

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: July 21, 2025

TO: Docket File

FROM: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

A handwritten signature in blue ink, appearing to be "AJT", located to the right of the "FROM:" line.

RE: Docket No. 20200176-EI - Petition for a limited proceeding to approve clean energy connection program and tariff and stipulation, by Duke Energy Florida, LLC.

Please place the attached disposition order, issued by the Supreme Court of Florida on July 17, 2025, in Docket No. 20200176-EI.

Supreme Court of Florida

THURSDAY, JULY 17, 2025

LULAC Florida Educational
Fund, Inc.,
Appellant(s)

SC2021-0303

Lower Tribunal No(s).:
202100176-EI

v.

Gary F. Clark, etc., et al.,
Appellee(s)

The League of United Latin American Citizens of Florida (LULAC) appeals a final order and revised final order of the Public Service Commission (PSC-2021-0059-S-EI; PSC-2021-0059A-S-EI) approving a settlement agreement and tariffs comprising the Clean Energy Connection (CEC) Program of Duke Energy Florida. That program calls for Duke to build 10 separate solar plants totaling nearly 750 MW of solar generation. Duke has allocated varying percentages of the program capacity to the company's commercial, residential, and local government groups. Subject to availability, Duke customers will be given an opportunity to enroll in the program and pay a subscription fee, which will be added to the participants' regular electricity bill. In exchange, program participants will receive bill credits tied to the solar generation produced by the program's facilities. The Commission concluded in the orders under review that the settlement agreement is in the public interest and establishes rates that are fair, just, and reasonable.

LULAC principally maintains that the CEC Program (1) gives participating customers an undue preference, in violation of section 366.03, Florida Statutes; (2) unfairly grants disproportionate participation opportunities to commercial and industrial customers; and (3) unfairly subjects the general base of rate payers to higher

financial risk than program participants. Under the authority of our Court's decision in *Florida Rising, Inc. v. Florida Public Service Commission*, SC2024-0485, issued today, these arguments are unpersuasive. In *Florida Rising*, we considered and rejected substantially similar challenges directed at the Commission's approval of the SolarTogether program, another utility's version of the CEC Program. We note that the revised final order under review explicitly invokes the Commission's earlier approval of the SolarTogether program as part of the justification for the Commission's decision to approve the CEC Program.

We reject without further discussion LULAC's remaining challenges to the orders under review, including the textually unsupported argument that the orders run afoul of the Florida Electrical Power Plant Siting Act, sections 403.501-403.518, Florida Statutes.

The Commission's orders are affirmed.

It is so ordered.

MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS,
and SASSO, JJ., concur.

FRANCIS, J., concurs in result.

A True Copy

Test:

 SC2021-0303 7/17/2025

John A. Tomasino

Clerk, Supreme Court

SC2021-0303 7/17/2025



LC

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