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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

Docket No. 20200053-EG

Petition for approval of  
demand-side management  
plan, by Tampa Electric  
Company.

\_\_\_\_\_ /

Docket No. 20200054-EG

Petition for approval of  
proposed demand-side  
management plan, by Duke  
Energy Florida, LLC.

\_\_\_\_\_ /

Docket No. 20200055-EG

Petition for approval of  
proposed demand-side  
management plan, by Gulf  
Power Company.

\_\_\_\_\_ /

Docket No. 20200056-EG

Petition for approval of  
demand-side management  
plan and request to modify  
residential and business on  
call tariff sheets, by Florida  
Power & Light Company.

\_\_\_\_\_ /

Docket No. 20200060-EG

Petition for approval of  
demand-side management  
plan, by Florida Public  
Utilities Company.

\_\_\_\_\_ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 7

1 COMMISSIONERS  
PARTICIPATING: CHAIRMAN GARY F. CLARK  
2 COMMISSIONER ART GRAHAM  
COMMISSIONER JULIE I. BROWN  
3 COMMISSIONER DONALD J. POLMANN  
COMMISSIONER ANDREW GILES FAY

4  
DATE: Tuesday, July 7, 2020

5  
PLACE: Betty Easley Conference Center  
6 Room 148  
4075 Esplanade Way  
7 Tallahassee, Florida

8 REPORTED BY: DEBRA R. KRICK  
Court Reporter and  
9 Notary Public in and for  
the State of Florida at Large

10  
11 PREMIER REPORTING  
114 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
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## 1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Okay. I believe that  
3 everyone is back now and all the players are in  
4 their places in this room, so we will go ahead  
5 and -- and get started again.

6 All right. Next item up is Item No. 7. This  
7 is the DSM petitions.

8 Mr. Futrell, will you introduce this item for  
9 us, please?

10 MR. FUTRELL: Yes, sir.

11 Item 7 is staff's recommendation on the  
12 proposed 2020 demand-side management plans of the  
13 five investor-owned electric utilities.

14 The Commission's rule requires that subsequent  
15 to a decision to establish goals, the utilities  
16 must submit proposed DSM plans and programs  
17 designed to meet the goals.

18 In the most recent goal setting proceeding,  
19 the Commission reviewed the utilities' analyses  
20 based on current data on the cost and benefits of  
21 DSM measures. The proposed goals differed from the  
22 existing goals, and in differing magnitudes among  
23 the utilities.

24 The Commission ultimately applied a consistent  
25 rationale to the utilities' proposed goals, and

1 found it was in the public interest to continue  
2 with the existing goals that were established in  
3 2014 for the period 2020 through 2024.

4 The utilities' proposed DSM plans and programs  
5 before you today are designed to meet the goals.  
6 However, the Commission is presented with divergent  
7 results.

8 In some DSM plans, all or a majority of the  
9 plans are cost-effectiveness. In other DSM plans,  
10 some or a majority of the programs are not  
11 cost-effective. In these cases, the Commission is  
12 presented with petitions to approve programs that  
13 are not cost-effective in order to meet the goals.

14 Staff recommends the Commission continue the  
15 existing programs that are available to customers  
16 as they are consistent with and adequate to meet  
17 the goals established in 2019.

18 Inherent in staff's recommendation is that the  
19 Commission rely on the same rationale in its  
20 decision-making on the DSM plans as it did in the  
21 goals setting docket, and apply a consistent and  
22 uniform approach to all utilities.

23 Staff also recommends that the Commission  
24 initiate rule-making to explore possible rule  
25 revisions to Rule 251-70021, Florida Administrative

1 Code, that would consolidate the DSM plan and goal  
2 setting processes.

3 A number of comments have been filed in the  
4 respective dockets. Utilities have filed written  
5 comments, and their representatives would like to  
6 address the Commission. Bradley Marshall, Jon  
7 Moyle and Schef Wright also would like to address  
8 the Commission, and staff is available for  
9 questions.

10 CHAIRMAN CLARK: Thank you, Mr. Futrell.

11 All right. We do have several folks that are  
12 going to -- have asked to address the Commission.  
13 I am going to go through the list. If you would  
14 like to make a comment, you may do so. Then we  
15 will call on Commissioners for their comments.

16 We will begin with Mr. Beasley. Are you  
17 available, Mr. Beasley?

18 MR. BEASLEY: Yes, sir --

19 CHAIRMAN CLARK: You are recognized.

20 MR. BEASLEY: -- chairman Clark.

21 Thank you, Chairman Clark, Commissioners. I  
22 am Jim Beasley for Tampa Electric Company. With me  
23 on the line is Mark Roche, who is in charge of the  
24 company's DSM programs.

25 Tampa Electric has submitted written comments

1           regarding the Commission's staff recommendation.  
2           As we stated in these written comments, there are  
3           several reasons why the company believes the  
4           proposed DSM plan that the company has proposed  
5           should be approved.

6           The company's proposed DSM plan is a  
7           reasonable, cost-effective plan, and is designed to  
8           be more relevant to today's technological, economic  
9           and customer acceptance conditions than the  
10          previous DSM plan that's been in place for some  
11          time.

12          The company believes that approving our  
13          proposed plan now will allow the company to the  
14          bring new program offerings to the marketplace  
15          sooner, and will therefore allow the company to  
16          meet customer satisfaction objectives more effic --  
17          effectively and efficiently.

18          The company has been a consistent supporter of  
19          this commission's efforts to promote cost-effective  
20          demand-side management programs, and the  
21          significant energy conservation results that have  
22          been achieved as a result of those programs over  
23          the years. We would encourage you to approve the  
24          company's proposed DSM plans that's before you  
25          today.

1           And Mr. Roche and I will be happy to answer  
2           any questions you may have.

3           CHAIRMAN CLARK: Thank you, Mr. Beasley.

4           All right. Mr. Griffin, representing Gulf.

5           MR. GRIFFIN: Thank you, Mr. Chairman. Good  
6           morning, Commissioners. This is -- this is Steven  
7           Griffin on behalf of Gulf Power Company, and we,  
8           too, are here today to urge the Commission to  
9           approve the company's DSM plan as proposed.

10          We -- we did file very brief written comments  
11          in the docket file on July 2nd. And as we said  
12          there, Gulf, in particular, has experienced some  
13          challenges over the past few years in achieving our  
14          approved DSM goals. We -- we believe that those  
15          challenges are due, at least in part, to decreased  
16          customer interest in -- in the programs that we are  
17          currently offering.

18          The -- the proposed program, on the other  
19          hand, we believe is very new, exciting, robust. We  
20          put a lot of thought into it, all with an eye  
21          toward overcoming some of the challenges that we've  
22          experienced in the past. And quite frankly, absent  
23          some change in the company's program offerings, we  
24          do not feel it's likely that we are going to meet  
25          our approved demand-side management goals.

1           We -- we recognize that cost is a concern.  
2           And to that point, we think it's important to note,  
3           as staff does in the staff recommendation, that the  
4           clause impacts on a 1,000 kilowatt hour residential  
5           bill are actually projected to decrease under our  
6           proposed DSM plan as compared to maintaining the  
7           status quo.

8           And so for -- for all of those reasons, we  
9           would -- we would urge the Commission to approve  
10          our plan as filed, and we, too, are here to answer  
11          any questions that you may have.

12          Thank you.

13          CHAIRMAN CLARK: Thank you, Mr. Griffin.

14          Mr. Cox, from FPL, are you available?

15          MR. COX: I am. Thank you Chairman Clark,  
16          Commissioners. Good morning.

17          With me on the line today is also our senior  
18          manager for demand-side management, strategy, costs  
19          and performance, Tom Koch.

20          Chairman Clark and Commissioners, FPL would  
21          ask that the Commission, consistent with what you  
22          heard from TECO and Gulf, reject staff's  
23          recommendation instead approve the proposed plan  
24          that FPL has filed in full for the 2020 to 2024  
25          time period. It's the most cost-effective plan

1           that we have been able to put together to meet the  
2           Commission's approved goals that were approved in  
3           2019.

4                   FPL understands staff's recommendation about  
5           keeping the current 2015 DSM plan in place for the  
6           next five years to meet the goals that were  
7           approved by the Commission, but in the spirit of  
8           compromise, FPL is prepared to suggest a compromise  
9           to the staff recommendation that would be  
10          consistent with the comments that we filed in this  
11          docket for FPL on July 2nd, and that would allow  
12          FPL to meet the approved goals and avoid the need  
13          for FPL file any additional filings additional of  
14          the Commission to conduct any additional  
15          proceedings regarding modifications to FPL's DSM  
16          plan.

17                   There are three key elements to that  
18          compromised proposal I will just go through  
19          briefly.

20                   We would ask that the Commission would first  
21          address FPL's proposal to bring its  
22          commercial/industrial demand response and  
23          commercial/industrial load control credit levels to  
24          a lower level, as we proposed, consistent with the  
25          principles of cost-effectiveness in the approved

1 goals of the Commission.

2 The decision the Commission made on FPL's 2016  
3 rate case settlement states that any proposed  
4 changes to these current levels would be an issue  
5 at FPL's next DSM proceeding, which is where we  
6 find ourselves today. It's of course recognized in  
7 the settlement that no approved changes would take  
8 effect until the next FPL base rate proceeding when  
9 rates were reset.

10 FPL's proposal on this issue would result in,  
11 again, FPL meeting the Commission's approved goals,  
12 as well as saving the general body of FPL's  
13 customers an estimated \$21 million, while  
14 maintaining credit levels that are 30 percent  
15 higher than 90 percent of the existing CDR and CILC  
16 customers were signed up for these programs.

17 Now, that being said, FPL is not opposed to  
18 the Commission addressing these current levels in  
19 FPL's next base rate proceeding in lieu of  
20 addressing it today, with the Commission clarifying  
21 today that addressing these issues in the upcoming  
22 base rate case is permissible under the approved  
23 FPL base rate settlement that the Commission had  
24 previously approved. And we do not believe that  
25 such a clarification would be objectionable any of

1 signatories to that -- to that settlement.

2 Second, we ask that the Commission approve the  
3 modifications related to our programs for  
4 residential and business on-call, which are load  
5 management programs for residential and business  
6 customers.

7 There has been no objection raised so far in  
8 the proceeding by staff or any other party to the  
9 modifications we are proposing. And like the CDR  
10 and CILC programs, the proposed reduction in credit  
11 level we proposed associated with those programs  
12 would -- would both allow FPL to meet the approved  
13 goals and, at the same time, save our customers an  
14 estimated three-and-a-half million dollars.

15 Third and lastly, we would ask that in  
16 approving staff's recommendation to continue FPL's  
17 current conservation research and development  
18 program, our R&D program associated with DSM which  
19 we use for evaluating next generation efficiency  
20 and load control programs, we would ask that the  
21 Commission authorize the program funding as  
22 requested in our proposed plan. Our -- our current  
23 plan's funding would end at the end of this year if  
24 it were adopted. So we would ask that you continue  
25 that authorization of funding consistent with what

1 we have requested in our proposed plan.

2 With these additions to staff's  
3 recommendation, we believe it would enable FPL to  
4 save our customers, again, almost \$25 million. We  
5 would meet the approved goals, and we would be able  
6 to invest in developing next generation DSM  
7 programs, as well as avoid the need for any  
8 additional separate DSM proceedings on the plan,  
9 and the modifications to the plan.

10 Again, Chairman Clark, thank you, and  
11 Commissioners, thank you so much for your  
12 consideration of our compromised proposal, for  
13 listening to me today. And Mr. Koch and I are  
14 available on the line to answer any questions that  
15 you might have.

16 Thank you.

17 CHAIRMAN CLARK: Thank you, Mr. Cox.

18 Mr. Bernier and Ms. Keating, I had both of you  
19 down as just available to answer questions. Did  
20 you have any comments, or is that good with you?

21 MR. BERNIER: Good morning. Mr. Chairman,  
22 Matt Bernier with Duke Energy, just very brief  
23 comment.

24 We also filed comments in the docket. I  
25 won't -- I won't repeat them here. But similar to

1 my -- my friends who have just spoken, I would  
2 point out that DEF went through and proposed  
3 cost-effective programs that are designed to meet  
4 the goals that this commission has set. We do not  
5 believe that an extension of the current programs  
6 without the modifications we proposed would meet  
7 those goals.

8 Similar to what I've also heard, our proposed  
9 programs would result in an expected decrease in  
10 the monthly ECCR factor over current rate, and  
11 result in greater gigawatt kilowatt hour savings.

12 So we would urge the Commission to approve the  
13 plan that we have -- that we put forward -- excuse  
14 me, the programs we put forward. And Ms. Loris  
15 Cross and I are available for any questions you may  
16 have.

17 Thank you.

18 CHAIRMAN CLARK: Thank you, Mr. Bernier.

19 Ms. Keating.

20 MS. KEATING: Good morning, Mr. Chairman and  
21 Commissioners. Beth Keating here for FPUC.

22 FPUC doesn't take issue with staff  
23 recommendation, given that FPUC's proposed plan  
24 essentially carries forward its existing plan; but  
25 I, as well as Scott Ranck and Mike Cassel are here

1 to answer any questions that you may have.

2 CHAIRMAN CLARK: Thank you, Ms. Keating.

3 Okay. Let's move on to Mr. Marshall.

4 MR. MARSHALL: Good morning, Commissioner,  
5 thank you. Bradley Marshall on behalf of the  
6 League of Latin American Citizens of Florida, the  
7 Southern Alliance for Clean Energy, and the  
8 Environmental Consideration of Southwest Florida.

9 Today, we are addressing the Commission for  
10 approval of demand-side management plans by Duke,  
11 Gulf, TECO and FPL.

12 Commissioners, you have stressed the  
13 importance of meaningful low income efficiency  
14 programs in past dockets. In response, all of the  
15 utilities have proposed improvements to their low  
16 income programs. We agree and support these  
17 improvements because these programs serve the  
18 people in our communities that often have to make  
19 the decision between paying a power bill or  
20 purchasing essential needs like food or medicine.  
21 We only disagree with the utilities on whether  
22 there is more to do. We believe there is.

23 You have a recommendation before you from  
24 staff to freeze the programs in place based on the  
25 Commission's decision based on the 2015 goals.

1 Yet, there is no basis for this in law or logic.  
2 Technologies can and do change. The needs of the  
3 communities the utilities serve can and do change.  
4 Programs to change to meet these changing  
5 circumstances.

6 Given the current public health and economic  
7 crises, staff's call to cut low income programs  
8 could not come at a worse time. We believe, as do  
9 the utilities through their program filings, that  
10 we should be looking to improve the low income  
11 program, not continue to rely on programs that are  
12 outdated and in need of enhancement or replacement.  
13 We urge you not to adopt staff's -- staff's  
14 recommendation.

15 In our more detailed written comments, we show  
16 that the utilities should be striving to improve  
17 their low income programs even more. The utilities  
18 should be striving to reach the number of low  
19 income customers that TECO reaches, and provide the  
20 meaningful amount of energy savings that Duke plans  
21 to provide.

22 FPL stands out for not doing much for their  
23 low income customers as compared to the other  
24 utilities, although their plan is significantly  
25 improved over their 2015 plan.

1 FPL also stands out as the only utility not to  
2 file written comments defending their program plan  
3 in its entirety. FPL's proposed compromise would  
4 see FPL revert to the 2015 low income plan of  
5 serving only one percent of their eligible low  
6 income customers over the next five years.

7 FPL stands out even more for pledging to cut  
8 off access to their low income program if they meet  
9 their residential goals for the year. That is, if  
10 one of their other residential programs exceed  
11 projected sign-ups, all of their residential  
12 programs will be shut down, including their low  
13 income program. That's not fair, and we urge you  
14 to instruct FPL to keep access to their low income  
15 programs open.

16 Commissioners, there is a critical need out  
17 there right now. It is unconscionable to go  
18 backwards on energy efficiency programs. If the  
19 Commission rolls back proposed programs, thousands  
20 of hard-working Florida families will lose access  
21 to measures that make their homes more efficient,  
22 safe and secure. Therefore, we ask that you not  
23 adopt staff's recommendation to slash low income  
24 programs, and we also ask you to require FPL to  
25 keep access to its low income programs open for its

1 customers.

2 Thank you.

3 CHAIRMAN CLARK: Thank you, Mr. Marshall.  
4 Mr. Moyle.

5 MR. MOYLE: Thank you. Thank you, Mr.  
6 Chairman. On behalf of the Florida Industrial  
7 Power Users Group, FIPUG, we have some comments we  
8 would like -- like to make.

9 We did file written comments with the  
10 Commission and provided copies of a letter to all  
11 Commissioners on June 19th. I will try not to be  
12 repetitive on that, but I want to -- I want to make  
13 a couple of points.

14 We support the staff recommendation. You  
15 know, you hear a lot of parties saying, well,  
16 change this and change that. You know, staff took  
17 a well-reasoned approach to things, I believe  
18 consistent with the direction that you gave in the  
19 goals proceeding, which was largely keep the status  
20 quo.

21 And I think it's particularly pertinent as the  
22 staff is recommending that you engage in  
23 rule-making to put these two proceedings together,  
24 the -- the goals and the programs. And I think,  
25 you know, part of that reason relates to the

1 evidence that you heard in the goals proceeding.  
2 You know, there was a lot of evidence that was  
3 presented. The credits were talked about during  
4 the goals proceeding. That's the CILC credits and  
5 the CDR credits that Mr. Cox mentioned. All of the  
6 utilities have programs like that, and all of them  
7 said we are going to keep the status quo except  
8 FPL. But the record of that prior proceeding had  
9 FPL witnesses saying that these programs are -- are  
10 cost-effective.

11 And in the letter, Chairman Clark, you asked  
12 Mr. Sim questioned about where the interruptible  
13 rates fall on the TRC and the RIM test, and you  
14 asked if both of them passed. And he said, yes.  
15 They are among the most cost-effective programs  
16 we -- we offer.

17 So we -- we think that those programs are good  
18 programs, that this is surely not the time to go  
19 make an ad hoc adjustment to them. And, you know,  
20 they can be discussed and considered at a later  
21 point in time.

22 You know, FPL has -- has sent signals that  
23 they will be filing a rate case in 2021. These  
24 matters have been considered in your past prior  
25 rate case. The current level was -- was arrived at

1 through part of a settlement in 2012, when FIPUG  
2 and FPL entered into a settlement agreement.

3 Just -- just so, you know, that the record is  
4 clear on that, FIPUG had put a number out that was  
5 a lot higher than the number that's currently  
6 there. It was darn near, I think, double that  
7 number. But as part of negotiations and  
8 compromise, that -- the number was set, and it's  
9 been reviewed. It -- it met all of the tests, and  
10 I think it continues to meet all the tests. So  
11 it's a -- it's a number that is surely -- surely  
12 does not need changing today.

13 And we think that, you know, FPL, they are  
14 going to be filing a rate case petition. They are  
15 the masters of what they put in that rate case  
16 petition. And if they so desire to, you know, put  
17 the credits at issue, then we can deal with it  
18 then, but it surely should not be something that  
19 you weigh in on today, and we would -- we would  
20 encourage you to adopt the staff recommendation.

21 You know, the status quo, I think, is -- is  
22 something you all debated at length. And you said,  
23 look, I am not sure it does any harm. It sends the  
24 right signal. And I think consistent with your  
25 prior action, you should adopt the staff

1 recommendation without change.

2 So I am happy to answer any questions anybody  
3 may have.

4 CHAIRMAN CLARK: Thank you, Mr. Moyle.

5 Mr. Wright, are you available?

6 MR. WRIGHT: Yes, sir, Mr. Chairman. Good  
7 morning.

8 CHAIRMAN CLARK: Good morning.

9 MR. WRIGHT: Commissioners, Mr. Chairman,  
10 thank you very much for the opportunity to address  
11 you today on behalf of the Florida Retail  
12 Federation.

13 To be efficient and direct, the Retail  
14 Federation supports the staff's recommendation with  
15 specific emphasis on the staff's recommendation to  
16 keep FPL's DSM plan and the CDR, CILC programs in  
17 place as they are today.

18 As thoroughly explained by the staff, the  
19 utility's plans and programs are consistent with  
20 your 2019 goals order. The plans and programs have  
21 met the Commission's approval of criteria, and  
22 including approval for cost-effective through the  
23 ECCR clause, and they are designed to meet the  
24 current Commission approved goals.

25 Regarding the looming potential dispute

1           between FPL and several consumer parties, including  
2           FIPUG, Walmart and the Retail Federation, I submit  
3           to you that overall sound rate-making policy  
4           strongly supports putting the issue of the proper  
5           CDR and CILC credits that would be effective in  
6           2022 off to the FPL rate base that will be  
7           litigated next year for new rates to go into effect  
8           a year-and-a-half from now, in January of 2022.

9                     Accordingly, the FRF will cheerfully take FPL  
10           up on its written offer to, quote, "address the CDR  
11           and CILC credit levels in FPL's next rate  
12           proceeding," unquote.

13                    Commissioners, there are very good reasons to  
14           follow this course. In the big picture, these  
15           credit levels are unequivocally rates, and the  
16           right place to set rates is in a rate case. In a  
17           rate case, all rate issues are designed within the  
18           context of all costs, rates and usage variables and  
19           factors that serve in rates.

20                    There are many, many moving parts in the very  
21           large set of rate-making equations at issue in the  
22           rate case, and many things can change in the 14  
23           months or so before we will even have the hearing  
24           on FPL's next rate case, and in the 17 months or so  
25           before you will be called on to vote on new rates.

1           These include overall usage and billing  
2           determinants, capital, operating and maintenance  
3           costs, avoided units and avoided cost benefits and  
4           costs CDR and CILC values, and so on.

5           Sound rate-making policy embodied in the  
6           matching principle long recognized by this  
7           commission and many, probably most other  
8           commissions, requires the same result. Sound  
9           rate-making policy is to base rates on the  
10          conditions rate determinative factors that will  
11          exist and be in effect when the rates are -- when  
12          the rates are going to be in effect.

13          As to former Chairman Terry Deason testified  
14          in sworn testimony to the Commission just two years  
15          ago, quote, "from a regulatory rate-making  
16          standpoint, the matching principle requires that  
17          the utility's rates be set using the utility's  
18          costs, investment, revenues and sales units from  
19          the same time period, and that they be  
20          representative of the time period in which the  
21          rates will be -- new rates will be in effect,"  
22          unquote.

23          That's from Docket 20170141-SU transcript at  
24          page 403.

25          We ask that you follow this matching principle

1 of sound rate-making policy here and put this issue  
2 off to the next FPL rate case so that these rates  
3 can be set properly following the matching  
4 principle. That is, based on all the usage and  
5 cost factors and variables that will exist in 2022,  
6 a year-and-a-half from now, when these rates would  
7 take effect.

8 We support the staff's recommendation very  
9 strongly as applied to FPL's plan, and specifically  
10 to the CILC and CDR credits. We generally support  
11 the staff's recommendation but don't have strong  
12 positions on the other utilities.

13 Thank you very much.

14 CHAIRMAN CLARK: Thank you, Mr. Wright.

15 Ms. Eaton, any comments?

16 MS. EATON: Yes, Chairman. Thank you again  
17 for the opportunity to address the Commission.

18 Walmart also filed written comments in support  
19 of FIPUG's position that has -- that has already  
20 been laid out by Mr. Moyle and Mr. Wright. Our  
21 comments were filed June 23rd.

22 And the only other point I would like to make  
23 to the Commission is that it's also a matter of  
24 efficiency, whereas three of the utilities did not  
25 recommend a change to the credits that we are

1 talking about, the CDR credits and the CILC  
2 credits, only FPL did. And so as a matter of  
3 efficiency for this -- for this commission, we  
4 would request that -- that the issue of FPL  
5 change -- proposed change in those credits be moved  
6 to its rate case, and -- and otherwise do not have  
7 any -- any change in -- of staff recommendation one  
8 way or another.

9 CHAIRMAN CLARK: Thank you, Ms. Eaton.

10 MS. EATON: That's all we wanted to add.

11 CHAIRMAN CLARK: Okay. Thank you, Ms. Eaton.

12 MS. EATON: Thank you.

13 CHAIRMAN CLARK: All right. Commissioners,  
14 any comments or discussion?

15 Commissioner Brown.

16 COMMISSIONER BROWN: Thank you so much. I  
17 have a lot of thoughts on this.

18 You guys know how I felt back in 2019. I was  
19 very passionate about this issue. We did keep the  
20 goals where they were, but I don't think that there  
21 was ever an expectation that we would continue  
22 having the same programs moving forward. In fact,  
23 I recall that there was party discussion about  
24 having the utilities come up with innovative  
25 offerings and changes to their plans, programs.

1           That was also part of the reason we kind of craved  
2           having a more thorough review of the program plans  
3           and goals together. So I want to give staff just  
4           the opportunity -- I am sorry, I think my video  
5           fell, but I want to give staff an opportunity to  
6           explain how the recommended continuation of the  
7           goals.

8                   CHAIRMAN CLARK: Mr. Futrell.

9                   MR. FUTRELL: Okay. Commissioner Brown, I  
10           will take a shot, and perhaps Mr. Ballinger may  
11           want to weigh in.

12                   Again, we -- we certainly agree with you that  
13           once the goals were set, the rule specified that  
14           the utilities take a look at their -- all the  
15           analysis coming out of the goal setting proceeding,  
16           and with updated information and understanding of  
17           new technology, new customer desires as far as  
18           types of measures of programs that may fulfill  
19           customer expectations, while layering on the  
20           traditional criteria of cost-effectiveness and  
21           others, and to see what we would get.

22                   We certainly we had no idea we would be  
23           presented with the results that we -- we have  
24           before us today. So in -- in assessing with the  
25           plans that were presented to us, as I mentioned in

1           the intro, we have plans that include programs are  
2           that are in the cost-effective. In some cases,  
3           substantial numbers of programs are not  
4           cost-effective. And those are there, without  
5           speaking for the utilities, are there in order to  
6           meet the goals. And so we are placed in this  
7           conundrum of cost-effectiveness, which is an  
8           underpinning of FEECA. It's been a criteria that  
9           this commission has used as a principle in  
10          analyzing DSM for decades of contrasting that  
11          principle against the order establishing the goals,  
12          in the numeric goals.

13                 And so in assessing what was presented to us,  
14          we -- we kind of landed at the approach the  
15          Commission took in November in the goal setting,  
16          which was a consistent uniform approach to dealing  
17          with the goals that were presented to its -- to it  
18          in that case, and apply that same approach in  
19          assessing the plans assessing the plans.

20                 The plans that are in place that were approved  
21          in 2015 were designed to meet those goals. They  
22          were found to be cost-effective. Those orders are  
23          still valid. The staff's recommendation  
24          essentially recognizes those orders -- the validity  
25          of those orders going forward for purposes of

1 determining cost-effectiveness, for purposes of  
2 approving those programs for cost recovery through  
3 the ECCR clause, and should give the companies  
4 confidence and the ability to seek cost recovery  
5 for those programs going forward.

6 CHAIRMAN CLARK: Thank you, Mr. Futrell.

7 Commissioner Brown.

8 COMMISSIONER BROWN: Thank you. And -- and  
9 when you talk about cost-effectiveness, of course  
10 your -- we are still using the RIM test to measure  
11 cost-effectiveness, which is, by the way, the only  
12 state in the country that still does that, and  
13 makes some of the utilities' analysis starkly  
14 different than others.

15 For example, all of Duke's programs pass the  
16 RIM test the -- and as well as the participant, the  
17 CR test -- CRC test, and most of TECO's do, but  
18 then Florida Power & Light and Gulf have barely  
19 none that pass the RIM test for similar types of  
20 programs. I don't understand the vast discrepancy  
21 on that front.

22 MR. BALLINGER: Commissioner Brown, this is  
23 Tom Ballinger. Can I address that?

24 COMMISSIONER BROWN: Please.

25 MR. BALLINGER: You are correct. We do use

1 the RIM test, and the Commission has for many  
2 decades used that. The difference being, the RIM  
3 test focuses more on demand reduction programs, and  
4 is also a way to look at nonparticipants to make  
5 sure they are not overpaying for a resource.  
6 Because remember, DSM in Florida is a resource,  
7 just like generation, so it's treated equally.

8 I would like to talk a little bit about -- you  
9 mentioned the cost-effectiveness, especially for  
10 Duke. I am trying to pull it up here. I believe  
11 they had eight programs, and of the eight, all of  
12 them were cost-effective under the RIM and  
13 Participant tests, but four of the eight showed a  
14 RIM value of 1.0, that to me means that the  
15 benefits and costs are equal, it's a break-even  
16 program. It leaves very little room for error in  
17 your estimates, things of that nature. By all  
18 means, it does pass the test, and it is  
19 cost-effective.

20 I think I would also like to add that doing  
21 these analyses under the assumptions and current  
22 economic condition is apples and oranges compared  
23 to how the goals are done. The goals, those same  
24 types of assumptions were presented in the  
25 utilities' proposed goal and were not adopted by

1 the Commission. The Commission instead continued  
2 the goals that were already approved in 2015.

3 That is really a -- a foundation in past  
4 recommendation of consistency of Commission  
5 decision. And I think -- I don't know if legal  
6 wants to chime in on the consistency threshold or  
7 level that the Commission must adhere to.

8 MS. WEISENFELD: This is Ashley with legal.  
9 To chime in to Tom's points, in the 2019 DSM goal  
10 proceeding, the Commission was presented with  
11 proposed goals for the utilities that diverged from  
12 the existing goals for each utility. The proposed  
13 goals were, in some cases, lower than the existing  
14 goals, in other cases, higher than the existing  
15 goals.

16 The Commission considered the proposed goals  
17 of each utility, the underlying analyses and the  
18 entire record of evidence, and decided to continue  
19 with the existing goals for each utility for the  
20 period 2020 through 2024.

21 The decision treated all utilities  
22 consistently, even those whose goals were higher  
23 than the existing goals, in response to the  
24 shortcomings of the underlying process, rather than  
25 the individual results of any single utility's

1 goals under that process.

2 The utility's proposed DSM plans and programs  
3 again present the Commission with divergent  
4 results. They include a number of new programs,  
5 some of which may be cost-effective and some of  
6 which are not. But they contain underlying data  
7 and analysis that is not based upon the same data  
8 and analysis which form the basis for establishing  
9 and continuing existing goals as adopted by the  
10 Commission in the November 2019 goal setting  
11 docket. Thus, notwithstanding the efforts made,  
12 there still remains a disconnect between the new  
13 programs and continuation of existing goals.

14 Therefore, staff recommends in these dockets  
15 that the Commission again apply the same rationale  
16 in its decision-making on the DSM plan as it did in  
17 the going setting docket. Continuing existing  
18 programs for all utilities would be consistent with  
19 the Commission's decision made in November 2019,  
20 which continued and uniformly applied existing  
21 goals to all utilities, and is a uniform approach,  
22 which is based upon rational data and analysis  
23 which has already been found by the Commission to  
24 be consistent with existing goals.

25 While the Commission has flexibility and

1 discretion to approve or deny plans pursuant to  
2 Section 366.82 subsection (7) Florida Statutes, it  
3 is -- it's discretion is not unbridled. All  
4 decisions must be supported by logic and necessary  
5 facts, and must be rational and arrived at based  
6 upon reasoned analyses in order to not be arbitrary  
7 and capricious under Chapter 120.

8 Consideration of individual programs in this  
9 case, whether within an individual -- an individual  
10 utility utility's proposal, or among the utilities  
11 themselves, would involve validating an overall  
12 process of this docket which was deemed  
13 insufficient or inadequate in the goal setting  
14 docket, and would be inconsistent with the  
15 rationale applied in the goals docket.

16 Inconsistent treatment of the different  
17 utility programs could be viewed by an appellate  
18 court as unbridled discretion and arbitrary and  
19 capricious.

20 Staff's recommendation urges the Commission to  
21 make a decision that is based upon firm foundation  
22 supported by law and facts presented to it in the  
23 instant docket.

24 COMMISSIONER BROWN: Thank you, Ashley. I did  
25 not ask for that thorough explanation, but I

1 appreciate it nonetheless. You went a little bit  
2 further than what I -- what I asked for. So now I  
3 am going to have to ask the utilities to respond to  
4 those assertions that what they have proposed is  
5 arbitrary and capricious. Any utility would like  
6 to respond to Ashley's opinion?

7 MR. COX: Commissioner Brown, this is Will Cox  
8 for FPL. I will briefly respond.

9 We don't believe what we filed is arbitrary  
10 and capricious. We believe we filed a -- a plan  
11 designed to meet the goals approved by the  
12 Commission in the most cost-effective way that we  
13 could. Cost-effectiveness is one of the three  
14 criteria that the Commission has considered over  
15 the years in looking at reviewing the DSM plans.

16 And again, we would ask that you -- our first  
17 recommendation, despite what you heard from -- from  
18 some others, we -- we would ask that you would  
19 approve our proposed plan, which would include  
20 higher low income increase in our low income  
21 program.

22 Thank you.

23 COMMISSIONER BROWN: Thank you.

24 MR. BEASLEY: Commissioner Brown, this is Jim  
25 Beasley for Tampa Electric.

1           Just four points on our proposal. It includes  
2 six new cost-effective rebate programs for current  
3 technologies. It's all updated.

4           Secondly, it includes some integrated  
5 renewable energy system pilot program.

6           Thirdly, it discontinues nine rebate programs  
7 that are no longer cost-effective.

8           And fourthly, it modifies existing programs as  
9 needed to ensure that they are cost-effective over  
10 the five-year horizon.

11           So it's all updated. It's good, and we urge  
12 you to approve it.

13           COMMISSIONER BROWN: Thank you.

14           MR. BERNIER: Commissioner Brown, Matt Bernier  
15 for Duke Energy.

16           I would echo what you just heard, and note  
17 that our current programs that we have proposed are  
18 based on the current data and efficiency standards  
19 as those have changed since the goals were  
20 originally set this 2015. We used the most recent  
21 available underlying data to provide this, so I  
22 would probably counter that basing the programs on  
23 the, you know, the facts and data available to us  
24 now is less than arbitrary and capricious results  
25 than just maintaining the status quo based on

1 programs that were set years in the past.

2 Thank you.

3 COMMISSIONER BROWN: Thank you. That was  
4 my --

5 MR. GRIFFIN: Commissioner Brown, very, very  
6 quickly. This is -- this is Steve Griffin on  
7 behalf of Gulf.

8 I -- I concur with everything my friends have  
9 said. You know, we wouldn't be advocating for the  
10 Commission to approve a program that we believed  
11 was arbitrary and capricious. We, as I mentioned  
12 earlier, put a lot of thought into this, and  
13 followed to the same processes we followed for  
14 years in developing DSM programs. So to your  
15 point, we -- we do not agree with that contention.

16 Thank you.

17 COMMISSIONER BROWN: Thank you all. I  
18 appreciate the -- the responses, because that was  
19 my understanding as well, that the information has  
20 been updated. And, again, we said back in  
21 November, you know, we wanted to have plans and  
22 programs that were designed to be more relevant to  
23 today's customers, more innovative. I think what  
24 we have been provided with by the utilities tries  
25 to -- strives to do just that.

1           And I also think that when we look at the  
2           programs as a whole, as opposed to, say, just each  
3           different program, whether it's cost-effective  
4           under the RIM test, is it -- you know, it's  
5           cost-effective under the TRC and the participant, I  
6           think you look at the failed impacts, and many --  
7           in the case of many of the utilities, they are  
8           going down. Even though some individual programs  
9           may not be deemed cost-effective, as a collective  
10          whole, the bills are going down, or minusculely  
11          going up by a penny. So to reject them as not  
12          being cost-effective would be imprudent on our part  
13          when taken together as a whole.

14                 I want to also just say a couple more things  
15                 on the low income front.

16                 (Inaudible) -- even more pressing now, today,  
17                 than ever before for utilities to be promoting  
18                 conservation and offering energy efficiency  
19                 programs for its customers, I think with regard to  
20                 these low income folks, offering energy efficiency  
21                 programs, rather than scaling back what was in  
22                 place in 2015, would -- would be a tremendous  
23                 oversight on our part. I think the programs  
24                 provide good timing and they are critical to these  
25                 customers who can benefit more from reducing

1 energy. So I appreciate the utilities having more  
2 robust low income programs.

3 Specific questions, though, for -- I have just  
4 a few, Mr. Chairman. And I -- I appreciate the  
5 latitude you have given me.

6 For FPL first, just you have a few things that  
7 jumped out at me as being a little odd in -- in  
8 your proposal. You are capping participation on --  
9 on some programs. You are not decreasing the  
10 revenue requirement, though, for those programs.  
11 So what's the intent behind capping the component?

12 MR. COX: Thank you, Commissioner Brown.

13 The intent of the cap in our proposed plan was  
14 focused on the fact that, you know, some of the  
15 programs are cost-effective, some are not. So when  
16 we reached the goals, we didn't want to continue to  
17 put those costs of non-cost-effective programs on  
18 our general body of customers. So, you know, we  
19 see -- we see that there is a benefit to  
20 potentially limiting at a certain point.

21 I think as we responded to staff to some  
22 inquiries that we received in the docket. And we  
23 indicated to them that typically, if that -- if  
24 that did occur, it would be late in the year, so we  
25 don't anticipate that being, you know, a big issue

1 throughout the year. It would only occur, you  
2 know, in certain instances.

3 And -- and Mr. Koch is on the line. He could  
4 respond maybe in a little more detail than I could  
5 on that, if you could, Mr. Koch.

6 MR. KOCH: Thanks, Will.

7 Yeah, I would agree with what Will said, and  
8 more importantly focused on -- (inaudible) -- but  
9 that was exactly the intention of this, was to, you  
10 know, recognizing there is both participating and  
11 the nonparticipating general body of customers who  
12 fund these activities, was trying to mitigate  
13 any -- any impact that are -- and again, we would  
14 expect that to be minimal.

15 COMMISSIONER BROWN: That's -- okay. Thank  
16 you.

17 And then, Mr. Koch, why have the participants  
18 occupied the premises for at least nine months for  
19 the residential load management programs? How  
20 would you derive that particular -- (inaudible) --

21 MR. KOCH: That particular parameter, I think,  
22 was in there from previous, and it's to address  
23 customers who are seasonal in nature; because  
24 obviously, for a load management program, you want  
25 to be able to, if you need that load relief, be

1           able to rely upon it, and so you are looking for  
2           customers who actually utilize the appliances  
3           during that period of time.

4           COMMISSIONER BROWN: Yeah, we were just  
5           looking at a rule earlier today that kind of  
6           addressed seasonal customers at the six-month  
7           benchmark, so I wanted to see how you got that  
8           nine-month period.

9           MR. KOCH: I -- that's been -- I think that's  
10          been a longstanding practice for that. I don't --  
11          I don't have a more specific answer for you.  
12          Sorry.

13          COMMISSIONER BROWN: Thank you.

14          Moving on to Gulf. Regarding programs that  
15          you replaced with the new programs, I -- I think  
16          they do kind achieve what we were looking for, but  
17          obviously, your programs that you have are not  
18          meeting the cost-effectiveness test under the RIM  
19          criteria.

20          So you -- I just kind of want to get an  
21          understanding why with your proposing them when --  
22          I know you said in your comments that you have had  
23          challenges because of the decreased customer  
24          interest, and -- and assuming your DSM goals, but  
25          you think having the programs will allow you to --

1 to get that customer interest, and -- and how did  
2 you vim those programs?

3 MR. GRIFFIN: Commissioner, Steve Griffin  
4 here. Thank you.

5 Well, as -- as you know, yes, we are -- we are  
6 actually offering a -- a new portfolio of DSM  
7 programs that carries forward some of the existing  
8 programs that we've had in the past, but not all of  
9 them, so we are proposing to discontinue six  
10 existing programs. We are proposing to add four  
11 new ones, and continue five, and modify two of the  
12 existing programs.

13 And you are correct, that of those 11  
14 programs, 10 do not currently pass the RIM test.  
15 The one that does is our curtailable load  
16 management program. The remaining 10 do not, but  
17 they get as close to passing RIM as we could to  
18 develop a program -- portfolio of programs that  
19 could meet our goals.

20 And so that is -- that is what you see there  
21 before you. That is what the analysis bore out  
22 in -- in the case of developing this portfolio.  
23 And so unfortunately, there really was no RIM  
24 passing offering that would enable us to -- I mean,  
25 we are close to meeting the goals that the

1 Commission approved back in 2019. This is our best  
2 shot.

3 COMMISSIONER BROWN: Thank you. And I know  
4 many of us previously expressed frustration with  
5 the outdated FEECA statute that we have in place.  
6 Part of that is the way that we evaluate  
7 cost-effectiveness. And it's not to say that TRC  
8 participant is a better test, but RIM does place a  
9 more stringent test for measuring  
10 cost-effectiveness.

11 And, again, you know, I know staff is  
12 proposing that we have a process oriented  
13 rule-making review to consolidate goals in the  
14 plans process, which we contemplated previously as  
15 being a more complete review. But, you know, I  
16 just kind of wanted to get our staff's perspective  
17 of what is our feel about how we are addressing  
18 moving forward with FEECA.

19 CHAIRMAN CLARK: Mr. Futrell.

20 MR. FUTRELL: As far as the rule-making,  
21 Commissioner, certainly, we have monitored interest  
22 by the Legislature to take up potential amendments  
23 to FEECA. We have not observed an interest in  
24 opening up that statute.

25 We have been, as staff, discussing options for

1           improving the process, or addressing some of the  
2           concerns that have been raised through the recent  
3           process. I think that's one thing we are curious  
4           about, if the Commission wishes to open up the  
5           rule, is to explore options for making the process  
6           more transparent, more accessible to the Commission  
7           and -- and parties to -- to better assess the  
8           impact of programs on potential goals, and get the  
9           focus, perhaps, back on to the programs that the  
10          customers actually have available to them, and  
11          better understand options within those programs,  
12          how the utilities construct those programs; and  
13          perhaps entertain better aligning the goals with  
14          the savings that are actually achieved by the  
15          programs, and putting those more -- perhaps putting  
16          those on a one-to-one basis, where the savings that  
17          come from the participation in the programs are  
18          more directly connected to the goals that are  
19          established by the Commission.

20                   And so those are some of the highlight ideas  
21                   we've -- we've -- we've put -- we've discussed in  
22                   entertaining a potential rule proceeding.

23                   CHAIRMAN CLARK: Thank you, Mr. Futrell.

24                   COMMISSIONER BROWN: Thank you.

25                   And, Mark, what is your timeframe of

1 initiating that rule proceeding?

2 MR. FUTRELL: Certainly, if the Commission  
3 wishes to -- to give us direction today, or in the  
4 near future, we will -- we will get started  
5 certainly in a timely manner. We've got a little  
6 bit of time before the next goal setting process  
7 begins, so we certainly don't want to -- to waste  
8 time, but I think it's something where there will  
9 be a lot of --

10 COMMISSIONER BROWN: We won't be here, so I  
11 would hope to see it before we -- we have to  
12 depart.

13 MR. FUTRELL: No, we want to get this started  
14 because it's going to be something that we need a  
15 lot of input on, a lot of -- there are a lot of  
16 folks who are interested in this topic. So we  
17 certainly want to take time to get everyone's input  
18 and make sure we understand all of the -- the  
19 nuances and the potential effects it could have on  
20 all parties, most importantly the Commission in the  
21 future.

22 COMMISSIONER BROWN: Thank you.

23 And, Mr. Chairman, thank you again for the  
24 latitude that you have given me. Again, an issue  
25 that's very close to my heart here. I don't think

1           that the recommendation that staff is giving us  
2           gets us to where we need to be in our state, and I  
3           support the utilities' proposal for the programs  
4           with the caveat that the FPL CDR and CILC credits  
5           be addressed duration the FPL base rate -- next  
6           base rate proceeding under -- pursuant to FPL's  
7           prior settlement.

8                   CHAIRMAN CLARK: All right. Thank you,  
9           Commissioner Brown.

10                   Are there other Commissioners that have  
11           questions or comments?

12                   While you are thinking, I will go ahead and --  
13           and throw my couple out. I do is a couple of  
14           questions I want to ask.

15                   Mr. Futrell, in looking at the RIM test, is  
16           one of the reasons that -- and this is just  
17           theoretical -- one of the reasons that some of the  
18           programs don't pass the RIM test is because of the  
19           significant kilowatt hour savings they produce and  
20           the fact that that we load our cost recovery system  
21           through the kilowatt hour approach as opposed to a  
22           fixed facility charge?

23                   MR. FUTRELL: Certainly you are correct that  
24           the RIM test has -- includes lost revenues as a  
25           cost of the program, and so that's generally

1 generated from kilowatt hour sales, and so that's  
2 certainly a component in assessing the impact of  
3 the RIM test. There is other costs as well that  
4 are included, other benefits, but that's a  
5 significant component of the RIM test that's not  
6 present in the other two tests.

7 CHAIRMAN CLARK: Okay. Actually, I want to  
8 make an observation as well. Commissioner Brown  
9 talked about the issues that we dealt with and  
10 discussed in November when we addressed this issue.

11 I think that a lot of us had a lot of  
12 hesitation, reservation and all sorts of  
13 qualifications when we looked at approving the  
14 original DSM goals measures back then. I was  
15 definitely one of those. And I think that part of  
16 our analysis in that was not necessarily a -- a  
17 desire to see the status quo, but more of a  
18 reflection on my part that I wanted to see change  
19 in the system. I wanted to see us make some moves.

20 And I commend our staff for the position they  
21 took. They -- they read the Commission's decision  
22 and -- and made a recommendation that was based on  
23 what they saw us do as a direction that we were  
24 leaning. I don't think that we were probably as  
25 clear as we could have been at that particular time

1           about what our real anticipation -- our real goal  
2           was there.

3           So I do want the staff to -- to know and  
4           understand that. I do want to see the adoption of  
5           a higher level of DSM programs. This is one of the  
6           things that -- that I am very passionate about.  
7           But I also want to make sure we understand that the  
8           adoption of these programs is a major benefit to  
9           the customers.

10           And I wanted to ask each of the utilities just  
11           a very quick yes/no response, understanding the  
12           impact of the RIM test, Participant test and the  
13           TRC test, overall we are going to see as a result  
14           of the implementation of the programs that you are  
15           recommending and suggesting, will the overall cost  
16           to the consumer go down over the remainder of this  
17           rate cycle?

18           Could each of the utilities address that for  
19           me?

20           MR. ROCHE: Yeah, Chairman Clark. This is  
21           Mark Roche with Tampa Electric.

22           Our current ECCR rate at a thousand kilowatt  
23           hours is \$2.32, and our projected ECCR rate for the  
24           same thousand kilowatt hours over the five-year  
25           horizon through 2024 will be \$2.34, so an increase

1 of about two cents a month.

2 CHAIRMAN CLARK: So yours is actually going to  
3 increase by two cents through the adoption of these  
4 programs?

5 MR. ROCHE: Yes, sir.

6 CHAIRMAN CLARK: Okay. That's TECO.

7 Who else we got?

8 MR. GRIFFIN: Mr. Chairman, this is Steve  
9 Griffin on behalf of Gulf. And the answer to --  
10 your to your question is yes. Our goal impact is  
11 projected to decrease under our proposed offering.

12 CHAIRMAN CLARK: Okay.

13 MR. COX: Chairman Clark, this is Will Cox for  
14 FPL. Tom Koch will provide an answer for FPL.

15 MR. KOCH: You beat me to the mute button  
16 there, Will. Thank you.

17 Yes, Chairman Clark, the -- yeah, FPL would  
18 expect that, if this is adopted, that our CCR costs  
19 would be very similar or decline slightly.

20 CHAIRMAN CLARK: And Duke?

21 MR. BERNIER: Mr. Chairman, Matt Bernier for  
22 Duke Energy -- I am sorry.

23 We are expecting a slight decrease as well, I  
24 believe roughly four cents per thousand kilowatt  
25 hours.

1 CHAIRMAN CLARK: Did you say increase or  
2 decrease?

3 MR. BERNIER: Pardon me, a decrease.

4 CHAIRMAN CLARK: Decrease. Okay, thank you.

5 So we are expecting the three -- FPU, I am  
6 sorry. I didn't mean to forget you Beth.

7 MS. KEATING: That's quite all right. FPUC is  
8 also expecting a -- a slight decrease.

9 CHAIRMAN CLARK: Okay. So four of the five  
10 utilities, by the adoption of these programs, we  
11 could actually expect the impact to our consumers  
12 to go down as a result of the Commission adopting  
13 these programs. Okay, I just wanted to make sure  
14 we had that on the record.

15 Okay, other Commissioners, any questions?

16 Commissioner Polmann, I believe we had you  
17 next.

18 COMMISSIONER POLMANN: Thank you, Mr.  
19 Chairman.

20 I have heard quite a lot today, and on staff  
21 recommendation, as it's written, I -- I think I  
22 agree in part, and I am questioning -- I have a lot  
23 of questions on the other part. I heard a lot of  
24 significant contribution from Commissioner Graham's  
25 inquiry.

1           The -- the response on rule-making, I gather  
2           from Mr. Futrell's response that -- that we can  
3           initiate that fairly soon, whatever that means.  
4           And the end date of that I am a little bit unclear,  
5           but we will -- we will move forward expeditiously,  
6           given -- given that.

7           My question is, when we conclude rule-making,  
8           a can we, and then how would we initiate new goals  
9           and plans? This is intended on a five-year cycle,  
10          but can we at any point initiate the establishment  
11          of new goals and subsequently have new plans?

12          CHAIRMAN CLARK: Mr. Futrell.

13          MR. FUTRELL: The answer, Commissioner, is  
14          yes, the Commission has discretion to initiate  
15          goals on its own motion. The -- the statute just  
16          merely provides an end date by which it must review  
17          goals, which is at least every five years. And  
18          that has been the -- the tradition since this rule  
19          has been in place. But again, the Commission has  
20          discretion to initiate rule-making on its own  
21          motion if it wishes to do so earlier than the  
22          five-year cycle.

23          COMMISSIONER POLMANN: Thank you.

24          Now, we focus on the RIM test, and -- and is  
25          that the particular reason, because we -- we don't

1 want to burden the nonparticipants? Is that really  
2 the purpose or the focuses using that test? We  
3 have other tests available.

4 MR. FUTRELL: Yes, sir. This is -- the  
5 Commission's rule requires that the utilities file,  
6 at a minimum, the results of the Participant test,  
7 the Total Resource Cost test and the RIM test. It  
8 is open to information from other perspectives as  
9 well. But again, each of these tests is a measure  
10 of cost-effectiveness from different perspectives.

11 The Participant test economic interest of the  
12 participating customer to be part of the program.  
13 In what's before you, you have one program that  
14 fails the Participant test, so therefore, it's  
15 not -- it would not be in the economic interest of  
16 the customer to participate in that program.

17 The Total Resource Cost test looks at it from  
18 the perspective of all ratepayers, and whether all  
19 ratepayers will receive -- whether the benefits are  
20 greater than the costs. And we have results before  
21 us that there are some programs that are not  
22 cost-effective under TRC.

23 The RIM test, again, looks at it from the  
24 impact on rates. And as Mr. Ballinger said, the  
25 nonparticipants' perspective as well, and whether,

1 as a participant who pays for these programs  
2 through their ECCR factor, their benefits will be  
3 greater than their costs.

4 And we have heard -- this commission heard  
5 many times through the years, in recent years,  
6 eloquent testimony from former Commissioner Deason  
7 regarding the importance of the RIM test, at least  
8 as it being a consideration, and that it -- it  
9 helps to inform the Commission on the potential  
10 impacts of subsidies that may occur between  
11 nonparticipating customers and those who  
12 participate in the program, and benefit directly  
13 through energy savings and bill savings.

14 And so I certainly understand the controversy.  
15 I have been through this many times. And the  
16 Commission has faced these -- these issues many  
17 times through the years. And -- and they are  
18 always uncomfortable because we certainly  
19 understand, and the staff understands the -- the  
20 benefits of DSM to customers, but the statute deals  
21 with DSM as a resource. It's part of the -- fits  
22 into the 10-year site plan process, into the power  
23 plant need determination process, and it's all  
24 interconnected together as a resource, and it's  
25 been analyzed as a resource over the -- over the

1           yeah.

2                       And that's staff's perspective of the statute  
3           and the Commission's implementation. And so that's  
4           hopefully helpful, sir.

5                       COMMISSIONER POLMANN: Well, thank you.

6                       I gather from all that, that the Commission  
7           has some flexibility in -- in how we use and  
8           interpret and apply the various tests that are in  
9           the rule. And I -- I recognize the importance of  
10          the RIM test, and -- and the consideration for  
11          nonparticipants.

12                      But from my perspective, I -- I think we do  
13          have some flexibility. You know, there -- there is  
14          a standard practice, there is a tradition, but  
15          there is certainly some policy. And over time, a  
16          sitting commission can -- can certainly review and  
17          take the opportunity to make some adjustments in --  
18          in the policy application.

19                      The -- as to DSM being considered as a  
20          resource, as you said, different people have  
21          different opinions, and I will sit silent on that  
22          for a moment.

23                      We've -- we've heard a lot of discussion here,  
24          a lot of input from the parties. We've gotten  
25          written comments from the utilities, and they have

1 a required timeframe in which to submit, I believe,  
2 but nonetheless, we -- we have the material in  
3 hand. We have the staff recommendation, and I  
4 think there is -- there is a lot of thought in --  
5 in different peoples mind here as to what to do  
6 with that.

7 I -- I have a lot under consideration in my  
8 mind, but I am not entirely clear on which way I  
9 want to go on that. I'm -- I am most interested  
10 in -- in the rule-making, and bringing together the  
11 goal setting and the plan proceedings. I am not  
12 going to say I am -- I am anxious, but I am looking  
13 forward to getting that started and concluded as  
14 quickly as possible. I think it will be very  
15 beneficial.

16 So my question, is there a particular  
17 timeframe for us to take action on the plans before  
18 us? If you can answer that.

19 CHAIRMAN CLARK: Mr. Futrell.

20 MR. FUTRELL: Commissioner, there is no  
21 time -- timeframe on this. You are not under a  
22 statutory deadline to rule on -- on the petitions  
23 before you.

24 COMMISSIONER POLMANN: I -- I know the staff  
25 has done a great job in compiling information that

1           was provided in the plans. I -- I have heard a lot  
2           of discussion here and feedback from the utility  
3           answering questions. We have letters to -- to the  
4           docket. And -- and my question from staff first,  
5           and then I would like to hear from my colleague.

6                     But, staff, do you believe that you have  
7           sufficiently understood from your review, and --  
8           and essentially tabulated all of the information  
9           provided in -- in the written comments? Is there  
10          something else that -- that you feel you could do  
11          to better inform us, and would there, from your  
12          perspective, be -- be some value for a deferral,  
13          perhaps, for another meeting?

14                    And, Mr. Chairman, if -- if we can have an  
15          opportunity, I am sure there is more questions. We  
16          haven't heard from everybody, but I would just like  
17          to have that be considered, sir.

18                    That's all I have.

19                    CHAIRMAN CLARK: Thank you, Commissioner  
20          Polmann.

21                    Mark, can you address that?

22                    MR. FUTRELL: First, I will do part of this  
23          and then let Mr. Ballinger chime in.

24                    I think the Commission has discretion if it  
25          wishes to defer the item. As far as additional

1 information, I will let Mr. Ballinger and perhaps  
2 Mr. Ellis answer those questions.

3 MR. BALLINGER: This is Tom Ballinger.

4 Staff did extensive discovery with the  
5 utilities trying to look at modifications to  
6 programs to make them more cost-effective, and --  
7 and things of that nature.

8 So to answer your first question, I think we  
9 have got all we have or need to make a decision. I  
10 don't know if a deferral to get any more  
11 information would -- would help.

12 I would like to clarify that what we found is  
13 the -- the dilemma of the non-RIM passing programs  
14 for each utility. And while you heard rates are  
15 projected to go down, I want you to be aware of the  
16 cost impact of meeting these goals.

17 In other words, for FPL, for example, I think  
18 in the recommendation it had the RIM failing  
19 programs was about 9.3 percent of their budget.  
20 That's about \$71 million over the five-year period.  
21 In other words, that's costing extra to meet the  
22 goal.

23 For TECO, it would be about \$27 million, or  
24 12.3 percent of their budget. And for Gulf, it  
25 would be about \$45 million, or 77 percent of their

1 budget.

2 So that -- to give you a context of what it's  
3 costing ratepayers above and beyond the RIM test,  
4 if you will, to meet the goal.

5 But again, back to your question. I don't  
6 think a deferral would give us any more  
7 information. I think the Commission has what it  
8 needs before it to make a decision, and we can move  
9 forward.

10 COMMISSIONER POLMANN: Well, thank you for  
11 that answer. I -- I appreciate it.

12 CHAIRMAN CLARK: Okay. Commissioners, any  
13 other questions?

14 Commissioner Fay.

15 COMMISSIONER FAY: Thank you, Mr. Chairman.  
16 Just -- just two quick questions.

17 When we approved the goals back in 2019, there  
18 was a lot of discussion about the -- the specific  
19 programs themselves, and what it would look like in  
20 the future, but also the discussion of education  
21 and auditing. And I know the recommendation  
22 addresses for each utility the record where they --  
23 they are going to continue the auditing for  
24 customers, but back when we approved the goals, I  
25 made the point that I had some concerns about

1 customers not having the ability to -- to utilize  
2 that information, have the power to make  
3 conservation decisions for themselves.

4 And I -- I would be remiss if I didn't take  
5 the opportunity, looking at the options that are in  
6 front of us, just to have the utilities just  
7 briefly opine if they are -- they have adjusted and  
8 moving forward, no matter what proposal goes  
9 forward, they will be continuing, or at least  
10 considering the electronic form of audits so  
11 customers who do not want people in their home in  
12 the -- the near future, and essentially sometime  
13 unknown in the future, still have the ability to  
14 receive that information and make those  
15 conservation decisions for themselves.

16 MR. ROCHE: Commissioner Fay, this is Mark  
17 Roche with Tampa Electric.

18 Tampa Electric does have a very robust on-line  
19 energy auditing tool that would continue either way  
20 with how you make the decision today. We will  
21 always have the ability to also assist those  
22 customers that may be having difficulty with the  
23 on-line tool. They can phone in and our support  
24 back office staff will actually help them.

25 Thank you.

1           COMMISSIONER FAY: Great, thank you.

2           MR. KOCH: Commissioner Fay, this is Tom with  
3 FPL, and similar to what Mark said, FPL offers both  
4 phone and on-line channels, and that has been  
5 continuing on over the past few months during the  
6 pandemic, and we have been servicing tens of  
7 thousands of customers that way on a monthly basis.

8           COMMISSIONER FAY: Thank you.

9           MR. GRIFFIN: Commissioner, this is -- this is  
10 Steve Griffin on behalf of Gulf. The same is true  
11 with Gulf Power.

12          MR. BERNIER: Commissioner Fay, Matt Bernier.  
13 The same is true for Duke Energy, on-line and phone  
14 audits are available.

15          MS. KEATING: And, Commissioner, this is Beth  
16 Keating. I believe FPUC also does both as well. I  
17 will defer to Scott Bryant to correct me if I am  
18 wrong.

19          MR. BRYANT: You are correct.

20          COMMISSIONER FAY: Great. And -- and I  
21 appreciate that, because I think that's something  
22 that that going forward is going to be really  
23 critical to make sure customers have that -- that  
24 information and that -- the ability to make those  
25 decisions as they look for ways for conservation in

1 will their own -- their own homes.

2 The other comment that I wanted to make --  
3 well, first, would like to point out I think  
4 Commissioner Brown has shown great leadership on  
5 this issue, and is obviously very passionate about  
6 it, and so I appreciate and respect her -- her  
7 thoughts on this going forward.

8 But I think part of what is the reality of the  
9 decision we made on the goals is that when you  
10 create a decision that is, quote/unquote, the  
11 status quo, there is an interpretation on -- on  
12 multiple sides that that's either a good or a bad  
13 thing. And I think it's often considered a bad  
14 thing, because that decision that we made related  
15 to the status quo included having programs -- or  
16 having more conservation for certain utilities  
17 going forward than what was proposed at the time.  
18 And now when we have the decision for the programs  
19 in front of us, our Chair has made a -- I think a  
20 very relevant and persuasive point, that we look at  
21 the cost to -- to the ratepayer and what's passed  
22 on as potential adjustments of what those -- those  
23 programs do as far as impacting their -- their  
24 world. So I think that's something we have to keep  
25 in mind.

1           So the extremes of both sides, I think, are  
2           not necessarily where this commission and -- and  
3           this body have -- have landed in this discussion.  
4           And I think that there is a balance in between  
5           there, and the analysis of the programs to make  
6           decision best that they are appropriate or not  
7           seems to make since to me.

8           And I think legal pointed out some -- some  
9           relevant points about moving forward, and -- and  
10          what our options are based on the decisions that  
11          were previously made.

12          I -- I would like to be very clear that an  
13          arbitrary and capricious threshold is a -- is a  
14          very high one, and -- and it would -- it would be  
15          something that I think would be somewhat unordinary  
16          for the Commission to not have that put in to -- to  
17          make that decision. And I think fellow legal  
18          colleague, Commissioner Brown, would probably a  
19          yeah that we, you know, our decision today, we want  
20          to make sure it's consistent with those -- those  
21          legal parameters that are -- that are set out for  
22          us.

23          But I do think that going forward, the  
24          rule-making process does allow for some discussion  
25          to better analyze these. As from the beginning,

1 I -- I have taken issue with separation in the goal  
2 setting process and the program setting process in  
3 that the time changes even between those decisions  
4 that we make at this point, and we are -- we are  
5 seeing information that isn't consistent with that  
6 time period when those goals decisions were made.

7 So that's -- that's a flaw in the, you know,  
8 the premise of what we are doing here, and should  
9 probably be addressed through rule-making. So I  
10 think that's a great option.

11 I do leave it up to my colleagues maybe for  
12 better direction on how that option would  
13 intertwine with what the decision we make today,  
14 but I do think that there are alternative programs  
15 in front of us, and there is also the option to  
16 accept staff's recommendation for what -- what --  
17 what staff has pointed out is -- is a consistent  
18 option with the decision that we made for the --  
19 the goal setting back in -- back in 2019.

20 So with that, Mr. Chairman, I appreciate the  
21 time. Thank you.

22 CHAIRMAN CLARK: Thank you, Commissioner Fay.  
23 Commissioner Graham.

24 COMMISSIONER GRAHAM: Thank you, Mr. Chairman.  
25 I have three different things I need to talk about.

1           Number one is the rule-making. Maybe I walked  
2           away after we set the goals in November with the  
3           wrong impression, but I though we gave staff  
4           direction at that point to start going down the  
5           path of rule-making and fixing this problem. I  
6           guess the question I have to staff is what -- what  
7           do we need to do today to start that process  
8           tomorrow?

9           CHAIRMAN CLARK: Mr. Futrell.

10          MR. FUTRELL: I think if you -- if you wish to  
11          give us direction to open rule-making, we will  
12          initiate rule-making today, tomorrow, and get that  
13          process started.

14          COMMISSIONER GRAHAM: Okay. Because once  
15          again, I -- I thought we -- I thought we were going  
16          down that path back in November when we approved  
17          these things. I didn't realize we hadn't started  
18          that -- that process.

19          CHAIRMAN CLARK: One of the -- one of the  
20          things we discussed at this time, Commissioner  
21          Graham, was whether this was a rule fix or a  
22          legislative fix, if I remember right, and we were  
23          trying to come up with the strategy as to how it  
24          would best be it approached. It's probably a  
25          two-pronged approach, there is really no question,

1 right, it's probably -- Mr. Baez is -- is -- I see  
2 the wheels turning, so I am going to let him  
3 comment on this.

4 MR. BAEZ: I -- I apologize, Chairman. I'm --  
5 my shaking my head was not to cut you off. Please,  
6 I -- I beg you, finish your thought.

7 CHAIRMAN CLARK: No problem.

8 MR. BAEZ: I was, in a manner, agreeing with  
9 you.

10 Commissioner Graham, I -- I don't want the --  
11 the fact that the staff is requesting authority,  
12 or -- or recommending that the Commission direct us  
13 to -- to start -- to begin rule-making, to initiate  
14 rule-making to suggest that all along this time on  
15 day, you know, goal setting plus one, the -- the  
16 staff has been discussing process-wise how we could  
17 improve it to give you as much advantage in making  
18 your decisions as -- as possible, paying close  
19 attention obviously to the frustration that the  
20 Commission, as a whole, had expressed when they  
21 made a very difficult decision back in 2019.

22 And -- and I would say further that we are  
23 sitting here, once rule-making will get initiated,  
24 I think we've got a good -- we've already got a  
25 good concept of what -- what we would like to see

1 and suggest for consideration.

2 So the -- the act of beginning the rule-making  
3 doesn't -- doesn't remotely represent the beginning  
4 of this process. This process certainly of sorting  
5 out what kind of things we would try to improve,  
6 and how we could capture advantages for -- for the  
7 Commission has been going on for months.

8 And so, Commissioner Graham, we've got a head  
9 start, I guess. What we don't have is -- is  
10 official -- you know, there wasn't an explicit  
11 begin rule-making kind of thing. This is more  
12 formality than -- than anything else.

13 CHAIRMAN CLARK: This might be a great  
14 opportunity to -- to -- to host a workshop at maybe  
15 our next IA and have a brief discussion so we can  
16 work this timeline out and decide on those two  
17 approaches.

18 MR. BAEZ: We would be happy -- we would be to  
19 lay things out as -- as we see them in terms of --  
20 of timing and such with you at any -- at any time,  
21 and IA would --

22 CHAIRMAN CLARK: If you could bring that back  
23 to us at the next IA. Commissioner Graham, would  
24 that be a good starting point?

25 COMMISSIONER GRAHAM: It works for me, just as

1 long as I know we are moving forward.

2 CHAIRMAN CLARK: You got it.

3 MR. BAEZ: Thank you.

4 CHAIRMAN CLARK: Continue, sir.

5 COMMISSIONER GRAHAM: Thank you.

6 The second one was low income, and I think  
7 Commissioner Brown pretty much addressed my  
8 concerns and questions and comments on that, so I  
9 will leave that one alone.

10 The third one was -- I guess the question is  
11 more for Mr. Cox or Mr. Koch, the load control and  
12 demand reduction.

13 From the letter that you sent, you pretty much  
14 doubled the credits that were given, but only  
15 increased the participation by 10 percent. Why  
16 would that -- why was that added to your 2016 rate  
17 case?

18 MR. KOCH: I'm sorry, could you -- why was  
19 what added to our -- provisioned in the settlement?

20 COMMISSIONER GRAHAM: That's correct.

21 MR. KOCH: Okay. So, you know, over time  
22 that -- that -- the credit level actually went up  
23 substantially in 2012, if you recall, Commissioner  
24 Graham, from where it had been historically. And  
25 then from there, at the time of the -- the

1 settlement, adjustments from made for generation  
2 additions to our -- our plant, both through the  
3 GBRA and SoBRA, and that's what's taken us to the  
4 level that we are at today.

5 And it was agreed in that settlement provision  
6 that if there were going to be any adjustments to  
7 the current levels going forward, it would be the  
8 DSM -- it would be an issue, I should say, so it  
9 would be an issue in the DSM proceeding. That's  
10 why we had asked that it be addressed in this  
11 proceeding. But again, we are amenable to it being  
12 addressed in our next rate case, if that's the  
13 Commission's preference.

14 COMMISSIONER GRAHAM: So because the goals  
15 were not changed, then the -- this settings was not  
16 going to be changed; is that what you are saying?

17 MR. KOCH: I am -- maybe I am losing your  
18 question. I am sorry. The -- the proposed --

19 (Multiple speakers.)

20 CHAIRMAN CLARK: Restate your question,  
21 Commissioner.

22 COMMISSIONER GRAHAM: Since the Commission  
23 decided not to change the DSM goals, was it the  
24 position of your company that you were not going to  
25 change the program, and wait until the -- wait

1           until the next rate case?

2           MR. KOCH: No. We actually proposed in our  
3           plan to change the credit levels in the plan that's  
4           before you today. And we recognize, though, that  
5           the settlement says that those rates would not  
6           actually not take effect until the rates are reset  
7           in the next rate case.

8           So, again, approved in the DSM proceeding, but  
9           actually reset with a formal tariff approved would  
10          be a result of the next rate case.

11          COMMISSIONER GRAHAM: Okay. Because we are  
12          talking about a significant amount of money here,  
13          and I was kind of curious what the position was of  
14          the company.

15          All right. Mr. Chairman, that's all I had.

16          CHAIRMAN CLARK: Thank you.

17          All right. Commissioners, are you ready for a  
18          vote? I will entertain a motion if you have one,  
19          if there are no other questions.

20          COMMISSIONER BROWN: Mr. Chairman, I am  
21          ready -- prepared to make a motion.

22          CHAIRMAN CLARK: You are recognized.

23          COMMISSIONER BROWN: Thank you.

24          I would move to reject the staff  
25          recommendation and adopt the programs by the

1 utilities as filed with the caveat that the FPL CDC  
2 and CILC programs will be addressed in the next  
3 base rate proceeding for FPL, in accordance with  
4 FPL's prior settlement agreement.

5 CHAIRMAN CLARK: Is there a second to the  
6 motion?

7 COMMISSIONER POLMANN: (Raised hand.)

8 CHAIRMAN CLARK: I have a motion and a second.  
9 Is there any discussion?

10 I want to make sure that -- did we get that  
11 recorded correctly? We are -- we are good with --  
12 okay. Adam has got it recorded.

13 COMMISSIONER FAY: Mr. Chairman.

14 CHAIRMAN CLARK: Yes. I will start with  
15 Commissioner Polmann.

16 COMMISSIONER POLMANN: Well, I was -- I was  
17 going to ask Commissioner Brown about the  
18 rule-making, but I would like to hear from -- go  
19 ahead, Commissioner Fay.

20 CHAIRMAN CLARK: I am sorry, Commissioner  
21 Polmann.

22 COMMISSIONER POLMANN: That was not a  
23 second -- yeah, that is not a second. That was a  
24 question.

25 CHAIRMAN CLARK: Oh, my apologies. Then --

1           then hold on do.

2                   We have a second to the motion?

3                   COMMISSIONER GRAHAM: I will second the  
4           motion.

5                   CHAIRMAN CLARK: Thank you. We have a motion  
6           and a second. Now, any discussion?

7                   I am sorry, Commissioner Polmann. Anything  
8           else?

9                   Commissioner Fay?

10                  COMMISSIONER FAY: Commissioner Polmann read  
11           my mind, so I was just making sure I have  
12           clarification that the motion on the table, since  
13           it rejects staff's recommendation, I thought I  
14           understood from Commissioner Brown and Commissioner  
15           Graham that they -- they would not only support,  
16           but encourage the rule-making process to start  
17           immediately, so it would reject it except for that  
18           component of the recommendation.

19                  COMMISSIONER BROWN: No. Thank you. No.  
20           Thank you, Commissioner Fay, for pointing that out.

21                  Like Commissioner Graham, I thought we had  
22           already given them direction in the goals setting  
23           proceeding to begin rule-making. I did not know  
24           that they were not given that direction. So  
25           obviously, I would support them moving forward,

1           like, tomorrow.

2           COMMISSIONER FAY:   Okay.   Great.

3           That's all I had, Mr. Chairman.   Thank you.

4           CHAIRMAN CLARK:   All right.   So now I need a  
5           clarification.

6           Just a couple moments ago we directed staff to  
7           bring us back a schedule at IA.   So do you want to  
8           forget that and let's go ahead and authorize  
9           rule-making?   Is that what's in your motion,  
10          Commissioner Brown?

11          COMMISSIONER BROWN:   I just wanted to make it  
12          very clean.   I thought that we had an agreement  
13          amongst the Commissioners.   I didn't know if it had  
14          to be in the order, but if it has to be in the  
15          order, then I would add to the motion --

16          CHAIRMAN CLARK:   It does not have to be.   I  
17          just want -- I just want to clarify.   We -- I don't  
18          want to go to the trouble of doing a presentation  
19          ready for IA if we are telling them to go ahead and  
20          move forward.   So we are all in agreement to  
21          instruct staff to move forward with rule-making and  
22          don't worry about bringing the IA proposal back.

23          Now, okay, any other questions on the motion?

24          Are we clear on the motion?

25          Commissioner Polmann, are we comfortable with

1           that? Did that answer your question? I couldn't  
2           hear you. I didn't want to cut you off, but I  
3           didn't think I could hear you.

4           COMMISSIONER POLMANN: No, I -- I am satisfied  
5           with the motion and the second, and we have  
6           addressed the -- the rule-making issue. I believe  
7           you clarified staff has the direction. What we are  
8           doing in IA it's up to you, Mr. Chairman, so thank  
9           you very much.

10          CHAIRMAN CLARK: All right. Thank you.

11          Any other comments or questions on the motion?

12          All in favor, say aye.

13          (Chorus of ayes.)

14          CHAIRMAN CLARK: Any opposed to the motion?

15          (No response.)

16          CHAIRMAN CLARK: The motion is approved  
17          unanimously.

18          (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF LEON )

I, DEBRA KRICK, Court Reporter, do hereby  
certify that the foregoing proceeding was heard at the  
time and place herein stated.

IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

DATED this 17th day of July, 2020.



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DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #GG015952  
EXPIRES JULY 27, 2020