

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by Florida Power & Light Company.	))))	Docket No. 20250011-EI Filed: November 10, 2025
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POST-HEARING SETTLEMENT BRIEF OF THE FEDERAL EXECUTIVE AGENCIES

The Federal Executive Agencies (“FEA”), through the undersigned attorneys, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2025-0075-PCO-EI, issued March 14, 2025, and subsequent rulings by the Prehearing Officer, hereby submits this Post-Hearing Brief in Support of the Proposed Settlement Agreement.

BASIC BACKGROUND AND SUMMARY

On February 28, 2025, Florida Power & Light Company (“FPL”) filed a petition, minimum filing requirements, testimony, and exhibits for a base rate increase effective January 2026.

On March 3, 2025, FEA filed a petition to intervene, which was granted by this Commission on 17 March, 2025.¹

On March 14, 2025, the Commission issued their Order Establishing Procedure, which among other directives, established official recognition of public statutory law of the Florida Legislature.²

On August 20, 2025, FEA, along with nine other parties and FPL (hereinafter, collectively referred to as the “Signatory Parties”), filed a Proposed Settlement Agreement in Docket No. 2025-0011-EI, which provides a compromised, just and reasonable, resolution to all

¹ Order No. PSC-2025-0077-PCO-EI.

² Order No. PSC-2025-0075-PCO-EI, Section H.

issues pending before this Commission.³

FEA is familiar with the positions and arguments made in FPL's post-hearing brief concluding the Proposed Settlement Agreement results in fair, just, and reasonable rates that, taken as a whole, is in the public interest. FEA submits this brief to express support for the Proposed Settlement Agreement and concurrence with the arguments presented by FPL.

STANDING

In granting FEA's Petition to Intervene, this Commission discussed FEA's representation that it has offices, facilities and installations in FPL's service area but advised there would still need to be "proof of standing." By taking official recognition of Florida Statutes in the Order Establishing Procedure⁴, this Commission took official recognition of Florida Statutes, Sections 163.3175 and 333.301, which identify the military installations throughout Florida and their associated counties within FPL's service territory.

FEA had the opportunity to review a draft of Florida Industrial Power Users Group's (FIPUG) post-hearing brief regarding their position on standing, and FEA concurs with and adopts FIPUG's legal analysis, argument, and conclusion they too are entitled to participate as an intervenor in this proceeding.

STATEMENT OF POSITION

This Commission, recognizing the numerous complexities of general rate cases, has consistently encouraged negotiated settlements as a more efficient and innovative alternative to piecemeal decisions. The Proposed Settlement Agreement before this Commission exemplifies

³ The other parties included: Florida Industrial Power Users Group, Florida Retail Federation, Florida Energy for Innovation Association, Inc., Walmart Inc., EVgo Services, LLC, Electrify America, LLC, Armstrong World Industries, Inc., Southern Alliance for Clean Energy, and Americans for Affordable Clean Energy, Inc., Circle K Stores, Inc., RaceTrac Inc., and Wawa, Inc.

⁴ Order No. PSC-2025-0075-PCO-EI, Section H.

this approach. It represents a comprehensive and interdependent agreement reached through good-faith negotiation by the Signatory Parties who represent a broad range of customers, each with competing interests. It provides all customers in FPL’s service territory with predictable rates for at least the next four years, while providing FPL with the ability to improve resilience, develop efficiencies, and prepare for new Large Load Customers.⁵

The appropriate standard of review for the Commission in general rate cases is governed by Florida Statutes, Section 366.06, which authorizes the Commission to “...determine and fix fair, just, and reasonable rates...” and results in a prudence standard.⁶ However, when a settlement agreement is filed with the Commission, the review shifts to a “public interest standard: whether the agreement—as a whole—resolve[s] all the issues, ‘establishe[s] rates that [a]re just, reasonable, and fair, and that the agreement is in the public interest.’”⁷ In that context, the Proposed Settlement Agreement was filed as a complete, comprehensive and interdependent settlement package that results in fair, just and reasonable rates to FPL’s service territory and is in the public interest.

The record clearly shows that the Signatory Parties made significant concessions to arrive at a well-reasoned and reasonable compromise regarding revenue requirements, revenue allocation, and related issues. The Proposed Settlement Agreement resolves all contested aspects of the FPL base rate filing and ensures affordable and predictable rates through December 31, 2029.⁸

⁵ CEL Ex. 1283, Proposed Settlement Agreement.

⁶ *Sierra Club. V. Brown*, 43 St. 3d 903, 908 (Fla. 2018).

⁷ *Id.* at 909 (citing *Citizens cf State v. Fla. Pub. Serv. Comm’n*, 146 So. 3d 1143 (Fla. 2014)).

⁸ *Id.*

CONCLUSION

The record before the Commission provides competent and substantial evidence that the Proposed Settlement Agreement is in the public interest and should be approved as proposed.

Accordingly, FEA respectfully requests the Commission's approval of the same.

Respectfully submitted this 10th day of November 2025,

/s/ Leslie R. Newton

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CERTIFICATE OF SERVICE

Docket Nos. 20250011-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 10th day of November 2025, to the following:

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