

**Antonia Hover**

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**From:** Ellen Plendl  
**Sent:** Wednesday, February 2, 2022 8:38 AM  
**To:** Consumer Correspondence  
**Cc:** Shonna McCray  
**Subject:** Docket No. 20210015  
**Attachments:** Consumer Inquiry - Florida Power & Light Company; FW Letter from Mike Papantonio

See attached customer correspondence and FPSC reply for Docket No. 20210015.

## Antonia Hover

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**From:** Shonna McCray  
**Sent:** Wednesday, February 2, 2022 8:35 AM  
**To:** 'dbailey@levinlaw.com'  
**Cc:** Ellen Plendl  
**Subject:** Consumer Inquiry - Florida Power & Light Company

Ms. Diana Bailey  
dbailey@levinlaw.com

RE: FPSC Inquiry 1388885C

Dear Ms. Bailey:

This is in response to Mr. Mike Papantonio's correspondence to the Florida Public Service Commission (PSC) regarding Florida Power & Light Company (FPL). We appreciate the opportunity to respond directly to you and Mr. Papantonio.

When a utility company files an application for a rate increase with the FPSC, it must explain the need for the requested increase. Its petition must be accompanied by minimum filing requirements (MFRs), which are schedules and reports containing the operation, financial, economic, and rate information needed by the FPSC staff to evaluate the company's revenue increase request, rate structure, and quality of service. The company's proposal and financial information are closely analyzed before a Commission decision is made.

The utility also forecasts how much money is needed to cover its expenses in the next year. This includes a proposed return on its investment in assets used to provide service to its customers (such as power plants, electric lines, or gas mains), which the utility uses to pay interest on money it borrows and to compensate investors. The utility must also propose the classes of customers that will pay for the increase, usually categorized as residential, commercial, and industrial.

The utility application, the technical hearing and service hearing testimony and exhibits become part of the case record that Commissioners use to make decisions about the case.

FPSC staff makes a detailed review and analysis of the entire record and files a recommendation with the FPSC's Clerk detailing the staff's adjustments to the company's petition.

The Commissioners review the information, based on the record, and make their decisions about the case in an open meeting through a written "order."

After the FPSC's order is issued, any party may ask the Commission to reconsider its decision on the issues. After the reconsideration, the Public Counsel, the utility, or any other party involved in the proceeding may appeal the Commission's decision to the Florida Supreme Court.

On October 26, 2021 the FPSC approved a four-year rate settlement for FPL, reflecting an almost 40 percent reduction in its original rate revenue request for 2022. Parties to the settlement, filed on August 9, 2021, include the Office of Public Counsel, representing customers, the Florida Retail Federation; the Florida Industrial Power Users Group; and the Southern Alliance for Clean Energy.

As part of the evaluation process for FPL's rate request, the FPSC conducted 12 virtual service hearings in June and July to allow feedback from FPL and Gulf Power customers about utility service and the rate-setting process.

The settlement agreement reduces FPL's original revenue petition from \$1.1 billion to \$692 million in 2022 and from \$605 million to \$560 million in 2023. The utility's proposed return on equity midpoint was reduced from 11.5 to 10.6 percent.

You may review all the information filed for Commission consideration in docket 20210015 by accessing the FPSC website at <http://www.floridapsc.com>. Under the Clerk's Office tab at the top of the page, click on Dockets. Type in the docket number 20210015. Click the Search button. Then select Document Filings Index for a list of all filings in the docket. This procedure allows you to view all of the information filed by the utility and other parties in the docket.

We will add Mr. Papantonio's correspondence to Docket No. 20210015, regarding FPL's petition.

If you have any questions, please contact Ms. Ellen Plendl at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Shonna McCray  
Regulatory Program Administrator  
Florida Public Service Commission

## Antonia Hover

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**From:** Shonna McCray  
**Sent:** Wednesday, February 2, 2022 8:36 AM  
**To:** Ellen Plendl  
**Subject:** FW: Letter from Mike Papantonio  
**Attachments:** PSCreRateIncreases.pdf

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**From:** Diana Bailey <[dbailey@levinlaw.com](mailto:dbailey@levinlaw.com)>  
**Sent:** Tuesday, February 01, 2022 6:56 PM  
**To:** Shonna McCray <[SMcCray@PSC.STATE.FL.US](mailto:SMcCray@PSC.STATE.FL.US)>  
**Subject:** Letter from Mike Papantonio

Letter dated February 1, 2022 from Mike Papantonio to Florida Public Service Commission is attached.

**Diana L. Bailey**, Executive Assistant to  
Mike Papantonio, Attorney at Law  
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**LEVIN PAPANTONIO RAFFERTY**

**Proctor | Buchanan | O'Brien  
Barr | Mougey | P.A.**

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(LICENSED ONLY IN WASHINGTON, D.C.  
AND MARYLAND)  
LEFFERTS L. MABIE, JR. (1925-1996)  
D.L. MIDDLEBROOKS (1926-1997)  
DAVID H. LEVIN (1928-2002)  
STANLEY B. LEVIN (1938-2009)  
FREDRIC G. LEVIN (1937-2021)

February 1, 2022

Florida Public Service Commission  
Attention: Shonna McCray  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Ms. McCray:

We are being covered up with folks in Escambia and Santa Rosa Counties who want us to sue both DeSantis and the Public Service Commission Board for the unconscionable rate increases residents in North Florida are now experiencing.

Trust me, I understand all the limitations on us in our ability to bring a suit, however, please understand we have a long history of innovative lawyering. My end goal is to engage in discovery where that discovery is made public about how the Public Service Commission and the Governor allowed these energy corporation bandits to pillage North Florida.

Please consider this your first wakeup notice from us. I recommend you send this up the food chain and understand that you are creating the perfect storm for a potential political disaster in North Florida for our Governor who, by the way, I support and admire. However, we are more than willing to launch a massive TV and radio effort to tell the story about how he has allowed energy industry robber barons to descend on all of us.

Sincerely,



Mike Papantonio

cc: Sue Straughn WEAR TV  
[sstraughn@sbgvtv.com](mailto:sstraughn@sbgvtv.com)