BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need for Andytown-Oasis Transmission Lines in Broward and Miami-Dade Counties, by Florida Power & Light Company	Docket No. 20260020-EI Filed: March 31, 2026

FLORIDA POWER & LIGHT COMPANY'S MOTION IN LIMINE AND TO STRIKE CERTAIN PORTIONS OF THE TESTIMONIES AND EXHIBITS OF THE ENVIRONMENTAL DEFENSE FUND, INC. WITNESSES CRANSTON AND THOMAS

Florida Power & Light Company ("FPL"), by and through its undersigned counsel, pursuant to Rule 1.140(f), Florida Rules of Civil Procedure, Rule 28-106.206, Florida Administrative Code, and the Florida Public Service Commission ("Commission") Order Establishing Procedure, Order No. PSC-2026-0056-PCO-EI ("OEP"), hereby files this Motion in Limine and to Strike ("Motion") and requests that certain portions of the direct testimonies and exhibits of David Cranston and Ted Thomas submitted on behalf of the Environmental Defense Fund, Inc. ("EDF") be stricken and excluded from the evidentiary record in this proceeding.

As explained below, certain portions of the direct testimonies and exhibits of EDF witnesses Cranston and Thomas are irrelevant, immaterial, and beyond the scope of this need determination proceeding and the Commission's jurisdiction. Significant portions of the testimonies and exhibits offered by EDF witnesses Cranston and Thomas are dedicated to the future transmission planning processes and procedures to be implemented pursuant to the Federal Energy Regulatory Commission's ("FERC") Order Nos. 1920, 1920-A, and 1920-B (hereinafter, collectively, "FERC Order 1920" or "Order 1920"), which are premature and beyond both the limited scope and purpose of this proceeding pursuant to Section 403.537, Florida Statutes ("F.S."), and this Commission's jurisdiction. Similarly, EDF's testimony and exhibits regarding EDF's apparent dissatisfaction with the regional transmission planning processes and procedures

of FPL and the Florida Reliability Coordinating Council ("FRCC") are beyond the Commission' jurisdiction. Additionally, the EDF witnesses' apparent objections to and proposed adjustments to the Commission's procedural schedule in this proceeding is immaterial and contrary to the strict statutory requirements of Florida's Electric Transmission Line Siting Act ("TLSA"), Sections 403.52-403.5365, F.S. Further, certain portions of the testimonies and exhibits of EDF witnesses Cranston constitute hearsay that do not fall within a hearsay exception and are not used to supplement or explain other evidence. Finally, EDF witness Craston's testimony includes multiple technical opinions and conclusions that he is unqualified to render and such impermissible expert opinions are irrelevant and immaterial. For these reasons, as further explained below, these portions of the direct testimonies and exhibits of EDF witnesses Cranston and Thomas are improper and should be stricken and excluded from the evidentiary record in this proceeding. In support, FPL states as follows:

I. BACKGROUND

1. On February 9, 2026, FPL filed its Notice of Intent to file the above-referenced Petition. On March 11, 2026, FPL filed its Petition with the Commission requesting an affirmative determination of need for the construction and operation of four new transmission lines: (1) one 500 kV line starting at FPL's existing Andytown substation in Broward County and ending at FPL's planned Oasis substation in Miami-Dade County; (2) one 500 kV line starting at FPL's existing Quarry substation in Miami-Dade County and ending at FPL's planned Oasis substation in Miami-Dade County; (3) one 230 kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Quarry substation in Miami-Dade County; and (4) one 230 kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Levee substation in Miami-Dade County (collectively, the "Andytown-Oasis Project" or

"AOP"). Together with its Petition, FPL submitted the direct testimony and exhibits of FPL witness Yanes in support of the need for the AOP.

2. On March 12, 2026, the Prehearing Officer issued the OEP that established procedures, processes, and timelines for this docket.

3. On March 24, 2026, EDF served the direct testimonies and exhibits of David Cranston and Ted Thomas. Relevant to this Motion, significant portions of the direct testimony and exhibits offered by EDF witnesses Cranston and Thomas are irrelevant, immaterial, and beyond the scope of this need determination proceeding and the Commission's jurisdiction as further explained below.

4. Pursuant to Section VII.D. of the OEP, motions to strike any portions of pre-filed testimonies or exhibits must be filed by no later than five days prior to the Prehearing Conference, which is scheduled for April 7, 2026. Consistent with the OEP, FPL hereby submits this Motion and requests that certain portions of the direct testimonies and exhibits of EDF witnesses Cranston and Thomas be stricken and excluded from the evidentiary record in this proceeding for the reasons explained below.

II. STANDARDS FOR MOTION TO STRIKE AND MOTION IN LIMINE

5. Pursuant to Rule 28-106.211, F.A.C., "[t]he presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, to prevent delay, and to promote the just, speedy, and inexpensive determination of all aspects of the case," and presiding officers have significant discretion in ruling on motions to strike testimony. *See Town of Palm Beach v. Palm Beach County*, 460 So. 2d 879, 882 (Fla. 1984); *In re: Joint petition by TDS Telecom d/b/a TDS TelecodQuincy Telephone; ALLTEL Florida, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; GTC, Inc. d/b/a GT Com; Smart City Telecommunications, LLC d/b/a Smart City*

Telecom; ITS Telecommunications Systems, Inc.; and Frontier Communications of the South, LLC, Docket No. 050119-TP, Order No. PSC-06-0261-PCO-TP (FPSC Mar. 28, 2006); *In re: Joint petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITCDeltaCom Communications*, Docket No. 020129-TP, Order No. 02-0876-PCO-TP (FPSC Jun. 28, 2002).[1]

6. Section 120.569(2)(g), F.S., states, "[i]rrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida." Likewise, Rule 1.140(f), Fla. R. Civ. P., provides that a court may strike redundant, immaterial, impertinent, or scandalous matter at any time.[2]

7. A trial court also has discretion in determining whether to rule on a motion in limine prior to trial. The purpose of a motion in limine is to exclude irrelevant or immaterial matters and evidence whose probative value is outweighed by the danger of unfair prejudice. *In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light*, Docket No. 000824-EI, Order No. PSC-03-0850-PCO-EI, 2003 Fla. PUC LEXIS 458 (FPSC Jul. 22, 2003) (citing *Devoe v. Western Auto Supply Co.*,

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[1] *See also Request for arbitration concerning complaint of American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, Inc. and ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. against BellSouth Telecommunications, Inc.*, Docket No. 981008-TP, Order No. PSC-99-0099-PCO-TP (FPSC Jan. 20, 1999) (noting that the Commission has the discretion to allow testimony and simply give it the weight it is due, but nevertheless striking certain portions of the expert witness's testimony that contained improper analysis and opinion).

[2] While the Florida Rules of Civil Procedure do not control in administrative proceedings, the Commission has followed the requirements of Rule 1.140(f), Fla. R. Civ. P., in considering motions to strike. *See*, *e.g.*, A*pplication for transfer of Certificates Nos. 592-W and 509-S from Cypress Lakes Associates, Ltd. to Cypress Lakes Utilities, Inc. in Polk County,* Docket No. 971220-WS, Order No. PSC-99-1809-PCO-WS (FPSC Sept. 20, 1999); *Petition by BellSouth Telecommunications, Inc. for arbitration of certain issues in interconnection agreement with Supra Telecommunications and Information Systems, Inc.*, Docket No. 001305-TP, Order No. PSC-02-0878-FOF-TP (FPSC Jul. 1, 2002); *Application for a rate increase by Tampa Electric Company*, Docket No. 920324-EI, Order No. PSC-93-0165-FOF-EI (FPSC Feb. 2, 1993).

537 So.2d 188 (Fla. 2d DCA 1989); *Dailey v. Multicon Development, Inc.*, 417 So.2d 1106 (Fla. 4th DCA 1982)).

8. FPL requests that certain portions of the direct testimonies and exhibits of EDF witnesses Cranston and Thomas be stricken and excluded from the record in this proceeding for the following reasons: (a) their testimonies and exhibits dedicated to the future transmission planning processes and procedures to be implemented pursuant to FERC Order 1920 are beyond both the limited scope and purpose of this proceeding and this Commission's jurisdiction; (b) their testimony and exhibits criticizing the current regional transmission planning processes and procedures under FERC Order 1000 are beyond the Commission's jurisdiction; (c) their testimony and recommended adjustments to the Commission's procedural schedule in this proceeding are improper, immaterial, and contrary to the statutory deadlines for a need determination under the TLSA; (d) certain portions of EDF witness Craston's testimony and exhibits constitute hearsay that do not fall within a hearsay exception and are not used to supplement or explain other evidence; and (e) EDF witness Craston's testimony includes multiple technical opinions and conclusions that he is unqualified to render.

9. Additionally, FPL requests that testimony, documents, and arguments challenging or raising concerns or issues with (a) the current regional transmission planning processes and procedures under FERC Order 1000 or (b) the future transmission planning processes and procedures to be implemented pursuant to FERC Order 1920 be excluded and barred from being mentioned or introduced in any manner in this proceeding because they are irrelevant, immaterial, and beyond this Commission's jurisdiction to adjudicate.

III. ARGUMENT

A. EDF's Testimony and Exhibits Regarding FERC Order 1920 are Irrelevant, Immaterial, and Beyond the Commission's Jurisdiction

10. Both EDF witnesses Cranston and Thomas devote significant portions of their testimonies and exhibits to discussing the regional transmission planning process to be implemented pursuant to FERC Order No. 1920. For the reasons explained below, EDF's testimony and exhibits regarding FERC Order No. 1920 are irrelevant, immaterial, premature, and beyond the Commission's jurisdiction and, therefore, should be stricken and excluded from the record in this proceeding.

11. The TLSA narrowly defines the issue before the Commission in this proceeding. In a transmission-line need case, the Commission must determine whether the proposed line is needed for reliability and integrity, for abundant, low-cost electrical energy, and for appropriate starting and ending points, together with only such other matters as are within the Commission's jurisdiction. *See* Section 403.537(1)(b)-(c), F.S. The statute also makes the Commission the sole forum for that state-law need determination. *See* Section 403.537(1)(b), F.S.

12. The EDF witnesses improperly seek to convert this limited TLSA proceeding into a collateral forum for litigating whether FPL and the FRCC have complied, or will comply, with FERC Order 1920, and ask this Commission to direct how Florida's forthcoming federal regional transmission planning process should operate. That is not a proper issue in this docket. EDF witness Cranston repeatedly grounds his opinions in EDF's participation in the FRCC stakeholder process to revise tariff language for Order 1920, and EDF witness Thomas likewise asks the Commission to require new regional studies and stakeholder-access protocols supposedly "consistent with the requirements of the FERC's orders."

13. The EDF witnesses cannot use Order 1920 as a vehicle to expand this

Commission's jurisdiction. Whether FRCC's future tariff revisions satisfy Order 1920, whether Florida's first long-term regional planning cycle will evaluate a portfolio of facilities in a particular way, and whether EDF's preferred stakeholder procedures are adopted are all questions committed to FERC in the first instance, not to the Commission in a TLSA need case. *See* 16 U.S.C. § 824(a)-(b); *New York v. FERC*, 535 U.S. 1, 20-22 (2002) (recognizing the Federal Power Act's division of state and federal authority over electric regulation); Order No. 1920, 187 FERC ¶ 61,068, P 126 (2024). In fact, both EDF witness Cranson and EDF Thomas concede that it is FERC that has overall regulatory responsibility for transmission planning pursuant to the Federal Power Act. (See EDF witness Cranston D.T., p. 13, ln. 7-11; EDF witness Thomas D.T., p. 7, ln. 5-9).

14. EDF's testimony requesting that the Commission deny the AOP Petition and direct FPL to undertake a regional transmission planning process consistent with FERC Order 1920 are not within the proper scope of this proceeding because the Commission lacks jurisdiction over the implementation of FERC Order 1920. To the extent that EDF want to raise issues and concern regarding the implementation of the regional transmission planning process pursuant to FERC Order 1920, they have appropriate forum to do so – it is at FERC. This is a fact that EDF should well know because its own evidence demonstrates that EDF has actively participated in the federal process for the implementation of FERC Order 1920. (*See* Exhibits DC-7 and DC-8).

15. Even assuming, *arguendo*, that the Commission has jurisdiction to adjudicate EDF's concerns regarding the future implementation of the Order 1920 regional transmission planning process, which it does not, the timing of EDF's Order 1920 arguments makes them even more improper. FERC's current compliance schedule shows that the first FRCC compliance filing

under Order No. 1920 is not due until June 12, 2026.[3] Further, FPL has until June 12, 2028, to begin its first Order No. 1920 long-term regional transmission planning cycle. *See* Order No. 1920-A, 189 FERC ¶ 61,126, P 507 (2024) ("transmission providers must propose on compliance a date, no later than two years from the date on which initial filings to comply with Order No. 1920 are due, on which they will commence the first Long-Term Regional Transmission Planning cycle"). Thus, at the time EDF filed its testimony on March 24, 2026, there was no FERC-approved Order 1920 planning regime in effect for FRCC or FPL. Thus, even if the Commission had jurisdiction over Order 1920 regional transmission planning, which it does not, EDF's arguments are simply premature and not ripe.

16. Indeed, that chronology is fatal to EDF's repeated assertions that approval of the AOP would circumvent, frustrate, or preemptively starve the future Order 1920 process, or that the Commission should deny the Petition until FPL undertakes studies designed for that future federal framework under Order 1920. Those assertions are speculative, legally premature, and beyond the scope of the need determination the TLSA requires the Commission to make now.

17. Accordingly, the portions of the testimonies and corresponding exhibits of EDF witnesses Cranston and Thomas regarding the transmission planning process and procedures to be implemented pursuant to FERC Order 1920 are irrelevant, immaterial, and beyond the Commission's jurisdiction and should be stricken and excluded from the evidentiary record in this proceeding. At a minimum, the portions of the testimony and exhibits of EDF witnesses Thomas and Cranston identified in **Attachments 1** and **2** respectively should be stricken.

18. Additionally, for these same reasons, EDF and its counsel should be barred from

[3] *See* Order No. 1920 Compliance Filings Schedule, *available at:* https://www.ferc.gov/news-events/news/order-no-1920-compliance-filings-schedule (Published Jun. 16, 2025; last visited Mar. 30, 2026).

introducing any testimony, documents, arguments, or references in any manner in this proceeding that are related to the transmission planning process and procedures to be implemented pursuant to FERC Order 1920.

B. EDF's Testimony and Exhibits Criticizing the Current Transmission Planning Processes and Procedures under FERC Order 1000 are Irrelevant, Immaterial, and Beyond the Commission' Jurisdiction

19. EDF's second theme is an extended attack on FPL's and FRCC's existing regional planning framework under FERC Order 1000, 136 FERC ¶ 61,051 (2011). For the reasons explained below, EDF's testimony and exhibits criticizing the current regional transmission planning processes and procedures of FPL and the FRCC under FERC Order 1000 are irrelevant, immaterial, and beyond the Commission's jurisdiction and, therefore, should be stricken and excluded from the record in this proceeding

20. EDF witness Thomas characterizes FRCC's biennial regional transmission planning process and repeatedly faults the process because, according to him, no projects have been selected in Florida under this process. EDF witness Cranston similarly invokes a purported local loophole argument, attacks the absence of regional projects, and argues that the Commission should use this docket to force different regional-planning outcomes. Those criticisms are not proper evidence on the issue of need for the AOP.

21. FERC Order No. 1000 is directed at the fairness of the regional planning process, not mandating substantive outcomes in any particular region. Order No. 1000, 136 FERC ¶ 61,051, P 114 (2011). EDF's contention that Florida has produced "zero" regionally selected projects is therefore not a legally relevant standard under Order No. 1000, much less a standard this Commission can enforce in a TLSA need case.

22. More fundamentally, EDF's arguments improperly ask this Commission to sit in review of FERC-jurisdictional transmission-planning requirements and FERC-approved tariff

processes. Such a request is beyond this Commission's jurisdiction. The Supreme Court has repeatedly held that state tribunals may not collaterally attack matters committed to FERC's exclusive authority. *See Mississippi Power & Light Co. v. Mississippi ex rel. Moore*, 487 U.S. 354, 371-73 (1988); *Nantahala Power & Light Co. v. Thornburg*, 476 U.S. 953, 966-67 (1986). If EDF believes the current regional transmission planning process under Order 1000 is deficient, its remedy lies before FERC and, if necessary, the federal courts – not in an evidentiary detour during this state-law need proceeding where the Commission lacks jurisdiction.

23. The TLSA reinforces that point by limiting this case to matters within the Commission's jurisdiction relevant to the need determination. *See* Section 403.537(1)(c), F.S. Whether FRCC's regional-planning process should have identified a different project, whether FPL should have proposed a different portfolio in a FERC-regulated regional process, and whether EDF's preferred reforms should displace the current Order No. 1000 framework are not issues the TLSA assigns to the Commission.

24. Accordingly, EDF's testimony and exhibits criticizing the current regional transmission planning processes and procedures under FERC Order 1000 are irrelevant, immaterial, and beyond the Commission's jurisdiction and, therefore, should be stricken and excluded from the evidentiary record in this proceeding. At a minimum, the portions of the testimony and exhibits of EDF witnesses Cranston and Thomas identified in proposed **Attachments 3** and **4**, respectively, should be stricken.

25. Additionally, for these same reasons, EDF and its counsel should be barred from introducing any testimony, documents, arguments, or references in any manner in this proceeding that are related to concerns or issues with the current regional transmission planning processes and procedures under FERC Order 1000.

C. Testimony of EDF Witness Thomas Regarding the Commission's Procedural Schedule in this Proceeding is Improper, Immaterial, and Contrary to the TLSA

26. EDF witness Thomas devotes an entire section of his testimony to criticizing the procedural schedule in this docket, complaining that the schedule is aggressively compressed and recommending that the Commission increase the period for intervenor testimony in need proceedings to a minimum of thirty days. Those complaints are not evidence of any statutory need issue and should be stricken.

27. The TLSA itself imposes an expedited schedule. Once a request for determination of need is filed, the Commission must set the hearing within twenty-one days, hold the hearing within forty-five days after filing, and render a decision within sixty days after filing. *See* Section 403.537(1)(a), F.S. Those statutory deadlines reflect the Legislature's judgment that transmission-line need cases must proceed on an accelerated basis. EDF cannot use prefiled testimony to ask the Commission, in effect, to rewrite that legislative timetable or to turn dissatisfaction with the OEP into substantive evidence against the Project.

28. Nor does EDF witness Thomas's policy disagreement with the existing schedule assist the Commission in deciding whether the Project is needed for reliability and low-cost energy under Section 403.537, F.S. The challenged testimony says nothing about the starting and ending points of the line, the reliability need, or any other statutory factor. Rather, such testimony asks for a wholesale procedural revision untethered to the merits of the Petition, which is immaterial by definition. *See* Section 120.569(2)(g), F.S.

29. Proposed **Attachment 4** identifies the portions of EDF witness Thomas's testimony addressing the procedural schedule. Those portions should be stricken in their entirety.

D. Portions of EDF witness Craston's Testimony and Exhibits Constitute Impermissible Hearsay Evidence and Should be Excluded

30. EDF witness Craston attempts to place before the Commission a large body of out-of-court reports, studies, comments, and testimony for the truth of the matters asserted. These portions of the testimonies and exhibits constitute hearsay that does not fall within a hearsay exception and is not used to supplement or explain other evidence. For the reasons explained below, these out-of-court impermissible hearsay statements fail the administrative-hearsay rule and, therefore, should be stricken and excluded from the record.

31. In Commission proceedings, "[h]earsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions." Section 120.571(1)(c), F.S. (emphasis added). Thus, testimony or exhibits that constitute hearsay should be excluded if: (i) it does not merely supplement or explain competent evidence and is being offered as substantive proof without a civil-action hearsay exception; (ii) it is not the type of material reasonably relied on by experts; or (iii) it is otherwise irrelevant, immaterial, or lacking probative value.

32. The challenged materials include: EDF witness Cranston Exhibit DC-2 (the University of Florida study commissioned by EDF), Exhibits DC-7 and DC-8 (EDF comments to FRCC), Exhibit DC-9 (EQ Research fuel-cost report), Exhibit DC-10 (testimony from another state proceeding), and Exhibits DC-11 and DC-12 (third-party reports regarding alternative transmission technologies). EDF witness Cranston does not merely rely on these materials as background for independent expert analysis, nor could he because he makes it clear in his testimony that he has degrees in Political Science and Public Affairs, and is not an engineer or expert in the field of transmission planning or construction. Said another way, while an expert in transmission planning and construction could potentially rely on hearsay evidence to support their

independent expert conclusions regarding transmission planning, EDF witness Cranston is not an expert in those fields and cannot become one by simply attaching reports from others that he himself has no competency to opine on.

33. EDF cannot bootstrap otherwise inadmissible hearsay into competent evidence by having a witness summarize the contents of advocacy reports, academic studies, federal publications, comments filed in other proceedings, and testimony from a different state case, then offer those materials for their truth in this proceeding. *See* Section 120.57(1)(c), F.S. Nor are EDF's own FRCC comments competent evidence that the Commission should change or police a FERC-jurisdictional tariff process in this docket.

34. At a minimum, the Commission should exclude the portions of the testimony and exhibits identified in proposed **Attachment 6**. To the extent any such materials are allowed for the limited purpose of background or to explain a witness's general understanding, the Commission should state expressly that they are not admitted for the truth of the matters asserted and cannot support any finding in this proceeding.

E. EDF Witness Cranston's Unqualified Expert Opinions are Irrelevant, Immaterial, and Should be Excluded

35. Throughout his testimony, EDF witness Cranston offers multiple technical opinions, conclusions, and recommendations related to transmission planning, transmission alternatives, and transmission technologies. However, EDF witness Cranston does not have the specialized knowledge, skill, experience, training, or education required to offer an expert opinion on these matters. For the reasons explained below, EDF witness Cranston's technical opinions, conclusions, and recommendations are irrelevant, immaterial, and should be stricken and excluded from the record.

36. Under the Section 90.701 of the Evidence Code, lay opinion is allowed only when

it is based on the witness's perceptions and "do[es] not require a special knowledge, skill, experience, or training." Section 90.701, F.S. By contrast, Section 90.702 of the Evidence Code provides that

> If scientific, technical, or other specialized knowledge will assist the trier of fact in understanding the evidence or in determining a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify about it in the form of an opinion or otherwise, if:
> (1) The testimony is based upon sufficient facts or data;
> (2) The testimony is the product of reliable principles and methods; and
> (3) The witness has applied the principles and methods reliably to the facts of the case.

Section 90.702, F.S. That means if the prefiled testimony offers opinions that require specialized knowledge, training, education, or other expert analysis, and the sponsoring witness has not been shown to be qualified in that area,[4] the testimony is not admissible as lay opinion under Section 90.701 and cannot come in as expert opinion under Section 90.702.

37. While the Forida Evidence Code in Chapter 90 is not strictly binding on the Commission, Commission proceedings are governed by the Administrative Procedures Act in Chapter 120, which provides that "[i]rrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied on by reasonably prudent persons in the conduct of their affairs shall be admissible…" Section 120.569(2)(g), F.S. Testimony from a witness that has not shown to be qualified in that area and is outside permissible lay opinion is, by definition, irrelevant, immaterial, and not the type of evidence that a reasonably prudent person would rely on.

38. In his testimony, EDF witness Cranston purports to offer "expert" testimony

[4] "The determination of a witness's qualifications to express an expert opinion is peculiarly within the discretion of the trial judge, whose decision will not be reversed absent a clear showing of error." *Ramirez v. State*, 542 So.2d 352 (Fla. 1989)

regarding transmission alternatives, including Advanced Transmission Technologies, Grid Enhancing Technologies, Dynamic Line Rating, Advanced Power Flow Controllers, Reconductoring Topology Optimization, and Battery Energy Storage Systems (collectively referred to a "alternative transmission technologies"), that he opines without support could address the reliability needs that the AOP is designed to resolve. (*See,* EDF witness Cranston D.T., pp. 7, 17-18, 26-31). A review of EDF witness Cranston's resume, which is provided as Exhibit DC-1 to his testimony, indicates that he has degrees in Political Science and Public Affairs. His resume also reveals that he has no education, formal training, or experience as an engineer or transmission planner. Thus, EDF witness lacks the knowledge, skill, experience, training, or education necessary to be qualified as an expert in these alternative transmission technologies.

39. Rather, EDF witness Craston's testimony regarding these alternative transmission technologies relies exclusively on proposals discussed in FERC Order 1920 (Exhibits DC-4 through DC-6), EDF's own comments regarding the implementation of FERC Order 1920 (Exhibits DC-7 and DC-8), and on various hearsay documents prepared by others (Exhibits DC-2, DC-10, DC-11, and DC-12). The fundamental flaw with this approach is that it fails the administrative hearsay rule – hearsay evidence may be used for the purpose of supplementing or explaining <u>other</u> evidence. That is, while an expert in transmission planning and construction could potentially rely on hearsay evidence to support their independent expert conclusions regarding these alternative transmission technologies, EDF witness Cranston is not an expert in those fields and cannot become one by simply attaching reports from others that EDF witness Cranston has no competency to opine on.

40. Additionally, EDF witness Cranston purports to offer "expert" testimony regarding Florida's transmission system, prudent utility transmission planning, and customer impacts of

utility transmission planning. (*See,* EDF witness Cranston D.T., pp. 8-13, 20-21). Again, EDF witnesses Cranston's resume, Exhibit DC-1, demonstrates that he does not have the knowledge, skill, experience, training, or education necessary to be qualified as an expert on Florida's transmission system or utility transmission planning.

41. Rather, EDF witness Cranston's testimony regarding Florida's transmission system or utility transmission planning relies on a study conducted by the University of Florida (Exhibit DC-2). Again, EDF's witness Cranston's reliance on this hearsay document[5] is improper and fails the administrative hearsay rule because EDF witness Cranston is not an expert on Florida's transmission system or utility transmission planning and cannot become one by simply relying on the study completed by a third party that EDF witness Cranston has no competency to opine on.

42. In summary, the testimony of EDF witness Cranston identified in **Attachment 7** is not permissible lay opinion under Section 90.701, F.S., because it offers conclusions that depend on specialized technical and regulatory expertise rather than ordinary perception. Because the testimony is expert in nature, Section 90.702, F.S., applies, and EDF was required to demonstrate that EDF witness Cranston is qualified by knowledge, skill, experience, training, or education in the specific field of opinion offered, and that the opinion rests on sufficient facts and reliable principles reliably applied. A review of DC-1 makes it clear that EDF witness Cranston is not qualified to present expert opinions regarding alternative transmission technologies, Florida's transmission system, or utility transmission planning. The challenged testimony identified in **Attachment 7** should therefore be stricken, or at minimum excluded from the evidentiary record, because Chapter 120 requires exclusion of irrelevant or immaterial matters, and does not permit

[5] Although EDF witness Cranston claims that EDF commissioned the study and co-authored the report, the study itself is an out-of-court statement that is being offered for the truth of the matter. Indeed, the technical experts that prepared the study are not witnesses in this proceeding but EDF witness Cranston, which lacks the requisite technical experience, is nonetheless relying on the study results for the truth of the matter asserted therein.

unqualified expert opinion to be smuggled in under the guise of lay testimony.

IV. COMPLIANCE WITH RULE 28-106.204(3), F.A.C.

43. Pursuant to Rule 28-106.204(3), F.A.C., FPL contacted all parties of record via email on March 30, 2024, regarding whether they have any objection to FPL's Motion to strike and exclude certain portions of the testimony and exhibits of EDF witnesses Cranston and Thomas. Counsel for EDF advised that they object and intend to file a response, and the Office of Public Counsel advised that it takes no position on the Motion.

V. CONCLUSION

44. For the reasons set forth above, FPL respectfully requests that the Commission enter an order: (a) striking the portions of the direct testimonies of EDF witnesses Cranston and Thomas identified in **Attachments 1-7**; (b) excluding from the evidentiary record the exhibits or portions of exhibits identified in **Attachments 1-7**; (c) precluding EDF from relying on those stricken portions or excluded exhibits at hearing, in briefing, or in proposed findings; and (d) granting such other and further relief as is just and proper.

45. FPL further requests that the Commission make clear that this docket is confined to the state-law need determination required by Section 403.537, F.S., and is not a forum to adjudicate compliance with FERC Orders 1000 or 1920, the adequacy of FERC-jurisdictional tariff processes, or EDF's dissatisfaction with the procedural schedule established by the OEP.

WHEREFORE, for all the reasons stated above, Florida Power & Light Company respectfully requests that the Florida Public Service Commission enter an order that:

(a) Strikes the portions of the testimony and exhibits of EDF witnesses Cranston and

Thomas identified in **Attachments 1** and **2**, respectively, regarding the future regional transmission planning process to be implemented pursuant to FERC Order 1920, and not admit said portions of EDF's testimony or exhibits into the evidentiary record;

(b) Bars all parties and their counsel from introducing any testimony, documents, arguments, or references in any manner in this proceeding that are related to the future transmission planning process and procedures to be implemented pursuant to FERC Order 1920;

(c) Strikes the portions of the testimony and exhibits of EDF witnesses Cranston and Thomas identified in **Attachments 3** and **4**, respectively, regarding their concerns and criticisms about the current regional transmission planning process under FERC Order 1000, and not admit said portions of EDF's testimony or exhibits into the evidentiary record;

(d) Bars all parties and their counsel from introducing any testimony, documents, arguments, or references in any manner in this proceeding that are related to concerns or issues with the current regional transmission planning processes and procedures under FERC Order 1000.

(e) Strikes the portions of the testimony and exhibits of EDF witness Thomas identified in **Attachment 5** complaining about the procedural schedule adopted by the OEP, and not admit said portions of EDF's testimony or exhibits into the evidentiary record;

(f) Strikes the out-of-court statements contained in portions of the testimony and exhibits of EDF witnesses Cranston and Thomas identified in **Attachment 6** that

do not fall within a hearsay exception and fail the administrative-hearsay rule, and not admit said portions of EDF's testimony or exhibits into the evidentiary record;

(g) Strikes the portions of the testimony of EDF witness Cranston in **Attachment 7** that he is not qualified to offer an expert opinion on;

(h) In the event that any portions of EDF's testimony or exhibits identified in **Attachments 1-7** are not stricken and are allowed into the evidentiary record, the Commission should give said portions of EDF's testimony and exhibits no evidentiary weight or value in reaching a determination of whether the AOP is needed pursuant to Section 403.537, F.S.; and

(i) Grant any other and further relief that this Commission deems appropriate and necessary.

Respectfully submitted this 31st day of March 2026,

By: */s/ Christopher T. Wright*
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ATTACHMENT 1

Portions of Testimony and Exhibits of EDF witness Cranston Directed to Future Order No. 1920 Implementation

1.	Exhibit DC-4 – FERC Order 1920
2.	Exhibit DC-5 – FERC Orders 1920-A
3.	Exhibit DC-6 – FERC Orders 1920-B
4.	Exhibit DC-7 – EDF Comments to FRCC 1920 Tariff Language
5.	Exhibit DC-8 – EDF Comments to FERCC Order 1920 Tariff Language
6.	Direct Testimony, p. 4, ln. 7-12 (see Attachment 1.1)
7.	Direct Testimony, p. 7, ln. 9-14 (see Attachment 1.1)
8.	Direct Testimony, p. 13, ln. 13 through page 14, ln. 12 (see Attachment 1.1)
9.	Direct Testimony, p. 15, ln. 16 through page 17, ln. 15 (see Attachment 1.1)
10.	Direct Testimony, p. 18, ln. 11-19 (see Attachment 1.1)
11.	Direct Testimony, p. 30, ln. 4-12 (see Attachment 1.1)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need For Andytown-Oasis Transmission Lines Project in Broward and Miami-Dade Counties, by Florida Power & Light Company	)))))	DOCKET NO. 20260020-EI FILED: MARCH 24, 2026

DIRECT TESTIMONY

OF DAVID CRANSTON

On Behalf of

Environmental Defense Fund, Inc.

A. Yes, I am sponsoring the following exhibits:

Exhibit DC-1	Résumé of David Cranston;
Exhibit DC-2	Assessment of Florida's Electric Transmission System Performance and Opportunities for Enhancement (2026);
Exhibit DC-3	FERC Order No. 1000;
Exhibit DC-4	FERC Order 1920;
Exhibit DC-5	FERC Orders 1920-A;
Exhibit DC-6	FERC Orders 1920-B;
Exhibit DC-7	EDF Comments to FRCC 1920 Tariff Language;
Exhibit DC-8	EDF Comments to FRCC Order 1920 Tariff Language;
Exhibit DC-9	EQ Research EDF Florida Fuel Cost Report;
Exhibit DC-10	Rao Konidena Testimony in Indiana Ameren CPCN Case;
Exhibit DC-11	The Untapped Grid (March 2026); and
Exhibit DC-12	Unlocking the Queue with GETs (Feb 2021).

Q. Please summarize your opinions regarding FPL's proposed Andytown-Oasis Transmission Lines Project.

A. FPL conducts transmission planning in conjunction with FRCC. Both FPL's and the FRCC's planning activities fail to provide transmission planning and investment decisions that serve the public interest. Accordingly, I recommend that the Florida Public Service Commission deny FPL's petition for the Project and direct FPL to consider the regional needs that were identified by the FRCC through the last regional Biennial Transmission Planning Process, and where those previous studies do not appropriately reflect regional needs, to conduct legitimate and robust regional transmission planning studies that are consistent with the requirements of the FERC's orders to determine which regional needs could be jointly served by a transmission solution. The Commission should also require that FPL evaluate alternative solutions to the identified needs, not merely changes to routing. These alternatives should include the potential role of Advanced Transmission Technologies (ATTs) and Grid Enhancing Technologies (GETs) including but not limited to Dynamic Line Rating, Advanced Power Flow Controllers, Reconductoring,

solutions, especially through new regional transmission projects and especially where south Florida transmission assets are involved.

FLORIDA'S FLAWED PLANNING PARADIGM

Q. Please summarize the regulatory framework applicable to transmission planning.

A. FERC has overall regulatory responsibility for regulation of the electric transmission system, including transmission planning, pursuant to the Federal Power Act. Through numerous orders, FERC requires that utilities participate in regional planning and has established principles and considerations applicable to utility transmission planning.

Q. What is your understanding of the function of FERC Order No. 1000 and Order No. 1920 and the obligations that utilities have under those Orders?

A. Those are FERC's regional planning orders and they require that utilities participate in regional planning. While FERC found in promulgating Order No. 1920, that the existing regional planning processes under Order No. 1000 were unjust and unreasonable, it

nevertheless found that the additional long term planning under Order No. 1920 established a just and reasonable replacement. So what this means for utilities like FPL is that they must engage in planning with their regional grid planner – in this case the Florida Reliability Coordinating Council, alongside the other Florida utilities – and look at the system needs state wide, and find solutions that address these system-wide needs. Under Order No. 1000 these processes can be limited to region-wide reliability violations. Under Order No. 1920, they must look at both reliability and economic system needs. And crucially under Order No. 1920, the forecast for the needs looks 20 years out into the future so that these decades long assets can be planned for what comes up at these later junctures.

Q. Please describe the historical framework of FPL's regional planning obligations under FERC Order 1000.

A. Issued in 2011, FERC Order No. 1000 was originally designed to encourage robust, cost-effective regional transmission planning. To spur competition and lower costs for ratepayers, the order eliminated the federal Right of First Refusal (ROFR) for regionally planned

projects. The goal was to open the door for independent transmission developers to compete to build the most efficient regional lines.

Q. Did FERC Order 1000 successfully produce robust regional transmission development in Florida?

A. No, it resulted in a widely recognized, unintended consequence known in the industry as the "local loophole." Because incumbent utilities lost their monopoly rights to build regional lines, they drastically shifted their capital investments toward local transmission projects. Local projects retained the Right of First Refusal (ROFR), allowed utilities to avoid competitive bidding, and historically faced far less regulatory scrutiny. Rather than holistic regional development, this loophole incentivized the kind of piecemeal, inefficient grid expansion we are seeing with FPL's localized proposals today.

Q. How has the Federal Energy Regulatory Commission addressed the failure of Order 1000 to produce efficient regional buildouts?

A. In May 2024, FERC issued Order No. 1920. Recognizing the systemic failure of the previous framework, FERC designed Order No. 1920 to

force transmission providers to take a broader, more forward-looking view of grid reliability and to explicitly rein in the industry's over-reliance on inefficient local projects.

Q. What specific mandates does FERC Order No. 1920 place on utilities and entities like the FRCC to correct these inefficiencies in their transmission planning activities?

A. Order 1920 contains three critical mandates designed to ensure that ratepayers are not funding sub-optimal, fragmented grid expansions. First, it requires transmission providers to develop comprehensive, 20-year regional planning scenarios that proactively account for long-term load growth and shifting generation resources, rather than reacting to short-term, localized bottlenecks. Second, it specifically requires transmission providers to evaluate whether local transmission projects can be "right-sized"—meaning expanded or modified in scale—to address broader regional needs. This ensures that a single, slightly larger line is built to solve regional constraints more cost-effectively than building multiple smaller, siloed local lines over time. Third, it explicitly mandates the evaluation of Advanced

Transmission Technologies ("ATTs"), sometimes called Grid-Enhancing Technologies ("GETs")—such as dynamic line ratings and advanced power flow controls. Planners must prove they have attempted to maximize the capacity of the existing grid using these advanced technologies before defaulting to expensive new conventional line construction.

Q. Has EDF attempted to participate in the FRCC processes? If so, why is EDF not satisfied with the FRCC processes?

A. Yes. EDF representatives have raised these issues to the FRCC, but thus far, they have not been incorporated into the FRCC's planning analyses. See, for example, my Exhibits DC-7 and DC-8, which are comments provided by EDF to the FRCC regarding tariff language in relation to Order No. 1920. EDF is not satisfied with the results of FRCC's processes for the several reasons discussed in my testimony.

Q. What are ATTs and GETs?

A. ATTs or GETs are hardware and software options that increase the capacity, efficiency, and/or reliability of the existing transmission grid. They are quick-deployment, cost-effective tools that maximize the capabilities of the infrastructure we already have, rather than strictly relying on building expensive new transmission lines. The four most commonly deployed GETs today are Dynamic Line Ratings (DLR), Advanced Power Flow Controllers, Advanced or "High Performance" Conductors (also called "reconductoring" when used to upgrade an existing transmission line), and Topology Optimization.

Q. How do these federal obligations relate to FPL's current application before the Florida Public Service Commission?

A. FPL's application exemplifies the exact "local loophole" behavior that FERC Order 1920 was designed to eliminate. By bringing forward a localized project without demonstrating a rigorous evaluation of right-sizing opportunities or ATTs. FPL is operating under an outdated planning paradigm. It is circumventing its obligation to participate in a modern, cost-effective regional planning process, ultimately passing the cost of that inefficiency onto Florida ratepayers.

new Right-of-Way (ROW) or land rights, which significantly minimizes environmental disruptions and landowner impacts.

Q. Why does FERC Order No. 1920 make FPL's failure to evaluate these technologies at the local level problematic?

A. FERC Order No. 1920 officially established that evaluating ATTs is no longer experimental or optional: It is a mandatory component of prudent, cost-effective transmission planning. While Order 1920 applies explicitly to regional planning, it sets a clear, undeniable industry standard: A modern utility simply cannot accurately assess the "need" for new infrastructure without first evaluating whether advanced technology can unlock capacity on existing rights-of-way.

Q. What is the regulatory consequence of FPL failing to evaluate GETs?

A. Under the Florida Transmission Line Siting Act (TLSA), FPL bears the absolute burden of proving that the Andytown-Oasis Project is needed to ensure system reliability and to deliver abundant, low-cost electrical energy to assure the economic well-being of the residents of the state, and by extension, of all Floridians. By completely failing to

ATTACHMENT 2

Portions of Testimony and Exhibits of EDF witness Thomas Directed to Future Order No. 1920 Implementation

1.	Exhibit TT-3 – FERC Order 1920
2.	Exhibit TT-4 – FERC Orders 1920-A
3.	Exhibit TT-5 – FERC Orders 1920-B
4.	Direct Testimony, p. 4, ln. 12-14 (see Attachment 2.1)
5.	Direct Testimony, p. 5, ln. 17 through p. 6, ln. 3 (see Attachment 2.1)
6.	Direct Testimony, p. 8, ln. 1-9 and 11-15 (see Attachment 2.1)
7.	Direct Testimony, p. 12, ln. 1 through p. 13, ln. 7 (see Attachment 2.1)
8.	Direct Testimony, p. 14, ln. 1-8 (see Attachment 2.1)
9.	Direct Testimony, p. 24, ln. 1 through page 25, ln. 6 (see Attachment 2.1)
10.	Direct Testimony, p. 25, ln. 13-17 (see Attachment 2.1)
11.	Direct Testimony, p. 27, ln. 5-10 (see Attachment 2.1)
12.	Direct Testimony, p. 32, ln. 13-16 (see Attachment 2.1)
13.	Direct Testimony, p. 33, ln. 4-6 (see Attachment 2.1)

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DIRECT TESTIMONY

OF TED THOMAS

On Behalf of

Environmental Defense Fund, Inc.

Q. Are you testifying as an expert in this proceeding? If so, please state the area or areas of your expertise relevant to your testimony.

A. Yes, I am testifying as an expert on appropriate principles and considerations to be followed by public utilities and public utility regulatory authorities in making planning and investment decisions for transmission and related utility power supply assets.

Q. Are you sponsoring any exhibits in this case?

A. Yes, I am sponsoring the following exhibits:

Exhibit TT-1	Résumé of Ted Thomas;
Exhibit TT-2	FERC Order No. 1000;
Exhibit TT-3	FERC Order 1920;
Exhibit TT-4	FERC Order 1920-A;
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Exhibit TT-6	2025 Transmission Planning and Development Report Card (Feb 2026);
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Exhibit TT-8	National Transmission Planning Study – Chapter 1;

Exhibit TT-9	National Transmission Planning Study – Chapter 2;
Exhibit TT-10	National Transmission Planning Study – Chapter 3;
Exhibit TT-11	National Transmission Planning Study – Chapter 4;
Exhibit TT-12	National Transmission Planning Study – Chapter 5;
Exhibit TT-13	National Transmission Planning Study – Chapter 6;
Exhibit TT-14	National Transmission Planning Study – Executive Summary; and
Exhibit TT-15	Delaying Transmission Increases Cost and Reduces Benefits for Consumers (2025).

PURPOSE AND SUMMARY OF TESTIMONY

Q. What is the purpose of your testimony?

A. EDF engaged me to provide my professional opinions regarding whether FPL's proposed Andytown-Oasis Transmission Lines Project, abbreviated in my testimony as the "Andytown-Oasis Project" or the "Project," is consistent with sound transmission planning and public interest principles, including whether it is consistent with the requirements established by orders of the Federal Energy Regulatory Commission ("FERC"). The specific orders to which I will refer most

frequently are Order No. 1000 and three related orders, Order No. 1920, Order No. 1920-A, and Order No. 1920-B, which I will refer to collectively as "Order No. 1920."

Q. Please summarize your opinions regarding FPL's proposed Andytown-Oasis Transmission Lines Project.

A. FPL conducts transmission planning in conjunction with the Florida Reliability Coordinating Council ("FRCC"). Both FPL's and the FRCC's planning activities fail to reliably ensure and demonstrate that transmission planning and investment decisions will serve the public interest . Although their planning processes are nominally called "regional," they actually constitute localized planning that fails to meet appropriate transmission planning criteria, including optimizing reliability and optimizing the delivery of reliable, low-cost power to utility customers in Florida. Accordingly, I recommend that the Florida Public Service Commission direct FPL to conduct true regional transmission planning analyses, with full and timely opportunities for stakeholder involvement, consistent with the requirements of the FERC Orders.

initially required by Order No. 1000. Subsequently, in Order No. 1920, FERC found that existing regional planning processes were unjust and unreasonable and established further requirements in Order No. 1920 to direct development of just and reasonable replacements. What this means for utilities like FPL is that they must engage in planning with their regional grid planner – in this case the Floridia Reliability Coordinating Council, alongside the other Florida utilities – look at the system needs statewide, and find solutions that cost-effectively address these overall needs. Under Order No. 1000, these processes could be limited to region-wide reliability violations. Under Order No. 1920, they must look at both reliability and economic system needs. And crucially, under Order No. 1920, the forecast for the needs looks 20 years out into the future so that these decades-long assets can be planned for what comes up at these later junctures.

ASSESSMENT OF FPL'S AND THE FRCC'S REGIONAL PLANNING PROCESS

Q. Please explain how the FRCC regional planning process is supposed to operate.

Q. Does FPL's proposed localized solution for the Andytown-Oasis Project align with the modern regulatory framework established by FERC Order No. 1920?

A. No, it fundamentally frustrates the core intent of that order. The modern regulatory framework relies on local transmission needs serving as the economic building blocks for highly efficient, right-sized regional solutions. FERC Order No. 1920 is explicitly designed to capture the profound economies of scale that occur when neighboring utilities coordinate to solve multiple system constraints with shared, high-capacity infrastructure. By rushing to authorize a capital-intensive, strictly local solution to this single constraint, FPL is actively circumventing the efficiencies that Order 1920 is designed to achieve for ratepayers.

Q. How does approving a localized project like the Andytown-Oasis Project today circumvent and frustrate the FERC's purposes of future regional planning under Order 1920?

A. It results in what is essentially the preemptive starvation of the regional planning process. Regional planning requires identified local

needs to justify the cost and scale of a broader regional project. If FPL is permitted to solve all of its isolated, localized constraints piecemeal today through applications like this one, it will enter future regional planning cycles with no stated needs. This guarantees that comprehensive, cost-sharing regional projects never materialize because the foundational local needs have already been functionally erased from the board.

Q. Does the Florida Reliability Coordinating Council regional planning process ensure that FPL's proposed Andytown-Oasis Project is the most cost-effective alternative for ratepayers?

A. No, it does not. FPL routinely points to its participation in the FRCC's regional planning process as evidence that its localized transmission plans have been vetted for regional efficiency. However, a structural and historical analysis of how the FRCC implements its regional planning mandate demonstrates that this process acts as a rubber stamp for incumbent utilities' localized plans, rather than a genuine mechanism for identifying cost-saving regional infrastructure.

Q. What is the ultimate impact on ratepayers if FPL's approach is approved?

A. It artificially forecloses the opportunity for ratepayers to benefit from the cost savings of regional planning, reducing FPL's obligations under Order 1920 to a mere paper exercise—compliance in name only. Ratepayers are left funding highly expensive, fragmented local projects, while the utility avoids the scrutiny and shared costs of a genuinely collaborative, right-sized regional grid.

Q. How does a well-planned transmission grid directly impact the cost of energy for Florida ratepayers?

A. The transmission grid dictates the economics of the entire generation fleet. The system is operated through what is known as "security-constrained economic dispatch." This means the grid operator dispatches the lowest-cost generation resource available to serve load, without regard to who owns it or where the load is located, provided the grid can reliably accommodate the flow of that power. As load increases, the system looks for the next cheapest unit

Q. How does the recent issuance of FERC Order No. 1920 impact FPL's planning obligations?

A. FERC Order No. 1920 was explicitly designed by the federal government to fix the systemic failures of Order 1000. It mandates that utilities adopt a modern, comprehensive, and forward-looking approach to regional planning. Crucially, it requires transmission providers to look holistically at long-term system needs and rigorously evaluate whether "right-sizing" infrastructure or deploying Advanced Transmission Technologies ("ATTs") and Grid-Enhancing Technologies ("GETs") can resolve multiple local constraints through highly efficient, shared regional facilities.

Q. Is FPL embracing the modern planning principles of FERC Order No. 1920 with its proposed Andytown-Oasis Project?

A. No, this application represents the exact opposite approach. Rather than embracing the comprehensive, cost-sharing principles that Order 1920 demands, FPL is presenting a narrowly tailored, piecemeal local project. By rushing to authorize this capital-intensive, strictly local solution right now, FPL is preemptively circumventing

the upcoming Order 1920 process. If utilities are permitted to solve all of their isolated constraints piecemeal today, they will enter future regional planning cycles claiming they have "no stated needs," ensuring that comprehensive regional projects never materialize. FPL is using this state forum to lock in local capital expenditures before the modern federal requirement for regional efficiency can take root.

Q. What is your recommendation to the Commission regarding FPL's attempt to dismiss regional solutions in this forum?

A. The Commission must reject the argument that regional efficiencies are outside the scope of this proceeding. The Andytown-Oasis Project illustrates precisely why state commissions must demand evidence of holistic planning. Approving this fragmented local project without forcing FPL to genuinely evaluate regional economies of scale and advanced technologies effectively rewards the circumvention of federal planning goals and guarantees higher costs for Florida ratepayers.

the statutory criteria and best serves the public interest of all Floridians?

The Commission should direct FPL to consider the regional needs that were identified by FRCC through the last regional Biennial Transmission Planning, and where those previous studies do not appropriately reflect regional needs, conduct legitimate, robust regional transmission planning studies consistent with the requirements of the FERC's orders to determine which regional needs could be jointly served by a transmission solution that meets the purpose of the Project. The Commission should further require that FPL engage all stakeholders in a timely way in those planning studies, with stakeholders having full access to FPL's modeling in a reasonable time frame.

THE PROCEDURAL SCHEDULE IN THIS DOCKET FAILS TO PROVIDE THE FLORIDA PSC WITH A COMPLETE AND RELIABLE EVIDENTIARY RECORD

Q. Based on your experience as a former utility commissioner, what is your opinion of the procedural schedule in this docket?

harms Florida ratepayers by ensuring the utility's plans face virtually no meaningful technical challenges.

SUMMARY AND CONCLUSIONS

Q. Please summarize the main conclusions of your testimony.

A. FPL's and the FRCC's planning processes are not regional planning in any meaningful way. They are localized processes that fail to consider and address all meaningful options and opportunities that would provide for optimal transmission investments that would serve the public interest and best meet the criteria in the Transmission Line Siting Act. The systemic defects in these planning processes are compounded by the unreasonably short time frame provided for intervenor participation in the planning processes and in the need determination docket. Finally, FPL's and the FRCC's processes fail to comply with the FERC's requirements in Orders 1920, 1920-A, and 1920-B, and accordingly, the Florida PSC should deny FPL's petition and require FPL to conduct studies that comply with the FERC's orders.

Q. Please summarize your ultimate recommendation to the Commission regarding FPL's need determination petition for the Andytown-Oasis Transmission Lines Project.

A. The Commission should direct FPL to conduct legitimate, robust regional transmission planning studies consistent with the requirements of the FERC's orders. The Commission should further require that FPL engage all stakeholders in a timely way in those planning studies, with stakeholders having full access to FPL's modeling in a reasonable time frame. The Commission should also increase the period of time that interested parties have to file intervenor testimony in transmission needs proceedings from the 13 days available in this proceeding to a minimum of 30 days.

Q. Does this conclude your direct testimony?

A. Yes.

ATTACHMENT 3

Portions of Testimony and Exhibits of EDF witness Cranston Attacking Current Regional Transmission Planning Process under FERC Order 1000

1.	Exhibit DC-2 – Assessment of Florida's Electric Transmission System Performance and Opportunities for Enhancement
2.	Exhibit DC-5 – FERC Order No. 1000
3.	Direct Testimony, p. 14, ln. 14 through page 15, ln. 14 (see Attachment 3.1)
4.	Direct Testimony, p. 19, ln. 16 through p. 20, ln. 3 (see Attachment 3.1)
5.	Direct Testimony, p. 20, ln. 12-14 (see Attachment 3.1)
6.	Direct Testimony, p. 21, ln. 17 through p. 22 ln. 8 (see Attachment 1.1)

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Q. Please describe the historical framework of FPL's regional planning obligations under FERC Order 1000.

A. Issued in 2011, FERC Order No. 1000 was originally designed to encourage robust, cost-effective regional transmission planning. To spur competition and lower costs for ratepayers, the order eliminated the federal Right of First Refusal (ROFR) for regionally planned

projects. The goal was to open the door for independent transmission developers to compete to build the most efficient regional lines.

Q. Did FERC Order 1000 successfully produce robust regional transmission development in Florida?

A. No, it resulted in a widely recognized, unintended consequence known in the industry as the "local loophole." Because incumbent utilities lost their monopoly rights to build regional lines, they drastically shifted their capital investments toward local transmission projects. Local projects retained the Right of First Refusal (ROFR), allowed utilities to avoid competitive bidding, and historically faced far less regulatory scrutiny. Rather than holistic regional development, this loophole incentivized the kind of piecemeal, inefficient grid expansion we are seeing with FPL's localized proposals today.

Q. How has the Federal Energy Regulatory Commission addressed the failure of Order 1000 to produce efficient regional buildouts?

A. In May 2024, FERC issued Order No. 1920. Recognizing the systemic failure of the previous framework, FERC designed Order No. 1920 to

Q. After reviewing FPL's petition and supporting materials, do you believe that FPL's planning process will result in solutions that deliver low-cost electrical energy that will assure the economic well-being of Florida residents and businesses?

A. No, I do not. In fact, it is structurally impossible for FPL to determine a low-cost solution—as affirmatively required by the Transmission Line Siting Act ("TLSA")—under its current planning paradigm. FPL has described a planning process that is explicitly limited to addressing localized reliability violations under standards published by the North American Electric Reliability Corporation ("NERC"). While meeting NERC reliability standards is a mandatory baseline, treating a minimum compliance standard as a comprehensive grid strategy ensures that systemic economic efficiencies are completely ignored.

Q. How does this narrow focus on NERC violations specifically manifest in the proposed Andytown-Oasis Project?

A. FPL's proposed Andytown-Oasis Project exemplifies a fundamentally flawed, siloed approach to transmission planning. By deliberately

limiting its scope to a single NERC violation and ignoring broader, well-documented system constraints, FPL has engineered a sub-optimized, piecemeal solution.

Q. In contrast to FPL's approach, what would a prudent utility planning process entail?

A. A prudent utility planning process would evaluate whether "right-sizing" this corridor could simultaneously resolve adjacent regional constraints. By looking at the overlapping needs of the broader system, a utility can capture critical economies of scale—building one high-capacity, highly efficient corridor instead of multiple fragmented ones. Instead, FPL's narrowly tailored design solves a single, localized issue while leaving obvious, overlapping system needs completely unaddressed.

Q. What are the long-term consequences for Florida ratepayers if the Commission approves this fragmented approach?

A. This artificially fragmented approach guarantees future grid congestion. Because FPL is deliberately leaving adjacent constraints

unresolved, it is virtually ensuring that its ratepayers will be forced to fund additional, redundant infrastructure in the coming years. Ratepayers will be forced to pay twice for what a properly right-sized project could have accomplished once.

Q. Are there system-wide needs that FPL did not consider?

A. Yes. The University of Florida study was completed on behalf of EDF and found that there were several areas where there were constraints that the development of transmission could help resolve.

These include constrained lines in south Florida. For example, that exceed 80% of their limit the Palm Beach to Miami-Dade line operates above 80% of its limit during summer and winter peak hours, and the Hendry to Palm Beach line operates at its full limit during average load and summer peak hours, a. In 2035 these two lines are projected to be constrained under all load conditions

Q. Based on your review of FPL's historical and current transmission planning, do you have reason to believe that its planning process is

consistent with the long-term economic interests of Florida ratepayers?

A. No, I do not. FPL's transmission planning demonstrates a clear, recurring pattern of designing localized, fragmented projects that solve immediate objectives while deliberately ignoring broader, long-term statewide needs. This narrowly tailored approach consistently fails to capture critical economies of scale, ultimately forcing ratepayers to absorb the costs of an inefficient and sub-optimized grid.

Q. Can you provide a historical example of this flawed planning approach on the FPL system?

A. Yes. A prime example is the North Florida Resiliency Connection (NFRC), a transmission project FPL constructed to physically interconnect its legacy peninsular system with its newly acquired Gulf Power territory in the Panhandle. Despite the massive geographic and operational scale of integrating these two major electric systems, FPL chose to construct this critical interconnection as a relatively low-capacity 161 kV line.

ATTACHMENT 4

Portions of Testimony and Exhibits of EDF witness Thomas Attacking Current Regional Transmission Planning Process under FERC Order 1000

1.	Exhibit TT-2 – FERC Order No. 1000
2.	Direct Testimony, p. 6, ln. 6-15 (see Attachment 4.1)
3.	Direct Testimony, p. 7, ln. 19 through p. 8, ln. 1 (see Attachment 4.1)
4.	Direct Testimony, p. 8, ln. 9-10 and ln. 18-19 (see Attachment 4.1)
5.	Direct Testimony, p. 9, ln. 1 through p. 11, ln. 17 (see Attachment 4.1)
6.	Direct Testimony, p. 13, ln. 9-18 (see Attachment 4.1)
7.	Direct Testimony, p. 22, ln. 6 through p. 23, ln. 18 (see Attachment 4.1)
8.	Direct Testimony, p. 32, ln. 5-10 (see Attachment 4.1)

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A. Yes, I am testifying as an expert on appropriate principles and considerations to be followed by public utilities and public utility regulatory authorities in making planning and investment decisions for transmission and related utility power supply assets.

Q. Are you sponsoring any exhibits in this case?

A. Yes, I am sponsoring the following exhibits:

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frequently are Order No. 1000 and three related orders, Order No. 1920, Order No. 1920-A, and Order No. 1920-B, which I will refer to collectively as "Order No. 1920."

Q. Please summarize your opinions regarding FPL's proposed Andytown-Oasis Transmission Lines Project.

A. FPL conducts transmission planning in conjunction with the Florida Reliability Coordinating Council ("FRCC"). Both FPL's and the FRCC's planning activities fail to reliably ensure and demonstrate that transmission planning and investment decisions will serve the public interest . Although their planning processes are nominally called "regional," they actually constitute localized planning that fails to meet appropriate transmission planning criteria, including optimizing reliability and optimizing the delivery of reliable, low-cost power to utility customers in Florida. Accordingly, I recommend that the Florida Public Service Commission direct FPL to conduct true regional transmission planning analyses, with full and timely opportunities for stakeholder involvement, consistent with the requirements of the FERC Orders.

BACKGROUND: FEDERAL AND STATE REGULATORY FRAMEWORK FOR REGIONAL TRANSMISSION PLANNING

Q. Please summarize the regulatory framework applicable to transmission planning.

A. FERC has overall regulatory responsibility for transmission planning and regulation pursuant to the Federal Power Act (16 U.S.C. §§ 791 *et seq*.). Through numerous orders, FERC requires that utilities participate in regional planning and has established principles and considerations applicable to utility transmission planning. It is important that states consider these principles when making decisions.

Q. What is your understanding of the function of FERC Order No. 1000 and Order No. 1920 and the obligations that utilities have under those Orders?

A. Those are FERC's regional planning orders, which require that utilities subject to FERC's jurisdiction under the Federal Power Act participate in regional transmission planning that meets certain specified standards. Planning processes consistent with these standards were

initially required by Order No. 1000. Subsequently, in Order No. 1920, FERC found that existing regional planning processes were unjust and unreasonable and established further requirements in Order No. 1920 to direct development of just and reasonable replacements. What this means for utilities like FPL is that they must engage in planning with their regional grid planner – in this case the Floridia Reliability Coordinating Council, alongside the other Florida utilities – look at the system needs statewide, and find solutions that cost-effectively address these overall needs. Under Order No. 1000, these processes could be limited to region-wide reliability violations. Under Order No. 1920, they must look at both reliability and economic system needs. And crucially, under Order No. 1920, the forecast for the needs looks 20 years out into the future so that these decades-long assets can be planned for what comes up at these later junctures.

ASSESSMENT OF FPL'S AND THE FRCC'S REGIONAL PLANNING PROCESS

Q. Please explain how the FRCC regional planning process is supposed to operate.

A. Following the issuance of FERC Order No. 1000, transmission planning regions were required to establish formal processes to identify and evaluate regional transmission alternatives that could meet system needs more efficiently or cost-effectively than localized utility projects. In Florida, the FRCC complies with this mandate through its Biennial Transmission Planning Process (BTPP). During this two-year cycle, the FRCC conducts a "Proactive Planning" analysis. The stated goal is to determine if any proposed regional project qualifies as a Cost Effective or Efficient Regional Transmission Solution (CEERTS). If a CEERTS is identified, its costs would theoretically be allocated regionally, saving individual ratepayers from bearing the full burden of localized infrastructure.

Q. Does this "Proactive Planning" analysis actually result in the selection of cost-effective regional projects?

A. No. The process is structurally captured by the very utilities it is meant to oversee. Potential regional solutions are evaluated by the FRCC's Regional Projects Subcommittee (RPS). The members of this subcommittee are the transmission planners and engineers from

Florida's incumbent monopolies, including FPL. Consequently, when a regional alternative is proposed that might replace or optimize a localized project like the Andytown-Oasis Project, it is FPL and its peer utilities that evaluate the proposal. Unsurprisingly, they consistently conclude that their own siloed, utility-by-utility transmission plans are already the optimal path forward. The incumbent utilities are effectively allowed to grade their own homework.

Q. What has been the empirical result of this FRCC process since FERC Order No. 1000 was implemented?

A. The historical record is unequivocal. Since the inception of the Order 1000 regional planning framework over a decade ago, **exactly zero** CEERTS have been selected, approved, or constructed by any utility in Florida through the FRCC process. Every single biennial cycle, the FRCC issues a summary report concluding that no CEERTS projects were identified.

Q. What does this "zero project" track record mean for the Commission's evaluation of the Andytown-Oasis Project?

A. It means this Commission cannot rely on the FRCC process as a proxy for regional planning directed at identifying efficient or cost-effective projects. A regional planning process that has yielded zero regional projects in over a decade is a compliance exercise, not a functional planning tool. Because the FRCC framework systematically fails to advance regional efficiencies, it is incumbent upon the FPSC to rigorously scrutinize FPL's application. By presenting the Andytown-Oasis Project in isolation, without genuinely evaluating how right-sizing the Project could resolve broader system constraints, identified in independent studies like the National Transmission Planning Study performed by the U.S. Department of Energy (Exhibits TT-8 through TT-14 to my testimony), FPL is perpetuating a fragmented, piecemeal transmission development process. This artificially inflates infrastructure costs for ratepayers and fails the statutory mandate to provide the most cost-effective alternative.

needs to justify the cost and scale of a broader regional project. If FPL is permitted to solve all of its isolated, localized constraints piecemeal today through applications like this one, it will enter future regional planning cycles with no stated needs. This guarantees that comprehensive, cost-sharing regional projects never materialize because the foundational local needs have already been functionally erased from the board.

Q. Does the Florida Reliability Coordinating Council regional planning process ensure that FPL's proposed Andytown-Oasis Project is the most cost-effective alternative for ratepayers?

A. No, it does not. FPL routinely points to its participation in the FRCC's regional planning process as evidence that its localized transmission plans have been vetted for regional efficiency. However, a structural and historical analysis of how the FRCC implements its regional planning mandate demonstrates that this process acts as a rubber stamp for incumbent utilities' localized plans, rather than a genuine mechanism for identifying cost-saving regional infrastructure.

jurisdiction—and indeed, it is the statutory duty—of the state commission to scrutinize that failure. The state commission is not the wrong forum; when regional planning processes fail, the state commission is the *only* forum left to protect the consumer.

Q. Why can the FPSC not simply rely on the existing regional transmission planning process to ensure that it builds low-cost transmission?

A. The Commission cannot rely on the FRCC process because the existing FRCC regional planning framework in Florida is structurally and systemically defective and inadequate. This assessment is confirmed by the low grade – an "F" – assigned to Florida's transmission planning efforts by the 2025 Transmission Planning and Development Report Card published in February 2026 by Americans for a Clean Energy Grid, included as Exhibit TT-6 to my testimony. Under the current federal framework (FERC Order No. 1000), the Florida Reliability Coordinating Council (FRCC) conducts a Biennial Transmission Planning Process. However, this process is structurally dominated by the incumbent utilities themselves. When a regional

solution is proposed that might displace a utility's localized, capital-intensive project, it is the incumbent utilities' own engineers who evaluate it. Unsurprisingly, this self-grading system has produced a staggering empirical result: since the inception of Order 1000 over a decade ago, exactly zero regional transmission projects have been selected, approved, or built through the FRCC process.

Q. What does the failure of the Order 1000 process mean for this specific docket?

A. It means FPL cannot hide behind the FRCC. FPL cannot legitimately argue that the Andytown-Oasis Project was thoroughly vetted against regional alternatives when the historical record proves that the FRCC's regional vetting process is a compliance fiction that invariably defaults to localized utility buildouts. As a former regulator, I can assure you that when the regional mechanism is paralyzed by incumbent self-interest, the state commission must step in and rigorously enforce its mandate to ensure the low-cost electrical energy is capable of being dispatched.

harms Florida ratepayers by ensuring the utility's plans face virtually no meaningful technical challenges.

SUMMARY AND CONCLUSIONS

Q. Please summarize the main conclusions of your testimony.

A. FPL's and the FRCC's planning processes are not regional planning in any meaningful way. They are localized processes that fail to consider and address all meaningful options and opportunities that would provide for optimal transmission investments that would serve the public interest and best meet the criteria in the Transmission Line Siting Act. The systemic defects in these planning processes are compounded by the unreasonably short time frame provided for intervenor participation in the planning processes and in the need determination docket. Finally, FPL's and the FRCC's processes fail to comply with the FERC's requirements in Orders 1920, 1920-A, and 1920-B, and accordingly, the Florida PSC should deny FPL's petition and require FPL to conduct studies that comply with the FERC's orders.

ATTACHMENT 5

Portions of Testimony of EDF witness Thoams Criticizing Procedural Schedule

1.	Direct Testimony, p. 27, ln. 18 through p. 28, ln. 11 (see Attachment 5.1)
2.	Direct Testimony, p. 29, ln. 13 through p. 32, ln. 2 (see Attachment 5.1)
3.	Direct Testimony, p. 32, ln. 10-13 (see Attachment 5.1)
4.	Direct Testimony, p. 33, ln. 9-12 (see Attachment 5.1)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need For Andytown-Oasis Transmission Lines Project in Broward and Miami-Dade Counties, by Florida Power & Light Company	)))))	DOCKET NO. 20260020-EI FILED: MARCH 24, 2026

DIRECT TESTIMONY

OF TED THOMAS

On Behalf of

Environmental Defense Fund, Inc.

the statutory criteria and best serves the public interest of all Floridians?

The Commission should direct FPL to consider the regional needs that were identified by FRCC through the last regional Biennial Transmission Planning, and where those previous studies do not appropriately reflect regional needs, conduct legitimate, robust regional transmission planning studies consistent with the requirements of the FERC's orders to determine which regional needs could be jointly served by a transmission solution that meets the purpose of the Project. The Commission should further require that FPL engage all stakeholders in a timely way in those planning studies, with stakeholders having full access to FPL's modeling in a reasonable time frame.

THE PROCEDURAL SCHEDULE IN THIS DOCKET FAILS TO PROVIDE THE FLORIDA PSC WITH A COMPLETE AND RELIABLE EVIDENTIARY RECORD

Q. Based on your experience as a former utility commissioner, what is your opinion of the procedural schedule in this docket?

A. During my tenure as Chairman of the Arkansas Public Service Commission, I learned a fundamental truth about utility regulation: a Commission is only as good as the evidentiary record placed before it. Regulators rely entirely on the adversarial process to uncover the truth about a project's cost-effectiveness. When, as is the case here, the procedural schedule for this docket is so aggressively compressed that it functionally hobbles intervenors, the adversarial process breaks down and the Commission is left with an incomplete evidentiary record. The Commission is left flying blind, forced to rely almost exclusively on the utility's inherently biased, proprietary modeling.

Q. From a regulator's perspective, why are stakeholder and intervenor perspectives so critical in transmission need determinations?

A. Intervenors provide the essential crucible of independent scrutiny. A utility like FPL has massive financial resources and spends months, if not years, behind closed doors developing a highly polished application that justifies its preferred capital expenditures. Without robust intervenor participation, the Commission operates in an echo

chamber. Intervenors are the ones who stress-test the utility's assumptions. They ask the hard questions about whether Grid-Enhancing Technologies were bypassed, and they introduce independent, regional data—like the constraint mapping provided in the University of Florida analyses—that the utility conveniently left out. Frankly, without the rigorous pushback and alternative solutions provided by expert intervenors, a "need determination" degrades into a mere rubber stamp for the utility's capital expansion plans. These are the meaningful contributions that Intervenors in cases like this can and do make, but only where they are provided with adequate opportunities to participate fully in the regulatory process.

Q. Given that context, does the 13-day window for intervenor testimony in this docket allow for adequate stakeholder engagement?

A. Absolutely not. FPL filed its petition and supporting testimony on March 11, 2026, with intervenor testimony due on March 24, 2026. Allocating a mere 13 days to review hundreds of pages of highly

technical engineering filings, conduct substantive analysis, and draft expert testimony is a structural barrier to meaningful participation.

Q. Why is this ultra-compressed schedule particularly insufficient for a transmission project of this nature?

A. The complexity of modern transmission constraints requires deep, incredibly thorough evaluation. You cannot adequately analyze regional power flows, NERC reliability violations, and the viability of alternative technologies in less than two weeks. The extreme information asymmetry here is staggering. To even attempt to provide meaningful feedback, organizations like the EDF had to prospectively collaborate with the University of Florida to develop independent transmission constraint maps. That level of independent analysis is expensive, time-consuming, and inaccessible to most ratepayers. A 13-day window all but ensures that highly complex localized projects will get built simply because they were filed, as no intervenor can realistically marshal the resources to fully evaluate and contest the utility's models in that timeframe.

Q. How does this lack of adequate review time contrast with modern industry standards for transmission planning?

A. It flies directly in the face of the robust stakeholder requirements established by FERC Order No. 1920. The modern federal framework explicitly recognizes that comprehensive, transparent stakeholder engagement is absolutely vital for addressing the intricacies of the grid and fulfilling the mandate to deliver cost-effective solutions for consumers. FPL's reliance on this ultra-compressed, localized proceeding paints a troubling picture: it suggests a planning culture that actively avoids stakeholder perspectives and independent scrutiny.

Q. What is your ultimate conclusion regarding this procedural timeline?

A. A regulatory process that relies on a 13-day review window to authorize hundreds of millions of dollars in ratepayer-funded infrastructure is structurally flawed. It deprives the Florida Public Service Commission of compelling, independent testimony and severely narrows the range of perspectives considered. Ultimately, it

harms Florida ratepayers by ensuring the utility's plans face virtually no meaningful technical challenges.

SUMMARY AND CONCLUSIONS

Q. Please summarize the main conclusions of your testimony.

A. FPL's and the FRCC's planning processes are not regional planning in any meaningful way. They are localized processes that fail to consider and address all meaningful options and opportunities that would provide for optimal transmission investments that would serve the public interest and best meet the criteria in the Transmission Line Siting Act. The systemic defects in these planning processes are compounded by the unreasonably short time frame provided for intervenor participation in the planning processes and in the need determination docket. Finally, FPL's and the FRCC's processes fail to comply with the FERC's requirements in Orders 1920, 1920-A, and 1920-B, and accordingly, the Florida PSC should deny FPL's petition and require FPL to conduct studies that comply with the FERC's orders.

Q. Please summarize your ultimate recommendation to the Commission regarding FPL's need determination petition for the Andytown-Oasis Transmission Lines Project.

A. The Commission should direct FPL to conduct legitimate, robust regional transmission planning studies consistent with the requirements of the FERC's orders. The Commission should further require that FPL engage all stakeholders in a timely way in those planning studies, with stakeholders having full access to FPL's modeling in a reasonable time frame. The Commission should also increase the period of time that interested parties have to file intervenor testimony in transmission needs proceedings from the 13 days available in this proceeding to a minimum of 30 days.

Q. Does this conclude your direct testimony?

A. Yes.

ATTACHMENT 6

Portions of Testimony and Exhibits of EDF Witness Cranston that Constitute Impermissible Hearsay in Administrative Proceedings

1.	Exhibit DC-2 – Assessment of Florida's Electric Transmission System Performance and Opportunities for Enhancement
2.	Exhibit DC-7 – EDF Comments to FRCC 1920 Tariff Language
3.	Exhibit DC-8 – EDF Comments to FERCC Order 1920 Tariff Language
4.	Exhibit DC-9 – EQ Research EDF Florida Fuel Cost Report
5.	Exhibit DC-10 – Rao Konidena Testimony in Indiana Ameren CPCN Case
6.	Exhibit DC-11 – The Untapped Grid
7.	Exhbit DC-12 – Unlocking the Queue with GETs
8.	Direct Testimony, p. 7, ln. 14-19 through p. 8, ln. 4 (see Attachment 6.1)
9.	Direct Testimony, p. 8, ln. 10 through p. 13, ln. 2 (see Attachment 6.1)
10.	Direct Testimony, p. 17, ln. 18 through p. 18, ln. 9 (see Attachment 6.1)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DIRECT TESTIMONY

OF DAVID CRANSTON

On Behalf of

Environmental Defense Fund, Inc.

Q. Please summarize your opinions regarding FPL's proposed Andytown-Oasis Transmission Lines Project.

A. FPL conducts transmission planning in conjunction with FRCC. Both FPL's and the FRCC's planning activities fail to provide transmission planning and investment decisions that serve the public interest. Accordingly, I recommend that the Florida Public Service Commission deny FPL's petition for the Project and direct FPL to consider the regional needs that were identified by the FRCC through the last regional Biennial Transmission Planning Process, and where those previous studies do not appropriately reflect regional needs, to conduct legitimate and robust regional transmission planning studies that are consistent with the requirements of the FERC's orders to determine which regional needs could be jointly served by a transmission solution. The Commission should also require that FPL evaluate alternative solutions to the identified needs, not merely changes to routing. These alternatives should include the potential role of Advanced Transmission Technologies (ATTs) and Grid Enhancing Technologies (GETs) including but not limited to Dynamic Line Rating, Advanced Power Flow Controllers, Reconductoring,

Topology Optimization, and Battery Energy Storage Systems, to cost-effectively meet the needs that the Andytown-Oasis Transmission Lines Project is designed to address, as well as potential future regional needs. The Commission should further require that FPL engage all stakeholders in a timely way in those planning studies, with stakeholders having full access to FPL's modeling in a reasonable time frame.

FLORIDA'S TRANSMISSION CHALLENGES

Q. As part of your work at EDF you undertook an evaluation of the Florida transmission system. Please describe that work.

A. EDF engaged an engineering team at the University of Florida to conduct a comprehensive study of Florida's transmission system . The study began in spring 2025 and was completed at the end of the year. It uses 2024 data on transmission assets and 2023 data on electricity usage. The transmission lines studied range from 69 kilovolts (kV) to 500 kV.

Florida's power grid is changing. Historically, its electricity supply has primarily came from coal plants. Over the last several

decades, natural gas has taken coal's place and now provides about three-quarters of the state's electricity. These thermal plants are typically hundreds or thousands of megawatts (MW) in size. Florida's energy resource mix is continuing to change as utility-scale solar facilities have started to receive much more investment relative to thermal plants. In their most recent Ten-Year Site Plans published in 2025, the state's three largest electric utilities (Florida Power & Light, Duke Energy Florida, and Tampa Electric Company) plan to build more than 23 GW of new solar facilities through 2034. This will create a significant shift in the energy resource mix, as solar energy is projected to rise from 7% to 28% while natural gas is projected to fall to 56% of the state's electricity generation. In addition, the solar facilities being built in Florida are smaller and more geographically dispersed than the state's thermal plants. The typical solar generation facility in Florida is just under 75 MW to qualify for exemption under the Power Plant Siting Act. More solar capacity is emerging in rural northern Florida, to complement expanding solar capacity in the central and southwest parts of the state, so in coming years we expect to see increased power

flows from rural areas to load centers, especially in summer peak hours.

Florida is also seeing new electricity demand. While population growth continues, increased loads from transportation electrification and large load customers such as artificial intelligence (AI) data centers are projected to drive demand higher. Electricity consumption in Florida increased by 8% from 2015-2024; it is projected to increase another 11% by 2034. On top of this, the resilience of Florida's grid to system shocks is under increasing pressure from extreme weather events, such as hurricanes.

This structural shift to a more dynamic generation mix and new load sources, plus the impact of increasingly extreme weather, adds to the operational challenges that Florida's utilities face in managing a reliable transmission system. As I will describe below, it creates or amplifies transmission reliability needs throughout the state, as well as opportunities for more economic operation of the power grid.

The UF team constructed a model of Florida's transmission system using publicly available data. The model includes all transmission lines that span two or more counties, including line type,

voltage level, and associated substations. The model also includes county-level load and generation information. The UF team then applied a production cost model with power flow component to analyze how much each line is utilized and the system-level production cost across a range of scenarios. These include the base case (i.e., without contingencies), loss of a transmission line, loss of one or more generation resources, loss of both generation and transmission resources, and the addition of a single new large load customer. The UF team tested these scenarios during average load conditions and during both summer and winter peak hours. In addition to testing these scenarios with current generation and transmission assets, the UF team also tested them under a "2035 outlook" after adding in all new generation and inter-county transmission assets that are projected to come online by 2035 per the latest Ten-Year Site Plans. The purpose of this analysis was to identify vulnerabilities, reliability needs, and operational bottlenecks across the system. To my knowledge, this is the first such statewide assessment of the Florida transmission system.

We identified a pattern of transmission reliability needs that appear from north to west central to south Florida. Reliability constraints are amplified in the 2035 outlook compared to today, with more transmission lines reaching full loading or exceeding 80% of their limit during the base case and during most contingency events. Lines in southwest and southeast Florida experience the highest share of reliability constraints (i.e., high or full line loading) relative to the number of connections that exist in these areas. With respect to economic constraints, we found that contingencies that occur in south Florida (such as transmission line and generator outages) tend to drive the largest increases in system-wide production cost.

The UF team also evaluated three different types of transmission solutions to quantify their effects on congestion, production cost, and overall system reliability. Specifically, they studied the impacts of building a new greenfield transmission line, expanding capacity on an existing transmission line, and applying Dynamic Line Rating to an existing transmission line. We found opportunities to attain significant production cost savings and net economic benefit to ratepayers through implementation of these

solutions, especially through new regional transmission projects and especially where south Florida transmission assets are involved.

FLORIDA'S FLAWED PLANNING PARADIGM

Q. Please summarize the regulatory framework applicable to transmission planning.

A. FERC has overall regulatory responsibility for regulation of the electric transmission system, including transmission planning, pursuant to the Federal Power Act. Through numerous orders, FERC requires that utilities participate in regional planning and has established principles and considerations applicable to utility transmission planning.

Q. What is your understanding of the function of FERC Order No. 1000 and Order No. 1920 and the obligations that utilities have under those Orders?

A. Those are FERC's regional planning orders and they require that utilities participate in regional planning. While FERC found in promulgating Order No. 1920, that the existing regional planning processes under Order No. 1000 were unjust and unreasonable, it

Transmission Technologies ("ATTs"), sometimes called Grid-Enhancing Technologies ("GETs")—such as dynamic line ratings and advanced power flow controls. Planners must prove they have attempted to maximize the capacity of the existing grid using these advanced technologies before defaulting to expensive new conventional line construction.

Q. Has EDF attempted to participate in the FRCC processes? If so, why is EDF not satisfied with the FRCC processes?

A. Yes. EDF representatives have raised these issues to the FRCC, but thus far, they have not been incorporated into the FRCC's planning analyses. See, for example, my Exhibits DC-7 and DC-8, which are comments provided by EDF to the FRCC regarding tariff language in relation to Order No. 1920. EDF is not satisfied with the results of FRCC's processes for the several reasons discussed in my testimony.

Q. What are ATTs and GETs?

A. ATTs or GETs are hardware and software options that increase the capacity, efficiency, and/or reliability of the existing transmission grid. They are quick-deployment, cost-effective tools that maximize the capabilities of the infrastructure we already have, rather than strictly relying on building expensive new transmission lines. The four most commonly deployed GETs today are Dynamic Line Ratings (DLR), Advanced Power Flow Controllers, Advanced or "High Performance" Conductors (also called "reconductoring" when used to upgrade an existing transmission line), and Topology Optimization.

Q. How do these federal obligations relate to FPL's current application before the Florida Public Service Commission?

A. FPL's application exemplifies the exact "local loophole" behavior that FERC Order 1920 was designed to eliminate. By bringing forward a localized project without demonstrating a rigorous evaluation of right-sizing opportunities or ATTs. FPL is operating under an outdated planning paradigm. It is circumventing its obligation to participate in a modern, cost-effective regional planning process, ultimately passing the cost of that inefficiency onto Florida ratepayers.

ATTACHMENT 7

Impermissible Expert Opinions that EDF witness Cranston is Unqualified to Render

1.	Direct Testimony, p. 7, ln. 14-19 through p. 8, ln. 4 (see Attachment 7.1)
2.	Direct Testimony, p. 8, ln. 10 through p. 13, ln. 2 (see Attachment 7.1)
3.	Direct Testimony, p. 17, ln. 18 through p. 18, ln. 9 (see Attachment 7.1)
4.	Direct Testimony, p. 20, ln. 5 through p. 21, ln. 15 (see Attachment 7.1)
5.	Direct Testimony, p. 26, ln. 13 through p. 30, ln. 2 (see Attachment 7.1)
6.	Direct Testimony, p. 30, ln. 14 through p. 31, ln. 6 (see Attachment 7.1)
7.	Direct Testimony, p. 34, ln. 11 through p. 35, ln. 4 (see Attachment 6.1)

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OF DAVID CRANSTON

On Behalf of

Environmental Defense Fund, Inc.

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A. FPL conducts transmission planning in conjunction with FRCC. Both FPL's and the FRCC's planning activities fail to provide transmission planning and investment decisions that serve the public interest. Accordingly, I recommend that the Florida Public Service Commission deny FPL's petition for the Project and direct FPL to consider the regional needs that were identified by the FRCC through the last regional Biennial Transmission Planning Process, and where those previous studies do not appropriately reflect regional needs, to conduct legitimate and robust regional transmission planning studies that are consistent with the requirements of the FERC's orders to determine which regional needs could be jointly served by a transmission solution. The Commission should also require that FPL evaluate alternative solutions to the identified needs, not merely changes to routing. These alternatives should include the potential role of Advanced Transmission Technologies (ATTs) and Grid Enhancing Technologies (GETs) including but not limited to Dynamic Line Rating, Advanced Power Flow Controllers, Reconductoring,

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solutions, especially through new regional transmission projects and especially where south Florida transmission assets are involved.

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A. Yes. EDF representatives have raised these issues to the FRCC, but thus far, they have not been incorporated into the FRCC's planning analyses. See, for example, my Exhibits DC-7 and DC-8, which are comments provided by EDF to the FRCC regarding tariff language in relation to Order No. 1920. EDF is not satisfied with the results of FRCC's processes for the several reasons discussed in my testimony.

Q. What are ATTs and GETs?

A. ATTs or GETs are hardware and software options that increase the capacity, efficiency, and/or reliability of the existing transmission grid. They are quick-deployment, cost-effective tools that maximize the capabilities of the infrastructure we already have, rather than strictly relying on building expensive new transmission lines. The four most commonly deployed GETs today are Dynamic Line Ratings (DLR), Advanced Power Flow Controllers, Advanced or “High Performance” Conductors (also called “reconductoring” when used to upgrade an existing transmission line), and Topology Optimization.

Q. How do these federal obligations relate to FPL’s current application before the Florida Public Service Commission?

A. FPL’s application exemplifies the exact "local loophole" behavior that FERC Order 1920 was designed to eliminate. By bringing forward a localized project without demonstrating a rigorous evaluation of right-sizing opportunities or ATTs. FPL is operating under an outdated planning paradigm. It is circumventing its obligation to participate in a modern, cost-effective regional planning process, ultimately passing the cost of that inefficiency onto Florida ratepayers.

limiting its scope to a single NERC violation and ignoring broader, well-documented system constraints, FPL has engineered a sub-optimized, piecemeal solution.

Q. In contrast to FPL's approach, what would a prudent utility planning process entail?

A. A prudent utility planning process would evaluate whether "right-sizing" this corridor could simultaneously resolve adjacent regional constraints. By looking at the overlapping needs of the broader system, a utility can capture critical economies of scale—building one high-capacity, highly efficient corridor instead of multiple fragmented ones. Instead, FPL's narrowly tailored design solves a single, localized issue while leaving obvious, overlapping system needs completely unaddressed.

Q. What are the long-term consequences for Florida ratepayers if the Commission approves this fragmented approach?

A. This artificially fragmented approach guarantees future grid congestion. Because FPL is deliberately leaving adjacent constraints

unresolved, it is virtually ensuring that its ratepayers will be forced to fund additional, redundant infrastructure in the coming years. Ratepayers will be forced to pay twice for what a properly right-sized project could have accomplished once.

Q. Are there system-wide needs that FPL did not consider?

A. Yes. The University of Florida study was completed on behalf of EDF and found that there were several areas where there were constraints that the development of transmission could help resolve.

These include constrained lines in south Florida. For example, that exceed 80% of their limit the Palm Beach to Miami-Dade line operates above 80% of its limit during summer and winter peak hours, and the Hendry to Palm Beach line operates at its full limit during average load and summer peak hours, a. In 2035 these two lines are projected to be constrained under all load conditions.

Q. Based on your review of FPL's historical and current transmission planning, do you have reason to believe that its planning process is

Q. Why is the distinction between an "alternative route" and an "alternative solution" important in this proceeding?

A. Because evaluating different geographic routes for the same expensive infrastructure does not answer the fundamental economic question. The TLSA requires the Commission to consider the need for "abundant, low-cost electrical energy to assure the economic well-being of the residents of this state." To satisfy that standard, a utility cannot just compare two different paths for putting new steel in the ground. A prudent utility must evaluate entirely different *classes* of solutions to ensure ratepayer funds are being deployed as efficiently as possible. FPL completely failed to do this.

Q. What specific alternative solutions did FPL fail to evaluate in its application?

A. While FPL is quick to detail the catastrophic impacts it claims will occur if the line is not built, its alternatives assessment presents a false choice between building this exact line or doing nothing. There is zero rigorous, quantitative discussion of building a more expansive, right-sized regional project to capture economies of scale. Even more

egregiously, there is no evaluation of ATTs or GETs—such as dynamic line ratings or advanced power flow controls—as potential solutions to the NERC violations identified, either on their own or as part of a portfolio.

Q. Please explain how Dynamic Line Ratings (DLR) could potentially resolve localized capacity constraints.

A. Utilities historically use static or seasonal line ratings, which are based on highly conservative weather assumptions and leave significant excess, unused capacity on the transmission line during most hours of the year. However, Dynamic Line Ratings utilize non-contact sensors to monitor real-time weather conditions—such as wind speed, sunlight, and conductor temperature—to maximize available capacity. Because wind cools the conductor, real-time monitoring can safely increase the transmission capacity of an existing line by up to 44%. Deploying DLR sensors is incredibly cost-effective, estimated at roughly $22,727 per mile, compared to the millions of dollars per mile required for new transmission construction. This is consistent with the assessment of energy consultant Rao Konidena of Rakon Energy from

his testimony on behalf of EDF and the Citizens Utility Board in Ameren Transmission Company's 2024 Joint Petition for a Certificate of Public Convenience and Necessity (Exhibit DC-10.

Q. How do Advanced Power Flow Controllers and Topology Optimization address grid congestion?

A. Advanced Power Flow Controllers are hardware devices that change the reactance on a constrained transmission line, effectively "pushing" excess power away from the congested line and onto neighboring, unconstrained lines. Topology Optimization is a software-based solution—often described as the "Waze for the transmission grid"—that identifies real-time system reconfigurations, such as opening and closing circuit breakers, to route power around congested areas. Both technologies resolve localized bottlenecks by optimizing the flow of power across the broader network, often eliminating the need for localized infrastructure upgrades.

Q. How does reconductoring with Advanced Conductors compare to building a completely new transmission line?

A. Reconductoring with advanced conductors involves replacing traditional aluminum-core steel-reinforced (ACSR) wires on existing transmission towers with conductors that have a different structure and core. This process can increase the current-carrying capacity of an existing corridor by up to 250%. Because reconductoring utilizes existing towers and Right-of-Way, it avoids the massive costs of acquiring new land and erecting new steel, often allowing capacity to be doubled at half the price of building a new line.

Q. Why should a prudent utility evaluate ATTs before proposing a new capital-intensive transmission line like the Andytown-Oasis project?

A. There are three primary reasons: Cost, speed of deployment, and mitigation of land-use impacts. First, ATTs generally cost a fraction of what a new transmission line costs. Second, ATTs can accelerate the speed at which thermal constraints and reliability problems are resolved. For example, procuring large power transformers for new substations can take more than two years. In contrast, sensors for Dynamic Line Ratings can be installed rapidly without even requiring a transmission outage. Finally, ATTs do not require the acquisition of

new Right-of-Way (ROW) or land rights, which significantly minimizes environmental disruptions and landowner impacts.

Q. Why does FERC Order No. 1920 make FPL's failure to evaluate these technologies at the local level problematic?

A. FERC Order No. 1920 officially established that evaluating ATTs is no longer experimental or optional: It is a mandatory component of prudent, cost-effective transmission planning. While Order 1920 applies explicitly to regional planning, it sets a clear, undeniable industry standard: A modern utility simply cannot accurately assess the "need" for new infrastructure without first evaluating whether advanced technology can unlock capacity on existing rights-of-way.

Q. What is the regulatory consequence of FPL failing to evaluate GETs?

A. Under the Florida Transmission Line Siting Act (TLSA), FPL bears the absolute burden of proving that the Andytown-Oasis Project is needed to ensure system reliability and to deliver abundant, low-cost electrical energy to assure the economic well-being of the residents of the state, and by extension, of all Floridians. By completely failing to

evaluate whether rapid, low-cost GETs could resolve the identified constraints on existing rights-of-way, FPL has rendered its alternatives assessment fundamentally flawed and incomplete. Without this analysis, it is impossible for the Commission to conclude that FPL's proposed capital-intensive project is genuinely the "least-cost means" of satisfying the needs of Florida ratepayers.

EDF'S FLORIDA MEMBERSHIP AND ENERGY POLICY MISSION

Q. Please describe EDF's membership in the State of Florida.

A. EDF is a national non-profit environmental advocacy organization with a substantial and active membership base in Florida. As of March 23, 2026, EDF has approximately 17,000 members residing in the state who support our mission to protect human health and the environment.

Q. Of those Florida members, how many are customers of Florida Power & Light?

A. Based on a review of our membership data and utility service territories, EDF has approximately 8,900 members who are

impact of rising natural gas costs on Florida utility customers. That study concluded that continued reliance on gas generation in the state will result in a staggering $21 billion increase in costs for Florida ratepayers between 2025 and 2034. Protecting our members from these types of massive, avoidable economic burdens is a core function of our advocacy.

CONCLUSIONS AND RECOMMENDATIONS

Q. Please summarize the main conclusions and recommendations of your testimony.

A. The processes by which FPL came to propose the Andytown-Oasis Transmission Lines Project cannot legitimately be characterized as the natural result or by-product of effective regional transmission planning, nor does it demonstrate a rigorous evaluation of low-cost solutions to meet the articulated need. FPL's alternative consideration processes were localized consideration of routes, not meaningful transmission system alternatives.

FPL's failures to thoroughly consider all available transmission alternatives, including technologies as well as routes, will result in its

customers paying more than necessary for service, thereby frustrating the Transmission Line Siting Act's requirement that new transmission lines are to ensure the provision of abundant, low-cost electrical energy for the economic well-being of all Floridians.

Q. Does this conclude your direct testimony?

A. Yes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 31st day of March 2026:

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