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FPSC - COMMISSION CLERK

August 24, 2021

**VIA ELECTRONIC FILING**

Adam Teitzman, Commission Clerk  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No 20210015-EI  
Petition by FPL for Base Rate Increase and Rate Unification

Dear Mr. Teitzman:

Enclosed for filing on behalf of Florida Power and Light Company ("FPL") is a Notice of Additional Settlement Parties and a Memorandum of Understanding ("MOU") by and between FPL, Vote Solar, and the CLEO Institute. In consideration of the MOU, Vote Solar and the CLEO Institute have executed the attached signature pages to the Stipulation and Settlement Agreement that FPL filed with the Commission on August 10, 2021 and are now parties to the Stipulation and Settlement Agreement. Please note that FPL is not requesting that the Commission take any action with respect to the MOU, and the MOU does not modify the Stipulation and Settlement Agreement in any way.

Please contact me if you have any questions regarding this submission.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Wade Litchfield', is written over a horizontal line.

R. Wade Litchfield  
Vice President & General Counsel  
Florida Power & Light Company

RWL:ec  
cc: Counsel of Record

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company  
for Rate Unification and for Base Rate Increase

Docket No: 20210015-EI  
Date: August 24, 2021

**FLORIDA POWER & LIGHT COMPANY'S  
NOTICE OF ADDITIONAL SETTLEMENT PARTIES**

Florida Power & Light Company ("FPL") hereby files this notice of additional settlement parties and states as follows:

1. In consideration of the Memorandum of Understanding attached hereto as Attachment A, Vote Solar and the CLEO Institute have executed the attached signature pages to the Stipulation and Settlement Agreement that FPL filed with the Commission on August 10, 2021 and are now parties to the Stipulation and Settlement Agreement.
2. FPL is not requesting that the Commission take any action with respect to the MOU, and the MOU does not modify the Stipulation and Settlement Agreement in any way.
3. FPL respectfully requests that the Commission accept the signature pages included herewith as Attachment B as additional attachments to the Stipulation and Settlement Agreement that FPL and the original Signatories filed as Attachment I to the August 10, 2021 Joint Motion for Approval of Settlement Agreement.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: /s/ R. Wade Litchfield

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**CERTIFICATE OF SERVICE**  
**20210015-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail this 24<sup>th</sup> day of August 2021 to the following parties:

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By: /s/ R. Wade Litchfield

R. Wade Litchfield

Authorized House Counsel No. 0062190

# **ATTACHMENT A**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Rate Unification and for Base  
Rate Increase

Docket No: 20210015-EI  
Date: August 24, 2021

**MEMORANDUM OF UNDERSTANDING**

WHEREAS, Florida Power and Light Company (“FPL” or the “Company”) has entered into the 2021 Settlement Agreement with the Office of Public Counsel (“OPC”), the Florida Retail Federation (“FRF”), the Florida Industrial Power Users Group (“FIPUG”), and the Southern Alliance for Clean Energy (“SACE”) (collectively, the “Signatories”); and

WHEREAS, the Signatories have petitioned the Florida Public Service Commission (“Commission”) for approval of the 2021 Settlement Agreement; and

WHEREAS, FPL has engaged in confidential discussions with Vote Solar and the CLEO Institute (“CLEO”) (collectively referred to herein as the “Counterparties”) regarding the 2021 Settlement Agreement; and

WHEREAS, the Counterparties have taken positions adverse to FPL in Docket Number 20210015-EI; and

WHEREAS, FPL and the Counterparties have entered into this Memorandum of Understanding (“MOU”) in compromise of positions they have taken with respect to their rights and interests under Chapters 350, 366 and 120, Florida Statutes, as applicable, in regards to the issues in this docket, including the 2021 Settlement Agreement; and

WHEREAS, in order to facilitate the Commission’s consideration of the 2021 Settlement Agreement, the Counterparties have agreed to sign the 2021 Settlement Agreement and become parties thereto in consideration for the commitments FPL has agreed to in this Memorandum of Understanding.

NOW THEREFORE, in consideration of the foregoing, FPL and the Counterparties agree that:

1. Within 180 days of the final written Commission order approving the 2021 Settlement Agreement, FPL will deploy a pilot program to test FPL's and the FPL system's capability of implementing onsite renewable energy with storage to provide "islandable" back-up power for schools, in low-income areas, that serve as shelters during emergencies. The practical value, viability and cost-effectiveness of this type of project are unknown and it is the purpose of this pilot project to gain information and learnings that could inform a future decision of whether or not further similar projects should be pursued. As part of this pilot, FPL will test whether electric school buses could potentially help provide backup power to such schools in emergencies, utilizing the electric vehicle programs in the 2021 Settlement Agreement, where applicable, to help achieve this goal. In this pilot, FPL commits to issuing request for proposals to obtain pricing from qualified vendors for any engineering, procurement, and construction needed for this pilot. FPL agrees to work with the Counterparties to evaluate whether state or federal funding is applicable for the pilot. The cost of this pilot will not exceed \$5 million, net of any state or federal funding that may be obtained.
2. Recognizing that FPL currently has a policy in place to suspend disconnections of power for non-payment in areas where extremely hot temperatures are expected, FPL agrees, for the term of the 2021 Settlement Agreement, to not disconnect power for nonpayment of bills for any

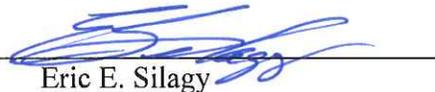
customer in an FPL operational district with a forecasted 95 degree temperature for the day, based on FPL's meteorological forecasts, or where a heat advisory is issued by the National Weather Service. FPL and the Counterparties acknowledge that this change in FPL's existing policy is a pilot to determine whether changes should or should not be made to that policy in the future.

3. Recognizing that FPL currently has a policy in place to suspend disconnections of power for non-payment in areas where extreme cold temperatures are expected, FPL agrees, for the term of the 2021 Settlement Agreement, to not disconnect power for nonpayment of bills for any customer in an FPL operational district with a forecasted temperature of 32 degrees for the day, based on FPL's meteorological forecasts. FPL and the Counterparties acknowledge that this change in FPL's existing policy is a pilot to determine whether changes should or should not be made to that policy in the future.
4. FPL takes the threat of approaching hurricanes or tropical storms impacting customers seriously and has a current policy to suspend disconnections for nonpayment in areas that are impacted by extreme weather. Once the Company makes a decision to mobilize resources to respond to a storm, FPL commits, for the term of the 2021 Settlement Agreement, to suspending disconnections for non-payment for customers in operational areas projected to be impacted and agrees to not resume such disconnections until the impacted areas are safely operating and restoration is complete.

5. FPL will seek input from the Signatories, including the Counterparties, in advance of the next Commission energy efficiency and demand-side management goal setting proceeding. Specifically, prior to FPL submitting its list of measures for consideration in the state-wide assessment of technical potential, FPL will meet with and consider input from the Signatories.
6. FPL agrees to work with the Counterparties to identify and deploy mutually agreeable research and development pilots designed to expand energy efficiency and demand response offerings to schools to help them reduce energy bills under FPL's Commission-approved Conservation Research and Development program during the term of the 2021 Settlement Agreement.
7. FPL and the Counterparties, as signatories to the 2021 Settlement Agreement and this MOU, agree that they will support the 2021 Settlement Agreement and this MOU and will not request or support any order, relief, outcome or result in conflict with the terms of this MOU in any administrative or judicial proceeding relating to, reviewing or challenging the establishment, adoption or implementation of this MOU.
8. Nothing in this MOU shall have any precedential value.

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By: \_\_\_\_\_



Eric E. Silagy  
President & CEO

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William C. Garner

**CERTIFICATE OF SERVICE**  
**20210015-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 24<sup>th</sup> day of August, 2021 to the following parties:

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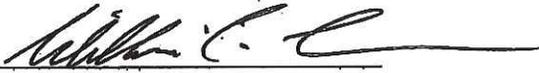
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# **ATTACHMENT B**

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