

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of 2022-2031 Storm : **DOCKET NO. 20220048-EI**
Protection Plan pursuant to Rule 25-6.030, :
F.A.C., Tampa Electric Company. :

In re: Review of 2022-2031 Storm : **DOCKET NO. 20220050-EI**
Protection Plan pursuant to Rule 25-6.030, :
F.A.C., Duke Energy Florida, LLC. :

In re: Review of 2022-2031 Storm : **DOCKET NO. 20220051-EI**
Protection Plan pursuant to Rule 25-6.030, :
F.A.C., Florida Power & Light Company. :

Filed: July 13, 2022

**PREHEARING STATEMENT OF
WALMART INC.**

Pursuant to Florida Public Service Commission's ("Commission") Order No. PSC-2022-0119-PCO-EI, issued March 17, 2022, Walmart Inc. ("Walmart") files its Prehearing Statement.

I. APPEARANCES

Stephanie U. Eaton
SPILMAN THOMAS & BATTLE, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 631-1062
Fax: (336) 725-4476
E-mail: seaton@spilmanlaw.com

II. WITNESSES

Walmart does not plan to call any witnesses at this time.

III. EXHIBITS

Walmart does not plan to offer any exhibits at this time, but may introduce exhibits during the course of cross-examination.

IV. WALMART'S STATEMENT OF BASIC POSITION

The Commission should carefully consider whether the Storm Protection Plans ("SPPs") proposed by Tampa Electric Company ("TECO"), Duke Energy Florida, LLC ("DEF"), and Florida Power & Light Company ("FPL") (collectively, "Companies") are in the public interest. The Florida Legislature determined that there are four (4) factors the Commission must consider when determining whether to approve, approve with modifications, or deny SPPs. These factors include the extent to which the SPP will reduce restoration costs and power outage times, how practical a certain location selected for transmission and distribution ("T&D") infrastructure is relative to the utility's service territory, the cost/benefit to customers, and the impact on customers' bills. F.S. § 366.96(4)(a)-(d).

Walmart believes it would be in the public interest for the Commission to direct that the Companies continue to collaborate with Walmart and other interested stakeholders during the interim period before their next required updated SPPs to develop ways in which customer-sited generation may be utilized as part of the SPP in order to strengthen the T&D systems and provide customers with lower restoration costs, shorter outage periods, and more reliable electric service overall.

V. ISSUES

Issue 1: Does the Company's Storm Protection Plan contain all of the elements required by Rule 25-6.030, Florida Administrative Code?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart takes no position at this time.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. **Docket No. 20220050-EI for DEF's Storm Protection Plan.**

Position: Walmart takes no position at this time.

d. **Docket No. 20220049-EI for FPL's Storm Protection Plan.**

Position: Walmart takes no position at this time.

Issue 2: **To what extent is the Company's Storm Protection Plan expected to reduce restoration costs and outage times associated with extreme weather events and enhance reliability?**

a. **Docket No. 20220048-EI for TECO's Storm Protection Plan.**

Position: Walmart takes no position at this time.

b. **Docket No. 20220049-EI for FPUC's Storm Protection Plan.**

Position: Walmart is not a party in this docket.

c. **Docket No. 20220050-EI for DEF's Storm Protection Plan.**

Position: Walmart takes no position at this time.

d. **Docket No. 20220049-EI for FPL's Storm Protection Plan.**

Position: Walmart takes no position at this time.

Issue 3: **To what extent does the Company's Storm Protection Plan prioritize areas of lower reliability performance?**

a. **Docket No. 20220048-EI for TECO's Storm Protection Plan.**

Position: Walmart takes no position at this time.

b. **Docket No. 20220049-EI for FPUC's Storm Protection Plan.**

Position: Walmart is not a party in this docket.

c. **Docket No. 20220050-EI for DEF's Storm Protection Plan.**

Position: Walmart takes no position at this time.

d. **Docket No. 20220049-EI for FPL's Storm Protection Plan.**

Position: Walmart takes no position at this time.

Issue 4: To what extent is the Company's Storm Protection Plan regarding transmission and distribution infrastructure feasible, reasonable, or practical in certain areas of the Company's service territory, including, but not limited to, flood zones and rural areas?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart takes no position at this time.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. Docket No. 20220050-EI for DEF's Storm Protection Plan.

Position: Walmart takes no position at this time.

d. Docket No. 20220049-EI for FPL's Storm Protection Plan.

Position: Walmart takes no position at this time.

Issue 5: What are the estimated costs and benefits to the Company and its customers of making the improvements proposed in the Storm Protection Plan?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart takes no position at this time.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. Docket No. 20220050-EI for DEF's Storm Protection Plan.

Position: Walmart takes no position at this time.

d. Docket No. 20220049-EI for FPL's Storm Protection Plan.

Position: Walmart takes no position at this time.

Issue 6: What is the estimated annual rate impact resulting from implementation of the Company's Storm Protection Plan during the first 3 years addressed in the plan?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart takes no position at this time.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. Docket No. 20220050-EI for DEF's Storm Protection Plan.

Position: Walmart takes no position at this time.

d. Docket No. 20220049-EI for FPL's Storm Protection Plan.

Position: Walmart takes no position at this time.

Issue 7: Withdrawn.

Issue 8: Withdrawn.

Issue 9: Should the Commission approve, approve with modification, or deny FPL's new Transmission Access Enhancement Program?

Position: Walmart takes no position at this time.

Issue 10: Is it in the public interest to approve, approve with modification, or deny the Company's Storm Protection Plan?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart believes the public interest would benefit if the Commission directs each utility to continue to collaborate with interested stakeholders during the interim period before their next required updated SPPs to develop ways in which customer-sited generation may be utilized as part of the SPP in order to strengthen the T&D systems and provide customers with lower restoration costs, shorter outage periods, and more reliable electric service overall.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. Docket No. 20220050-EI for DEF's Storm Protection Plan.

Position: Walmart believes the public interest would benefit if the Commission directs each utility to continue to collaborate with interested stakeholders during the interim period before their next required updated SPPs to develop ways in which customer-sited generation may be utilized as part of the SPP in order to strengthen the T&D systems and provide customers with lower restoration costs, shorter outage periods, and more reliable electric service overall.

d. Docket No. 20220049-EI for FPL's Storm Protection Plan.

Position: Walmart believes the public interest would benefit if the Commission directs each utility to continue to collaborate with interested stakeholders during the interim period before their next required updated SPPs to develop ways in which customer-sited generation may be utilized as part of the SPP in order to strengthen the T&D systems and provide customers with lower restoration costs, shorter outage periods, and more reliable electric service overall.

Issue 11: Should this docket be closed?

a. Docket No. 20220048-EI for TECO's Storm Protection Plan.

Position: Walmart takes no position at this time.

b. Docket No. 20220049-EI for FPUC's Storm Protection Plan.

Position: Walmart is not a party in this docket.

c. Docket No. 20220050-EI for DEF's Storm Protection Plan.

Position: Walmart takes no position at this time.

d. Docket No. 20220049-EI for FPL's Storm Protection Plan.

Position: Walmart takes no position at this time.

VI. CONTESTED ISSUES

There are currently no contested issues.

VII. STIPULATED ISSUES

There are currently no stipulated issues.

VIII. PENDING MOTIONS OR OTHER ACTIONABLE MATTERS

Walmart has no pending Motions at this time.

IX. PENDING CONFIDENTIALITY REQUESTS OR CLAIMS

Walmart has no pending confidentiality requests or claims.

X. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

Walmart does not object to any witness's qualifications as an expert.

XI. COMPLIANCE WITH ORDER NO. PSC-2022-0119-PCO-EI

There are no requirements of Order No. PSC-2022-0119-PCO-EI with which Walmart cannot comply.

Respectfully submitted,

By /s/ Stephanie U. Eaton
Stephanie U. Eaton (FL State Bar No. 165610)
SPILMAN THOMAS & BATTLE, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 631-1062
Fax: (336) 725-4476
seaton@spilmanlaw.com

Derrick Price Williamson
Steven W. Lee
SPILMAN THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2741
Fax: (717) 795-2743
dwilliamson@spilmanlaw.com
slee@spilmanlaw.com

Counsel to Walmart Inc.

Dated: July 13, 2022

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 13th day of July, 2022.

Jacob Imig
Theresa Tan
Walter Trierweiler
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd., Room 110
Tallahassee, FL 32399-0850
jimig@psc.state.fl.us
ltan@psc.state.fl.us
wtrierwe@psc.state.fl.us

Richard Gentry
Mary A. Wessling
Charles Rehwinkel
Stephanie Morse
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400
gentry.richard@leg.state.fl.us
wessling.mary@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
morse.stephanie@leg.state.fl.us

Paula K. Brown
Tampa Electric Company
P. O. Box 111
Tampa FL 33601-0111
regdept@tecoenergy.com

J. Jeffry Wahlen
Malcolm N. Means
Ausley McMullen
P.O. Box 391
Tallahassee, FL 32302
jwahlen@ausley.com
mmeans@ausley.com

Matthew R. Bernier
Stephanie Cuello
Duke Energy Florida
106 East College Avenue, Suite 800
Tallahassee, FL 32301
matthew.bernier@duke-energy.com
Stephanie.Cuello@duke-energy.com
flregulatorylegal@duke-energy.com

Dianne M. Triplett
Duke Energy Florida, LLC
299 First Avenue North
St. Petersburg, FL 33701
Dianne.Triplett@Duke-Energy.com

Kenneth A. Hoffman
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301
ken.hoffman@fpl.com

Christopher T. Wright
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
Christopher.wright@fpl.com

George Cavros
Southern Alliance for Clean Energy
120 E. Oakland Park Blvd., Suite 105
Fort Lauderdale, FL 33334
george@cavros-law.com

Certificate of Service

Docket Nos. 20220048-EI, 20220050-EI, and 20220051-EI

Page 2

Jon C. Moyle, Jr.
Karen A. Putnal
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
mqualls@moylelaw.com

James W. Brew
Laura Wynn Baker
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Suite 800 West
Washington, DC 20007-5201
jbrew@smxblaw.com
lwb@smxblaw.com

/s/ Stephanie U. Eaton _____

Stephanie U. Eaton