

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0223-PCO-EI  
ISSUED: June 19, 2025

ORDER GRANTING UNOPPOSED MOTION TO ACCEPT  
LATE FILED TESTIMONY OF DAVID FIALKOV

On June 9, 2025, Americans for Affordable Clean Energy, Inc., Circle K Stores, Inc., RaceTrac, Inc., and Wawa, Inc. (collectively “Fuel Retailers”), filed a Petition to Intervene in this proceeding. Also on June 9, 2025, the Fuel Retailers emailed to the Clerk of the Florida Public Service Commission the prefiled direct testimony of David Fialkov (Testimony). Because the Clerk received this email at 5:06 p.m., the Testimony was filed the next business day, June 10, 2025.<sup>1</sup>

Intervenor testimony and exhibits were due to be filed in this docket not later than June 9, 2025.<sup>2</sup> Because the Testimony was filed one day late, the Fuel Retailers filed an Unopposed Motion to Accept the Late Filed Testimony of David Fialkov. The Fuel Retailers represent in the Motion that the brief delay in filing was due to a technical issue. As the title indicates, every party to this proceeding either takes no position or does not object to the relief sought by the Fuel Retailers. Based on these representations, the Motion is granted.

Therefore, it is

ORDERED by Chairman Mike La Rosa, as Prehearing Officer, that the Unopposed Motion to Accept the Late Filed Testimony of David Fialkov is granted.

By ORDER of Chairman Mike La Rosa, as Prehearing Officer, this 19th day of June, 2025.

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<sup>1</sup> “Any document received by the office of the agency clerk before 5:00 p.m. shall be filed as of that day but any document received after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day.” Rule 28-106.104(3), Florida Administrative Code.

<sup>2</sup> Order No. PSC-2025-0075-PCO-EI (Order Establishing Procedure) at p. 12.



Mike La Rosa  
Chairman and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SPS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.