

**Collin Roehner**

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**From:** Ellen Plendl  
**Sent:** Monday, September 19, 2016 8:15 AM  
**To:** Consumer Correspondence  
**Subject:** Docket 160154-EI  
**Attachments:** Re Consumer Inquiry - Florida Power & Light Company; Consumer Inquiry - Florida Power & Light Company

See attached correspondence and reply for correspondence side of Docket 160154-EI.

## Collin Roehner

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**From:** Randy Roland  
**Sent:** Monday, September 19, 2016 8:02 AM  
**To:** 'beatricebalboa@gmail.com'  
**Subject:** Consumer Inquiry - Florida Power & Light Company

Ms. Beatrice Balboa  
[beatricebalboa@gmail.com](mailto:beatricebalboa@gmail.com)

Dear Ms. Balboa:

This is in response to your E-mail to the Florida Public Service Commission (FPSC), regarding Florida Power & Light Company (FPL).

You expressed a concern about FPL's petition for approval of a purchase and sale agreement between Florida Power & Light Company and Calypso Energy Holdings, LLC, for the ownership of the Indiantown Cogeneration LP and related power purchase agreement.. We will add your comments to the correspondence side of Docket No. 160154-EI.

If you have any questions or concerns please contact Ms. Ellen Plendl at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Randy Roland  
Regulatory Program Administrator  
Florida Public Service Commission

## Collin Roehner

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**From:** Beatrice Balboa <beatricebalboa@gmail.com>  
**Sent:** Saturday, September 17, 2016 8:16 AM  
**To:** Rhonda Hicks  
**Cc:** Ellen Plendl; Randy Roland; Ruth McHargue  
**Subject:** Re: Consumer Inquiry - Florida Power & Light Company  
**Attachments:** FPL seeks to buy another coal-fired power plant \_ Miami Herald.pdf

I was reading the latest news media article(s) regarding the latest Florida Power & Light Co. (FPL) activities throughout the State of Florida with great interest. Please review and implement an action plan to thoroughly address this extremely troubling issue. Media reports continue to underscore the ongoing significant issues with FPL's approach to PPA contracts as mentioned below:

"(The Office of Public Counsel) does not believe that FPL has met its burden to prove that the method used to eliminate the PPA is the most cost effective one available, that the proposed buyout price is the lowest possible buyout price and that this transaction is in the best interest of FPL's customers, and thus is prudent," the document said.

Similarly, attorneys for the Florida Industrial Power Users Group pointed to concerns about risks for ratepayers.

"Coal-fired generating plants are currently facing many challenges, including market, environmental, regulatory and economic pressures," the business group said in a pre-hearing document. "The risks associated with these challenges should not be shifted to FPL's ratepayers, and if done so, FPL should ensure that ratepayers risk is limited in a meaningful and measurable way."

It is imperative that these FPL activities be brought into compliance with Federal, State and County laws and statutes to ensure fairness to the proposed electrical rate increases. Please coordinate, collaborate and cooperate on Federal, State and/or local jurisdictional levels in addressing these concerns potentially impacting adversely the public's finances, policies, trust, confidence, and quality of life issues. Thank you for your time in this matter and hope to hear from you soon.

Sincerely,

Beatrice Balboa

1010 South Ocean Boulevard, Apt. 1008

Pompano Beach, Fl 33062-6631

## FPL seeks to buy another coal-fired power plant



BY JIM SAUNDERS  
*News Service of Florida*

TALLAHASSEE — With Florida Power & Light saying the deal would ultimately save money for customers and provide environmental benefits, state regulators next month will consider a proposal by the utility to pay \$451 million for a coal-fired power plant in Martin County.

But in documents filed last week, attorneys for consumers and major commercial electricity users questioned the deal, including raising concerns about risks for FPL ratepayers.

The Florida Public Service Commission is scheduled Oct. 3 to begin a two-day hearing on the proposal, which involves FPL buying the 330-megawatt Indiantown Cogeneration facility from Calypso Energy Holdings, LLC.

The deal is rooted in a long-term contract, known as a power purchase agreement, that FPL has to buy electricity from the plant. The utility contends that parts of the agreement now require it to pay above-market prices and that buying the plant and the contract could provide \$129 million in long-term savings for customers.

Also, it argues in documents filed with the Public Service Commission that the purchase would provide environmental benefits because FPL would reduce the amount of electricity generated at the coal-fired plant.

“Through its ownership of the facility, FPL will have sole discretion to make operational and environmental decisions, including early retirement or repurposing of the facility,” Robert Barrett, vice president of finance for FPL, said in written testimony submitted in June to the Public Service Commission. “For instance, although this coal unit has no real economic value to the FPL system as demonstrated by its very low capacity factor, the site is suitable for future gas or solar generation given the transmission infrastructure and proximity to a natural gas pipeline. By acquiring the PPA and acquiring the asset, FPL will be able to control all economic and environmental decisions regarding the facility.”

But the state Office of Public Counsel, which represents consumers on utility issues, and the Florida Industrial Power Users Group, which represents major commercial customers, filed documents Friday that raised objections to the proposed deal.

The Office of Public Counsel said it acknowledges “that the proposal before the commission appears to provide material incremental benefit to customers above and beyond the level of total payments that would have been made” under the existing agreement. But attorneys for the office questioned whether the proposal was the best deal possible.

“[The Office of Public Counsel] does not believe that FPL has met its burden to prove that the method used to eliminate the PPA is the most cost effective one available, that the proposed buyout price is the lowest possible buyout price, and that this transaction is in the best interest of FPL’s customers, and thus is prudent,” the document said.

Similarly, attorneys for the Florida Industrial Power Users Group pointed to concerns about risks for ratepayers.

“Coal-fired generating plants are currently facing many challenges, including market, environmental, regulatory and economic pressures,” the business group said in a pre-hearing document. “The risks associated with these challenges should not be shifted to FPL’s ratepayers, and if done so, FPL should ensure that ratepayers risk is limited in a meaningful and measurable way.”

The proposal is similar to a deal that the Public Service Commission approved in 2015 for FPL to buy the coal-fired Cedar Bay power plant in Jacksonville. FPL cited that decision in its effort to win commission approval of the Indiantown deal.

“Like the Cedar Bay transaction, the [Indiantown Cogeneration] transaction involves the acquisition of a coal generating facility in order to alleviate an unfavorable power purchase obligation,” the utility said. “Moreover, the commission found in the Cedar Bay order that the agreed-upon accounting and recovery treatment created customer savings, and stated that the transaction served to ‘mitigate the impact on customers of the Cedar Bay power purchase obligation, and [was] reasonable, cost-effective, and prudent.’”



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