

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: DOCKET NO. 20250001-EI
Fuel and Purchased Power Cost
Recovery Clause and Generating
Performance Incentive Factor

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER GABRIELLA PASSIDOMO SMITH

DATE: Tuesday, October 21, 2025

TIME: Commenced: 9:30 a.m.
Concluded: 11:10 a.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
TALLAHASSEE, FLORIDA
(850) 894-0828

1 COUNSEL OF RECORD FOR APPEARANCES:

2 MARIA JOSE MONCADA, JOEL BAKER and DAVID M.
3 LEE, ESQUIRES, 700 Universe Boulevard, Juno Beach, FL
4 33408-0420; appearing on behalf of Florida Power & Light
5 Company (FPL).

6 MATTHEW BERNIER and STEPHANIE CUELLO,
7 ESQUIRES, 106 E. College Avenue, Suite 800, Tallahassee,
8 Florida 32301; DIANNE M. TRIPLETT, ESQUIRE, 299 First
9 Avenue North, St. Petersburg, Florida 33701; appearing
10 on behalf of Duke Energy Florida, LLC (DEF).

11 J. JEFFREY WAHLEN, MALCOLM N. MEANS and
12 VIRGINIA PONDER, ESQUIRES, Ausley Law Firm, Post Office
13 Box 391, Tallahassee, Florida 32302; appearing on behalf
14 of Tampa Electric Company (TECO).

15 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
16 South Monroe Street, Suite 601, Tallahassee, Florida
17 32301; appearing on behalf of Florida Public Utilities
18 Company (FPUC).

19 WALT TRIERWEILER, PUBLIC COUNSEL; CHARLES
20 REHWINKEL, DEPUTY PUBLIC COUNSEL; OFFICE OF PUBLIC
21 COUNSEL, c/o The Florida Legislature, 111 West Madison
22 Street, Room 812, Tallahassee, FL 32399-1400, appearing
23 on behalf of the Citizens of the State of Florida (OPC).

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1 APPEARANCES CONTINUED:

2 JAMES W. BREW, LAURA W. BAKER and SARAH B.
3 NEWMAN, ESQUIRES, Stone Law Firm, 1025 Thomas Jefferson
4 Street NW, Suite 800 West Washington, DC 20007;
5 appearing on behalf of Florida Retail Federation (FRF).

6 RYAN SANDY, ESQUIRE, FPSC General Counsel's
7 Office, 2540 Shumard Oak Boulevard, Tallahassee, FL
8 32399-0850, appearing on behalf of the Florida Public
9 Service Commission (Staff).

10 ADRIA HARPER, GENERAL COUNSEL; MARY ANNE
11 HELTON, DEPUTY GENERAL COUNSEL, Florida Public Service
12 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
13 Florida 32399-0850, Advisor to the Florida Public
14 Service Commission.

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1 P R O C E E D I N G S

2 COMMISSIONER PASSIDOMO SMITH: I will move on
3 to our final 01 docket.

4 Mr. Sandy, any preliminary matters we need to
5 address?

6 MR. SANDY: Good morning, Chair.

7 I would simply note that I have received
8 several changes or amendments to the filings of the
9 intervenors that will end up reflected in the final
10 Prehearing Order. They are not reflected right
11 now. They will be reflected later.

12 COMMISSIONER PASSIDOMO SMITH: Okay. Is
13 everybody okay with that? Okay.

14 And then any party have any preliminary matter
15 before we move through? All right. Seeing none.

16 All right, we will start with Section I, Case
17 Background.

18 Section II, Conduct of Proceedings.

19 Section III, Jurisdiction.

20 Section IV, Procedure for Handling
21 Confidential Information.

22 Section V, Prefiled Testimony and Exhibits.

23 MR. SANDY: I would note that the parties are
24 working on witness stipulations. For those
25 witnesses who are ultimately not excused though, we

1 would recommend their summaries are no more than
2 three minutes.

3 COMMISSIONER PASSIDOMO SMITH: Is three
4 minutes okay? All right, seeing none -- no
5 objections, we will move to Order of Witnesses.

6 MR. SANDY: We are not aware of any changes
7 now. As a result of the intervenors working with
8 each other, would he may have changes later
9 ultimately that will end up reflected in the
10 Prehearing Order or at the final hearing.

11 COMMISSIONER PASSIDOMO SMITH: Okay. Is
12 everyone okay with that?

13 Okay. Wow, you guys are so amenable today.
14 It's really nice.

15 So we will move to Basic Positions. Do the
16 parties have any changes to their basic positions?

17 Seeing none, we will move to Issues and
18 Positions.

19 MR. SANDY: The OEP requires that each of the
20 intervenors take a position here this morning
21 unless good cause is shown why they cannot do so.
22 If a party's position in the draft Prehearing Order
23 is listed as no position at this time, they must
24 change that today or show good cause why they
25 can't. Absent a showing of good cause, the

1 Prehearing Order will reflect no position for a
2 party.

3 If no position is taken, or if a change to
4 position is requested, we ask that that happen no
5 later than tomorrow at five o'clock.

6 COMMISSIONER PASSIDOMO SMITH: Is that okay?
7 Okay. Everyone is nodding that's okay.

8 So are there any other -- parties, are there
9 any other related matters that we should address in
10 this section?

11 Yes, Mr. Rehwinkel?

12 MR. REHWINKEL: I will just say this for the
13 four electric dockets. There are some matters that
14 the Public Counsel is working very closely with
15 Florida Power & Light with that will determine our
16 participation in the hearing, and so that's going
17 on.

18 Assuming that that is successful, as we
19 anticipate, the -- we will wait for the staff to
20 circulate proposed stipulations. At that point, we
21 can take a look at whether it's possible to
22 facilitate a Type 2 stipulation that would allow
23 witnesses to be excused and the hearing process to
24 be greatly streamlined. So just for all four of
25 the electric dockets, we are doing that.

1 One of the things that I would like to ask,
2 and this applies to all of the dockets, is that the
3 standard Type 2 stipulation explanation footnote be
4 inserted uniformly in those. And we will -- if we
5 reach an opportunity to facilitate those, we will
6 have standard language that matches the footnote.

7 And then the final thing I would ask is I
8 assume that the staff is going to do what they've
9 always done, which is to circulate a final draft of
10 the Prehearing Order so we can make sure that the
11 changes that we have suggested to our positions are
12 properly reflected, because that's going to be
13 important for this round, given what we are trying
14 to work out with Florida Power & Light, so --

15 COMMISSIONER PASSIDOMO SMITH: Okay.

16 MR. REHWINKEL: -- that's a lot, but I think
17 we are on -- everybody is on the same page, but I
18 just wanted to say it at least once in one of those
19 dockets, and this is a good one to do it in.

20 COMMISSIONER PASSIDOMO SMITH: Right. Yeah, I
21 appreciate you putting it out there.

22 Staff, if you noted all -- there's -- took
23 down those three main things that he covered there?

24 MR. SANDY: Yes, indeed. And I can assure Mr.
25 Rehwinkel we will be working with him and everybody

1 else involved in not just the 01 clause docket, but
2 all the clause dockets, to make sure what is set
3 forth in the orders is correct and that they have
4 the appropriate language and any issue stipulations
5 or witness stipulations that are set forth now or
6 later.

7 COMMISSIONER PASSIDOMO SMITH: Okay. Sounds
8 good. All right. Thank you very much.

9 Any other parties? Seeing none, okay.

10 So Exhibit List. Staff.

11 MR. SANDY: We have prepared a Comprehensive
12 Exhibit List, which includes all the prefiled
13 exhibits, and also includes exhibits that staff
14 wishes to introduce into the record. That
15 Comprehensive Exhibit List has been circulated
16 among the intervenors.

17 I would note now simply that we may have
18 slight modifications to the exhibit list in light
19 of what I believe Mr. Rehwinkel alluded to. We are
20 aware of that. We will work with the intervenors
21 to determine if they have any objections to the
22 final Comprehensive Exhibit List or any staff's
23 exhibits entering into the record.

24 COMMISSIONER PASSIDOMO SMITH: Is that okay?

25 Okay. So we will move to Proposed

1 Stipulations. Are there any?

2 MR. SANDY: I am aware that there are issue
3 stipulations in the works. I am also aware that
4 those have not been finalized yet. I will be
5 continuing to work with the intervenors on any
6 issue stipulations and language. As Mr. Rehwinkel
7 alluded to, we will be circulating some proposed
8 issue stipulation language, and that may address
9 the parties' issues ultimately.

10 COMMISSIONER PASSIDOMO SMITH: Okay. That
11 will be, yeah, forthcoming.

12 So Pending Motions, then.

13 MR. SANDY: There are none outstanding at this
14 time.

15 COMMISSIONER PASSIDOMO SMITH: Any pending
16 confidentiality motions?

17 MR. SANDY: There are several under review at
18 this time, and we are working diligently to ensure
19 that they are resolved soon.

20 COMMISSIONER PASSIDOMO SMITH: All right.
21 Sounds good. Make sure that gets done.

22 Post-Hearing Procedures.

23 MR. SANDY: If the parties agree to waive
24 their legal briefs, then the Commissioners may make
25 a bench vote in this clause docket.

1 And if there are any issues that need to be
2 briefed, we would recommend that those are no more
3 than 40 pages.

4 COMMISSIONER PASSIDOMO SMITH: Is there any
5 objection?

6 Okay. Rulings, staff.

7 MR. SANDY: We would recommend that opening
8 statements are no more than three minutes in this
9 particular clause docket.

10 COMMISSIONER PASSIDOMO SMITH: Any objections?
11 Okay, seeing none, opening statements shall be
12 limited to three minutes per party.

13 Any other matters that need to be addressed in
14 this Prehearing Conference?

15 MR. SANDY: None that I am aware of, Chair.

16 COMMISSIONER PASSIDOMO SMITH: Any parties
17 have any additional matters?

18 All right. Seeing none, 01 docket prehearing
19 is adjourned, and thank you very, very much for a
20 very streamlined prehearing. I appreciate all of
21 you working together.

22 So with that being said, this whole Prehearing
23 Conference is adjourned. Have a good Tuesday.

24 (Proceedings concluded.)
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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA)
3 COUNTY OF LEON)
4

5 I, DEBRA KRICK, Court Reporter, do hereby
6 certify that the foregoing proceeding was heard at the
7 time and place herein stated.

8 IT IS FURTHER CERTIFIED that I
9 stenographically reported the said proceedings; that the
10 same has been transcribed under my direct supervision;
11 and that this transcript constitutes a true
12 transcription of my notes of said proceedings.

13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the action.

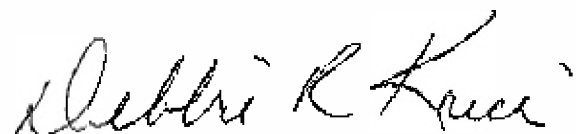
18 DATED this 11th day of November, 2025.
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DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH575054
EXPIRES AUGUST 13, 2028