

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for
DeLand West - Dona Vista Transmission Line
in Volusia and Lake Counties, by Duke Energy
Florida, LLC.

DOCKET NO. 20250078-EI
ORDER NO. PSC-2025-0276-PHO-EI
ISSUED: July 15, 2025

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on July 14, 2025, in Tallahassee, Florida, before Commissioner Art Graham, as Prehearing Officer.

APPEARANCES:

DIANNE M. TRIPLETT, MATTHEW R. BERNIER and STEPHANIE A. CUELLO, ESQUIRES, 299 First Avenue North, St. Petersburg, Florida 33701
On behalf of Duke Energy Florida, LLC (DEF).

JENNIFER AUGSPURGER and ADRIA HARPER, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Interim General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Advisor to the Florida Public Service Commission.

I. CASE BACKGROUND

On May 9, 2025, pursuant to Section 403.537, Florida Statutes (F.S.), Chapter 120, F.S., and Rules 25-22.075, 25-22.076, and 28-106.201, Florida Administrative Code (F.A.C.), Duke Energy Florida, LLC (DEF or Utility) filed its Notice of Intent to File Petition for Transmission Line Need Determination. Thereafter, DEF filed its Petition for Need Determination for the DeLand West - Dona Vista Transmission Line on June 9, 2025.

In this docket, the Commission will consider that need determination. This matter has been scheduled for a formal administrative hearing to be held on July 22, 2025. Separate public hearings will be held before an Administrative Law Judge of the Division of Administrative Hearings to consider environmental and other impacts of the DeLand West - Dona Vista 230 kV

transmission line, as required by the Florida Electric Transmission Line Siting Act, Sections 403.52 – 403.5365, F.S.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over the subject matter by Section 403.537, F.S. This hearing will be governed by said statute, Chapter 120, F.S., and Chapters 25-6, 25-22, 28-106, and 28-109, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties (and Staff) has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness' direct testimony is adverse to its interests.

VI. ORDER OF WITNESSES

Each witness whose name is preceded by a plus sign (+) will present direct and rebuttal testimony together.

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
Dave Rahman	DEF	1 - 4

VII. BASIC POSITIONS

DEF: DEF submits that the proposed DeLand West - Dona Vista 230 kV transmission line is necessary to ensure the continued reliability and adequacy of the transmission system in Central Florida. The new 230 kV transmission line, which extends approximately 26.5 miles from DEF's DeLand West Substation in Volusia County to DEF's Dona Vista Substation in Lake County, is projected to be in service January 2030. This project is a key component in DEF's long-term system planning and aims to (1) improve reliability for customers served by existing 69 kV circuits; (2) increase east-to-west power transfer capabilities; (3) relieve potential overloads and low voltage conditions; and (4) reduce line loading on existing circuits.

In addition to the proposed DeLand West - Dona Vista 230 kV transmission line project, DEF has evaluated four alternative projects for meeting the identified need and determined the proposed DeLand West - Dona Vista 230 kV transmission line project was the most efficient and cost-effective solution, having considered the demand for electricity, enhancing electric system reliability and integrity, and addressing the need for abundant, low-cost electrical energy to assure the economic well-being of the citizens of this state.

The Commission should approve DEF's petition for determination of need for the DeLand West to Dona Vista 230 kV transmission line to preserve electric system reliability and integrity in the area and to maintain low-cost electrical energy for the economic well-being of the residents of Florida.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

VIII. ISSUES AND POSITIONS

ISSUE 1: Is there a need for Duke Energy Florida, LLC's proposed DeLand West - Dona Vista 230 kV transmission line, taking into account the need for electric system reliability and integrity, as prescribed in Section 403.537, Florida Statutes?

DEF: Yes, as demonstrated in DEF's Petition, testimony, and exhibits.

STAFF: Staff has no position at this time.

ISSUE 2: Is there a need for Duke Energy Florida, LLC's proposed DeLand West - Dona Vista 230 kV transmission line, taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the citizens of the State, as prescribed in Section 403.537, Florida Statutes?

DEF: Yes, as demonstrated in DEF's Petition, testimony, and exhibits.

STAFF: Staff has no position at this time.

ISSUE 3: Are Duke Energy Florida, LLC's Deland West Substation in Volusia County and its Dona Vista Substation in Lake County the appropriate starting and ending points for the proposed DeLand West - Dona Vista 230 kV transmission line?

DEF: Yes.

STAFF: Staff has no position at this time.

ISSUE 4: Should the Commission grant Duke Energy Florida, LLC's petition for determination of need for the proposed Deland West - Dona Vista 230 kV transmission line project?

DEF: Yes, DEF satisfies the statutory elements for granting an affirmative determination of need for the proposed Deland West - Dona Vista 230 kV transmission line project pursuant to Section 403.537, Florida Statutes.

STAFF: Staff has no position at this time.

ISSUE 5: Should this docket be closed?**DEF:** Yes. This docket should be closed after the time for filing an appeal has run.**STAFF:** Yes. This docket should be closed after the time for filing an appeal has run.**IX. EXHIBIT LIST**

<u>Witness</u>	<u>Proffered By</u>	<u>Exhibit #</u>	<u>Description</u>
<u>Direct</u>			
None	DEF	None	Notice of Final Hearing and Affidavits of Publication
Dave Rahman	DEF	None	Appendix to the Petition to Determine Need for DeLand West – Dona Vista Transmission Line in Volusia and Lake Counties CONFIDENTIAL
Dave Rahman	DEF	DR-1	DEF Electric Facilities Map (DEF general map)
Dave Rahman	DEF	DR-2	Deland West to Dona Vista Reliability Upgrade Project Map
Dave Rahman	DEF	DR-3	Schedules 3.1.1 and 3.2.1 of DEF's Ten Year Site Plan, filed April 1, 2025
Dave Rahman	DEF	DR-4	Load Flow Summary Table CONFIDENTIAL
Dave Rahman	DEF	DR-5	DEF Transmission Planning Criteria
Dave Rahman	DEF	DR-6	Alternative Projects Load Flow Summary Table CONFIDENTIAL

<u>Witness</u>	<u>Proffered By</u>	<u>Exhibit #</u>	<u>Description</u>
Dave Rahman	DEF	DR-7	DeLand West to Dona Vista 230 kV Line Project Indicative Schedule of Licensing, Design, and Construction
Dave Rahman	DEF	DR-8	Project Decision Matrix

X. PROPOSED STIPULATIONS

There are no proposed stipulations at this time.

XI. PENDING MOTIONS

There are no pending motions at this time.

XII. PENDING CONFIDENTIALITY MATTERS

There are no pending requests at this time.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 20 pages and shall be filed at the same time.


XIV. RULINGS

Opening statements, if any, shall not exceed five minutes per party.

It is therefore,

ORDERED by Commissioner Art Graham, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Art Graham, as Prehearing Officer, this 15th day of July, 2025.

A handwritten signature in black ink, appearing to read 'A. Graham', is written over a horizontal line.

ART GRAHAM

Commissioner and Prehearing Officer
Florida Public Service Commission
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Tallahassee, Florida 32399
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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.

JLA

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.