

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for limited proceeding for recovery of
incremental storm restoration costs related to
Hurricanes Debby, Helene, and Milton, by Florida
Power & Light Company

Docket No. 20240149-EI

Filed: July 31, 2025

**PETITION OF FLORIDA POWER & LIGHT COMPANY
FOR A TEMPORARY VARIANCE FROM OR WAIVER OF
RULE 25-6.0143(1)(g), FLORIDA ADMINISTRATIVE CODE**

Florida Power & Light Company (“FPL” or the “Company”) respectfully petitions the Florida Public Service Commission (“Commission”) for a temporary variance from or waiver of Rule 25-6.0143(1)(g), Florida Administrative Code (“F.A.C.”), pursuant to Rule 28-104.004, F.A.C., and Section 120.542, Florida Statutes (“F.S.”). Specifically, FPL seeks a three-month variance from or waiver of the September 30 date for filing a petition and documentation supporting the review and true-up of the total actual incremental storm restoration costs related to Hurricanes Debby, Helene, and Milton. If granted, FPL will file its petition and supporting documentation for Hurricanes Debby, Helene, and Milton no later than December 31, 2025. FPL respectfully requests that the Commission consider this request for temporary variance or waiver on an expedited basis, such that it can become effective on or before September 30, 2025. In support, FPL states:

I. PRELIMINARY INFORMATION

1. The name and address of the Petitioner is:

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

Any pleading, motion, notice, order, or other document required to be served upon FPL or filed by any party to this proceeding should be served upon the following individual(s):

Christopher T. Wright
Managing Attorney
Joel T. Baker
Senior Attorney
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2. FPL is a corporation organized and existing under the laws of the State of Florida and is an electric utility as defined in Section 366.02(4), F.S.

3. The Commission has jurisdiction pursuant to Sections 366.03, 366.04, 366.05, 366.06, 366.076, and 120.542, F.S., and Rule 25-6.0143, F.A.C.

4. This Petition is being filed consistent with Rule 28-104.004, F.A.C., and Section 120.542, F.S. Although FPL is not filing pursuant to Rule 28-104.005, F.A.C., FPL seeks expedited consideration of this Petition as explained below.

II. REQUEST FOR TEMPORARY WAIVER AND VARIANCE OF RULE 25-6.0143(1)(g), F.A.C.

5. Rule 25-6.0143(1)(g), F.A.C. (hereinafter, the “Rule”), provides as follows:

(g) Under the ICCA methodology for determining the allowable costs to be charged to cover storm-related damages, certain costs may be charged to Account 228.1 only after review and approval by the Commission. Prior to the Commission’s determination of the appropriateness of including such costs in Account No. 228.1, the costs may be deferred in Account No. 186, Miscellaneous Deferred Debits. The deferred costs must be incurred prior to June 1 of the year following the storm event. By September 30 a utility must file a petition for the disposition of any costs deferred prior to June 1 of the year following the storm event giving rise to the deferred costs.

6. Hurricanes Debby, Helene, and Milton impacted FPL's service area during the 2024 storm season such that FPL's storm restoration costs related to these storms were incurred prior to June 1, 2025. In accordance with the Rule, FPL is obligated to file its petition for disposition of those costs by September 30, 2025.

7. In 2024, FPL's service area was significantly impacted by three separate hurricanes. The first, Hurricane Debby, made landfall in Steinhatchee, Florida on August 5, 2024, bringing damaging winds, torrential rain, and storm surge as a Category 1 storm. These conditions impacted electric service for nearly 250,000 FPL customers. FPL mobilized a workforce of about 9,600 personnel to support the restoration effort, including mutual assistance from 16 states. Through these efforts, FPL restored power to essentially all of its nearly 250,000 impacted customers in less than two days after the storm exited Florida.

8. The next month, on September 26, 2024, Hurricane Helene made landfall near Perry, Florida with maximum sustained winds reported at 140 miles per hour ("mph"), torrential rain, and historic storm surge. The storm caused widespread impacts and affected service to more than 680,000 FPL customers across 37 counties. The Company's restoration workforce totaled about 11,000 personnel, including mutual assistance from 23 states. FPL restored power to essentially all of its more than 680,000 customers impacted by Hurricane Helene in three days after the storm exited Florida.

9. Less than two weeks after Hurricane Helene, FPL once again activated its emergency response organization in preparation for impacts from Hurricane Milton. On October 9, 2024, Hurricane Milton made landfall as a major Category 3 hurricane near Siesta Key, Florida, with sustained 120 mph winds, torrential rain, and extensive storm surge. Milton remained a hurricane as it crossed the state of Florida, causing widespread devastation and impacting more

than 2 million FPL customers across 30 counties. FPL's restoration workforce totaled about 20,000 personnel, including mutual assistance from 41 states and Canada. FPL restored power to essentially all of its more than 2 million customers impacted by Hurricane Milton within five days after the storm exited Florida.

10. On October 29, 2024, FPL filed a petition in the above-captioned docket for approval to implement an interim storm surcharge to recover the incremental storm restoration costs related to Hurricanes Debby, Helene, and Milton and to replenish the storm reserve. This petition was approved by the Commission in Order No. PSC-2024-0503-PCO-EI, subject to true-up once the final total actual consolidated storm costs are known. As set forth in FPL's October 29, 2024 petition, the Company estimated the total storm-related restoration costs to be approximately \$134.8 million for Hurricane Debby, approximately \$177.0 million for Hurricane Helene, and approximately \$924.0 million for Hurricane Milton.

11. As a result of the devastation caused by Hurricanes Debby, Helene, and Milton, FPL's storm restoration effort necessarily resulted in a very significant volume of storm-related costs and invoices. Given the volume of invoices to be reviewed and the fact that three separate storms significantly impacted FPL's system late in the 2024 hurricane season, it has required additional time for FPL to process, review, and finalize the voluminous storm restoration invoices for payment as appropriate. As a result, FPL is continuing to review and finalize the storm restoration invoices and anticipates completing this process by late August or early September 2025.

12. Additionally, FPL has been coordinating with Commission Staff, the Office of Public Counsel ("OPC"), and the other Florida investor-owned utilities ("IOUs") that have open storm dockets to agree upon a mutually acceptable process to engage an outside, independent

auditor to examine the IOUs' storm costs associated with Hurricane Milton and ensure that those storm costs are accurate, incurred within the appropriate time period, adequately and completely supported, and properly approved. FPL is currently in the process of engaging the outside auditor to complete the review of the Company's Hurricane Milton storm costs, but does not anticipate that the auditor's review will be complete until early December 2025.

13. FPL submits that completing the audit before filing the total actual incremental storm restoration costs for Hurricanes Debby, Helene, and Milton will benefit the Commission, Staff, and parties, as well as potentially reduce the scope and volume of discovery and contested issues.

14. In light of the foregoing, FPL respectfully requests a three-month variance from or waiver of Rule 25-6.0143(1)(g), F.A.C., such that the petition and documentation supporting the total actual incremental storm restoration costs related to Hurricanes Debby, Helene, and Milton may be filed by December 31, 2025. FPL submits that keeping the final review of the final storm restoration costs on the same procedural track is appropriate and consistent with the approved interim storm surcharge and Commission Order No. PSC-2024-0503-PCO-EI, which directed FPL to file the final review and true-up "once the total actual storm costs are known."

15. The underlying statutes that Rule 25-6.0143, F.A.C., is implementing are Sections 366.03, 366.04(2), 366.05(1) and 366.06(1), F.S. FPL's request does not contravene any of these sections of the Florida Statutes, and in light of the foregoing, FPL's request would serve the underlying purposes of the statutes.

16. FPL submits that its requested temporary variance/waiver fully satisfies the requirements of Section 120.542(2), Florida Statutes. That section provides that "[v]ariations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the

underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.” Section 120.542(2), Florida Statutes, defines “substantial hardship” as an “economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.” As explained above, FPL is continuing to review and finalize the storm invoices due to the late impact of the 2024 storms, and FPL currently does not anticipate that the review of the storm restoration invoices by the outside independent auditor will be complete until early December 2025 due to the very significant volume of storm-related costs and invoices for Hurricane Milton. Stated differently, FPL will not be able to submit the known total storm costs and complete the audit review by the September 30 filing date in Rule 25-6.0143(1)(g), F.A.C.

17. If the requested variance/waiver is not granted and FPL is required to file its petition by September 30 as required by Rule 25-6.0143(1)(g), F.A.C., there is a risk that the September filing potentially could be inconsistent with the final storm restoration costs that must be filed. The potential for filing conflicting final storm restoration costs in this proceeding could lead to unnecessary discovery and costs, and could create unnecessary confusion regarding the final costs at issue for stakeholders and FPL’s customers.

18. No anticipated party to the proceeding, and no customers, will be adversely affected or prejudiced by the granting of this Petition. Further, FPL has contacted the OPC, the only current party of record, and is authorized to represent that OPC has no objection.

III. REQUEST FOR EXPEDITED CONSIDERATION

19. Given the September 30 filing date in the Rule, FPL is requesting expedited consideration of this Petition.

20. FPL respectfully requests the Commission place this item for consideration on the September 2025 Agenda such that it can become effective on or before September 30, 2025.

IV. CONCLUSION

WHEREFORE, FPL respectfully requests that the Commission:

- (a) Consider this Petition on an expedited basis;
- (b) Publish notice of this Petition on an expedited basis;
- (c) Issue an order granting the temporary variance or waiver of Rule 25-6.0143(1)(g), F.A.C., as requested in this Petition; and
- (d) Grant such other relief as the Commission deems appropriate.

Respectfully submitted this 31st day of July 2025.

By: s/ Joel T. Baker

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Counsel for Florida Power & Light Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copies of the foregoing have been furnished by Electronic Mail to the following parties of record this 31st day of July 2025:

Jennifer Crawford Suzanne Brownless Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 jcrawfor@psc.state.fl.us sbrownle@psc.state.fl.us <i>For Commission Staff</i>	Walt Trierweiler Charles J. Rehwinkel Mary A. Wessling c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Trierweiler.walt@leg.state.fl.us rehwinkel.charles@leg.state.fl.us wessling.mary@leg.state.fl.us <i>For Office of Public Counsel</i>
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s/ Joel T. Baker

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Fla. Bar No. 0108202

Attorney for Florida Power & Light Company