedule and Amend Procedural Order (Motion). FPL represents that it has reached a settlement in principle with multiple intervenors that will resolve all of the issues in this proceeding. FPL requests that the Commission suspend the procedural schedule to allow time for the parties to memorialize the terms to which they have agreed. FPL also requests that the Commission issue a supplemental procedural order that allows approximately six weeks for review of the forthcoming settlement. The Florida Industrial Power Users Group, Florida Retail Federation, Florida Energy for Innovation Association, Inc., Walmart Inc., EVgo Services LLC, Americans for Affordable Clean Energy, Inc., Circle K Stores, Inc., RaceTrac, Inc., Wawa, Inc., Electrify America LLC, Federal Executive Agencies, Armstrong World Industries, Inc. and Southern Alliance for Clean Energy (Joint Signatories) support suspending the schedule and join in this motion.

On August 11, 2025, the Office of Public Counsel, Floridians Against Increased Rates, Florida Rising, League of Latin United Citizens Florida, and the Environmental Confederation of Southwest Florida (Joint Opponents) filed a Joint Response in Opposition to the Motion. Joint Opponents argue that the Motion should be treated as a motion for continuance under Rule 28-106.210, Florida Administrative Code, and rejected as untimely because it was filed less than

five (5) days before the scheduled first day of hearing. The Joint Opponents also argue that it is more efficient to conduct the hearing as scheduled.

On August 11, 2025, we heard oral argument from the parties on the Motion and Response. FPL, the Joint Signatories, and Joint Opponents maintained divergent positions on whether the final hearing should be suspended. FPL and the Joint Signatories emphasized that if the hearing on the as-filed rate case proceeded before a settlement was finalized, their witnesses may not be able to fully and truthfully answer a question regarding a term that was still under negotiation. They argued that waiting until the settlement was signed and filed would be more efficient and allow the Joint Opponents to fully explore all affected terms resulting in a cleaner record. The Joint Opponents counter that there is no written settlement and, therefore, no ground for continuance.

While disagreeing on whether the hearing should be continued, FPL, the Joint Signatories, and Joint Opponents agreed that if the hearing was suspended, the rescheduled hearing should address both the as-filed rate request as well as the settlement agreement rate request. The Joint Signatories and FPL committed to have all of their witnesses available for cross-examination during this reconvened hearing.

Analysis and Decision

We find good cause exists to suspend this proceeding. The parties convincingly demonstrated the difficulties in going forward with the final hearing as scheduled. The challenges of questioning witnesses about prefiled testimony and anticipated settlements in light of non-disclosure agreements argue strongly in favor of a continuance, as do the efficiencies and economies of trying the as-filed and settlement cases in one continuous hearing.

Accordingly, we acknowledge the Notice of Settlement in Principle and grant the Motion to Suspend Schedule. We defer our ruling on the request that we issue an amended procedural order in order to allow time for the parties to finalize and file the settlement agreement, and for our staff and the Prehearing Officer to have sufficient time to review the agreement and determine an appropriate schedule consistent with ensuring due process for all parties.


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Notice of Settlement in Principle filed by Florida Power & Light Company is acknowledged. It is further

ORDERED that the Motion to Suspend Schedule is granted as set forth herein. It is further

ORDERED that ruling on the Motion to Amend Procedural Order is deferred.

By ORDER of the Florida Public Service Commission this 12th day of August, 2025.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
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Tallahassee, Florida 32399
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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.

SPS

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.