

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: DOCKET NO. 20250007-EI
Environmental cost
recovery clause.

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

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

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

14 WALT TRIERWEILER, PUBLIC COUNSEL; CHARLES
15 REHWINKEL, DEPUTY PUBLIC COUNSEL; OFFICE OF PUBLIC
16 COUNSEL, c/o The Florida Legislature, 111 West Madison
17 Street, Room 812, Tallahassee, FL 32399-1400, appearing
18 on behalf of the Citizens of the State of Florida (OPC).

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

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1 APPEARANCES CONTINUED:

2 JACOB IMIG and CARLOS MARQUEZ, ESQUIRES, FPSC
3 General Counsel's Office, 2540 Shumard Oak Boulevard,
4 Tallahassee, FL 32399-0850, appearing on behalf of the
5 Florida Public Service Commission (Staff).

6 ADRIA HARPER, GENERAL COUNSEL; MARY ANNE
7 HELTON, DEPUTY GENERAL COUNSEL, Florida Public Service
8 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
9 Florida 32399-0850, Advisor to the Florida Public
10 Service Commission.

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

2 COMMISSIONER PASSIDOMO SMITH: We will move
3 along to 07.

4 Mr. Marquez, you are up. Are there any
5 preliminary matters we need to address before we
6 get to the draft Prehearing Order?

7 MR. MARQUEZ: Good morning. Not to our
8 knowledge, Commissioner Passidomo Smith.

9 COMMISSIONER PASSIDOMO SMITH: All right.
10 Seeing none, let's proceed to the draft Prehearing
11 Order.

12 Section I, Case Background.

13 Section II, Conduct of Proceedings.

14 Section III, Jurisdiction.

15 Section IV, Procedure for Handling
16 Confidential Information.

17 Section V, Prefiled Testimony and Exhibits.
18 Staff.

19 MR. MARQUEZ: Staff suggests that the
20 testimony of any witness who is not excused from
21 the hearing should be limited to three minutes.

22 COMMISSIONER PASSIDOMO SMITH: Objections?
23 Seeing none, three minutes, then.

24 Order of Witnesses.

25 MR. MARQUEZ: If the parties and staff are

1 willing to excuse witnesses, staff will confirm
2 with each Commissioner that the witnesses may be
3 excused. If no Commissioner has any question for
4 those witnesses, then the witnesses should be
5 excused from the hearing with his or her testimony
6 entered into the record as though read and exhibits
7 entered.

8 COMMISSIONER PASSIDOMO SMITH: All right.
9 Anything else before, so move to Basic Positions.

10 Do the parties have any changes to their basic
11 positions?

12 MS. BAKER: Yes, Commissioner. Apologies, I
13 already spoke with Mr. Marquez about this, but PCS
14 may have a slight revision on ours. We will get it
15 before COB today to staff. And that's actually
16 true in all of the dockets that we have intervened
17 in, just a very slight clarification. Thanks.

18 COMMISSIONER PASSIDOMO SMITH: Thank you.

19 MR. MARQUEZ: Commissioner, FPL, OPC and FIPUG
20 notified staff of changes to certain positions.
21 Those edits should be reflected in the Prehearing
22 Order that is before the parties today.

23 COMMISSIONER PASSIDOMO SMITH: Okay.

24 MR. MARQUEZ: Staff also recommends that Your
25 Honor give the parties the opportunity to submit

1 any changes to positions in writing by the close of
2 business tomorrow, October 22nd.

3 COMMISSIONER PASSIDOMO SMITH: Okay. It
4 sounds like you guys already got it done, but you
5 have until tomorrow if any other amendments need to
6 be made.

7 All right. So we will -- no other issues, all
8 right, we are going to move to Issues and Positions
9 then.

10 MR. MARQUEZ: Issues and Positions are
11 included in the draft Prehearing Order.

12 For issues in which a party has taken into
13 position at this time, if that party does not take
14 a position on those issues, per the OEP, that
15 position will be reflected as no position in the
16 Prehearing Order.

17 If a party fails to take a position on an
18 issue by the time set, then that party waives their
19 opportunity to conduct cross-examination on that
20 issue, as well as file post-hearing briefs on that
21 matter.

22 COMMISSIONER PASSIDOMO SMITH: Related matters
23 that need to be discussed?

24 MS. BAKER: Yes, Commissioner. Just, again,
25 very quickly. We have very slight edits. I have

1 already spoken with Mr. Marquez, and we are getting
2 it sorted out --

3 COMMISSIONER PASSIDOMO SMITH: Okay.

4 MS. BAKER: -- on our positions on Issues 1
5 through 9, I believe.

6 COMMISSIONER PASSIDOMO SMITH: Okay.

7 MS. BAKER: Thank you.

8 COMMISSIONER PASSIDOMO SMITH: I appreciate
9 you working with staff. Thank you.

10 MS. BAKER: Thank you.

11 COMMISSIONER PASSIDOMO SMITH: Anyone else?
12 None.

13 Okay. We will move to the Exhibit List then.

14 MR. MARQUEZ: Staff has prepared a
15 Comprehensive Exhibit List that includes all
16 prefiled exhibits, and also includes those exhibits
17 staff wants introduced into the record.

18 FPL, DEF and TECO have indicated that they
19 have no objections. Staff will check with the
20 remaining parties before the hearing to determine
21 whether there are any objections to the
22 Comprehensive Exhibit List or any of staff's
23 exhibits being entered.

24 COMMISSIONER PASSIDOMO SMITH: Is that okay?

25 Yes, Mr. Rehwinkel.

1 MR. REHWINKEL: Yes. I can address that with
2 this docket, and the rest. The Public Counsel will
3 be in a position to agree to the admission of the
4 CEL in this docket and the rest.

5 COMMISSIONER PASSIDOMO SMITH: Okay.

6 MR. REHWINKEL: Just saying that on the record
7 so that staff is aware.

8 Thank you.

9 COMMISSIONER PASSIDOMO SMITH: Thank you.

10 MR. MARQUEZ: Thank you, Mr. Rehwinkel.

11 COMMISSIONER PASSIDOMO SMITH: Anyone else?

12 Okay. Then, Mr. Marquez, are there any
13 proposed stipulations?

14 MR. MARQUEZ: No, not at this time.

15 COMMISSIONER PASSIDOMO SMITH: Any pending
16 motions?

17 MR. MARQUEZ: No, Commissioner.

18 COMMISSIONER PASSIDOMO SMITH: Any pending
19 confidential motions?

20 MR. MARQUEZ: There are no pending
21 confidentiality motions because Your Honor ruled on
22 FPL's request last week.

23 COMMISSIONER PASSIDOMO SMITH: Sounds good.
24 Post-Hearing Procedures.

25 MR. MARQUEZ: If parties agree to waive

1 briefs, the Commission may make a bench decision in
2 this docket.

3 If there are any issues to be briefed, then
4 staff recommends post-hearing briefs be no longer
5 than 40 pages.

6 COMMISSIONER PASSIDOMO SMITH: Objections?
7 Seeing none.

8 All right. So Rulings.

9 MR. MARQUEZ: We recommend that Your Honor
10 rule that opening statements, if any, should not
11 exceed three minutes per party.

12 COMMISSIONER PASSIDOMO SMITH: Any objections?
13 All right. Seeing none, opening statements shall
14 be limited to three minutes per party.

15 Mr. Marquez, are there any other matters to
16 address in this Prehearing Conference?

17 MR. MARQUEZ: No, Commissioner.

18 COMMISSIONER PASSIDOMO SMITH: Okay. Sounds
19 good.

20 So this concludes the Prehearing in the 07
21 docket.

22 (Proceedings concluded.)

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CERTIFICATE OF REPORTER

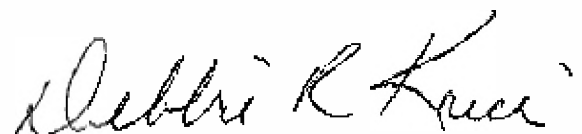
STATE OF FLORIDA)
COUNTY OF LEON)

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

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

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

DATED this 11th day of November, 2025.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH575054
EXPIRES AUGUST 13, 2028