

State of Florida



# Public Service Commission


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**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** September 24, 2019

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Suzanne S. Brownless, Special Counsel, Office of the General Counsel 

**RE:** Docket No. 20190001-EI - Fuel and purchased power cost recovery clause with generating performance incentive factor.

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Please place attached email in the above docketed file as correspondence.

## Lisa Smith

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**From:** Suzanne Brownless  
**Sent:** Monday, September 23, 2019 1:56 PM  
**To:** Lisa Smith  
**Subject:** FW: ongoing FPL issues  
**Attachments:** Your FPL Bill Could Go Up as a Result of Hurricane Dorian - Boca Raton's Most Reliable News Source \_ Boca Raton's Most Reliable News Source.pdf; Feds fine FPL's St. Lucie plant for terminating worker who raised safety issue - Business - The Palm Beach Post - West Palm Beach, FL.pdf; Feds fine FPL after worker who raised safety concerns fired \_ Miami Herald.pdf

Please put in the Fuel docket correspondence file.

Thanks,  
S

Suzanne Brownless  
Senior Attorney  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
Phone: (850) 413-6218  
FAX: (850) 413-6219  
Email: [sbrownle@psc.state.fl.us](mailto:sbrownle@psc.state.fl.us)

**From:** Beatrice Balboa [<mailto:beatricebalboa@gmail.com>]  
**Sent:** Sunday, September 22, 2019 10:47 AM  
**To:** Suzanne Brownless  
**Subject:** Fwd: ongoing FPL issues

Sunday 22 September 2019

I was reading the latest news media regarding the alleged safety violation activities by FPL (attached documentation). Please continue to keep an extremely close eye regarding FPL machinations with these issues as FPL ratepayers should NOT be "footing the bill" on FPL and/or NextEra out-of-state investment strategies, solar power "monopolization", "tax accounting sleight of hands", safety violations and "pollution" activities. FPL should be devoting all their energies in meeting and/or exceeding the 2017 National Electrical Safety Code® (NESC®) standards (which sets the ground rules and guidelines for practical safeguarding of utility workers and the public during the installation, operation, and maintenance of electric supply, communication lines and associated equipment) for storm hardening of the State of Florida electrical infrastructure that should have already been completed after Hurricane Andrew (1992), Hurricane Irma (2017) and now Hurricane Dorian (2019). FPL should NOT be devoting all their energies requesting and lobbying for more storm hardening fees and rate increases as well as other "accounting shenanigans" activities.

I look forward to your offices taking the necessary actions to address hardworking taxpayers citizens' concerns from the City of Pompano Beach, Broward County, State of Florida.

Thank you for your time in this matter.

Sincerely,  
Beatrice Balboa

1010 South Ocean Boulevard, Unit. 1008  
Pompano Beach, Fl 33062-6631

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## Your FPL Bill Could Go Up as a Result of Hurricane Dorian

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Although Florida missed Dorian's direct impact, FPL customers could be seeing an increase in their bill due to Hurricane Dorian preparation.

Preparing for the category 5 storm resulted in about \$105 million in hurricane reserve, states the utility's president and CEO, Eric Silagy.

According to Sun Sentinel, an increased FPL crew of 10,000 could contribute to a storm surcharge on monthly bills.

The 10,000 working crew from out of state was vital in assisting with electricity restoration during a category 5 storm.

Silagy supports FPL's decision through stating that, waiting until after the storm would not be a smart option because thousands would be out of power for weeks.

Even without direct hurricane impact, Dorian managed to knock power out from 155,000 of 5 million customers due to high winds and falling trees.

With all the resources, FPL was able to restore the power within a day.

It is still to be determined how and when the FPL bills will rise because FPL still needs to submit the invoices that demonstrate the expense for Hurricane Dorian.

# The Palm Beach Post

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Business

## **Feds fine FPL's St. Lucie plant for terminating worker who raised safety issue**

**By Jeff Ostrowski**

Posted Sep 18, 2019 at 11:40 AM

The Nuclear Regulatory Commission has fined Florida Power & Light \$232,000 for two violations of federal rules at its St. Lucie County plant.

One infraction involved FPL's dismissal of a part-time employee of a third-party contractor at the St. Lucie Nuclear Plant after the worker raised a safety concern in 2017. The other violation occurred when a former vice president of FPL created a phony journal to justify the firing to the Nuclear Regulatory Commission.

FPL, a unit of NextEra Energy (NYSE: NEE) of Juno Beach, said it will not contest the civil penalty.

"The notice of violation from the Nuclear Regulatory Commission concerned an incident in 2017 where no safety or security lapses occurred," Florida Power & Light said in a statement. "We remain fully committed to ensuring a healthy nuclear safety culture exists at all of our facilities."

According to the Nuclear Regulatory Commission, in March 2017 a contract employee of Framatome, a company that provides refueling services to FPL, raised a safety issue in a "condition report." Regulators don't detail the worker's concern except to say it involved the plant's "requirement for Framatome personnel to wear multiple dosimeters while performing refueling work."

Dosimeters are radiation monitors. The contractor was dismissed "at least in part, for raising a nuclear safety concern," the regulatory agency said. The move violated the Code of Federal Regulations, the NRC said.

When regulators began looking into the matter, they contacted Thomas Summers, a vice president at FPL who canceled the worker's employment with Framatome.

Federal investigators interviewed Summers in February 2018. In December of that year, Summers told investigators he had found a journal that supported his decision.

However, federal investigators said, a forensic analysis showed Summers had created the document after the fact.

Regulators suspended Summers from the nuclear industry for five years.

[jostrowski@pbpost.com](mailto:jostrowski@pbpost.com)

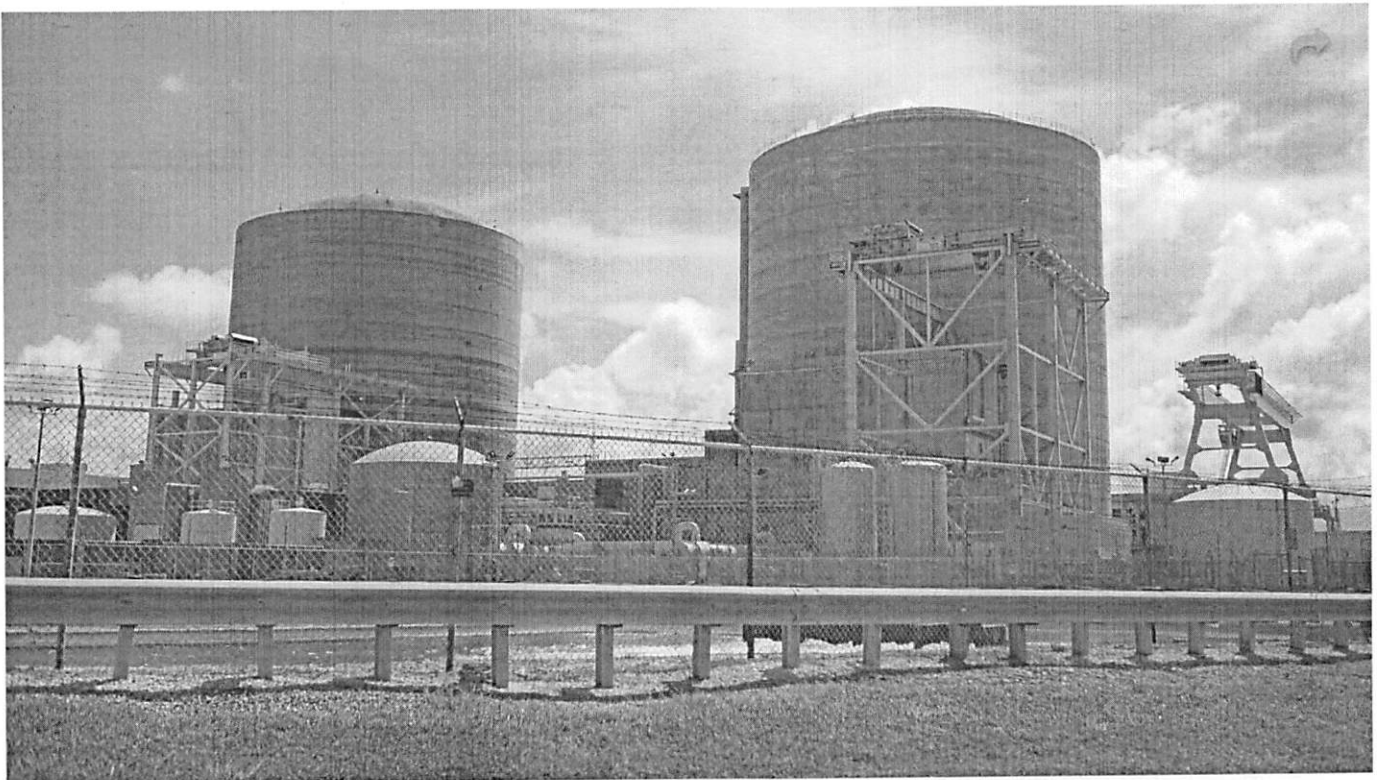
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BUSINESS

# Feds fine FPL after St. Lucie plant boss fired worker who raised safety concerns

BY SAMANTHA J. GROSS SEPTEMBER 18, 2019 06:15 PM



As Hurricane Dorian approaches Florida, the St. Lucie twin-reactor nuclear power station may fall in the storm's projected track.  
By Matias J. Ochner

Florida Power & Light is facing a \$232,000 fine after a former FPL executive fired a contract worker who raised a safety concern at the company's St. Lucie Power Plant near Fort Pierce.

The federal Nuclear Regulatory Commission concluded this week that FPL and its contractor,



The FPL executive at fault — a company veteran named Thomas Summers — is accused of deliberately lying to NRC officials while the regulatory agency investigated the contractor’s firing. He also is accused of discriminating against the contract worker by firing him after he reported a safety issue.

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The contractor was fired the same day he reported a concern, [according to NRC documents](#).

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The worker, who was not identified, had raised a safety concern in a “condition report” that regulators didn’t detail except to say it involved rules surrounding the “requirement for Framatome personnel to wear multiple dosimeters while performing refueling work.”



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A radiation dosimeter is a device that measures radiation and records the radiation dose received when worn by a person.

Framatome had reassigned the worker to Turkey Point Nuclear Plant in Homestead when he was terminated. According to NRC interviews, the contractor's subordinates, coworkers and bosses "almost universally" spoke well of him, and that there was little evidence as to why he was fired.

"The NRC considers deliberate violations ... significant because of the potential that individuals might not raise safety issues for fear of retaliation," the NRC wrote.

Summers left the company in March and the NRC barred him from working at any NRC company for five years.

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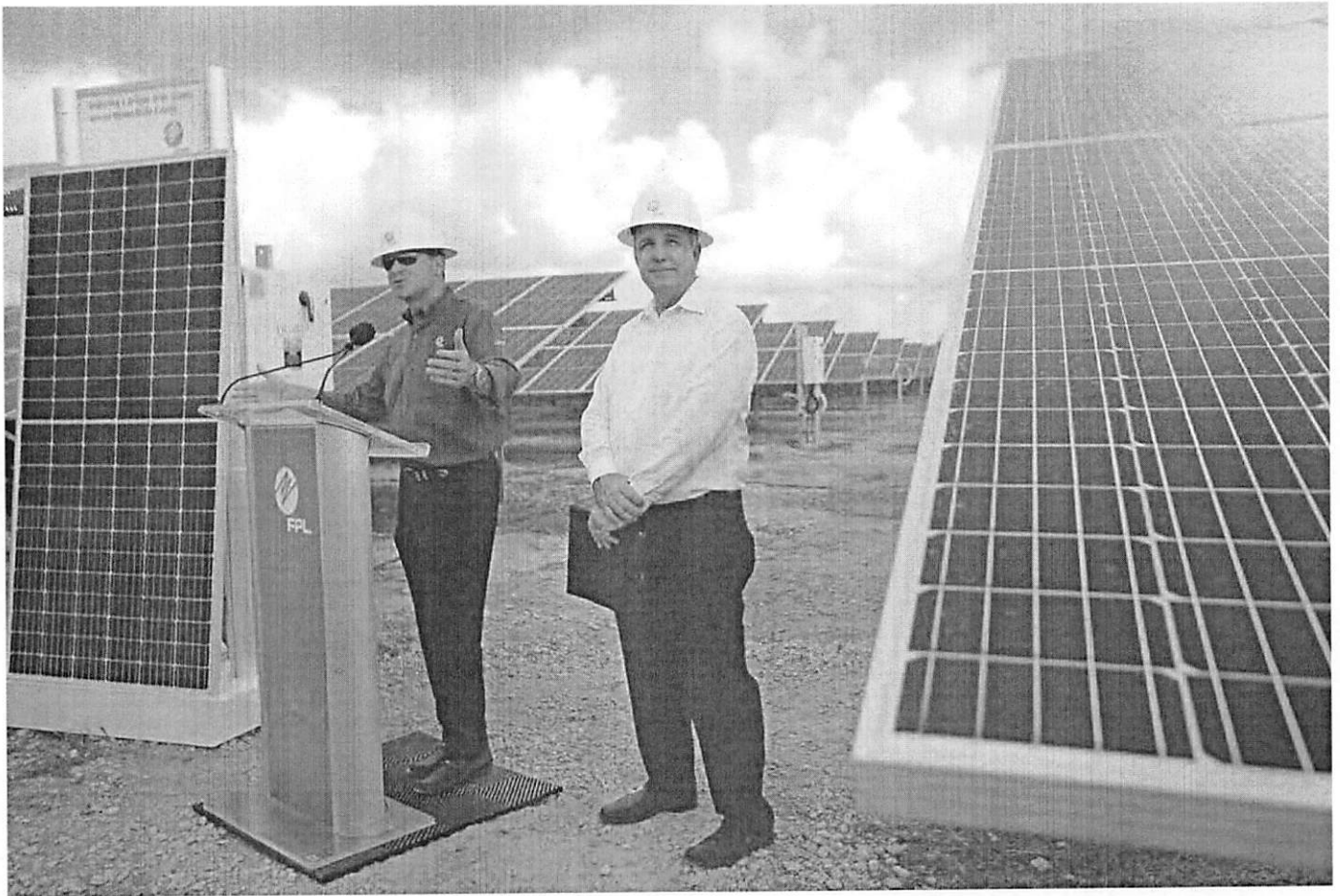
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While FPL and Framatome have the option to deny the accusations by the NRC, FPL CEO Eric Silagy told the Miami Herald Wednesday that a denial is unlikely to happen. The company will

“We’re not contesting it; we’re not going to fight the NRC on this,” he said in an interview at the Miami Herald Wednesday. “We respectfully disagree with some of it, but that’s OK in the end.”



On Thursday, October 18, 2018 FPL President Eric Silagy gives his remarks after touring the solar center with Mayor Carlos Gimenez, right. Carl Juste [CJUSTE@MIAMIHERALD.COM](mailto:CJUSTE@MIAMIHERALD.COM)

Silagy added that while he disagrees with some of the findings, like unfounded safety concerns at the plant, discriminatory behavior by employees is not tolerated by FPL.

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“It’s just that simple,” he said. “We want [workers] to raise their hands if they see any issues whatsoever. It doesn’t mean that they are always right ... but there’s never a fear of reprisals or being fired or anything else.”

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THE ASSOCIATED PRESS

SEPTEMBER 22, 2019 10:09 AM

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