BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO.: 20250011-EI

FILED: 18 July 2025

PREHEARING STATEMENT OF THE FEDERAL EXECUTIVE AGENCIES

The Federal Executive Agencies ("FEA"), through the undersigned attorney, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2025-0075-PCO-EI, issued March 14, 2025, hereby submit this Prehearing Statement.

APPEARANCES:

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Attorneys on behalf of Federal Executive Agencies

1. **WITNESSES:**

FEA intends to call the following witnesses, who will address the issues indicated:

Witness	Subject Matter	Issues #
Direct		
Christopher C. Walters	Return of Equity Rate of Return Capital Structure	44-45; 48-50
Brian C. Andrews	Depreciation Rates Sherer Life Span	13-14
Michael P. Gorman	Revenue Allocation Revenue Spread Large Load Contract Service	89-93; 105; 109
Matthew P. Smith	Class Cost of Service Revenue Allocation	89-93
Rebuttal		
Michael P. Gorman	Revenue Allocation Revenue Spread	89-91

2. **EXHIBITS:**

Incorporated into the pre-filed written testimony of the above-mentioned witnesses, Federal Executive Agencies intend to introduce the following exhibits, which can be identified on a composite basis for each witness:

Witness	Proffered By	Exhibit No.	Description
Direct			
Christopher C. Walters	FEA	CCW-1	Electric Utilities (Valuation Metrics)
Christopher C. Walters	FEA	CCW-2	Proxy Group
Christopher C. Walters	FEA	CCW-3	Consensus Analysts' Growth Rates
Christopher C. Walters	FEA	CCW-4	Constant Growth DCF Model – (Consensus Analysts Growth Rates)
Christopher C. Walters	FEA	CCW-5	Payout Ratios
Christopher C. Walters	FEA	CCW-6	Sustainable Growth Rate
Christopher C. Walters	FEA	CCW-7	Constant Growth DCF Model – (Sustainable Growth Rate)
Christopher C. Walters	FEA	CCW-8	Multi-Stage Growth DCF Model
Christopher C. Walters	FEA	CCW-9	Common Stock Market/Book Ratio

Christopher C. Walters	FEA	CCW-10	Equity Risk Premium – Treasury Bond
Christopher C. Walters	FEA	CCW-11	Equity Risk Premium – Utility Bond
Christopher C. Walters	FEA	CCW-12	Bond Yield Spreads
Christopher C. Walters	FEA	CCW-13	Treasury and Utility Bond Yields
Christopher C. Walters	FEA	CCW-14	Beta Analysis
Christopher C. Walters	FEA	CCW-15	CAPM Return
Brian C. Andrews	FEA	BCA-1	FEA's Proposed Steam Production Plant Depreciation Rates
Brian C. Andrews	FEA	BCA-2	Comparison of FEA and FPL Steam Production Plant Depreciation Rates
Brian C. Andrews	FEA	BCA-3	FPL's Response to the Office of Public Counsel's 9th Set of Interrogatories, No. 264
Brian C. Andrews	FEA	BCA-4	FPL's Response to FEA's 3rd Set of Interrogatories, No. 7
Brian C. Andrews	FEA	BCA-5	Select TD&G Account Net Salvage Analyses
Brian C. Andrews	FEA	BCA-6	FEA Proposed Depreciation Rates
Brian C. Andrews	FEA	BCA-7	Comparison of TECO and FEA Depreciation Rates and Expense
Matthew P. Smith	FEA	MPS-1	2026 Revised CCOSS
Matthew P. Smith	FEA	MPS-2	2027 Revised CCOSS
Matthew P. Smith	FEA	MPS-3	Renewable Resources Nameplate and Accredited Capacity

3. STATEMENT OF BASIC POSITION

FEA recommends Florida Power & Light Company's ("FPL" or "the Company") be awarded a return on equity ("ROE") of 9.50% which is the midpoint of the range produced by all of FEA's models, rather than the Company's recommendation of 59.90%. It is FEA's position that the Company's current reasonable range Market ROE is 9.00% to 10.00%. the Company's proposed equity ratio of 59.60% is significantly higher than the average equity ratio for the proxy group used to estimate the cost of equity for the Company. However, the proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt).

FEA does not take an explicit position on adjusting the Company's proposed capital structure. However, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

The Commission should not allow the Company's flotation cost adjustment. It is flawed and there is no basis to verify the reasonableness or appropriateness of the 9-basis point adjustment. Flotation costs, if incurred, are more appropriately recovered as an expense through the cost of service rather than as a ROE adjustment, which ensures that only prudently incurred costs are allocated fairly across the Company's operations.

FEA also proposes several adjustments to the Company's proposed depreciation rates. The Company's proposed rate adjustments would result in a $170.64 million increase to its depreciation expense based on plant balances as of December 31, 2025. FEA adjustments include a recommendation to: 1) increase the lifespan/retirement date of the Scherer Plant past 2035 to at least 2047 for a total of 60 years plant in service; 2) increase the Steam Plant depreciation rates in accordance with assuming a 2047 lifespan for the Scherer Plant; 3) make adjustments to certain depreciation expenses by a total of $14.22 million as captured in FEA Exhibit BCA-2.

FEA supports and recommends a 4 Coincident Peak (CP) production and transmission allocator and opposes the Company's proposal to increase the energy classification of production capacity from 1/13th energy, which has been used in past rate cases, to 25% in this case. A 4 CP with a 1/13th energy classification better allocates capacity costs based on cost causation principles and is fair and reasonable to all rate classes. The Commission should use the 2026 and the 2027 Revenue Deficiency based on Matthew Smith's and Michael Gorman's testimonies and the Company's proposed gradual allocation of class limits resulting in no class receiving an increase greater than 1.5 times the system average increase, and no rate class receiving a decrease. The Commission should reject any recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should also reject the Company's current recommendation of 12CP and 25% allocation methodology. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

The Company is proposing two new Commercial and Industrial (C&I) rate schedules, Large Load Contract Service – 1 (LLCS-1) and Large Load Contract Service -2 (LLCS-2) for future customers with projected new or incremental load of 25 MW or more, and a load factor of 85% or more. To recover the shared total system costs from these customers, the base, demand, and non-fuel energy charges for the new rate schedules LLCS-1 and LLCS-2 will all initially be set at unit cost equivalents for the GSLD(T)-3 rate class at parity for transmission costs and weighted for fixed production costs to appropriately recognize the incremental generation above and beyond the total system fixed production that will be deployed to serve these customers. The Proposal by the Company to implement these rates is generally reasonable, however the pricing of these rates and the impact on customers should be investigated by the Commission and should be adjusted by imposing a five (5) year termination notice on the minimum term contract rather than the Company's proposed two (2) year termination notice which would allow the Company to look for any alternative markets. The Commission should also allow all interested parties to comment on the "incremental cost" used to price load under these rate schedules if and when new large customer loads are added to the Company system.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

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LEGAL ISSUES

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

a. League of United Latin Citizens Florida

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. Environmental Confederation of Southwest Florida

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

c. Florida Rising

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

d. Florida Industrial Power Users Group

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

e. Federal Executive Agencies

FEA Position: FEA has standing to intervene in this case because FEA consists of certain agencies of the United States Government which have offices, facilities, and/or installations in the service area of the Company. The Department of Defense has been delegated authority by the General Services Administration, through Department of the Air Force counsel, to represent the consumer interest of FEA in these proceedings under 40 U.S.C. §§ 501(c) and 121(d).

In this hearing, the Commission will consider the Company's request for a general base rate increase and approval of its revenue increase. Utility costs represent one of the largest variable expenses of operating federal offices, facilities, and installations on whose behalf intervention is sought herein, and all will be significantly affected by any action the Commission takes in this docket.

Because FEA includes federal offices, facilities, and installations that are the Company ratepayers and will be significantly affected by any action the Commission takes in this docket, FEA has substantial interests that are subject to determination in this docket. Therefore, FEA is entitled to intervene and participate in this proceeding, which will determine the fair, just, and reasonable rates to be charged by the Company to FEA.

FEA meets the three-prong associational standing test[1]. With regard to the first prong, FEA asserts that its agencies are located in the Company's service area and receive service from the Company, for which they are charged the Company's applicable service rates. Therefore, the agencies that FEA represents will be substantially affected by the Commission's determinations in this proceeding concerning the Company's petition for a general base rate increase. Regarding the second prong of the test, the subject matter of the proceeding falls within FEA's general scope of interest and activity. Ensuring that federal tax dollars spent by federal offices, facilities, and installations are spent on fair, just, and reasonable utility rates falls within the purview of FEA's general scope of interest. With respect to the third prong of the test, FEA seeks intervention in this docket to represent the interests of its agencies, as the Company customers, in seeking reliable service and fair, just, and reasonable rates. Therefore, FEA asserts that it meets the requirements for standing in this docket.

f. Southern Alliance for Clean Energy

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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[1] Florida Home Builders Association v. Department of Labor and Employment Security, 412 So. 2d 351, 353-54 (Fla. 1982); Farmworker Rights Organization, Inc. v. Department of Health and Rehabilitative Services, 417 So. 2d 753, 754 (Fla. 1st DCA 1982).

g. EVGo, Services, LLC

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

h. Electrify America, LLC

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

i. Florida Retail Federation

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

j. Walmart

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

k. Florida Energy Innovation Association

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

l. Floridians Against Increased Rates

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

m. Americans for Affordable Clean Energy

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

n. Wawa, Inc.

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

o. RaceTrac, Inc.

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

p. Circle K, Inc.

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

q. Armstrong World Industries, Inc.

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. SC2023-0988 – Citizens of the State of Florida, etc., v. Florida Public Service Commission (and consolidated SC2023-1433 – Citizens of the State of Florida, etc. v. Florida Public Service Commission)?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

c. SC2024-0485 – Florida Rising, Inc. et al. v. Florida Public Service Commission, et al.?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

d. SC2025-0289 – LULAC Florida, Inc. et al. v. Florida Public Service Commission, et al. (and consolidated SC2025-0300 – Citizens of the State of Florida, etc. v. Florida Public Service Commission, et al.)?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 8: Is FPL's projected test period appropriate?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

a. For the 12 months ending December 31, 2026?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 12 months ending December 31, 2027?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 10: Are FPL's forecasts of Customers, KWH, and KW by revenue and rate class appropriate?

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

QUALITY OF SERVICE

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

DEPRECIATION AND DISMANTLEMENT STUDIES

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

FEA Position: Generally, the Company's new depreciation rates resulting in a $170.64M increase are based on overstated depreciation rates. This includes the Company's early proposed retirement date for the Scherer plant which is unsupported. Environmental regulations are currently uncertain, and Georgia Power is continuing to operate the plant for the foreseeable future. No change should be made to its current 2047 retirement date. The total reductions to the Company's depreciation rates are expressed below:

TABLE 2

Impact of FEA's Proposed Depreciation Rates and Expense
for Steam Production Plant as of December 31, 2025

	Depreciation Expense ($ Millions)				Depreciation Rates		
			Difference				
Plant	FPL	FEA	Amount	Percent	FPL	FEA	Difference
Gulf Clean Energy Center	$ 54.69	$ 55.24	$ 0.55	1.01%	5.16%	5.21%	0.05%
Scherer Steam Plant	$ 28.74	$ 13.97	$ (14.77)	-51.40%	7.09%	3.44%	-3.64%
Total Steam	$ 83.43	$ 69.21	$ (14.22)	-17.05%	3.83%	3.18%	-0.65%

Sources: Exhibit BCA-2

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?

FEA Position: Comparing FEA's proposed Steam Plant Depreciation rates to the Company's rates for just the Scherer plant results in a $14.77M reduction. When you combine that with the average net salvage rate used for the Gulf Coast Clean Energy Center results in a final total reduction of $14.22M.

ISSUE 15: What corrective reserve measures should be taken with respect to the imbalances identified in Issue 6, if any?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 26: Should FPL's proposed solar generation projects be approved?

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 27: Should FPL's proposed battery storage projects be approved:

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 28: Should FPL's proposed generation maintenance capital expense be approved:

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 31: What amount of Net Nuclear Fuel should be approved:

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 32: Should FPL's proposed biogas upgrade be approved:

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive

its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive

its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: The Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). FEA's position is that the Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

b. For the 2027 projected test year?

FEA Position: The Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). FEA's position is that the Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: The Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). FEA's position is that the Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

b. For the 2027 projected test year?

FEA Position: The Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). FEA's position is that the Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

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

a. For the 2026 projected test year?

FEA Position: The Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

The Company's recommendation of 11.90% and proposed common equity ratio of 59.60% overstates the cost of capital for a low-risk, rate-regulated electric utility, resulting in a ROR that is one of the highest in the United States and risks exceeding reasonable benchmarks and risks violating the *Hope* and *Bluefield* standards, which require rates to be just and reasonable for both investors and ratepayers

b. For the 2027 projected test year?

FEA Position: The Company's current reasonable range Market ROE is 9.00% to 10.00%. That range accounts for the unsustainable growth rates assumed in the constant growth DCF model and the irrational assumption that Value Line's current beta estimates are reflective of current investor expectations. The results of the constant growth DCF using analysts' growth rates assume an average long-term growth rate of 6.60%, which is approximately 59% higher than the long-term projected GDP growth rate of 4.14%. This is an unsustainable assumption and likely leads to an overstatement in the cost of equity for a low risk regulated utility. Thus, more weight should be given to the sustainable growth and multi-stage models of the DCF. FEA recommends the Commission authorize a ROE of 9.50%, which is the midpoint of the range produced by FEA's models. In addition, because of the Company's significantly higher equity ratio relative to the proxy group, a more reasonable range applicable to the company would be the lower-half of FEA's overall recommended range. If the Commission should authorize the Company its requested equity ratio of 59.60%, a ROE in the lower half of the range such as 9.00 to 9.50% would be warranted.

The Company's recommendation of 11.90% and proposed common equity ratio of 59.60% overstates the cost of capital for a low-risk, rate-regulated electric utility, resulting in a ROR that is one of the highest in the United States and risks exceeding reasonable benchmarks and risks violating the *Hope* and *Bluefield* standards, which require rates to be just and reasonable for both investors and ratepayersThe Company's flotation cost adjustment is flawed and there is no basis to verify the reasonableness or appropriateness of the 9-basis point adjustment. Flotation costs, if incurred, are more appropriately recovered as an expense through the cost of service rather than as a ROE adjustment, which ensures that only prudently incurred costs are allocated fairly across the Company's operations.

<u>ISSUE 50:</u> 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?

FEA Position: the Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). The Company's recommendation of 11.90% and proposed common equity ratio of 59.60% overstates the cost of capital for a low-risk, rate-regulated electric utility, resulting in a ROR that is one of the highest in the United States and risks exceeding reasonable benchmarks and risks violating the *Hope* and *Bluefield* standards, which require rates to be just and reasonable for both investors and ratepayers. FEA does not take an explicit position on adjusting the Company's proposed capital structure. However, if the Company is granted an equity ratio of 59.90%, then a ROE of between 9.00% to 9.50% is warranted.

b. For the 2027 projected test year?

FEA Position: The Company's proposed equity ratio of 59.60% is significantly higher than the equity ratio for the proxy group used to estimate the cost of equity for the Company. The proxy group that the Company uses has an average common equity ratio of 38.4% (including short-term debt) and 42.6% (excluding short-term debt). The Company's recommendation of 11.90% and proposed common equity ratio of 59.60% overstates the cost of capital for a low-risk, rate-regulated electric utility, resulting in a ROR that is one of the highest in the United States and risks exceeding reasonable benchmarks and risks violating the *Hope* and *Bluefield* standards, which require rates to be just and reasonable for both investors and ratepayers. FEA does not take an explicit position on adjusting the Company's proposed capital structure. However, if the Company is granted an equity ratio of 59.90%, then a ROE of between 9.00% to 9.50% is warranted.

NET OPERATING INCOME

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 69: Should any adjustments be made to Property Insurance expenses?

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 75: What amount of O&M Expense should be approved: (Fallout Issue)

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 83: What amount of Income Tax expense should be approved?
a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 84: What amount of Total Operating Expenses should be approved: (Fallout Issue)?
a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive

its right to make argument on this issue once all facts are complete.

<u>COST OF SERVICE AND RATE DESIGN ISSUES</u>

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?

FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: Generally, the Company's capacity allocation component should be based on the Company's four-month peak period or a 4CP, 1/13th energy production plant allocation factor should be used rather than a 12CP, 25% energy production plant allocator. The effect of the Company's proposed use of a 12CP allocator, for a utility with a 4CP peak period, is a mismatch between cost causation and cost allocation, resulting in production and transmission capacity costs being under allocated to low load factor rate classes relative to the capacity cost needed to provide reliable firm service, and over allocates capacity cost to high load factor classes relative to the capacity cost needed to provide reliable firm service.

The Company develops a capacity allocation based on a 12 CP when its system load profile clearly shows that its peak season occurs during only a 4-month period.

The Commission should reject FEL's recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

Our proposed Class allocation tables limiting less than 1.5x for 2026 are below:

Table 3

FEA Cost of Service and Proposed Revenue Spread
2026 Test Year

Class Description	Current Revenues[1] (1)	Increase to Cost of Service[2] (2)	(3)	FEA Proposed Increase[3] (4)	(5)	Index (6)
CILC-1D	$ 108,286	$ 28,895	26.68%	$ 26,090	24.09%	1.50
CILC-1G	5,050	994	19.67%	1,066	21.10%	1.31
CILC-1T	46,915	7,589	16.18%	8,241	17.57%	1.09
GS(T)-1	727,953	29,374	4.04%	38,434	5.28%	0.33
GSCU-1	2,403	(375)	-15.62%	-	0.00%	-
GSD(T)-1	1,726,181	455,156	26.37%	415,895	24.09%	1.50
GSLD(T)-1	546,455	165,553	30.30%	131,660	24.09%	1.50
GSLD(T)-2	176,685	64,251	36.36%	42,569	24.09%	1.50
GSLD(T)-3	32,160	6,083	18.91%	6,540	20.34%	1.27
MET	4,368	167	3.83%	222	5.08%	0.32
OS-2	2,031	1,105	54.39%	489	24.09%	1.50
RS(T)-1	6,038,411	776,807	12.86%	858,337	14.21%	0.88
SL/OL-1	189,177	12,820	6.78%	15,237	8.05%	0.50
SL-1M	1,552	(16)	-1.05%	-	0.00%	-
SL-2	1,851	(92)	-4.98%	-	0.00%	-
SL-2M	564	(120)	-21.33%	-	0.00%	-
SST-DST	181	(114)	-63.18%	-	0.00%	-
SST-TST	7,229	(3,295)	-45.58%	-	0.00%	-

TABLE 1
Comparison of Proposed Target Equalized Revenue Requirements
By Rate Class 12CP Production/Transmission Allocator VS 4CP
For Test Year 2026
($M)

	Flordia Power & Light Company CCOSS				FEA Revised CCOSS			
Rate Class (1)	Achieved Revenues (2)	Revenue Deficiency/ (Excess) (3)	Percent Difference (4)	Increase Index (5)	Achieved Revenues (6)	Revenue Deficiency/ (Excess) (7)	Percent Difference (8)	Increase Index (9)
CILC-1D	$110.5	$41.7	37.7%	2.4	$110.5	$28.9	26.2%	1.7
CILC-1G	5.1	1.4	27.3%	1.7	5.1	1.0	19.3%	1.2
CILC-1T	47.6	17.5	36.8%	2.4	47.6	7.6	16.0%	1.0
GS(T)-1	746.4	(0.1)	0.0%	0.0	746.6	29.4	3.9%	0.3
GSCU-1	2.4	(0.1)	-5.2%	-0.3	2.4	(0.4)	-15.4%	-1.0
GSD(T)-1	1,762.1	482.1	27.4%	1.8	1,762.0	455.2	25.8%	1.7
GSLD(T)-1	557.9	198.6	35.6%	2.3	557.8	165.6	29.7%	1.9
GSLD(T)-2	180.6	79.0	43.8%	2.8	180.6	64.3	35.6%	2.3
GSLD(T)-3	33.0	9.7	29.4%	1.9	32.9	6.1	18.5%	1.2
MET	4.4	0.5	11.4%	0.7	4.4	0.2	3.8%	0.2
OS-2	2.1	1.2	54.7%	3.5	2.1	1.1	51.8%	3.3
RS(T)-1	6,229.8	700.1	11.2%	0.7	6,230.0	776.8	12.5%	0.8
SL/OL-1	191.1	16.3	8.5%	0.5	191.1	12.8	6.7%	0.4
SL-1M	1.6	0.2	12.8%	0.8	1.6	(0.0)	-1.0%	-0.1
SL-2	1.9	0.1	7.6%	0.5	1.9	(0.1)	-4.9%	-0.3
SL-2M	0.6	(0.1)	-13.5%	-0.9	0.6	(0.1)	-21.0%	-1.3
SST-DST	0.2	(0.1)	-61.9%	-4.0	0.2	(0.1)	-62.2%	-4.0
SST-TST	$7.3	($3.3)	-44.6%	-2.9	$7.3	($3.3)	-45.2%	-2.9
System Total	$9,884.8	$1,544.8	15.6%	1.0	$9,884.8	$1,544.8	15.6%	1.0

Sources:
(2) & (3) Exhibit TD-3 Target RR at Proposed Rate.
(4) Column (3)/ Column (2).
(5) & (9) Percent Difference, for each class/System Total Increase.
(6) Exhibit MPS-1, tab Revised 2026 COS Present Rates.
(7) Exhibit MPS-1, tab Revised 2026 COS Proposed Rates.
(8) Column (7)/Column (6).

b. For the 2027 projected test year?

FEA Position: Generally, the Company's capacity allocation component should be based on the Company's four-month peak period or a 4CP, 1/13th energy production plant allocation factor should be used rather than a 12CP, 25% energy production plant allocator. The effect of the Company's proposed use of a 12CP allocator, for a utility with a 4CP peak period, is a mismatch between cost causation and cost allocation, resulting in production and transmission capacity costs being under allocated to low load factor rate classes relative to the capacity cost needed to provide reliable firm service, and over allocates capacity cost to high load factor classes relative to the capacity cost needed to provide reliable firm service.

The Company develops a capacity allocation based on a 12 CP when its system load profile clearly shows that its peak season occurs during only a 4-month period.

The Commission should reject FEL's recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

Our proposed Class allocation limiting less than 1.5x for 2027 is below:

Table 4

FEA Cost of Service and Proposed Revenue Spread
2027 Test Year

Class Description	Current Revenues[1]	Increase to Cost of Service[2]		FEA Proposed Increase		Index
	(1)	(2)	(3)	(4)	(5)	(6)
CILC-1D	$ 108,514	$ 39,303	36.22%	$ 39,588	36.48%	1.43
CILC-1G	5,054	1,459	28.87%	1,471	29.11%	1.14
CILC-1T	47,272	12,766	27.00%	12,881	27.25%	1.07
GS(T)-1	734,758	95,706	13.03%	97,306	13.24%	0.52
GSCU-1	2,403	(176)	-7.30%	-	0.00%	-
GSD(T)-1	1,745,395	625,018	35.81%	629,584	36.07%	1.41
GSLD(T)-1	546,417	218,248	39.94%	209,057	38.26%	1.50
GSLD(T)-2	177,543	82,981	46.74%	67,927	38.26%	1.50
GSLD(T)-3	32,398	9,720	30.00%	9,801	30.25%	1.19
MET	4,389	543	12.38%	553	12.60%	0.49
OS-2	2,037	1,172	57.51%	780	38.26%	1.50
RS(T)-1	6,102,909	1,353,837	22.18%	1,368,201	22.42%	0.88
SL/OL-1	193,585	39,980	20.65%	40,430	20.88%	0.82
SL-1M	1,653	68	4.09%	71	4.29%	0.17
SL-2	1,832	94	5.11%	97	5.31%	0.21
SL-2M	601	(85)	-14.09%	-	0.00%	-
SST-DST	181	(108)	-59.68%	-	0.00%	-
SST-TST	7,262	(2,778)	-38.25%	-	0.00%	-
	$ 9,714,204	$ 2,477,747	25.51%	$ 2,477,747	25.51%	1.00

Sources:
[1]MFR No. E-1 (Volume I), Attachment 1, 2027 at Present Rates
[2]Exhibit MPS-2
[3]Limited the increase to a maximum of 1.5 x system average and no decreases.

TABLE 2
Comparison of Proposed Target Equalized Revenue Requirements
By Rate Class 12CP Production/Transmission Allocator VS 4CP
For Test Year 2027
($M)

	Flordia Power & Light Company CCOSS				FEA Revised CCOSS			
Rate Class (1)	Achieved Revenues (2)	Revenue Deficiency/ (Excess) (3)	Percent Difference (4)	Increase Index (5)	Achieved Revenues (6)	Revenue Deficiency/ (Excess) (7)	Percent Difference (8)	Increase Index (9)
CILC-1D	$110.8	$53.0	47.8%	1.9	$110.8	$39.3	35.5%	1.4
CILC-1G	5.2	1.9	36.8%	1.5	5.2	1.5	28.3%	1.1
CILC-1T	48.0	23.4	48.8%	2.0	48.0	12.8	26.6%	1.1
GS(T)-1	754.1	64.0	8.5%	0.3	754.3	95.7	12.7%	0.5
GSCU-1	2.4	0.1	3.7%	0.1	2.4	(0.2)	-7.2%	-0.3
GSD(T)-1	1,783.2	653.8	36.7%	1.5	1,783.2	625.0	35.1%	1.4
GSLD(T)-1	558.4	253.4	45.4%	1.8	558.3	218.2	39.1%	1.6
GSLD(T)-2	181.7	98.6	54.3%	2.2	181.6	83.0	45.7%	1.8
GSLD(T)-3	33.2	13.6	41.0%	1.7	33.2	9.7	29.3%	1.2
MET	4.5	0.9	20.3%	0.8	4.5	0.5	12.2%	0.5
OS-2	2.1	1.2	57.8%	2.3	2.1	1.2	54.8%	2.2
RS(T)-1	6,302.2	1,272.7	20.2%	0.8	6,302.4	1,353.8	21.5%	0.9
SL/OL-1	195.6	43.3	22.1%	0.9	195.6	40.0	20.4%	0.8
SL-1M	1.7	0.3	18.8%	0.8	1.7	0.1	4.0%	0.2
SL-2	1.9	0.3	18.3%	0.7	1.9	0.1	5.0%	0.2
SL-2M	0.6	(0.0)	-5.8%	-0.2	0.6	(0.1)	-13.9%	-0.6
SST-DST	0.2	(0.1)	-58.4%	-2.4	0.2	(0.1)	-58.8%	-2.4
SST-TST	$7.3	($2.7)	-37.1%	-1.5	$7.3	($2.8)	-37.9%	-1.5
System Total	$9,993.2	$2,477.7	24.8%	1.0	$9,993.2	$2,477.7	24.8%	1.0

Sources:
(2) & (3) Exhibit TD-3 Target RR at Proposed Rate.
(4) Column (3)/ Column (2).
(5) & (9) Percent Difference, for each class/System Total Increase.
(6) Exhibit MPS-2, tab Revised 2027 COS Present Rates.
(7) Exhibit MPS-2, tab Revised 2027 COS Proposed Rates.
(8) Column (7)/Column (6).

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

a. For the 2026 projected test year?

FEA Position: FEA recommends a 4CP allocation method for transmission costs. The Commission should reject any recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should also reject the Company's current recommendation. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

b. For the 2027 projected test year?

FEA Position: FEA recommends a 4CP allocation method for transmission costs. The Commission should reject any recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should also reject the Company's current recommendation. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

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

a. For the 2026 projected test year?

FEA Position: FEA recommends a 4CP allocation method for transmission costs. The Commission should reject any recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should also reject the Company's current recommendation. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

b. For the 2027 projected test year?

FEA Position: FEA recommends a 4CP allocation method for transmission costs. The Commission should reject any recommendation for production capacity costs being allocated using a 12 CP and energy/capacity allocation method that allocates the costs of all nuclear and solar plants to energy cost and all gas plant and battery storage facilities to demand. The Commission should also reject the Company's current recommendation. The Commission should instead use its approved methodology for allocating production plant cost using 1/13th energy for production resources coupled with 4CP for capacity to more accurately align with how the Company's resource portfolio is designed and how costs are incurred in order to provide reliable service to all its rate classes.

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

FEA Position: FEA recommends allocators be assigned to match the manner in which costs are incurred, whether those be demand, energy, customer, and/or direct assignment when applicable.

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?

FEA Position: FEA class allocation Recommends that no class receives more than a 1.5x increase.

b. For the 2027 projected test year?

FEA Position: FEA class allocation Recommends that no class receives more than a 1.5x increase.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 96: What are the appropriate demand charges: (Fallout Issue)
a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive

its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 99: What is 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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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)?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

c. What interest rate, if any, should FPL be required to pay on a refundable CIAC?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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 associated service agreement (sheet nos. 9.960-9.983)?

FEA Position: Generally, the Company's proposal to implement the rates now is reasonable, however, pricing terms of the rates, and the impact of the Company's cost to provide in-service to visiting customers should be investigated at the time it starts to serve new customers in future periods.

The Company's proposed minimum term contract of 20 years is reasonable; however, the Commission should impose a five-year termination notice on this agreement, rather than the two-year termination notice proposed by the Company.

The Commission should allow all interested parties to review and comment on "incremental cost" used to price load under these rates schedule if and when new large customer loads are added to the Company system.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: The Commission should allow all interested parties to review and comment on "incremental cost" used to price load under these rates schedule if and when new large customer loads are added to the Company's system.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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 to GSLD-1EV (Sheet No. 8.311), and Utility- owned Public Charging Electric Vehicles (Sheet No. 8.936)?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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)

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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)?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 117: What are the effective dates of FPL's proposed rates and charges:

a. For the 2026 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

b. For the 2027 projected test year?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

ISSUE 123: Should the Commission approve, deny, or approve with modification FPL's proposed Storm Cost Recovery mechanism? If the Commission approves the Storm Cost Recovery mechanism with modifications, what modifications should be made?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

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?

ISSUE 130: Should this docket be closed?

FEA Position: FEA has no specific position on this issue. FEA does not waive its right to make argument on this issue once all facts are complete.

5. STIPULATED ISSUES:

No issues have been stipulated at this time.

6. PENDING MOTIONS OR OTHER MATTERS:

On 9 July 2025, FEA filed the Rebuttal Testimony of Michael P. Gorman. On 10 July 2025, FEL filed a Motion to Strike the Rebuttal Testimony of FEA Witness Michael P. Gorman, or in the Alternative, Motion to Conduct Discovery. On 16 July 2025, FEA filed a response to FEL's Motion to Strike Rebuttal Testimony, or, in the Alternative, Motion to Conduct Discovery. The Motion to Strike Rebuttal Testimony, Response, and Discovery are pending a decision by the Commission. The discovery deadline is 23 July 2025. FEA has included its rebuttal testimony in Section 1: Witnesses of this Prehearing Statement.

At the Prehearing Conference, FEA would like to discuss FEA witness live testimony arrangements.

7. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

On 18 June 2025, FEA filed a Request for Confidential Classification of Information Provided in Response to Florida Power and Light's Request for Production of Documents (No. 3). This information was provided to the parties via FP&L's electronic discovery SharePoint. This information includes rating agency reports prepared by Moody's Investor Services (Moody's) and S&P Global Ratings (S&P), which include confidential information that provided to FP&L pursuant to terms that prohibit public disclosure. The confidential information independently derived by Moody's and S&P and/or uniquely compiled by these companies. Such information is competitively sensitive and a trade secret because competitors may use such data to gain a competitive advantage over Moody's and S&P. The confidential information is not available or ascertainable by competitors through normal or proper means. If the confidential information were publicly disclosed, other persons could obtain its economic value without having to obtain a license for or otherwise agree to limit further dissemination of the confidential information. Such public disclosure would have an adverse effect upon the commercial value of the copyrighted material for which FEA pays a fee to access. In such a case, FEA, Moody's, S&P, and FP&L would be at a competitive disadvantage.

On 2 July 2025, FEA sent out responses to Staff's First Request for Production of Documents (POD) (No. 1-3). FEA is requesting Confidential Treatment for its Response to POD 3. This information includes rating agency reports prepared by Moody's Investor Services (Moody's) and S&P Global Ratings (S&P), which include confidential information that provided to FP&L pursuant to terms that prohibit public disclosure. The confidential information independently derived by Moody's and S&P and/or uniquely compiled by these companies. Such information is competitively sensitive and a trade secret because competitors may use such data to gain a competitive advantage over Moody's and S&P. The confidential information is not available or ascertainable by competitors through normal or proper means. If the confidential information were publicly disclosed, other persons could obtain its economic value without having to obtain a license for or otherwise agree to limit further dissemination of the confidential information.

Such public disclosure would have an adverse effect upon the commercial value of the copyrighted material for which FEA pays a fee to access. In such a case, FEA, Moody's, S&P, and FP&L would be at a competitive disadvantage.

8. **OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:**

None at this time.

9. **STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:**

There are no requirements of the Order Establishing Procedure with which Federal Executive Agencies cannot comply.

Dated this 18th day of July 2025

Respectfully Submitted,
Attorneys for Federal Executive Agencies

/s/ Michael A. Rivera

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