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UTP

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0329-PCO-EI  
ISSUED: September 4, 2025

ORDER GRANTING IN PART AND DENYING IN PART THE OFFICE OF PUBLIC  
COUNSEL'S FIRST MOTION AND NOTICE OF INTENT TO SEEK OFFICIAL  
RECOGNITION AND DENYING REQUEST FOR ORAL ARGUMENT

Background

On July 24, 2025, the Office of Public Counsel (OPC) filed a Motion and Notice of Intent to Seek Official Recognition (Motion)<sup>1</sup> of the following items:

- Exhibit A - "One Big, Beautiful Bill Act" (Public Law 119-21)
- Exhibit B - Laws of Florida 2024-186
- Exhibit C - Texas Statute SB 6 enacted June 20, 2025
- Exhibit D - Executive Order No. 14154 "Unleashing American Energy"
- Exhibit E - Executive Order No. 14156 "Declaring a National Energy Emergency"
- Exhibit F - Executive Order No. 14315 "Ending Market Distorting Subsidies for Unreliable, Foreign-Controlled Energy Sources"
- Exhibit G - United States Treasury Guidance Relating to the "One Big, Beautiful Bill Act" (Expected to be issued on or about August 18, 2025)
- Exhibit H - Governor DeSantis' veto of Senate Bill 1574
- Exhibit I - FPL's Joint Application for Authorization Under Section 203 of Federal Power Act of Vandolah Power Company LLC et al., under EC25-101
- Exhibit J - All written customer comments filed in Florida Public Service Commission Docket 2025001 1-EI through July 16, 2025.
- Exhibit K - Public Utilities Commission of Ohio Opinion and Order in Case No. 24-508-EL-ATA
- Exhibit L - FPL's 2016-2024 PSC Annual Reports
- Exhibit M - Congressional letter to Secretary Robert F. Kennedy, Jr, Secretary of Health and Human Services, dated April 4, 2025
- Exhibit N - "Florida's Top 10 Private Landowners," Florida Trend Magazine, published January 16, 2025

Concurrent with its Motion, OPC filed a request for oral argument, stating that the Commission would "generally aid the Commission in understanding and evaluating issues raised in the motion."

<sup>1</sup> The July 24<sup>th</sup> Motion (Document No. 06843-2025) is the first of two Motions filed by OPC requesting official recognition; the second was filed on July 31, 2025 (Document No. 07045-2025), and will be addressed by a separate order.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0330-PCO-EI  
ISSUED: September 4, 2025

ORDER GRANTING FLORIDIANS AGAINST INCREASED RATES, INC.'S  
MOTION FOR AND NOTICE OF INTENT TO SEEK OFFICIAL RECOGNITION

Background

Consistent with the requirements of Section VI(H) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI, on August 4, 2025, Floridians Against Increased Rates, Inc. (FAIR) timely filed a Motion for and Notice of Intent to Seek Official Recognition of the following:

- Exhibit A: *Bluefield Waterworks & Improvement Co. v. Public Service Commission of West Virginia*, 262 U.S. 679 (1923).
- Exhibit B: *Federal Power Commission v. Hope Natural Gas Co.*, 320 U.S. 591 (1944).
- Exhibit C: *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Adopting Settlement Agreement as Modified, Ga. P.S.C. Doc. No. 192550 (Ga. P.S.C., Dec. 30, 2022).
- Exhibit D: *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Granting Joint Petition of Georgia Power Company and the Public Interest Advocacy Staff and Approval of the Stipulation to Extend the Alternative Rate Plan, Ga. P.S.C. Doc. No. 223495 (Ga. P.S.C., July 31, 2025).

No party opposes the relief requested in the Motion.

Analysis and Decision

Official recognition in administrative proceedings is governed by the same substantive provisions as judicial notice in civil actions. Section 120.569(2)(i), Florida Statutes (F.S.), and Rule 28-106.213(6), Florida Administrative Code (F.A.C.). After notice and upon sufficient motion, official recognition is mandatory as to certain matters and permissive as to others.

Pursuant to Section 90.202(5), F.S., judicial notice of “[o]fficial actions of the legislative, executive, and judicial departments of the United States and of any state, territory, or jurisdiction of the United States” is permissive. Similarly, judicial notice of “[r]ecords of any court of this state or of any court of record of the United States or of any state, territory, or jurisdiction of the United States” pursuant to Section 90.202(6), F.S., is permissive.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0331-PCO-EI  
ISSUED: September 4, 2025

ORDER GRANTING FLORIDA ENERGY FOR INNOVATION  
ASSOCIATION'S MOTION FOR OFFICIAL RECOGNITION

Background

Consistent with the requirements of Section VI(H) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI, on August 1, 2025, the Florida Energy for Innovation Association (FEIA) timely filed a Motion for Official Recognition of Executive Order No. 14318, *Accelerated Federal Permitting of Data Center Infrastructure*, 90 Fed. Reg. 35385 (July 23, 2025).

No party opposes the relief requested in the Motion.

Analysis and Decision

Official recognition in administrative proceedings is governed by the same substantive provisions as judicial notice in civil actions. Section 120.569(2)(i), Florida Statutes (F.S.), and Rule 28-106.213(6), Florida Administrative Code (F.A.C.). After notice and upon sufficient motion, official recognition is mandatory as to certain matters and permissive as to others.

Pursuant to Section 90.202(3), F.S., judicial notice of "[c]ontents of the Federal Register" is permissive. Pursuant to Section 90.202(5), F.S., judicial notice of "[o]fficial actions of the legislative, executive, and judicial departments of the United States and of any state, territory, or jurisdiction of the United States" is permissive.

The Executive Order for which official recognition is requested meets the above-cited requirements of Section 90.202, F.S., as it appears in the Federal Register and is an official action of the executive. In light of the foregoing, FEIA's Motion for Official Recognition is granted.

Therefore, it is

ORDERED by Chairman Mike La Rosa, as Prehearing Officer, that the August 1, 2025, Motion for Official Recognition filed by the Florida Energy for Innovation Association is granted.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0332-PCO-EI  
ISSUED: September 4, 2025

ORDER GRANTING WALMART INC.'S MOTION FOR AND  
NOTICE OF INTENT TO SEEK OFFICIAL RECOGNITION

Background

Consistent with the requirements of Section VI(H) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI, on August 4, 2025, Walmart Inc. (Walmart) timely filed a Motion for and Notice of Intent to Seek Official Recognition of the following:

1. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Adopting Settlement Agreement as Modified, Ga. P.S.C. Doc. No. 192550 (Ga. P.S.C., Dec. 30, 2022)
2. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Granting Joint Petition of Georgia Power Company and the Public Interest Advocacy Staff and Approval of the Stipulation to Extend the Alternative Rate Plan, Ga. P.S.C. Doc. No. 223495 (Ga.P.S.C., July 31, 2025)
3. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Approving Revisions to Georgia Power Company's Rules and Regulations, Ga. P.S.C. Doc. No. 221165 (Ga. P.S.C., Jan. 28, 2025)
4. *In the Matter of the Application of Ohio Power Co. for New Tariffs Related to Data Centers and Mobile Data Centers*, Ohio P.U.C. Case No. 24-508-EL-ATA, Opinion and Order (July 9, 2025)

No party opposes the relief requested in the Motion.

Analysis and Decision

Official recognition in administrative proceedings is governed by the same substantive provisions as judicial notice in civil actions. Section 120.569(2)(i), Florida Statutes (F.S.), and Rule 28-106.213(6), Florida Administrative Code (F.A.C.). After notice and upon sufficient motion, official recognition is mandatory as to certain matters and permissive as to others.

Pursuant to Section 90.202(5), F.S., judicial notice of "[o]fficial actions of the legislative, executive, and judicial departments of the United States and of any state, territory, or jurisdiction

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0333-PCO-EI  
ISSUED: September 4, 2025

ORDER GRANTING IN PART AND DENYING IN PART  
THE OFFICE OF PUBLIC COUNSEL'S SECOND MOTION AND  
NOTICE OF INTENT TO SEEK OFFICIAL RECOGNITION

Background

Consistent with the requirements of Section VI(H) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI, on July 31, 2025, the Office of Public Counsel (OPC) timely filed a Motion for and Notice of Intent to Seek Official Recognition of the following:

- Exhibit O:<sup>1</sup> Florida Department of Environmental Protection 2016 Consent Order (OGC File No. 16-0241)
- Exhibit P: Georgia Public Service Commission News Release dated January 23, 2025
- Exhibit Q: Georgia Public Service Commission Order dated January 28, 2025 (Docket No. 44280)
- Exhibit R: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Responses to the North Carolina Utilities Commission's Questions Regarding Large Load Customers (*Order Initiating Proceeding and Requesting Comments*, Docket No. E-100, Sub 208)

No party objects to official recognition of Exhibits O and Q.<sup>2</sup> Florida Power & Light Company (FPL) objects to official recognition of Exhibits P and R.

Analysis and Decision

Official recognition in administrative proceedings is governed by the same substantive provisions as judicial notice in civil actions. Section 120.569(2)(i), Florida Statutes (F.S.), and Rule 28-106.213(6), Florida Administrative Code (F.A.C.). After notice and upon sufficient motion, official recognition is mandatory as to certain matters and permissive as to others.

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<sup>1</sup> Exhibits A-N are the subject of OPC's First Motion and Notice of Intent to Seek Official Recognition, dated July 24, 2025.

<sup>2</sup> "Although FPL questions whether a request for official notice is necessary and warranted for Exhibit O under Florida law and the Order Establishing Procedure in this case, FPL is not taking a position with respect to Exhibits O or Q." FPL Response to Motion at 1.