

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for a Base Rate Increase

Docket No. 20250011-EI

SOUTHERN ALLIANCE FOR CLEAN ENERGY'S PREHEARING STATEMENT

The Southern Alliance for Clean Energy, Inc. ("SACE"), by and through its undersigned counsel, and pursuant to the Order Establishing Procedure, Order No. PSC-2025-0075-PCO-EI, ("Order Establishing Procedure"), hereby submits its Prehearing Statement.

A. Appearances

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B. Witnesses

SACE does not intend to call any witnesses but reserves the right to examine the witnesses called by other parties. In the event it becomes necessary, SACE may call the following witnesses for the limited purposes stated:

Witness	Subject Matter	Issue Number
Maggie Shober	SACE Standing	1(f)
Stacey Washington	SACE Standing	1(f)

C. Exhibits

SACE has no direct exhibits. However, SACE reserves the right to introduce exhibits into the record during cross examination.

D. Statement of Basic Position

SACE is non-profit, non-partisan clean energy organization that advocates for transitioning the state to a lower cost, lower risk, clean and equitable energy future. SACE supports cost-effective utility investments that scale up solar power development, battery storage deployment, electric vehicle (“EV”) infrastructure, and energy efficiency implementation. Florida Power and Lights Company’s (“FPL”) investment in utility-scale solar power has helped make Florida a leader in solar development and is providing numerous benefits to customers that include: placing downward pressure on rates over time; insulating customers from volatile fossil fuel price spikes; economic development and job creation; and reducing carbon pollution from the electricity sector. FPL’s continued investment in solar power in its rate plan is reasonable and prudent – including the Solar Base Rate Adjustment (SOBRA) investments in 2028 and 2029. The SOBRA mechanism has a proven track record of developing significant amounts of solar below a predetermined price point.

FPL’s employment of stochastic loss of load probability modelling appears to be placing an undue burden on the company’s ongoing development of solar and battery storage resources by imposing unrealistic and constraints in resource planning. Such a divergence in resource planning approach from those customarily used by Florida IOUs deserves independent scrutiny outside a base rate proceeding so that the use of such modelling can be evaluated prior to its application in any particular case. SACE likewise supports FPL’s clean energy investments in battery storage, and its investment in EV infrastructure through its EVolution program in its rate plan.

SACE likewise supports FPL’s clean energy investments in EV infrastructure through its effort to make its various pilot tariffs permanent. We encourage the Company to invest more significantly in EV infrastructure programs given FPL’s relative size and the size of EV programs recently approved by the Commission. EV infrastructure is key to meeting customer needs while delivering billions of dollars of benefit to the state.

However, a cleaner, lower cost, lower risk, and more equitable energy future demands that utilities capture their most cost-effective resource, energy efficiency. In this regard, FPL’s performance on capturing energy savings through customer energy efficiency programs lags well behind other investor-owned utilities in Florida and nationally.

Additionally, the underlying constitutional considerations for setting rates for regulated public utilities are well established. The burden rests on the Company to prove that its proposed rates are equal to that generally being made at the same time, and in the same region of the country, on investments in other businesses that have corresponding risks and uncertainties. It must prove that its current return is not reasonably sufficient to assure confidence in the financial soundness of the utility, and that it is not adequate, under efficient and economical management, to maintain its credit, and enable it to raise the money necessary for the proper discharge of its public duties. The Commission should take care that FPL clearly meets its this burden. In requiring FPL to do so, the Commission should consider carefully the position of multiple intervenor parties, including OPC in the appropriate capital structure and return on common equity for the company. SACE’s position is that the Company’s requested midpoint on ROE is excessive, particularly in light of its

use of accounting mechanisms that appear to enable earnings at the top of the allowable earnings range.

E. Statement of Issues and Positions

ISSUE 1: Whether the following persons have standing to intervene in this proceeding:

- a. League of United Latin Citizens Florida
- b. Environmental Confederation of Southwest Florida
- c. Florida Rising
- d. Florida Industrial Power Users Group
- e. Federal Executive Agencies
- f. Southern Alliance for Clean Energy
- g. EVGo, Services, LLC
- h. Electrify America, LLC
- i. Florida Retail Federation
- j. Walmart
- k. Florida Energy Innovation Association
- l. Floridians Against Increased Rates
- m. Americans for Affordable Clean Energy
- n. Wawa, Inc.
- o. RaceTrac, Inc.
- p. Circle K, Inc.
- q. Armstrong World Industries, Inc.

POSITION: On the question whether each of the above-named parties has standing to intervene in this proceeding, SACE takes no position except with respect to its own standing. SACE clearly has standing to intervene in this proceeding. The Commission has determined in numerous past cases, including rate cases, before this Commission that SACE has standing, and has determined preliminarily in Order No. PSC-2025-0079-PCO that SACE has alleged sufficient facts in this proceeding to be granted intervenor status. Pursuant to the standard Order Establishing Procedure in this case, Order No. PSC-2025-0075-PCO-0075-PCO-EI, the Commission has taken official notice of all its own final orders, and it is therefore unnecessary for SACE to request or seek their official recognition. Thus, these Final Orders constitute competent substantial evidence in this proceeding, upon which determinations may be founded, and reasonable inferences can be made.

Final Orders wherein the FPSC has acknowledged or acceded to SACE's standing to intervene in FPSC regulatory matters affecting substantial interests wherein FPL is the petitioner are numerous, and include: 1) Order No. PSC-2024-0505-FOF-EG, issued December 18, 2024, in Docket No. 20240012-EI; 2) Order No. PSC-2021-0446-S-EI, issued December 2, 2021, in Docket No. 20210015-EI, as supplemented by Order No. PSC-2024-0078-FOF-EI, issued March 24, 2024; 3) Order No. PSC-2020-0084-S-EI, issued March 20, 2020, in Docket No. 20190061-EI; and 4) Order No. PSC-16-0032-FOF-EI Issued January 19, 2016, in Docket No. 150196-EI. At no point in any of the above-referenced matters has SACE's obvious standing to intervene been challenged or questioned. Likewise, in this proceeding, no party, including the petitioner, FPL, have questioned SACE's obvious standing to intervene in this matter.

In 2022 in the matter *In re: Review of Storm Protection Plan*, pursuant to Rule 25-6.030, F.A.C., Florida Power & Light Company, FPL did oppose SACE's standing. The company argued in that matter that in all prior cases where SACE was granted intervention, the matters dealt with generation, renewable energy sources, conservation, fuel costs, environmental issues, or energy efficiency (the same subjects at issue in this proceeding). Notwithstanding the prior dockets where the Commission determined SACE had standing to participate, FPL argued that SACE should be required to prove it had standing to intervene in the SPP docket. Nevertheless, the pre-hearing officer determined that SACE was permitted to intervene in that case, and it participated fully in that matter through post hearing briefing and issuance of the Final Order. Pursuant to the OEP in this case, Order Number PSC-2022-0389-FOF-EI, issued November 10, 2022, in the FPL SPP matter, is officially recognized and is therefore evidence in this matter.

The numerous instances of SACE having been granted intervenor status involving FPL's petitions for various regulatory relief are therefore, *de jure*, a part of the record in this proceeding. The most recent FPSC Final Order evidencing this fact was issued a mere three months prior to the pre-hearing officer granting SACE intervention in this matter. The Commission may reasonably, based on these record Final Orders, together with SACE's assertions in its filings, which are consistent with those in prior cases, draw the inference that in three short months no radical changes have occurred in SACE's membership or corporate status to alter its intervenor status.

ISSUE 2: Does the Commission have the authority to approve FPL's requested Tax Adjustment Mechanism (TAM)?

POSITION: SACE takes no position at this time.

ISSUE 3: Does the Commission have the authority to approve FPL's requested Solar Base Rate Adjustment mechanisms in 2028 and 2029?

POSITION: SACE takes no position at this time.

ISSUE 4: Does the Commission have the authority to approve FPL's proposed Storm Cost Recovery mechanism?

POSITION: SACE takes no position at this time.

ISSUE 5: Does the Commission have the authority to approve modification FPL's proposed mechanism for addressing a change in tax law?

POSITION: SACE takes no position at this time.

ISSUE 6: *What impact will the following pending Florida Supreme Court appeals involving PSC Orders have on this rate case, and how should the Commission address those in this docket:*

- a. *SC 2021-0303 – LULAC Florida Educational Fund, Inc. v. Gary F. Clark, etc., et al?*
- b. *SC2023-0988 – Citizens cf the State cf Florida, etc., v. Florida Public Service Commission (and consolidated SC2023-1433 – Citizens cf the State cf Florida, etc. v. Florida Public Service Commission)?*
- c. *SC2024-0485 – Florida Rising, Inc. et al. v. Florida Public Service Commission, et al.?*
- d. *SC2025-0289 – LULAC Florida, Inc. et al. v. Florida Public Service Commission, et al. (and consolidated SC2025-0300 – Citizens cf the State cf Florida, etc. v. Florida Public Service Commission, et al.)?*

POSITION: SACE takes no position at this time.

TEST PERIOD AND FORECASTING

ISSUE 7: Has FPL proven its entitlement to the use of a subsequent projected test year ending December 31, 2027 adjustment to base rates?¹

POSITION: SACE takes no position at this time.

ISSUE 8: Is FPL’s projected test period appropriate:
a. For the 12 months ending December 31, 2026?
b. For the 12 months ending December 31, 2027?

POSITION: SACE takes no position at this time.

ISSUE 9: Has FPL proven any financial need for rate relief in any period subsequent to the projected test period ending December 31, 2026?

POSITION: SACE takes no position at this time.

ISSUE 10: Are FPL’s forecasts of Customers, KWH, and KW by revenue and rate class appropriate:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

¹ Staff understands this issue to be a technical in nature (i.e. addressing whether there is factual support for a subsequent test year) rather than legal issue; please advise if this is not the case, as it may impact the placement of the issue in the issue list.

POSITION: SACE takes no position at this time.

ISSUE 11: What are the inflation, customer growth, and other trend factors that should be approved for use in forecasting the projected test years' budget:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

QUALITY OF SERVICE

ISSUE 12: Is the quality of the electric service provided by FPL adequate?

POSITION: SACE takes no position at this time.

DEPRECIATION AND DISMANTLEMENT STUDIES

ISSUE 13: What are the appropriate depreciation parameters and resulting depreciation rates for each depreciable plant account?

POSITION: SACE takes no position at this time.

ISSUE 14: Based on the application of the depreciation parameters and resulting depreciation rates that the Commission deems appropriate, and a comparison of the theoretical reserves to the book reserves, what are the resulting imbalances?

POSITION: SACE takes no position at this time.

ISSUE 15: What corrective reserve measures should be taken with respect to the imbalances identified in Issue 14, if any?

POSITION: SACE takes no position at this time.

ISSUE 16: Should the Commission approve FPL's requested capital recovery schedules and amortization schedules, if any?

POSITION: SACE takes no position at this time.

ISSUE 17: What is the appropriate annual accrual and reserve for dismantlement for the 2026 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 18: What corrective dismantlement reserve measures should be approved, if any?

POSITION: SACE takes no position at this time.

ISSUE 19: What should be the implementation date for new depreciation rates and the provision for dismantlement?

POSITION: SACE takes no position at this time.

RATE BASE

ISSUE 20: Has FPL made the appropriate adjustments to remove all non-utility activities from Plant in Service, Accumulated Depreciation, and Working Capital:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 21: Should the Commission approve FPL's proposal to move certain costs from base rates to the Storm Protection Plan Cost Recovery Clause effective January 1, 2026?

POSITION: SACE takes no position at this time.

ISSUE 22: Should the Commission approve FPL's proposal to move certain costs from base rates to the Environmental Cost Recovery Clause effective January 1, 2026?

POSITION: SACE takes no position at this time.

ISSUE 23: Should FPL's 2025 Northwest Florida battery project be approved for the 2026 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 24: How should the Commission treat the impact, if any, of the acquisition from Vandolah Power Company in making any determination in this docket?

POSITION: SACE takes no position at this time.

ISSUE 25: Should the Commission approve FPL's proposed introduction of a stochastic loss of load probability analysis for resource adequacy planning?

POSITION: No. The use of the stochastic loss of load probability analysis for resource adequacy planning in the manner FPL has done in this case may introduce an unwarranted level of sensitivity into the company's loss of load analysis that results in avoiding resource choices based on statistically improbable loss of load risks. Furthermore, use of the stochastic loss of load analysis in this case situates FPL differently than other regulated utilities in its resource planning methodology, and the Commission's endorsement, or otherwise, of such a methodology should be investigated and determined in a separate docket to which all Florida power generating IOUs, or Florida power generating electric utilities, are subject.

ISSUE 26: Should FPL's proposed solar generation projects be approved:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

POSITION: Yes, for both projected test years.

ISSUE 27: Should FPL's proposed battery storage projects be approved:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

POSITION: Yes, for both projected test years.

ISSUE 28: Should FPL's proposed generation maintenance capital expense be approved:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except with respect to such expense as relates to the addition of FPL's proposed solar generation and battery storage projects, which SACE supports.

ISSUE 29: Should FPL's proposed Customer Information System replacement be approved for the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 30: Should FPL's proposed long-duration battery pilot program be approved for the 2027 projected test year?

POSITION: Yes.

ISSUE 31: What amount of Net Nuclear Fuel should be approved:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 32: Should FPL's proposed biogas project upgrade be approved:
a. For the 2026 projected test year?
b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 33: Should FPL's proposed transmission plant additions be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 34: Should FPL's proposed distribution plant additions be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 35: What amount of Plant in Service should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 36: *What action, if any, should the Commission take to adjust the depreciation reserve for costs improperly recorded above the line during periods when the Reserve Amount was amortized to the income statement?*

POSITION: SACE takes no position at this time.

ISSUE 37: What amount of Accumulated Depreciation should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 38: What amount of Construction Work in Progress should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 39: What amount of Property Held for Future Use should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 40: What amount of Working Capital should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 41: What amount of rate base should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except that the amount of rate base approved should reflect the addition of the resources supported by SACE in preceding issues.

COST OF CAPITAL

ISSUE 42: What amount of accumulated deferred taxes should be approved for inclusion in the capital structure:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 43: What amount and cost rate of the unamortized investment tax credits should be approved for inclusion in the capital structure:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 44: What amount and cost rate for short-term debt should be approved for inclusion in the capital structure:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 45: What amount and cost rate for long-term debt should be approved for inclusion in the capital structure:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 46: What amount and cost rate for customer deposits should be approved for inclusion in the capital structure:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC

ISSUE 47: Has FPL made the appropriate adjustments to remove all non-utility activities from the Common Equity balance:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 48: What equity ratio should be approved for use in the capital structure for ratemaking purposes:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 49: What return on equity (ROE) should be approved for use in establishing FPL's revenue requirements:

- c. For the 2026 projected test year?
- d. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

ISSUE 50: What capital structure and weighted average cost of capital should be approved for use in establishing FPL's revenue requirements: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of OPC.

NET OPERATING INCOME

ISSUE 51: Has FPL correctly calculated the annual revenues at current rates:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 52: What projected amounts of Other Operating Revenues should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 53: What amount of Total Operating Revenues should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 54: What amount of generation O&M expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 55: What amount of FPL's transmission O&M expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 56: What amount of FPL's distribution O&M expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 57: Should the Commission approve FPL's proposal to move certain costs from base rates to the Fuel Adjustment Clause effective January 1, 2026?

POSITION: SACE takes no position at this time.

ISSUE 58: Has FPL made the appropriate test year adjustments to remove fuel revenues and fuel expenses recoverable through the Fuel Adjustment Clause:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 59: Has FPL made the appropriate test year adjustments to remove conservation

revenues and conservation expenses recoverable through the Energy Conservation Cost Recovery Clause:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 60: Has FPL made the appropriate test year adjustments to remove capacity revenues and capacity expenses recoverable through the Capacity Cost Recovery Clause:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 61: Has FPL made the appropriate test year adjustments to remove environmental revenues and environmental expenses recoverable through the Environmental Cost Recovery Clause:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 62: Has FPL made the appropriate adjustments to remove all storm hardening revenues and expenses recoverable through the Storm Protection Plan Cost Recovery Clause:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 63: Has FPL made the appropriate adjustments to remove all non-utility activities from operating revenues and operating expenses:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 64: What amount of incentive compensation should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 65: What amount of salaries and benefits expense, including incentive compensation, should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 66: Should any adjustments be made to FPL's operating revenues or operating expenses for the effects of transactions with affiliated companies:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 67: Should any adjustments be made to Directors and Officers Liability Insurance expense:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 68: What amount of Economic Development expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 69: Should any adjustments be made to Property Insurance expense:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 70: Should any adjustments be made to Liability Insurance expense:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 71: Should any adjustments be made to Injuries and Damages expense:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 72: What amount and amortization period for Rate Case Expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 73: What amount of uncollectible expense and bad debt rate should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 74: What expense accruals for end of life materials and supplies should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 75: What amount of O&M Expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 76: What amount of depreciation, amortization, and dismantlement expense should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 77: What amount of (gain)/loss on disposal of utility property should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 78: What amount of Property Taxes should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 79: What amount of Taxes Other Than Income Taxes should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 80: What amount of Production Tax Credits should be approved and what is the proper accounting treatment:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 81:** *Is it prudent for FPL to sell the ITCs to one or more third parties? If so, what is the appropriate discount rate associated with FPL's transfers of Investment Tax Credits and Production Tax Credits?*

POSITION: SACE takes no position at this time.

ISSUE 82: What amount of the Investment Tax Credits, pursuant to the Inflation Reduction Act, should be approved and what is the proper accounting treatment:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 83: What amount of Income Tax expense should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 84: What amount of Total Operating Expenses should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position, except as this issue may be affected by SACE's positions above.

ISSUE 85: What amount of Net Operating Income should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position, except as this issue may be affected by SACE's positions above.

REVENUE REQUIREMENTS

ISSUE 86: What revenue expansion factor and net operating income multiplier, including the appropriate elements and rates, should be approved:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 87: What amount of annual operating revenue increase or decrease should be approved: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

COST OF SERVICE AND RATE DESIGN ISSUES

ISSUE 88: Is FPL's proposed separation of costs and revenues between the wholesale and retail jurisdictions appropriate:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 89: What is the appropriate methodology to allocate production costs to the rate classes:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of FPL.

ISSUE 90: What is the appropriate methodology to allocate transmission costs to the rate classes:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of FPL.

ISSUE 91: What is the appropriate methodology to allocate distribution costs to the rate classes:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE adopts the position of FPL.

ISSUE 92: *What is the appropriate methodology to allocate other costs to the rate classes that are not addressed in Issues 89 through 91?*

POSITION: SACE adopts the position of FPL.

ISSUE 93: How should any change in revenue requirement approved by the Commission be allocated to the customer classes:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: Any changes in revenue requirement approved by the Commission should be allocated across customer classes in a manner that preserves the relative burdens of each customer class in FPL's current proposal.

ISSUE 94: What are the appropriate service charges (initial connection, reconnection, connection of existing service, field visit, and temporary/construction service) (Sheet Nos. 4.020-4.030):

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 95: What are the appropriate base charges: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 96: What are the appropriate demand charges: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 97: What are the appropriate energy charges: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 98: What are the appropriate charges for the Standby and Supplemental Services (SST-1, ISST-1) rate schedules (Sheet Nos. 8.750-8.765): (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 99: What are the appropriate charges for the Commercial Industrial Load Control (CILC) rate schedule (Sheet Nos. 8.650-8.659): (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 100: What is the appropriate credit and monthly administrative fee for the Commercial/Industrial Demand Reduction (CDR) Rider rate schedule (Sheet Nos. 8.680-8.685):

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 101: What are the appropriate Lighting Service rate schedule charges: (Fallout Issue)

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time, except as this issue may be affected by SACE's positions above.

ISSUE 102: What is the appropriate minimum monthly bill for Residential Service and General Service Non-Demand?

POSITION: SACE takes no position at this time.

ISSUE 103: Should the Commission approve the proposed tariff modifications for temporarily relocating facilities to accommodate existing customers' electrical installations and the associated disconnection and reconnection of service to enable such installations (Tariff Sheet No. 6.031, Section 4.7 and Tariff Sheet No. 6.040, Section 5.3)?

POSITION: SACE takes no position at this time.

ISSUE 104: Should the Commission approve, deny, or approve with modifications the proposed modification to the Contribution-in-Aid-of-Construction (CIAC) tariff (Sheet No. 6.199)?

- a. *Should the modifications apply only to nongovernmental Applicants?*
- b. *Should an Applicant be required to pay 100 percent of the upfront cost if an Applicant has a total load of 15 MW or more, or requires new or upgraded facilities with a total estimated cost of \$25 million or more?*
- c. *What interest rate, if any, should FPL be required to pay on a refundable CIAC?*

POSITION: SACE takes no position at this time.

ISSUE 105: Should the Commission approve, deny, or approve with modifications the proposed new Large Load Contract Service tariffs, LLCS-1 and LLCS-2 (Sheet

Nos. 8.950-8.956) and LLCS Service Agreement (Sheet Nos. 9.960-9.983) and associated terms and conditions (e.g., minimum MW demand and load factor, contract term, minimum demand charge payments, credit support, early termination fees)?

POSITION: SACE takes no position at this time.

ISSUE 106: *Should the LLCS tariffs contain an Incremental Generation Charge? If yes, how should the Incremental Generation Charges for the LLCS-1 and LLCS-2 tariffs be derived and how often should they be updated?*

POSITION: SACE takes no position at this time.

ISSUE 107: *Has FPL adequately insulated the general body of retail customers and the citizens of Florida from the impacts of any data center or other “hyperscaler” customers? If not, what measures should the Commission require FPL to undertake?*

POSITION: SACE takes no position at this time.

ISSUE 108: *Should existing FPL customers that meet the size and load factor criteria after the LLCS effective date due to load additions or process improvements be grandfathered, and thus not be subject to the LLCS rate schedules?*

POSITION: SACE takes no position at this time.

ISSUE 109: *Should the Commission order FPL to file a limited rate case proceeding in 2027 to recognize the revenues and costs to serve new Large Load Contract Service customers that have committed to take service from FPL in 2028 and 2029?*

POSITION: SACE takes no position at this time.

ISSUE 110: Should the Commission approve, deny, or approve with modifications the proposed new Residential Electric Vehicle Charging Service Rider, RS-2EV (Sheet No. 8.215) and associated service agreement (Sheet Nos. 9.846-9.848) and close the existing Residential Electric Vehicle Charging Service pilot program, RS-1EV (Sheet No. 8.213) to new customers?

POSITION: Generally, SACE supports utility measures that expand EV infrastructure and make available resources to EV owners for convenient charging, and supports the Residential Electric Vehicle Charging Service Rider to the extent that subsidization by the general body of ratepayers is minimized.

ISSUE 111: Should the Commission approve, deny, or approve with modifications FPL’s proposal to make the following riders or pilot programs permanent: Supplemental Power Services (Sheet No. 8.845), Solar Power Facilities (Sheet Nos. 8.939-8.940), Commercial Electric Vehicle Charging Services (Sheet Nos.

8.942-8.943), Electric Vehicle Charging Infrastructure Rider to GSD-1EV (Sheet No. 8.106), Electric Vehicle Charging Infrastructure Rider to GSLD-1EV (Sheet No. 8.311), and Utility-owned Public Charging Electric Vehicles (Sheet No. 8.936)?

POSITION: SACE supports the continuation of each of these programs, and with respect to the demand limiter tariffs and the utility owned EV charging station tariff, SACE is in general alignment with the position of Electrify America.

ISSUE 112: Should FPL’s proposal regarding investing in EV technology and software be approved, approved with modifications, or rejected?

POSITION: SACE takes no position at this time.

ISSUE 113: Should the Commission approve the proposed cancellation of the following tariffs currently closed to new customers? Curtailable Service (CS-3, CST-3) (Sheet Nos. 8.542-8.548); Existing Facility Economic Development Rider (Sheet No. 8.900); Business Incentive Rider (Sheet Nos. 8.901-8.904)?

POSITION: SACE takes no position at this time.

ISSUE 114: Should the Commission approve the proposal to close the Street Lighting (SL-1), Outdoor Service (OS-I/II), Outdoor Lighting (OL-1) to new customers and to cancel the tariffs by December 31, 2029?

POSITION: SACE takes no position at this time.

ISSUE 115: Should the Commission approve the proposed modifications to the Economic Development Rider (Sheet Nos. 8.800-8.801) and Large Economic Development Rider (Sheet Nos. 8.802-8.802.1)?

POSITION: SACE takes no position at this time.

ISSUE 116: Should the Commission approve tariffs reflecting Commission-approved rates and charges:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

ISSUE 117: What are the effective dates of the Commission-approved rates and charges:

- a. For the 2026 projected test year?
- b. For the 2027 projected test year?

POSITION: SACE takes no position at this time.

OTHER ISSUES

ISSUE 118: Should the Commission approve, deny, or approve with modification FPL's requested Tax Adjustment Mechanism (TAM)? If the Commission approves the TAM with modifications, what modifications should be made?

POSITION: SACE takes no position at this time.

ISSUE 119: *With respect to costs that are recovered in base rates, is FPL prudently operating its nuclear fleet in Florida? if not, what action should the Commission take?*

POSITION: SACE takes no position at this time.

ISSUE 120: *With respect to costs that are recovered in base rates, is FPL prudently operating its in-ground cooling systems? if not, what action should the Commission take?*

POSITION: SACE takes no position at this time.

ISSUE 121: Should the Commission approve, deny, or approve with modification FPL's requested Solar Base Rate Adjustment mechanisms in 2028 and 2029? If the Commission approves the Solar Rate base Adjustment mechanisms in 2028 and 2029 with modifications, what modifications should be made?

POSITION: SACE generally supports, in concept, the use of Solar Base Rate Adjustment mechanisms. Beyond that, SACE takes no position at this time.

ISSUE 122: *Should the Commission require FPL to adopt a "make-ready" program for third-party electric vehicle charging stations, and if so under what terms?*

POSITION: Yes.

ISSUE 123: Should the Commission approve, deny, or approve with modifications FPL's proposed Storm Cost Recovery mechanism? If approved or modified, should FPL's requested storm surcharge cap increase from \$4 to \$5 be approved?

POSITION: SACE takes no position at this time.

ISSUE 124: *What storm damage reserve amount should be approved, if any?*

POSITION: SACE takes no position at this time.

ISSUE 125: How should the Commission proceed, regarding Issues 18, 19, 30, 34, 70, 71, 92, 101, and 109 if there are changes to the Inflation Reduction Act (IRA) regarding investment tax credits (ITCs) and production tax credits (PTCs) during the pendency of this docket?

POSITION: SACE takes no position at this time.

ISSUE 126: Should the Commission approve, deny, or approve with modification FPL's proposed mechanism for addressing a change in tax law? If the Commission approves the proposed mechanism for addressing a change in tax law with modifications, what modifications should be made?

POSITION: SACE takes no position at this time.

ISSUE 127: How should the Commission consider FPL's performance pursuant to Sections 366.80-83 and 403.519, Florida Statutes, when establishing rates?

POSITION: SACE takes no position at this time.

ISSUE 127: *Can the Commission enforce FPL's commitment not to request any other permanent general base rate increases effective prior to January 1, 2030, as proposed in FPL's four-year plan?*

POSITION: SACE takes no position at this time.

ISSUE 128: What considerations should the Commission give the affordability of customer bills and how does FPL's rate increase impact ratepayers in this proceeding?

POSITION: SACE takes no position at this time.

ISSUE 129: Should FPL be required to file, within 90 days after the date of the final order in this docket, a description of all entries or adjustments to its annual report, rate of return reports, and books and records which will be required as a result of the Commission's findings in this rate case?

POSITION: SACE takes no position at this time.

ISSUE 130: Should this docket be closed?

POSITION: SACE takes no position at this time.

F. STIPULATED ISSUES:

SACE has not agreed to any stipulations of issues at this time.

G. PENDING MOTIONS OR OTHER MATTERS:

SACE has no pending motions or other matters.

H. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

SACE has no pending requests or claims for confidentiality.

I. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

SACE currently has no objections to the qualifications of the witnesses that have submitted pre-filed testimony in this docket but reserves the right to object to the qualifications of any witness not previously disclosed, and further reserves the right to *voir dire* any witness as to his or her expert qualifications should SACE hereafter determine that it may have such an objection.

J. REQUEST FOR SEQUESTRATION OF WITNESSES:

None.

K. COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

SACE has complied with all applicable requirements of the Order Establishing Procedure in these dockets.

RESPECTFULLY SUBMITTED this 18th day of July, 2025.

/s/ William C. Garner

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on this 18th day of July, 2025 via electronic mail on:

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