



June 21, 2021

VIA ELECTRONIC FILING

Adam J. Teitzman
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 20210015-EI - Petition for rate increase by Florida Power Light & Company.

Dear Mr. Teitzman,

On behalf of Intervenor League of United Latin American Citizens of Florida, I have enclosed the testimony of David Sinclair. Please file these documents in Docket No. 20210015-EI. Please contact me if there are any questions regarding this filing.

/s/ Bradley Marshall

Bradley Marshall (FL Bar No. 0098008)
bmarshall@earthjustice.org

Jordan Luebkekmann (FL Bar No. 1015603)
jluebkekmann@earthjustice.org
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee, Florida 32301
(850) 681-0031
(850) 681-0020 (facsimile)

Christina I. Reichert (FL Bar No. 0114257)
Earthjustice
4500 Biscayne Blvd., Ste. 201
Miami, Florida 33137
(305) 440-5437
(850) 681-0020 (facsimile)

***Counsel for League of United Latin American
Citizens of Florida***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served on this 21st day of June 2021, via electronic mail on:

<p>Thomas A. Jernigan Holly L. Buchanan Robert J. Friedman Arnold Braxton Ebony M. Payton 139 Barnes Drive, Suite 1 Tyndall Air Force Base thomas.jernigan.3@us.af.mil holly.buchanan.1@us.af.mil robert.friedman.5@us.af.mil arnold.braxton@us.af.mil ebony.payton.ctr@us.af.mil ULFSC.Tyndall@us.af.mil</p>	<p>R. Wade Litchfield John T. Burnett Russell Badders Maria Jose Moncada Ken Rubin Joel T. baker Florida Power & Light Co. 700 Universe Blvd. Juno Beach, FL 33408-0420 wade.litchfield@fpl.com john.t.burnett@fpl.com russell.badders@nexteraenergy.com maria.moncada@fpl.com ken.rubin@fpl.com joel.baker@fpl.com</p>
<p>Biana Lherisson Jennifer Crawford Shaw Stiller Suzanne Brownless Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 blheriss@psc.state.fl.us jcrawfor@psc.state.fl.us sstiller@psc.state.fl.us sbrownle@psc.state.fl.us</p>	<p>Richard Gentry Parry A. Christensen Charles Rehwinkel Anastacia Pirrello Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 gentry.richard@leg.state.fl.us christensen.patty@leg.state.fl.us rehwinkel.charles@leg.state.fl.us pirrello.anastacia@leg.state.fl.us</p>
<p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. 118 North Gadsden St. Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com mqalls@moylelaw.com</p>	<p>James W. Brew Laura Wynn Baker Joseph R. Briscar Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson St., NW Suite 800 West Washington, D.C. 20007 jbrew@smxblaw.com lwb@smxblaw.com jrb@smxblaw.com</p>

<p>Kenneth Hoffman 134 West Jefferson St. Tallahassee, FL 32301-1713 ken.hoffman@fpl.com</p>	<p>George Cavros 120 E. Oakland Park Blvd., Suite 105 Fort Lauderdale, FL 33334 george@cavros-law.com</p>
<p>William C. Garner Law Office of William C. Garner, PLLC The Cleo Institute Inc. 3425 Bannerman Road Unit 105, #414 Tallahassee, FL 32312 Email: bgarner@wcglawoffice.com</p>	<p>Katie Chiles Ottenweller1 Southeast Director Vote Solar 838 Barton Woods Road Atlanta, GA 30307 Email: katie@votesolar.org Phone: 706.224.8107</p>
<p>Nathan A. Skop, Esq. 420 NW 50th Blvd. Gainesville, FL 32607 Phone: (561) 222-7455 E-mail: n_skop@hotmail.com</p>	<p>Stephanie U. Eaton Spilman Thomas & Battle, PLLC 111 Oakwood Dr., Suite 500 Winston-Salem, NC 27103 seaton@spilmanlaw.com</p>
<p>Barry A. Naum Spilman Thomas & Battle, PLLC 110 Bent Creek Blvd., Suite 101 Mechanicsburg, PA 17050 bnaum@spilmanlaw.com</p>	<p>Robert Scheffel Wright John T. LaVia, III 1300 Thomaswood Dr. Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p>

DATED this 21st day of June, 2021.

/s/ Bradley Marshall
Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase)
 by Florida Power & Light) DOCKET NO. 20210015-EI
 Company)**

**DIRECT TESTIMONY
OF DAVID SINCLAIR
ON BEHALF OF
LEAGUE OF UNITED LATIN AMERICAN
CITIZENS OF FLORIDA**

June 21, 2021

1 **Q. Please state your name.**

2 A. David Sinclair.

3 **Q. What organization are you speaking on behalf of?**

4 A. The League of United Latin American Citizens.

5 **Q. How long have you been involved in the organization?**

6 A. I have been a member for 12 years.

7 **Q. What is your position in the organization?**

8 A. I am the Chair of the Environment and Climate Issues Committee for LULAC Florida.

9 **Q. What are your duties in that position?**

10 A. I inform LULAC members in Florida about environmental and climate issues so that they
11 can make correct decisions as advocates for themselves and other people. I share information
12 that is publicly available and inform members about the best choices available regarding
13 environmental and climate policy and try to create spaces for LULAC members and the
14 public to explore the interconnections between ideas of civil rights and justice on the one
15 hand, with climate, energy, and environmental policies on the other. I also coordinate
16 LULAC's engagement in matters of energy policy.

17 **Q. What does your organization think of FPL?**

18 A. LULAC Florida is concerned about FPL's desire to increase rates. Customers who will be
19 affected by the rate increase need to have a voice in this decision-making process.

20 **Q. Based on information provided by FPL, the base rate for electricity is projected to**
21 **increase by about 20%. How would FPL's proposed rate increase impact the members**
22 **of your organization?**

23 A. LULAC's members generally have low to moderate income levels. The rate increase
24 would add to the already high energy burdens of communities of color and would force
25 families to make difficult decisions in their spending. Many LULAC members would have to

1 spend less on other essential goods, like food and medicine. The rate increase would
2 negatively impact the quality of life of many members by exacerbating the economic
3 insecurity they felt during the pandemic.

4 **Q. Is your organization concerned about climate change?**

5 **A.** Yes. We are passionate about this issue because climate change impacts members and
6 affects communities of color, who are underrepresented in decision-making related to climate
7 issues. Climate change will make it harder to live in Florida. Increasing temperatures pose a
8 health risk to those who work outdoors, like farmworkers, and will force Floridians to use
9 more air conditioning and therefore increase their electricity bill. Increased hurricane
10 intensity will cause more flooding and further saltwater intrusion into drinking water sources.
11 The emissions from gas power plants not only contribute to climate change but also
12 adversely impact the health of the surrounding communities. LULAC Florida advocates for
13 just living and aims to secure the needs of its members. Our organization is in favor of a
14 sensible transition to clean, renewable energy.

15 **Q: Based on information provided by FPL, part of this rate increase will pay for new or**
16 **upgraded methane gas power plants. Does your organization believe this will have an**
17 **impact on the climate?**

18 **A.** Yes. These plants will emit a significant amount carbon dioxide, contributing to further
19 climate change. The communities that surround power plants, which are disproportionately
20 low-income communities of color, will be harmed by such emissions more directly. These
21 plants create an environment that is not conducive to health.

22 **Q. What is the mission of your organization?**

23 **A.** The mission of LULAC is to advance the economic condition, educational attainment,
24 political influence, housing, health, and civil rights of the Hispanic population of the United
25 States.

1 **Q. How is the purpose of your organization being served by participating in this**
2 **proceeding?**

3 **A.** The rate increase would adversely impact the economic condition of members because it
4 would be difficult for a majority of LULAC members, who have low to moderate incomes, to
5 pay about 20% more for electricity. As temperatures rise, members will already have to
6 spend more to cool their homes. By participating in this proceeding, we are protecting the
7 health of members, which would be affected by excess greenhouse gas emissions from power
8 plants. LULAC is seeking to protect members' housing by preventing further climate change,
9 which has increased storm intensity. In this proceeding, LULAC is advancing the civil rights
10 of its members by giving them a voice in the decision-making process, the result of which
11 will affect their way of life.

12 **Q. Will a substantial number of your organization's members be substantially affected**
13 **by the Commission's decision in this proceeding? How do you know?**

14 **A.** Yes. Most members do not have the economic flexibility to pay a 20% increase on their
15 electricity bill. Their energy burdens are already high. Many members haven't been able to
16 pay their bills on time and are in danger of being disconnected. I know how members would
17 be affected because we have district membership gatherings, in which we share about issues
18 related to climate. Additionally, council members from other districts share information with
19 me about how their members are doing.

20 **Q. How is the subject matter of this proceeding within your organization's general**
21 **scope of interest and activity?**

22 **A.** Protecting the wellbeing of our members is our top priority. The rate increase would place
23 a heavy financial burden on our members. FPL's investment of this extra revenue in fossil
24 fuel generation will contribute further to climate change, which harms our members in
25 Florida.

1 **Q. Why is the relief requested in this proceeding appropriate for your organization to**
2 **receive on behalf of its members?**

3 **A.** Because LULAC is a member-driven nonprofit, advocacy for members is indispensable.
4 We have the responsibility to promote LULAC's mission by participating in this proceeding
5 and speaking on behalf of our membership.

6 **Q. How has your organization engaged with utility matters in the past?**

7 **A.** LULAC has engaged in several energy and utility related issues in recent years, both by
8 getting involved with dockets at the PSC, where we have offered testimony and comments
9 from our members about the importance of energy efficiency, the need to protect people from
10 disconnections during the COVID-19 pandemic, and the need for community solar programs
11 to actually benefit the community, particularly low-income customers and communities of
12 color. Outside the PSC, LULAC has engaged with its members and other environmental and
13 equity focused organizations to coordinate strategies to support a just transition away from
14 fossil energy.

15 **Q. Why has it done so?**

16 **A.** People must have the right to access electricity and to live in a healthy environment with a
17 safe climate. Utility decisions about how to produce electricity and what to charge for it
18 strongly affect the economic condition, health, and futures of our members. Therefore,
19 LULAC sees engaging in these topics as an important part of its core mission.

20

21

22

23

24

25