

Eric Fryson

From: danlarson [danlarson@bellsouth.net]

Sent: Friday, August 17, 2012 1:59 PM

Subject: opposition to settlement and motion to suspend hearing Docket 120015 - EI

Attachments: OPPOSITION%20TO%20MOTION%20FOR%20SETTLEMENT[1].docx

Attached please find Larson's motion to Suspend Hearing and Motion to Oppose FPL's Settlement Agreement. If I missed anyone please let me know and I will resend. Thank you
Alexandria Larson

DOCUMENT NUMBER-DATE

05670 AUG 17 2012

FPSC-COMMISSION CLERK

8/17/2012

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Increase in Rates by
Florida Power & Light Company

DOCKET NO. 120015-EI
FILED: AUGUST 17, 2012

Alexandria & Daniel Larson's OPPOSITION TO JOINT MOTION FOR APPROVAL OF SETTLEMENT
AGREEMENT AND MOTION TO SUSPEND TECHNICAL HEARING

COMES NOW, Intervenors Alexandria and Daniel Larson and OPPOSITION TO
JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT and also a MOTION TO SUSPEND
TECHNICAL HEARING in the above-captioned matter.

Florida Power and Light Company (FPL) along with the Florida Industrial Power Users Group
(FIPUG), the South Florida Hospital and Healthcare Association (SFHHA) and the Federal Executive
Agencies (FEA) (collectively "Signatories") have filed a Joint Motion for Approval of Settlement
Agreement (Settlement) this date in the instant action for reasons alleged therein.

For the reasons stated below The Larson's opposes the Settlement and states as follows;

The record evidence in the instant action overwhelmingly shows that FPL's request for an
increase in base rates is not warranted - but rather - that the Commission should order FPL to
reduce its base rates.

Instead, the Signatories to the proposed Settlement suggest that the Commission award FPL a
\$378 million dollar increase effective January 1, 2013 - during an unparalleled dire economic time in
the state of Florida and across the entire United States. Moreover, the Signatories further suggest that
the Commission award FPL excess ROE profits of 10.70% with a range of (9.70% to 11.70%) - at a
time when the yield of the 10-year treasury bill is approximately 1.7%.

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The specific charges proposed by FPL in this rate case that the Larson's have opposed throughout these proceedings are still in the proposed settlement, namely:

1. The \$5.00 late payment charge, which increases revenues to FPL by \$31 million over the existing 18% per year late charge (1.5% per month) is not only in the settlement, but is now proposed to be \$6.00. This puts the lie to FPL's claim that it is merely an incentive to encourage on time payments and shows it for what it is, a greedy money grab on "gotcha" fees that serves only to enhance FPL's bottom line in the most regressive way imaginable: at the expense of the poorest FPL customers struggling to get part or all of their FPL payment together to keep the lights on.
2. The proposed new returned payment fee is still proposed to raise an additional \$2 million and is still asserted to be in accordance with §68.065, Florida Statutes. Except that it is not in accordance at all with §68.065. The Larson's would have no complaint if FPL actually wanted to comply with §68.065 and send out the required demand for payment "by certified or registered mail, evidenced by return receipt, or by first-class mail, evidenced by an affidavit of service of mail" with 30 days to pay, instead of just appropriating the rights under the statute without any of the obligations.
3. The monthly "customer charge" is still proposed to be raised by \$54 million to \$7.00 without any real scrutiny of the shaky claims behind it.
4. The rate increase.

In addition, the manner in which the proposed settlement offer was put forth is offensive. The press release sent out by FPL before the numbers were revealed to other parties, the entire process of the proposed settlement is offensive. The claims in the FPL press release that FEA, FIPUG and SFHHA are "key customer groups" and "major advocacy organizations" in combination with "All parties to the proposed agreement said it would benefit Florida's consumers" gives the misleading and false

impression that FEA, FIPUG and SFHHA are consumer advocacy groups. when they are not. The consumer advocacy groups, OPC and FRF, are not part of the settlement, let alone the actual individual consumers and the pro se Intervenors.

Intervenors Alexandria and Daniel Larson proposes the following changes to the Settlement proposal:

1. ROE to be 9% Maximum
2. No changes to existing late charge or customer charge.
3. A decrease in rates in these hard economic times

Intervenors Larson's would be supportive of a settlement along these lines and is supportive of a suspension of the technical hearing in order to try to arrive at a settlement that OPC ,FRF and all parties can support.

Submitted this 17th day of August, 2012.

/s/ Alexandria & Daniel Larson
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CERTIFICATE OF SERVICE
Docket No. 120015-EI

I HEREBY CERTIFY that a true and correct copy of Alexandria & Daniel Larson OPPOSITION TO JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT has been furnished by electronic mail this 17th day of August 2012, to the following:

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