

Nickalus Holmes

From: Ruth McHargue
Sent: Thursday, November 09, 2017 4:12 PM
To: Consumer Correspondence
Cc: Diane Hood
Subject: docket 20170215
Attachments: FPL will seek \$4 to \$5.pdf; NBC 6 Viewer Helps Out Grandmother Possibly Facing Higher FPL Bill - NBC 6 South Florida.pdf; Should FPL customers pay to clean up Turkey Point's canals_.pdf; County Commission Chair Paul Caragiulo Became a Social Media Hero After Hurricane Irma _ Sarasota Magazine.pdf; FPL Customers in North Miami Were Overtaxed \$2 Million for Almost 20 Years _ Miami New Times.pdf; FPL customers to begin paying \$1.pdf; FPL to seek \$1.pdf; FPL Wants Customers To Pay \$200M To Clean Up Groundwater Contamination « CBS Miami.pdf; Coral Gables approves filing lawsuit against Florida Power & Light over Hurricane Irma response _ Miami Herald.pdf; Coral Gables Gives Green Light To Sue FPL Over Irma Handling « CBS Miami.pdf

Customer correspondence

From: Beatrice Balboa [mailto:beatricebalboa@gmail.com]
Sent: Tuesday, October 31, 2017 4:15 PM
To: Ruth McHargue
Subject: Re: FPL issues

I am writing regarding the latest news media reports underscoring the woeful and disastrous state of the electrical grid throughout the City of Pompano Beach, Broward County AND the State of Florida, despite strong documentation indicating such problems exist, with fatalities directly related to this issue and "...left as many as 15 million people in the state without electricity...". In addition, FPL is now requesting a slew of additional fees such as \$200 million and \$1.3 billion to prop up their complete lack of thorough operational, technical and logistical maintenance and preparation that should have been part of the FPL mission and business plan to operate in the State of Florida across the board. Please coordinate, collaborate and cooperate on Federal, State and/or local jurisdictional levels in addressing these egregious concerns potentially impacting adversely the public's safety, health, finances, policies, trust, confidence, and quality of life issues. Thank you for your time in these matters and hope to hear from you soon.

Beatrice Balboa
1010 South Ocean Boulevard, Apt. 1008
Pompano Beach, Fl 33062-6631

On Mon, Sep 18, 2017 at 12:58 PM, Ruth McHargue <RMcHargu@psc.state.fl.us> wrote:

Dear Ms. Balboa:

Thank you for sharing your concern about your utility provider, Florida Power and Light (FPL), and outages as a result of Hurricane Irma.

The Florida Public Service Commission (PSC) is and remains an integral part of the staffing at the state's Emergency Operations Center, which remains activated. Hurricane Irma was a historic and catastrophic storm event. Due to this storm event and the vast numbers of persons impacted statewide, restoration of power statewide is of a historic magnitude not seen before in this state. We acknowledge the frustration resulting from this storm event. Power restoration is of the highest priority for the PSC and the state of Florida. PSC staff

continues to work around the clock with all state agencies and with all utilities to make sure that power is fully restored to all people and areas of the state as quickly as humanly and technically possible.

Customer comments serve as a very valuable source of information. We monitor consumer concerns very closely as well as track any trends which indicate response problems that may warrant further action. We have forwarded your information to your utility and requested that they contact you regarding your concerns. If you do not hear from FPL, please let us know and we will contact the company on your behalf.

Sincerely,

Ruth McHargue

Regulatory Program Consultant

Bureau of Consumer Assistance

Florida Public Service Commission

[1-800-342-3552](tel:1-800-342-3552)

contact@psc.state.fl.us

Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

From: Beatrice Balboa [<mailto:beatricebalboa@gmail.com>]

Sent: Monday, September 18, 2017 12:33 PM

To: Records Clerk

Subject: Re: FPL issues

I am writing regarding the latest news media reports underscoring the woeful and disastrous state of the electrical grid/delivery sector throughout the State of Florida, despite strong documentation indicating such problems exist. With outages throughout the major metropolitan areas throughout the State of Florida compounded with spiralling out-of-control electrical rate fees, it is way beyond the pale how poorly this electrical service serves the residents of the State of Florida. Please coordinate, collaborate and cooperate on

Federal, State and/or local jurisdictional levels in addressing these egregious concerns potentially impacting adversely the public's safety, health, finances, policies, trust, confidence, and quality of life issues. Thank you for your time in these matters and hope to hear from you soon.

Sincerely,

Beatrice Balboa

[1010 South Ocean Boulevard, Apt. 1008](#)

[Pompano Beach, Fl 33062-6631](#)

FPL will seek \$4 to \$5.50 monthly surcharges to recoup Hurricane Irma costs

Florida Power & Light announced Friday that it wants to add a surcharge of \$4 a month to customer bills in order to cover the costs incurred by Hurricane Irma in September.



By **Marcia Heroux Pounds**
Sun Sentinel

OCTOBER 26, 2017, 11:05 AM

FPL will propose new storm surcharges to state regulators to recover what it says are \$1.3 billion in costs from September's **Hurricane Irma**, the company's parent, NextEra Energy announced Thursday.

The surcharge on customer bills would be an additional \$4 a month during 2018, and then would rise to \$5.50 from 2019-2020, to recover its costs to restore power after Irma. Those are the proposed costs for a typical 1,000 KW monthly residential electric bill.

"The surcharge would remain in effect until Hurricane Irma recovery costs are fully recovered, which is expected by the end of 2020," according to FPL spokesman David Mcdermitt.

The initial surcharge would be timed to be added to bills in March when one of the current storm surcharges, for 2016's Hurricane Matthew, expires, said John Ketchum, chief financial officer.

FPL's typical residential electric bill is currently \$102.62 a month.

The Florida Public Service Commission, which regulates FPL and other public utilities in the state, would have to approve the new surcharge. The proposal has not yet been filed with the PSC.

"We will have to consider it within 60 days after the filing date," said Cindy Muir, spokeswoman for the PSC.

Florida Public Counsel J.R. Kelly, who represents the state's consumers, said he would likely contest an Irma storm surcharge as high as \$5.50 a month. But he said FPL is within its rights to proceed with a \$4 surcharge for 12 months.

FPL customers currently pay two monthly storm surcharges, \$3.36 for Matthew and \$1.32 for several hurricanes that struck the state in 2004 and 2005.

The Matthew surcharge was approved for 12 months to cover \$293 million in costs. It expires in March. The 2004-2005 hurricane surcharges expire in August 2019.

FPL filed its cost-recovery report for Matthew earlier this month. The four-page submission, which includes a one-page cover letter, outlines costs such as payroll, overtime, contractors, line clearing, fuel and logistics.

As a result of its settlement agreement in 2016 with the PSC and other parties, FPL can charge up to \$4 a month in storm recovery costs for 12 months, beginning 60 days after it files a petition with the commission. Additional costs may be recovered in subsequent years if approved by the PSC.

NextEra's CFO made the surcharge announcement Thursday in connection with the company's third-quarter earnings, which saw nearly a 13 percent increase in quarterly earnings. But revenues were flat compared with a year ago.

Earnings beat analysts' expectations, but the Juno Beach-based energy company missed on revenues.

NextEra has been trading near its 52-week high of \$154.70 a share, closing at \$153.86 on Wednesday, down 36 cents or 0.23 percent.

NextEra reported third-quarter net income of \$847 million, or \$1.79 a share, compared to \$753 million, or \$1.62 a share, in the third quarter of 2016. NextEra revenues were \$4.8 billion for the quarter, nearly unchanged from a year ago.

Subsidiary FPL reported third-quarter net income of \$566 million, or \$1.19 a share, compared to \$515 million, or \$1.11 a share, for the prior-year quarter. One factor was an increase in customers: FPL's customer count increased by about 62,000, or 1.3 percent, from same period a year ago.

FPL's quarterly operating revenues were \$3.5 billion compared with \$3.3 billion a year ago.

There was no discussion in NextEra's news release of the impact from Hurricane Irma, which knocked out power to more than 90 percent of FPL customers on Sept. 10-11. FPL attributed the massive outage to fallen trees and other flying debris, as well as hurricane-wind gusts. In South Florida, Irma brought mostly tropical-storm force winds.

NextEra is the holding company for FPL, a regulated public electric utility that provides electricity for half the state, as well as its competitive energy business, NextEra Energy Resources, which has 70 percent of its assets in wind-generated power.

NextEra Energy Resources' contribution to third-quarter adjusted earnings per share increased by two cents over a year ago, driven by new investments, the company said.

Florida's Public Service Commission, which regulates FPL, has set up a link on its website for residents to give their feedback on how Florida's electric utilities responded to Hurricane Irma. See "Consumer Comments on Hurricane Preparedness and Restoration" in red on the PSC's webpage, <http://www.floridapsc.com/>.

"We want to hear from customers about their power restoration time and how utility information was provided to them before, during, and after the storm," said PSC Chairman Julie Brown.

The feedback will become be considered by the commission in its review of public utilities' storm preparedness and performance, the PSC says.

This story will be updated. Check back for more information.

mpounds@sunsentinel.com or 561-243-6650, twitter: [@marciabiz](https://twitter.com/marciabiz)

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This article is related to: [Hurricane Irma](#)

NBC 6 Viewer Helps Out Grandmother Possibly Facing Higher FPL Bill

A woman who watched an NBC 6 report went out of her way to help a grandmother with her utility bill as FPL costumers face additional surcharges. NBC 6's Michael Spears reports.

(Published Monday, Oct. 30, 2017)

The 83-year-old grandmother who told NBC 6 last week that FPL's proposed surcharges after Hurricane Irma would increased hardship received the generous help of someone who watched the report.

NBC 6 interviewed Daphne Lawrence who lives in Miami Gardens about FPL's proposal to have customers pay more every month so the utility company can recuperate the \$1.3 billion it said it spent recovering after Hurricane Irma.

Lawrence said keeping the lights on is already difficult enough with three grandchildren for which to care.

After seeing the report, a kind woman named Shirley stepped in to help. She told Lawrence she was moved by your story."

"I just would like to help you out a little bit with your payments on those so if I can give you a check. It's made out to FP&L," Shirley told Lawrence.

Shirley's check for Lawrence to pay FPL bills is for \$1,000.

"Thank you very much," Lawrence said. "She's so sweet. She's a blessing."

- [Man Tells Cops Mutilated Body Is Blow-Up Doll Made of Flesh](#)

Based on a 1,000 kilowatt-hour bill, FPL wants to charge customers an additional \$4 a month starting in March, and then \$5.50 more in 2019.

But for now, Lawrence and her family have some breathing room.

"It's a big surprise, I never think of this," Lawrence added. "Surprised to know she just saw me on the TV and her heart goes out to me. I'm very grateful. God [moves in] mysterious ways."

- [Developing North Miami Middle School Student Hospitalized After Fight](#)

Shirley, however, does not mind offering a helping hand.

"I've been blessed so it's nice to pass it on," Shirley said.

Published at 11:44 PM EDT on Oct 30, 2017

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FPL: Customers should pay \$200 million for Turkey Point fix



Susan Salisbury - Palm Beach Post Staff Writer
4:42 p.m Tuesday, Oct. 24, 2017 Filed in [Local business](#)



[VIEW CAPTION](#)

JUNO BEACH — Florida Power & Light Co. wants customers to pay for a \$200 million-plus cleanup of groundwater contamination from its Turkey Point nuclear plant's cooling canals, and is asking regulators to approve its request.

However, the Office of Public Counsel and others object, saying FPL's management has made poor decisions and should pay to clean up its own mess.

[FPL WAS ORDERED TO RETRACT THE SALTY UNDERGROUND PLUME IN 2016](#)

Wednesday the Florida Public Service Commission is scheduled hear expert witnesses as it considers FPL's request. The hearing is expected to begin Wednesday afternoon after a morning hearing on other issues wraps up. A vote is not expected until November. The commission conference can be viewed online at www.psc.state.fl.us/.



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[WHAT AN EXPERT SAID ABOUT THE PROPOSED FIX FOR THE SALTY PLUME](#)



ESRB Rating: MATURE with Blood and Gore, Intense Violence, Partial Nudity, Sexual Content, Strong Language, Use of Drugs

The public counsel, the Southern Alliance for Clean Energy, the Florida Industrial Power Users Group and fertilizer company PCS Phosphate argue that FPL's management knew or should have known for decades that a salty plume of water was contaminating the Biscayne Aquifer. The aquifer provides drinking water for 3 million people, including Palm Beach County Water Utilities' customers.

Juno Beach-based FPL is seeking to recover the costs under a provision that allows utilities to charge customers for prudently incurred environmental costs.

[Editorial: More independence needed for state's utilities watchdog](#)

"In the case of FPL, the record shows that several decades of management decisions led directly to the development and growth of a hypersaline plume which threatens a public source of drinking water upon which millions of citizens depend," Florida Public Counsel J.R. Kelly said in a pre-hearing statement.

"FPL was issued regulatory notices of violation because of the hypersaline plume. FPL now seeks to burden ratepayers with the costs of retracting the hypersaline plume, or in other words to make customers pay for the direct results of FPL's imprudent management decisions. This is contrary to law and policy," Kelly stated.

The underground plume has spread 5 miles west of the plant that overlooks Biscayne Bay south of Miami. The contamination has also spread east into Biscayne National Park.

In September 2016, under a consent order from the Florida Department of Environmental Protection, FPL began a project to inject 15 million gallons a day of hypersaline polluted groundwater from beneath the cooling canals into the boulder zone. The boulder zone is 3,200 feet below the surface. The water is removed through wells drilled into the aquifer.

FPL also is freshening the cooling canals by adding up to 14 million gallons a day of less salty water from the deeper Floridan Aquifer.

The plant 25 miles south of Miami has a 2-mile by 5-mile unlined cooling canal system. For more than 40 years the system has circulated billions of gallons of water daily to cool the plant's two nuclear reactors. On average about 600,000 pounds of salt per day seeps from the canals into the groundwater.

FPL spokeswoman Bianca Cruz said Tuesday, "This hearing is not about the Turkey Point canals. Instead, it's a review of all costs that make up Environmental Cost Recovery.

Since 2009, the PSC has approved recovery of monitoring and corrective actions related to the cooling canal system, Cruz said.

“Based on preliminary estimates, we expect the typical customer bill to be impacted between 25 and 50 cents. However, the Environmental Cost Recovery Charge on a typical residential customer bill would be \$1.59, down from \$2.44 in 2017, a decrease of 85 cents,” Cruz said.

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County Commission Chair Paul Caragiulo Became a Social Media Hero After Hurricane Irma

Caragiulo tracked FPL's progress on his Facebook page.

By [Susan Burns](#) • 10/30/2017 at 12:52pm • Published in the [November 2017](#) issue of *Sarasota Magazine*



IMAGE: [SHUTTERSTOCK](#)

them. County commission chair Paul Caragiulo shed light on FPL's progress in restoring power, posting the number of those with and without power on Facebook several times a day.



What made you decide to go on social media?

FPL's CEO provided us with a website that updated the number of outages and repairs hourly. I got addicted and decided to provide updates on my Facebook page.

What was the reaction?

For some people it was a relief since it showed progress. It also created anxiety [if your] power was late in being restored. I got comments like, 'I live across from the fairgrounds [FPL's staging headquarters] and I'm still out.' Well, it ain't that easy.

What do you mean?

FPL was looking at restoration across all 35 counties in its service area. FPL had to move 28,000 workers and position all their assets. Robarts Arena was a staging ground for Manatee and Sarasota, all the way down to Englewood. We were one of 29 sites, which had to provide food, sleeping, laundry, IT for the entire operation. It was nothing short of a full military operation.

What surprised you?

The fragility of our system. We didn't get sustained strong winds. I was surprised how many people lost power.

Should Sarasota put more utilities underground?

Undergrounding sounds like a good idea. Longboat just did a bond referendum. They're paying up to \$49 million to run 246,143 linear feet of utility cable that includes fiber optic. That's \$200 a foot. It's expensive. Are people willing to pay more? Most zoning districts in Sarasota County already require that new developments put utilities underground. Most developers do it anyway because of the aesthetics. Undergrounding might protect power supply from wind damage but not from flooding. It could be costlier to repair and take longer as well, so it's not a magic bullet.

What was one of your biggest takeaways?

The power of social media. We have to start communicating with people on their terms. When we publicize public hearings, we put things in newspapers. But who reads newspapers? Or we put up a yellow poster on the side of a road about a public hearing. If you're driving, what are you going to do?

What other issues should the county be looking at?

Vegetation management. Trees bring down a line and you might have a line wrapped around a pole now that will take physical work. You can't just change a [computer] file from the staging area. The linespeople do the line work. They don't start hacking trees. They contract out that work. Whose responsibility is tree trimming? Yeah, the tree is on private property, but you're talking about [a public resource] that's supplying to more people than the person whose property that tree is [on].

What would you like FPL to change?

Power will be a determining factor when someone decides where they want to live. FPL has tremendous influence within the legislative environment. There's no question FPL did a great job running through the volume of those tickets. But how good a job did they do in the planning? Like any other business, they run off a return on their investment. It's going to be hard to compel them to improve their infrastructure other than in a purely political way. FPL is regulated by the Public Service Commission, so the pressure needs to come from a larger area.

What can the county control?

We've got a great call center. They do a phenomenal job. They handle a lot of call volume. When I was in the EOC during the storm, the [call] queue at times was up to 215 people. But when you want information about shelters, you just want to get it out. We need to be able to deal with 10,000 people trying to find their evacuation zones, especially on mobile devices. The county also needs to look at the adequacy of shelters, redundant power and special needs.

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[Hurricane Irma](#), [Paul Caragiulo](#)

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Florida Power & Light sent customers in North Miami a letter earlier this month saying they'd be credited for years of overbilling.

[photo via FPL](#)

FPL Customers in North Miami Were Overtaxed \$2 Million for Nearly 20 Years

JESSICA LIPSCOMB | OCTOBER 23, 2017 | 8:00AM

When North Miami residents received their power bills earlier this month, their statements came with a welcome surprise: Florida Power & Light was issuing a special credit to all households within city limits.

But the news isn't all good. It turns out the utility company has been accidentally overcharging customers in Miami-Dade's sixth largest city for nearly 20 years. Because of a billing error, residents of the working-class, largely Haitian city have been overtaxed by an estimated \$2 million since 1998. The bulk of that money will never be repaid to account holders thanks to the state's statute of limitations.

One customer says she was stunned when she received a letter from FPL earlier this month explaining the overbilling.

"FPL is very sketchy," says Diane, who asked *New Times* to withhold her last name because she fears retaliation. "How many years have you guys been overcharging us?"

The company says the error was discovered in a "routine review" of its billing system before Hurricane Irma hit Florida. Because of a change in the city's tax code, auditors noticed an extra 1 cent to 41 cents had been inadvertently tacked onto customers' monthly statements for almost two decades.

"We do realize it was a mistake, and we want to correct it as soon as possible," says Florencia Contesse, an FPL spokesperson.

[Please read web version for embedded content]

The overbilling – which is freakishly reminiscent of the [penny scheme in the 1999 film *Office Space*](#) – was apparently due to miscommunication between the city and FPL [over something called a municipal tax](#). When utilities bill customers, the state allows local governments to add a sales tax. The utility collects that money and returns it to local governments.

In North Miami, the tax on residents' utility bills has long been 10 percent, but in 1997, the city commission voted to give residents a small break. Commissioners approved lifting the tax on the first 50 kilowatt hours of energy used per month.

For the average customer, that should have cut about 50 cents from a monthly power bill. But when the ordinance went into effect in 1998, no one from the city told FPL the tax had been reduced, the company says, so it continued charging customers the same amount.

"As part of how we work with the municipalities, they're responsible for getting us their updated tax ordinance," Contesse says. "We were sort of operating in collections, if you will, based on what we had on file."

FPL says its internal review revealed the same issue occurred in Palm Beach. More than 11,000 customers in the upscale waterfront community were overcharged for nearly 40 years because, the company contends, it wasn't made aware that the town's tax code had been amended in 1978. (Palm Beach Town Manager Thomas Bradford was not available to discuss the issue with *New Times* this week.)

North Miami spokeswoman Eunicia Baker says it's difficult to know whether city staff sent a copy of the updated tax code to FPL in 1998, although more recent records show correspondence with FPL about the tax roughly every two years. Contesse says ensuring customers in each city are billed correctly is a "shared responsibility," but city Councilman Scott Galvin says it would have been difficult for the city to know residents were being overcharged without access to FPL's financial statements.

"We never realized it was happening because we don't have insight into their books," Galvin says.

Neither the city nor FPL was able to provide the total amount that was erroneously collected in North Miami, but based on an average of 20 cents per month that was mistakenly charged to the city's 45,000 customers, it can be estimated residents were overtaxed by a total of \$2.13 million since 1998.

Florida's statute of limitations limits liability in such cases to three years, though. So only an estimated \$324,000 will be paid back. The city will hold onto 85 percent of the money – \$1.8 million for employee salaries and other city operating costs.

Though the credits on October's bill can be difficult to decipher, FPL says the average customer in North Miami received about \$13.

For some residents, the gesture is too little, too late. "I don't want any credit," says Diane, a longtime customer who says she pays her bills on time every month. "Just cut me a check like I've been cutting you a check this whole time."

Customers who would rather have a refund than a credit to their accounts can call FPL at 800-226-3545 weekdays from 9 a.m. to 5 p.m. Customers who have closed their accounts or moved out of North Miami without opening another FPL account should also call to make sure their refund checks are sent to the correct address. Here's a full copy of the letter sent to account holders:

We recently discovered that residential customers in the City of North Miami were overcharged municipal tax in their FPL bills. This mistake was due to a change in the municipal tax ordinance that was not reflected properly in your bill. We apologize for the inconvenience. We have corrected the issue to prevent it from happening in the future.

You are being credited the amount that was incorrectly paid to the City of North Miami. This credit amount will be applied to your current balance in your October 2017 bill. Enclosed with this letter is a special bill outlining the credit refund resulting from this overcharge. This will also result in an estimated monthly decrease of \$0.50 in your municipal tax for a typical 1,000 kWh residential bill.

If you have already closed your account but still owe a balance, the credit will be applied to the past due balance. If you closed your account and do not owe a balance, a check is enclosed reflecting your refund. If you transferred service to another account and do not owe a balance, the credit will be transferred to your new account.

Should you have any questions, please call 1-800-226-3545 Monday through Friday, from 9 a.m. to 5 p.m.

Sincerely,

FPL Customer Care Team

Courtesy photo

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FPL customers to begin paying \$1.3 billion for Irma costs in 2018



[Susan Salisbury](#) - Palm Beach Post Staff Writer

Updated 11:31 a.m. Thursday, Oct. 26, 2017 Filed in [Local business](#)



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Juno Beach — [Hurricane Irma](#) knocked out power to more than 90 percent of Florida Power & Light's customers, and restoration and recovery costs are preliminarily estimated at \$1.3 billion, FPL officials said Thursday.

[FPL PLANS TO SPEND MORE MONEY ON GRID HARDENING](#)

Starting in March, pending the Florida Public Service Commission's approval, FPL customers will begin paying back the \$1.3 billion via their bills. Customers will be charged \$4 a month per 1,000 kilowatt hours. So, the customer who uses 2,000 kilowatt hours a month will pay an \$8 surcharge, and so forth.

That charge will be in addition to costs related to the 2004-05 hurricanes that FPL customers have been paying since 2007. Those charges of \$1.26 a month per 1,000 kilowatt hours will end in 2019.

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That same year, however, the Irma-related storm surcharge is expected to increase to \$5.50 per 1,000 kilowatt hours through the end of 2020, when restoration costs are projected to be fully recovered from customers.

[FROM WILMA TO IRMA, RESTORATIONS COMPARED](#)

John Ketchum, executive vice president, finance and chief financial officer of NextEra Energy, FPL's parent company, made the announcement during a third-quarter earnings conference call with analysts.

Irma, which made landfall in Florida on Sept. 10, was the largest hurricane event FPL has ever faced, Ketchum said. More than 4.4 million FPL customers lost power. The largest restoration workforce in history — 28,000 line and vegetation workers — was deployed. More than 2 million customers were restored in one day and all 4.4 million were restored within 10 days.

Ketchum said the \$3 billion FPL has spent hardening the grid in the last decade resulted in an average outage time of 2.13 days after Irma compared to 5.37 days after Hurricane Wilma in 2005.

FPL spokesman Dave McDermitt said, "FPL's storm reserve fund was fully depleted by Hurricanes Hermine and Matthew last year, and as with most states across the U.S., the costs of responding to major natural disasters are not covered by the regular rates paid by electric customers in Florida."

"We understand that no one wants to pay more for energy or any other service, and we plan to request permission from the Florida Public Service Commission to recover Hurricane Irma recovery costs over the next few years to keep the impact on electric rates more manageable for FPL customers," McDermitt said.

"Under FPL's current rate agreement, approved by the PSC in 2016, recovery of major storm restoration costs may begin 60 days after we file a petition with the Commission," McDermitt said. "Initial costs can be recovered over 12 months if they do not exceed \$4 per 1,000 kilowatt hours on a residential customer's monthly bill. Any additional costs may be recovered in subsequent years, as determined by the PSC."

FPL customer bills currently include a surcharge of \$3.36 per 1,000 kilowatt hours to pay primarily for Hurricane Matthew's \$318.5 million in restoration and storm fund replenishment costs. This 12-month surcharge took effect in March 2017 and will expire at the end of February 2018.

Since 2007 customers have been paying the financing bonds that FPL issued to pay for the costs of recovery from the devastating hurricanes of 2004 and 2005. This storm charge – currently \$1.26 on a typical, 1,000-kilowatt hour

residential customer bill – will expire once the bonds are paid off, which is projected to occur in 2019.

Starting in March 2018, the net difference on a typical residential customer bill will be about 64 cents, or less than 1 percent of the total bill. Combined with other rate changes proposed to take effect in March 2018, the total net increase on a typical residential bill is estimated to be \$1.07 per month. Even with this change, FPL's typical customer bills are expected to remain about 25 percent lower than the national average, McDermitt said.

"FPL will work with the Public Service Commission, Office of Public Counsel and other stakeholders to finalize the timing and duration of the Hurricane Irma recovery surcharge program beyond the initial 12-month period ending in February 2019," McDermitt said.

"Based on our preliminary projections and subject to a thorough review and analysis by the PSC, we currently project the monthly Hurricane Irma cost recovery surcharge to increase by roughly an additional \$1.50 per month – to approximately \$5.50 total – in 2019," McDermitt said. "The surcharge would remain in effect until Hurricane Irma recovery costs are fully recovered, which is expected by the end of 2020."

Profits for both NextEra and FPL rose during the third quarter.

NextEra Energy, Inc. reported third-quarter profits of \$875 million, or \$1.85 per share, on an adjusted basis, compared to \$809 million, or \$1.74 per share, in the third quarter of 2016.

FPL reported third-quarter earnings of \$566 million, or \$1.19 per share, compared to \$515 million, or \$1.11 per share, for the same quarter a year ago.

For the third quarter of 2017, FPL's average number of customers increased by approximately 62,000, or 1.3 percent, compared to the same quarter of 2016.

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FPL to seek \$1.3 billion in Hurricane Irma costs

Jim Saunders, The News Service of Florida Published 1:17 p.m. ET Oct. 26, 2017



(Photo: MALCOLM DENEMARK/FLORIDA TODAY)

Florida Power & Light will seek to recoup an estimated \$1.3 billion from customers to cover the costs of restoring electricity after Hurricane Irma barreled through the state last month, the utility said Thursday.

The costs would start showing up in customers' bills in March --- just as they get done paying off costs from Hurricane Matthew in 2016. If the new plan is approved by the state Public Service Commission, FPL customers would continue paying Irma costs through 2020.

"FPL's storm reserve fund was fully depleted by hurricanes Hermine and Matthew last year, and as with most states across the U.S., the costs of responding to major natural disasters are not covered by the regular rates paid by electric customers in Florida," FPL spokesman David McDermitt said in an email Thursday. "We

understand that no one wants to pay more for energy or any other service, and we plan to request permission from the Florida Public Service Commission to recover Hurricane Irma recovery costs over the next few years to keep the impact on electric rates more manageable for FPL customers."

More: [Disorganized system could become Tropical Storm Philippe \(/story/news/2017/10/26/disorganized-system-could-become-tropical-storm-philippe/802463001/\)](/story/news/2017/10/26/disorganized-system-could-become-tropical-storm-philippe/802463001/)

More: [Hurricane Irma took a sizable bite out of Brevard home sales in September \(/story/news/2017/10/24/hurricane-irma-took-sizable-bite-out-brevard-home-sales-september/793586001/\)](/story/news/2017/10/24/hurricane-irma-took-sizable-bite-out-brevard-home-sales-september/793586001/)

The proposal comes as legislative committees and the Public Service Commission begin looking at hurricane preparedness and restoration issues after Irma knocked out electricity to millions of Florida homes and businesses.

But those reviews are unlikely to affect FPL's ability to recoup hurricane costs from customers. A rate agreement approved last year by the Public Service Commission makes clear that the utility is able to recover costs of restoring power after hurricanes.

Irma was significantly more expensive for FPL than Hurricane Matthew, which hammered parts of the East Coast in 2016, though it never made landfall in the state.

The Public Service Commission in February approved a request from FPL to recover \$318.5 million in costs related to Matthew.

FPL, the state's largest utility, began collecting the Matthew costs in March and is expected to finish in February 2018. For a residential customer who uses 1,000 kilowatt hours of electricity a month, Matthew has added \$3.36 to monthly bills.

Under the new proposal, that same FPL customer would start paying \$4 a month in Irma charges in March 2018 --- effectively seeing a 64-cent increase because of the end of the Matthew charges in February, according to the utility. The monthly amount would increase to about \$5.50 in 2019, with the storm costs expected to be paid off by the end of 2020.

The utility industry commonly uses a 1,000-kilowatt-hour residential bill as a measuring stick. But many residential customers use more power than that each month, and rate impacts on businesses are measured differently.

A formal request to recover the Irma costs had not been posted on the Public Service Commission website as of Thursday morning.

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October 25, 2017 6:47 PM

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CORAL GABLES

Coral Gables leaders vote to sue FPL over Hurricane Irma response

BY LANCE DIXON
ldixon@miamiherald.com

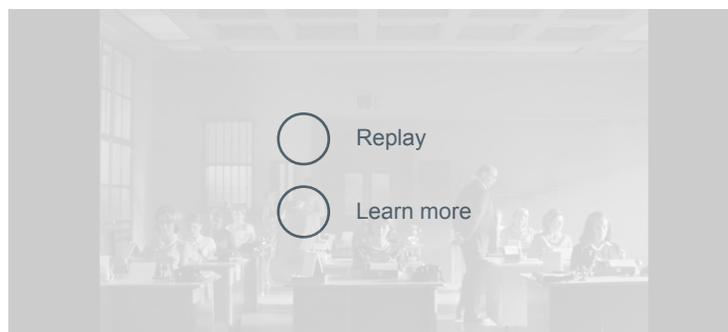
OCTOBER 24, 2017 3:56 PM

After more than a month of finger-pointing and name-calling over the length of power outages after Hurricane Irma, the Coral Gables commission says it will sue Florida Power & Light to force the utility to upgrade its infrastructure within the city.

After threatening legal action and fining the state's largest power utility over its response to Hurricane Irma, city commissioners on Tuesday officially directed their legal team to file a lawsuit, although there are still hopes that the city and FPL can reach a settlement outside court.

The vote was 4-0. Commissioner Frank Quesada didn't discuss the item or vote as his law firm is currently involved in a class-action lawsuit against FPL. Quesada also recused himself from his law firm's case.

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Clean up after Hurricane Irma continues in Coral Gables

City of Coral Gables director of Public Works Ed Santamaria talks about the city's efforts to clean up tree debris after Hurricane Irma on Sept. 27, 2017.

Roberto Koltun - Miami Herald

The city's lawsuit isn't seeking any money or damages but is essentially asking a judge to force FPL to upgrade its infrastructure, electric poles and transformers. The draft of the city's complaint also argues that FPL breached its contract by not maintaining that infrastructure.

"The most recent storm exposed that the city and FPL are not on the same page," Mayor Raúl Valdés-Fauli said. "We have done our duty and FPL hasn't and that's what this lawsuit is all about."

FPL has argued that the utility was prepared for the storm, but that the city neglected its responsibility to keep its lush tree canopy trimmed. Some of those trees fell on FPL lines, making it difficult for the company to restore power quickly.



A broken utility pole lies on the ground as utility workers from out-of-state work on power lines knocked down by trees and branches in Coral Gables during Hurricane Irma. **AL DIAZ** - adiaz@miamiherald.com

The city fined the utility more than \$60,000 for missing the initial target deadline of Sept. 17 for full power restoration in the Gables. Full restoration didn't come until about two weeks after Irma made landfall.

In public statements shortly after the storm the company described the City Commission as "self-entitled politicians" and called the city's response "ludicrous."

"The fact is the city of Coral Gables has for many years resisted FPL's well-documented efforts to trim trees and harden our electric system," an FPL statement released last month said. "Unfortunately for our customers in that area, they are now paying the price in terms of extended outages due to hundreds of trees that have fallen into our lines."

FPL's attorney, Alvin Davis, said that now that time has passed, the utility is willing to meet with Gables leaders, and he apologized for some of the forceful language.

"I think it's clear that hurricanes don't bring out the best in our diplomacy," Davis said at the meeting.

Davis said that he expects the lawsuit to be dismissed and that the Miami-Dade Circuit Court would direct the state's Public Service Commission to handle the case.

"This is an artfully crafted complaint but I still believe that it will be dismissed," Davis said.

Despite that, commissioners said they wanted to proceed. Commissioner Michael Mena supported filing the lawsuit but also argued that an effort should be made to settle.

"I want to be able to tell our residents that we did everything we could before this was filed," Mena said.

If there's no resolution between the city and FPL, the city's lawsuit against FPL will be the latest in a recent pattern of legal action and lawsuits by the city. The city was also previously involved in a case with the cities of Miami, South Miami and Pinecrest over FPL's plan to place transmission lines along U.S. 1. That plan was eventually tossed out by the Third District Court of Appeals.

City Attorney Craig Leen said that he thinks the lawsuit ultimately could have impact beyond the Gables and is primarily about protecting residents.

"We're concerned that if this had been a category 3 or 4 storm in Coral Gables that it would have devastated the grid," Leen said.

This story has been updated to clarify Commissioner Frank Quesada's action.

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Coral Gables Gives Green Light To Sue FPL Over Irma Handling

October 24, 2017 6:25 PM By Gary Nelson

Filed Under: [Coral Gables](#), [FPL](#), [Gary Nelson](#), [Hurricane Irma](#)

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CORAL GABLES (CBSMiami) — Coral Gables city officials approved a plan to sue Florida Power and [Light](#) (FPL) for failures in Hurricane Irma, but the suit was put on temporary hold as a contrite attorney for the company told commissioners FPL hopes to reach an agreement without the “need to file anything.”

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While commissioners agreed to go forward with the lawsuit, they also directed their staff to try to reach a settlement with the company before filing the suit.

Coral Gables Mayor Raúl Valdés-Fauli said the company had previously been “insulting” and “arrogant” when the city had tried to talk to FPL.

After Irma, FPL set a deadline for all power to be back but missed it – something the city attorney said put FPL in violation of their agreement with the city. Coral Gables also says FPL has violated its contract by failing to maintain its equipment.

The lawsuit says in part, “FPL’s failures have put the residents of the city and...other affected cities at risk...Unfortunately for FPL the storm exposed the systemic failure...to maintain its systems.”

FPL argues they had issues getting into neighborhoods to have power restored because of a lot of vegetation that impacted their access to the power lines – making restoration of power a slow process. The city says FPL not only has the ability but the duty to keep trees along its power lines trimmed back. There is also the issue of an aging, weakened system.

“We want our infrastructure, our 60-year-old transformers to be updated, we want our poles not to break because of old age,” Mayor Valdes-Fauli said.

Imagine, said City Attorney Craig Leen, if Irma had been a major hurricane.

“If this were like a category two or three hurricane, we believe these kinds of common sense changes, that are required by the contract a Now Playing help fix it,” Leen said.

When the Gables first talked about filing a lawsuit, FPL was d company used words like “frivolous” and “ludicrous” in reacting to a possible lawsuit. An attorney wrote in one letter that the city “uninformed” and “wholly gratuitous” in its position.

That same attorney, Alvin Davis, spoke to commissioners Tuesday seemingly with hat in hand. Davis told commissioners that “di have suffered during the crisis of the hurricane.



“Will we sit down and talk, yes. So, if you want to know if we will talk, before you need to file anything, yes, we will talk,” a contrite Davis said.

Commissioners voted unanimously to permit talks with FPL, but insisted they result in hard, specific improvements to the company's system or the lawsuit will go forward without any further vote.



The city wants FPL to honor its contract, maintain and trim trees along utility rights-of-way, and replace aging transformers and poles.

City Attorney Leen said Coral Gables' efforts could benefit many cities who saw massive outages and delayed restoration efforts in Irma.

Gary Nelson

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Gary Nelson has been a member of the CBS4 News team since September, 1992, coming on board in the days following Hurricane Andrew, a storm that ripped a swath of devastation across our community and ripped the roof off Gary's house. Ga...

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