

Antonia Hover

From: Cristina Slaton
Sent: Tuesday, February 16, 2021 2:00 PM
To: Commissioner Correspondence
Subject: Docket Correspondence 20200181
Attachments: Docket No. 20200181; Modernize Florida's outdated energy savings practices; Docket No. 20200181; Modernize Florida's outdated energy savings practices; Docket No. 20200181 - Goals for Public Utilities; Goals for Electric Utilities Rule Development Workshop; Docket #20200181

Good afternoon,

Please place the attached emails in CORRESPONDENCE-Consumers & Representatives in docket 20200181.

Thank you,

Cristina Slaton

**EXECUTIVE ASSISTANT TO COMMISSIONER LA ROSA
PHONE ~ 850.413.6018
CSLATON@PSC.STATE.FL.US**

Antonia Hover

From: kraushouse5@everyactioncustom.com on behalf of POLLY KRAUS <kraushouse5@everyactioncustom.com>
Sent: Monday, February 15, 2021 7:53 PM
To: Office of Commissioner La Rosa
Subject: Docket No. 20200181; Modernize Florida's outdated energy savings practices

Dear Commissioner Mike La Rosa,

We know that energy efficiency is the quickest, cleanest, and cheapest way to meet our energy needs while also helping Floridians cut energy waste and save money on power bills. Helping hard-working families make their homes more efficient, safer, and secure also keeps energy dollars in local communities and drives economic growth and job creation.

Yet the practices the Commission relies upon in setting goals for the state's largest utilities haven't been modernized in almost 30 years – and that has led to Florida's largest power companies badly trailing leading utilities in the Southeast and across the nation in delivering energy savings to families and businesses. Most recently, economic screens - used only in Florida - like the 2-year screen and the Rate Impact Measure (RIM) test led to power companies proposing goals of zero. Your practices should not penalize efficiency measures that meaningfully reduce energy waste for homes or businesses. That doesn't serve the best interest of customers or the state.

Let's consider ways to encourage utilities to do more on efficiency, in particular for low-income customers.

You have a unique opportunity through this rulemaking process to reform practices so they reflect modern state industry standards. The scope of this rulemaking should be broad enough to inform you about approaches used in other states - and how they might be adapted for Florida.

A lot has changed in 30 years, our state rules on helping customers use energy smarter should keep up as well.

Sincerely,
POLLY KRAUS
Clearwater, FL 33764
kraushouse5@gmail.com

Antonia Hover

From: Cgerstle@everyactioncustom.com on behalf of Claude Gerstle
<Cgerstle@everyactioncustom.com>
Sent: Monday, February 15, 2021 6:07 PM
To: Office of Commissioner La Rosa
Subject: Docket No. 20200181; Modernize Florida's outdated energy savings practices

Dear Commissioner Mike La Rosa,

Florida is one of the most vulnerable states to the effect of global warming increasing the risk of flooding, damage from more severe hurricanes and increased energy demands in the summer due to higher temperatures. To adapt Florida will be adding millions of electric vehicles, not just cars but even heavy-duty trucks so our electric grid must not only be bidirectional but have management that can handle large load changes and resolve phase and frequency problems in a matter of milliseconds, not minutes. This should be the number one priority of the public service commission.

Part of our transportation sector is not amenable to electrification so we must develop a hydrogen-based economy as well. As more of our trash and biomass is utilized for hydrogen production those industries will at times have excess power and need to be able to sell it to the grid for a fair price. As more and more companies and individuals produce renewable energy the PSC has to oversee prices the utilities can charge for connection and transmission. It has to take into consideration the need for and value of battery storage attached to the grid especially in view of the severe energy shortage we saw this past week in the Midwest where solar panels were covered in snow and wind turbines produce and could not operate.

As we move to more solar capacity the PSC must make sure that our renewable portfolio is adequate in the winter when there is much less solar capacity availability.

Finally, the best way to keep people's electric bills low is for commercial buildings and residential structures to use energy most efficiently. The utilities should help ratepayers determine the most cost-effective ways to reduce their energy use. They need to identify buildings with above average power use and proactively help them find ways to reduce that usage.

The practices the Commission relies upon in setting goals for the state's largest utilities haven't been modernized in almost 30 years – and that has led to Florida's largest power companies badly trailing leading utilities in the Southeast and across the nation in delivering energy savings to families and businesses. Most recently, economic screens - used only in Florida - like the 2-year screen and the Rate Impact Measure (RIM) test led to power companies proposing goals of zero. Your practices should not penalize efficiency measures that meaningfully reduce energy waste for homes or businesses. That doesn't serve the best interest of customers or the state.

Let's consider ways to encourage utilities to do more on efficiency, in particular for low-income customers.

You have a unique opportunity through this rulemaking process to reform practices so they reflect modern state industry standards. The scope of this rulemaking should be broad enough to inform you about approaches used in other states - and how they might be adapted for Florida.

A lot has changed in 30 years, our state rules on helping customers use energy smarter should keep up as well.

Sincerely,
Claude Gerstle
Delray Beach, FL 33446
Cgerstle@alum.mit.edu

Antonia Hover

From: Achim Ginsberg-Klemmt <achim@srqus.com>
Sent: Monday, February 15, 2021 11:38 AM
To: Office of Commissioner La Rosa
Subject: Docket No. 20200181 - Goals for Public Utilities
Attachments: CommissionerLaRosa-GoalsForPublicUtilities.pdf

Please find attached a letter to Commissioner LaRosa.

Kind regards,

Achim Ginsberg-Klemmt

Achim Ginsberg-Klemmt, 3364 Tanglewood Drive, Sarasota FL 34239

Florida Public Service Commission
Commissioner Mr Mike LaRosa
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

Re. : Goals for Electric Utilities
Proposed amendment of Rule 25-17.0021, F.A.C. Docket No.20200181

Sarasota February 15th 2021

Dear Commissioner LaRosa,

Docket No. 20200181-EU is already filled to the rim with general admonishments towards the commission regarding the ~30 years of regulatory standstill affecting demand-side regenerative energy systems. This docket is also filled with well meant, general advice like *"Get it right !"*

I will make an attempt to be more specific in this letter.

On October 7th 2019, I spoke on behalf of 10 demand-side solar system owners to convince you to remove three senseless regulatory burdens for photovoltaic solar systems owners:

- We asked you to intervene against FPL's awkward established role as a corporate "regulator" who willfully cripples the capacity of demand-side solar net-metering systems.
- We asked you to remove the unjustifiable liability insurance requirement for solar systems larger than 10KW.
- We asked you to raise the "AS-AVAILABLE" tariff to include a just monetary compensation for greenhouse gas emissions

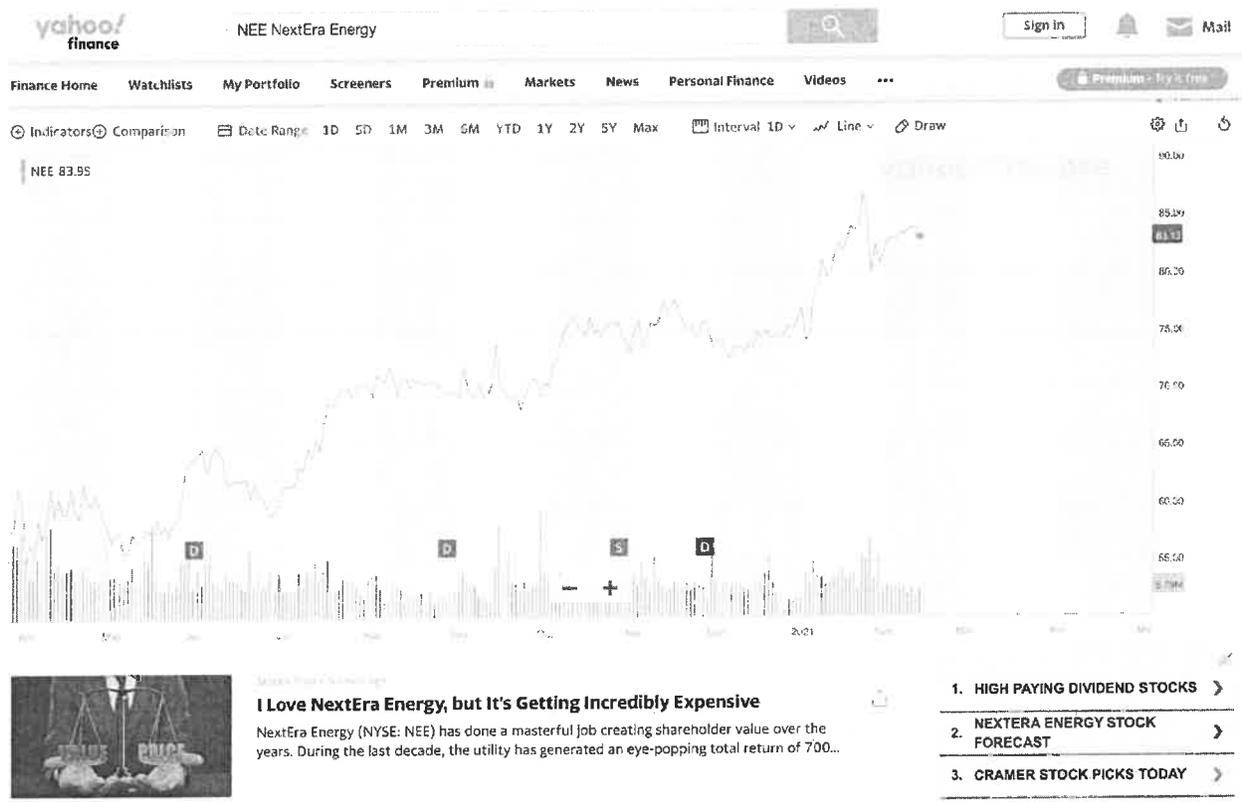
Commission Chairman Graham cut off my presentation after 4:31 minutes when I was about to show NextEra Energy's historical stock chart to you. I believe you had a

chance to review this chart a few months later as part of the appeal pleadings before the Florida Supreme Court;

https://efactssc-public.flcourts.org/casedocuments/2019/1873/2019-1873_brief_137046_appendix2damended2dmerit20brief.pdf

https://efactssc-public.flcourts.org/casedocuments/2019/1873/2019-1873_brief_137810_reply20amd20brief2dmerits.pdf

Even more interesting than the NEE historical stock chart before October 2019 is the newest historical NEE chart for the year 2020 during the epic economic downturn caused by the COVID-19 pandemic:



Yahoo Finance states: ***I Love NextEra Energy, but It's Getting Incredibly Expensive. NextEra Energy (NYSE: NEE) has done a masterful job creating shareholder value over the years. During the last decade, the utility has generated an eye-popping total return of 700%. Powering that market-crushing performance has been NextEra's peer-leading earnings-per-share growth of 8% compounded annually over the past decade versus less than 3%, on average, for the top 10 power companies, due in large part to its focus on renewable energy.***

As you most likely know, the Florida Supreme Court sided with you and your staff and threw out our cry for justice in case SC19-1873:

https://efactssc-public.flcourts.org/casedocuments/2019/1873/2019-1873_disposition_151223_d05.pdf

Florida Power & Light can feel vindicated now and continue to create shareholder value by openly hindering the general public who wants to save money and convert their homes into environmentally friendly Net-Zero energy homes.

NextEra Energy owns Florida Power & Light and Gulf Power and therefore controls the vast majority of Florida's electricity customers. The Florida Public Service Commission is supposed to be an economic regulator and not an environmental or a social regulator.

It is obvious to me and many other people that there is a direct correlation between NEE's stellar economic performance as an investor owned corporation and the current regulatory framework defined by the Florida Public Service Commission.

The upcoming Utility Rate Increases for Florida

Unfortunately, now Florida's electric utilities will be asking you to support a considerable electricity rate increases for the upcoming years:

<https://www.newsdaytonabeach.com/stories/fpl-outlines-plan-for-base-rate-increase.9323>

In the past, several commissioners argued that the net-metering tariffs for demand-side photovoltaic systems would constitute an unjustified "subsidy". The following paper substantiates why this is a baseless accusation:

https://elibrary.ferc.gov/eLibrary/filelist?document_id=14868899&accessionnumber=20200615-5083&fbclid=IwAR1RTyILpIs1ebPr2yxERF1uDF4DgOiVIOPFLskaXo9spuTjUcQJJRz9vow

How would you describe the common practice to pay FPL & NextEra Energy billions of dollars to buy or lease large tracts of land risk free so they can build their solar power plants?

Why don't you give these billions of dollars to Florida's farmers or Florida's families in need so THEY can buy a piece of land which THEY own and instead operate dual-purpose agri-solar farms for example?

Hypocritical, deceptive solar initiatives like FPL's "SolarTogether" aim to perpetuate the monopolistic status quo and are the exact opposite of what Floridian families, Florida's farmers and Florida's small business communities need. Authentic "Community Solar" projects are not owned by the utility corporations:

<https://www.solarunitedneighbors.org/learn-the-issues/community-solar/>

Today, demand-side solar installations do not accrue any land acquisition costs for the general rate payers, so from a pure economical standpoint this option should be more effective. Instead, the Public Service Commission perpetuates the archaic monopolistic market structure where everybody is forced to pitch in their hard earned dollars so FPL can buy more solar farm land for themselves to sell solar power to us. Let us produce solar electricity ourselves in an economically beneficial way!

Many intervenors on this docket suggest that preventing energy waste is the best and the most economical first step towards a greener and more energy efficient future and I fully agree. But once the HVAC ducts are fixed, the attic insulation installed and the single pane windows upgraded, the installation of solar thermal and photovoltaic solar systems at demand-side locations is the way to go for Florida. This commission should take a bold step away from protecting the shareholder value of NextEra Energy and help Florida's citizens and Florida's Farmers find their path from electricity consumers to **electricity producers** towards a carbon neutral future.

Liability Insurance Requirements for Solar Systems > 10KW

For the "Renewable Generation Workshop" on September 17th 2020, the attendance list included representatives from Florida Power & Light, Gulf Power, Duke & TECO, several representatives from the solar installation industry, two non-profit organizations from Tennessee (SACE) and Georgia (VoteSolar) and the Office of Public Counsel.

Floridian Solar System operators and owners were not represented there, but this was not the most noteworthy attribute of the "Renewable Generation Workshop". During the five minutes between 25:00 and 30:00, several commissioners inquired about the unnecessary insurance requirements for solar systems >10KW:
http://psc-fl.granicus.com/MediaPlayer.php?view_id=2&clip_id=3248&meta_id=3693725

The question was: ***“What liability does the insurance cover? What is the inherent risk? Is there one?”***

And the, for some people, astonishing answer from the FPSC staff was:
“I don’t believe there is; electrically.”

In summary: Florida’s solar net-metering customers are forced to pay for a liability insurance which does not cover any risk!

In July 2019, Commissioner Graham already admitted in his New York Times interview with Ivan Penn that the commission could do more regarding this irritating and counterproductive obstacle. (Exhibit F)

https://efactssc-public.flcourts.org/casedocuments/2019/1873/2019-1873_brief_137046_appendix2damended2dmerit20brief.pdf

So hopefully the time has come now during this rulemaking procedure to say goodbye to all liability insurance requirements for demand-side solar net-metering systems by setting the goal for the utilities to instantaneously abolish this nonsense.

AS-AVAILABLE compensation tariff does not account for Greenhouse Gas Emissions

Another important topic to address during this rule making procedure would be the “AS-AVAILABLE” energy tariff, which FPSC staff has also labeled as “wholesale” tariff.

Florida Statute 366.82 (3) *Definition; goals; plans; programs; states:*
*[..]In developing the goals, the commission shall evaluate the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems . In establishing the goals, the commission **shall** take into consideration:*
(d) The costs imposed by state and federal regulations on the emission of greenhouse gases . (emphasis added)

Unfortunately, the respective rule 25-17.0825 established by this commission to promulgate Florida Statute 366.82 (3)(d) does not take the emissions of greenhouse gases into consideration as required by the above statute:

25-17.0825 As-Available-Energy:

(1) [...]As-available energy sold by a qualifying facility shall be purchased by the utility at a rate, in cents per kilowatt-hour, not to exceed the utility's avoided energy cost . [...]

(3)(c) For qualifying facilities with standard kilowatt-hour meters, monthly payments for as-available energy shall be calculated based on the average of the utility's actual hourly avoided energy rate for the off-peak periods during the month.

I believe a good start would be to address this problem by setting numeric goals in US\$ for Florida's electric utilities during this rulemaking proceeding. In doing so, require the utilities to take greenhouse gas emissions into consideration as required by F.S. 366.82 (3)(d) for all electricity compensation tariffs, but especially for the As-Available-Energy tariff.

As a third electric utility goal suggestion, I respectfully suggest that this honorable commission bars Florida's electric utilities from willfully downsizing proposed photovoltaic solar systems during the permitting process below 90% of the permitted electric panel rating at the meter location. Furthermore, the FPSC must bar these electric utility corporations from limiting the requested inverter size to facilitate future solar system upgrades to larger photovoltaic capacities.

Sincerely,



Achim Ginsberg-Klemmt, Dipl. Ing. (FH)
3364 Tanglewood Drive
Sarasota FL 34239
Email: achim@srqus.com
Phone: (941) 923-2419

<https://pv-magazine-usa.com/2020/05/21/florida-man-takes-fpl-to-court-alleging-the-utility-acts-like-a-net-metering-regulator/>

Antonia Hover

From: Alvi, Beth <Beth.Alvi@audubon.org>
Sent: Monday, February 15, 2021 3:31 PM
To: Records Clerk; Office of Chairman Clark; Office of Commissioner Graham; Office of Commissioner Brown; Office of Commissioner Fay; Office of Commissioner La Rosa
Cc: Wraithmell, Julie; David Glassner
Subject: Goals for Electric Utilities Rule Development Workshop; Docket #20200181
Attachments: AF FEECA Letter w sign ons.pdf

Dear Public Service Commission and Staff,
Please accept Audubon Florida's comments on the FEECA rulemaking workshop. Thank you for the opportunity to provide input. Please let us know if we can provide additional information.

Regards,
Beth Alvi

Elizabeth Alvi
Director of Policy
W:850-999-1028
C:850-591-9784 (call/text)
balvi@audubon.org

Audubon Florida
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Tallahassee, FL 32301
FL.Audubon.org



Audubon | FLORIDA

February 15, 2021

Chairman Gary F. Clark
Commissioner Julie I. Brown
Commissioner Art Graham
Commissioner Andrew G. Fay
Commissioner Mike La Rosa

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Goals for Electric Utilities Rule Development Workshop; Docket #20200181

Dear Florida Public Service Commission and Staff,

Audubon Florida and the undersigned Audubon chapters appreciate the Commission and Staff's efforts to address the Florida Energy Efficiency and Conservation Act (FEECA) in the January 14, 2021 workshop.

Audubon Florida has a 120-year history of advocating for environmental protections and conservation policies based on sound science. Our dedicated advocates, including the undersigned chapter leaders, recognize that achieving our conservation goals is only possible if we mitigate the impacts of climate change and work towards more equitable communities. The opportunity to amend the FEECA rule is central to these issues.

We urge the Commission to direct staff to expand the rulemaking scope to include the entirety of FEECA. We ask that the Commission utilize 3rd parties for feasibility and market potential studies; employ alternate cost-effectiveness tests to assess DSM programs; develop an incentive structure for energy efficiency goals; and set energy efficiency goals at higher rates.

3rd Party Studies

Rather than instructing utilities to conduct their own potential studies, the Commission should order a statewide feasibility and market potential study conducted by a neutral 3rd party answerable to the commission to inform energy efficiency goals, which would ensure greater consistency across utilities. Additionally, the Commission should convene a transparent stakeholder process to establish baseline input assumptions for the study through a process of mutual agreement between staff, economists, academics, and regulatory professionals.

Adapt Economic Tests of Cost-Effectiveness of DSM Programs

Florida is the only state that relies on the Rate Impact Measure (RIM) test as the primary method for determining cost-effectiveness of demand-side management (DSM) programs. The RIM Test is deeply flawed. We recommend the Commission follow the lead of leading energy efficiency states in adopting the Total Resource Cost test as the primary cost-effectiveness test or at a minimum open a transparent

stakeholder process to review the established cost-effectiveness testing methods and determine the best path for Florida to achieve the goals of FEECA: to decrease consumption and improve efficiency.

Use of the Participant Cost Test (PCT) should also be reviewed to ensure achievement of energy efficiency. By limiting projects to those outside the 2-year payback window, customers are unable to implement rapid, proven measures that advance FEECA's intended goals and targets.

Align Incentives to Reach Energy Efficiency Goals

Amendments to the FEECA rule should seek to better align utility, consumer and conservation interests by following industry best practices including decoupling and establishing performance-based metrics and incentives for utilities' energy efficiency and conservation efforts. Utilities provide a necessary public service; their dedication to its improvement should be rewarded.

By adopting efficiency best practices that have been implemented in other states currently exceeding the national average in energy efficiency and conservation goals, the commission can establish mutually beneficial results for utility shareholders and ratepayers.

Set Energy Efficiency Goals at Higher Rates

Using the above recommendations, Audubon Florida asks that the Commission only approve utility energy efficiency goals at rates closer to 1% than 0%. While Florida sits at the bottom of the list in energy efficiency and conservation, other states are improving year-over-year. With support from the Commission and Staff in implementing the aforementioned amendments to the rule, Florida can rise through the ranks. By establishing meaningful savings targets, the Commission can help reduce energy and natural resource waste, lower system peak usage and costs, spur local job growth, save consumers money, and realize significant environmental benefits for all Floridians.

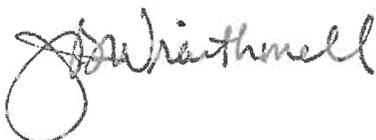
Conclusion

Utilities are tasked with simultaneously improving and expanding service to their customers and returning benefit to their shareholders. With the above recommendations, the Commission and the utilities will gain the capacity and security needed to set – and achieve – energy efficiency and conservation goals near 1%, while providing benefit to all stakeholders and ratepayers.

Energy efficiency efforts have lasting positive economic impacts, from reducing customers' bills to creating jobs. With the ongoing effects of the pandemic, Floridians need cost savings now more than ever. Additionally, robust energy efficiency programs are integral to emissions mitigation. Energy conservation decreases the peak demand that utilities must provide; reducing consumption lessens emissions from both traditional and renewable energy generation and protects our natural resources.

A modernized FEECA rule can provide jobs, clean air and water, and economic and natural resilience. Thank you for ensuring Florida can be a leader in this essential work.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Wraithmell". The signature is fluid and cursive, with a large loop at the end.

Julie Wraithmell
Executive Director

Bev Hansen,
President,
Hernando Audubon Society

Anne Casella
Conservation Chair
Alachua Audubon

Bill and Marsha Cox
Co-Presidents
Southeast Volusia Audubon Society

Scott Zucker
President
Audubon Everglades

Paola Ferreira
Executive Director
Tropical Audubon

Valerie Thomas
Co-President
Four Rivers Audubon

Gerri Reaves
President
Audubon of Southwest Florida

Steve Buczynski
President
Hendry/Glades Audubon

Phyllis Hall
President and Conservation Chair
Seminole Audubon Society

Martin Schwartz
President
Marion Audubon Society

Michael Brower
President
Francis M. Weston Audubon Society

Richard Baker, Ph.D.
President
Pelican Island Audubon Society

John Nelson
President
Audubon of Martin County

Donna Legare
President
Apalachee Audubon

David Hartgrove
President & Conservation Chair
Halifax River Audubon

Dan Savercool, CSE, CERP
President
St. Petersburg Audubon Society

Carol Bailey-White
President
Duval Audubon Society

Stephanie Gaspar
President
Kissimmee Valley Audubon Society

Arnette Sherman
President
West Volusia Audubon Society, Inc

Sallie Carlock
President
Santa Fe Audubon Society

Mary Keith
President
Tampa Audubon

Kim Begay
Vice President and Conservation Chair
Clearwater Audubon

Jim Stahl
President
Space Coast Audubon

Deborah Green
President
Orange Audubon

Katherine Prophet
President
Manatee Audubon

Lynn Marcoux
Co-President
Bay County Audubon

Jack Foard
President
Venice Area Audubon

Christine Rowland
President
West Pasco Audubon

Simona Burshteyn
President
South Florida Audubon