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October 15, 2020

VIA ELECTRONIC FILING

Mr. Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 2020_____
Petition of Florida Power & Light Company for Approval of a COVID-19
Small Business Assistance Program

Dear Mr. Teitzman:

Enclosed for filing is the Petition of Florida Power & Light Company for Approval of a COVID-19 Small Business Assistance Program.

Please contact me at (561) 691-7108 if you or your Staff has any questions regarding this filing.

Sincerely,

/s/ Jason A. Higginbotham
Jason A. Higginbotham

Enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power & Light
Company for Approval of a COVID-19 Small
Business Assistance Program

Docket No. _____

October 15, 2020

**PETITION OF FLORIDA POWER & LIGHT COMPANY FOR
APPROVAL OF A COVID-19 SMALL BUSINESS ASSISTANCE PROGRAM**

Florida Power & Light Company (“FPL” or the “Company”), pursuant to Section 366.04, Florida Statutes, and Rule 28-106.201, Florida Administrative Code (“F.A.C.”), hereby petitions the Florida Public Service Commission (“Commission”) for review and approval of a proposed program that will provide bill payment assistance to certain segments of FPL’s small business customer population that have been impacted by the COVID-19 global pandemic. To date, FPL has taken numerous steps to respond to the impacts of COVID-19. However, given the unique challenges faced by FPL’s small business customers as a result of COVID-19, as explained below, FPL now proposes to implement a program under which FPL will offer credits on the bills of certain small businesses within the State of Florida (“FPL Main Street Recovery Credit”). Included with this Petition is Exhibit “A”, which contains Tariff Sheet No. 8.805, in legislative and clean format, that reflects the addition of FPL’s proposed program.

So that FPL can expedite implementation of its proposed program and begin reflecting the proposed credits on eligible December 2020 bills, FPL respectfully requests that the Commission consider this Petition on an expedited basis to bring the rate relief offered by FPL to qualifying small businesses as soon as possible.

In further support of this Petition, FPL states as follows:

1. The name and address of the Petitioner is:

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

2. Any pleading, motion, notice, order or other document required to be served upon

FPL or filed by any party to this proceeding should be served upon the following individuals:

Kenneth A. Hoffman
Vice President, Regulatory Affairs
Florida Power & Light Company
134 West Jefferson Street
Tallahassee, FL 32301-1713
Phone: 850-521-3919
Fax: 850-521-3939
Email: ken.hoffman@fpl.com

John T. Burnett
Vice President & Deputy General Counsel
Florida Power & Light Company
700 Universe Boulevard
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700 Universe Boulevard
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Fax: 561-691-7135
Email: jason.higginbotham@fpl.com

3. The Commission has jurisdiction pursuant to Section 366.04, Florida Statutes, and Rule 28-106.201, F.A.C.

4. FPL is a corporation with headquarters at 700 Universe Boulevard, Juno Beach, Florida 33408. FPL is an investor-owned utility operating under the jurisdiction of the Commission pursuant to the provisions of Chapter 366, Florida Statutes. FPL is a wholly-owned subsidiary of NextEra Energy, Inc., a registered holding company under the federal Public Utility Holding Company Act and related regulations. FPL provides generation, transmission, and distribution service to nearly five million retail customer accounts.

5. This Petition is being filed consistent with Rule 28-106.201, F.A.C. The agency affected is the Commission, located at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399. This case does not involve reversal or modification of an agency decision or an agency's proposed action. Therefore, subparagraph (c) and portions of subparagraphs (b), (e), (f) and (g) of subsection (2) of that rule are not applicable to this Petition. In compliance with subparagraph (d), FPL states that it is not aware at this time whether there will be any disputed issues of material fact in this proceeding. The discussion below demonstrates how the Company's substantial interests will be affected by the agency determination.

I. Introduction

6. In response to COVID-19's impact on Florida's economy, FPL has taken actions to assist impacted customers and continues to seek opportunities to do more. Many measures and initiatives were undertaken at the onset of the pandemic, and others have been added along the way. Currently, an array of programs and initiatives comprise FPL's response to the COVID-19 pandemic;¹ however, FPL continues to develop new ways to augment its existing programs in order to respond to its customers' specific needs and challenges.

7. FPL is aware that the COVID-19 pandemic has had an impact on certain segments of its small business customer population. Small businesses, especially those in underserved and lower income communities, have been impacted by the COVID-19 pandemic due to a general

¹ In Docket No. 20200219-EI, FPL described the numerous measures and initiatives it has undertaken to assist customers that have been impacted by COVID-19. These have included: (1) suspending all disconnection for customers as of March 16, 2020; (2) significantly increasing customer outreach efforts, resulting in 3.74 million customer contacts; (3) offering longer and more flexible payment plans in addition to waiving late payment fees for customers experiencing hardship; (4) offering energy conservation tips and education; (5) receiving Commission approval in Docket No. 2020001-EI for a mid-course correction to accelerate the refunding of fuel savings to customers; (6) sizeable monetary donations to non-profits and other organizations working to help Floridians affected by the coronavirus pandemic; and (7) implementing a program to provide bill relief to certain qualifying customers experiencing hardship.

decline in consumer spending and a number of other factors that have decreased foot traffic in public places where many small businesses operate. A survey of 567 small businesses and nonprofits revealed that 15.2% permanently closed their doors, 14.5% closed temporarily, 31% are operating below 40% capacity, and 47% reported having to lay off employees.² Additionally, research by the Federal Reserve Bank of New York found that, while the number of active small businesses fell by 22% from February to April 2020, Black-owned businesses fell by 41%, Latino-owned businesses fell by 32%, and Asian-owned businesses fell by 26%.³

8. In order to help respond to the financial challenges facing certain of FPL's smallest business customers, FPL seeks approval of a "Main Street Recovery Credit Program." The proposed credits under the program will apply to qualifying customers and will serve to temporarily reduce their bills.

II. FPL Main Street Recovery Credit Program

9. FPL believes that small businesses are essential to local economies and that it is in the public interest to promote their continued operation and development. FPL's proposed Main Street Recovery Credit Program was developed, in part, to augment the objectives of its economic development tariffs, which target new medium to large businesses that meet specific criteria. Similarly, FPL intends this program to help its smallest business customers that may be most significantly impacted by the COVID-19 pandemic.

10. Under its proposed Main Street Recovery Credit Program, FPL will offer qualifying small business customers an energy charge credit of 10% that is based on the applicant's qualifying bill if the business meets the following criteria:

² Calvin Burrows, *Survey reveals COVID-19's impact on small business, nonprofits*, Florida State University News (June 11, 2020).

³ Claire Kramer Mills, Ph.D., *Double Jeopardy: COVID-19's Concentrated Health and Wealth Effects in Black Communities*, Federal Reserve Bank of New York (August 2020).

- The small business customer receives service under one of the following rate schedules: General Service, General Service Time of Use and General Service Constant Usage; *and*
- The small business customer’s total monthly demand does not exceed 21 kilowatts; *and meet one of the following:*
 - The small business customer that resumes business operations in a space that was previously inoperative for a minimum of six months; *or*
 - The small business customer is a new business account; *or*
 - The small business customer is located in an “Opportunity Zone,” as defined by the U.S. Department of the Treasury.⁴

11. In order to receive the applicable credit under FPL’s proposed program, eligible small business customers will need to submit an application to FPL while the proposed credit is in effect. All approved applications will receive the credit in the manner set forth in proposed Tariff Sheet No. 8.805.

⁴ Certain areas have been designated as Qualified Opportunity Zones by the U.S. Department of the Treasury, pursuant to the Opportunity Zone Program, which was created by the Federal Tax Cuts and Jobs Act of 2017 to encourage businesses, developers and financial institutions to invest long-term capital in low-income census tract areas. There are 427 Opportunity Zones across Florida, located in every county in the State, according to the Florida Department of Economic Opportunity. (See <http://www.floridajobs.org/business-growth-and-partnerships/for-businesses-and-entrepreneurs/business-resource/opportunity-zones>.)

WHEREFORE, Florida Power & Light Company respectfully requests that the Commission approve FPL's proposed Main Street Recovery Credit Program, to become effective on eligible customer bills in the month following approval by the Commission and FPL's proposed Tariff Sheet No. 8.805 attached hereto as Exhibit "A".

Respectfully submitted,

By: /s/John T. Burnett

John T. Burnett
Vice President & Deputy General Counsel
Florida Bar No. 173304
Jason A. Higginbotham
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

EXHIBIT A

MSR – Tariff No. 8.805

Legislative and Proposed Formats

INDEX OF RATE SCHEDULES

| <u>RATE SCHEDULE</u> | <u>DESCRIPTION</u> | <u>SHEET NO.</u> |
|----------------------|--|------------------|
| BA | Billing Adjustments | 8.030 |
| SC | Storm Charge | 8.040 |
| GS-1 | General Service - Non Demand (0-20 kW) | 8.101 |
| GST-1 | General Service - Non Demand - Time of Use (0-20 kW) | 8.103 |
| GSD-1 | General Service Demand (21-499 kW) | 8.105 |
| GSDT-1 | General Service Demand - Time of Use (21-499 kW) | 8.107 |
| BOC | General Service Load Management Program | 8.109 |
| NSMR | Non-Standard Meter Rider | 8.120 |
| GSCU-1 | General Service Constant Usage | 8.122 |
| RS-1 | Residential Service | 8.201 |
| RTR-1 | Residential Time of Use Rider | 8.203 |
| CU | Common Use Facilities Rider | 8.211 |
| ROC | Residential Load Management Program | 8.217 |
| GSLD-1 | General Service Large Demand (500-1999 kW) | 8.310 |
| GSLDT-1 | General Service Large Demand - Time of Use (500-1999 kW) | 8.320 |
| CS-1 | Curtable Service (500-1999 kW) | 8.330 |
| CST-1 | Curtable Service -Time of Use (500-1999 kW) | 8.340 |
| GSLD-2 | General Service Large Demand (2000 kW +) | 8.412 |
| GSLDT-2 | General Service Large Demand - Time of Use (2000 kW +) | 8.420 |
| HLFT | High Load Factor – Time of Use | 8.425 |
| CS-2 | Curtable Service (2000 kW +) | 8.432 |
| CST-2 | Curtable Service -Time of Use (2000 kW +) | 8.440 |
| CST-3 | Curtable Service -Time of Use (69 kV or above) | 8.542 |
| CS-3 | Curtable Service (69 kV or above) | 8.545 |
| GSLD-3 | General Service Large Demand (69 kV or above) | 8.551 |
| GSLDT-3 | General Service Large Demand - Time of Use (69 kV or above) | 8.552 |
| OS-2 | Sports Field Service | 8.602 |
| MET | Metropolitan Transit Service | 8.610 |
| CILC-1 | Commercial/Industrial Load Control Program (Closed Schedule) | 8.650 |
| CDR | Commercial/Industrial Demand Reduction Rider | 8.680 |
| SL-1 | Street Lighting | 8.715 |
| SL-1M | Street Lighting Metered Service | 8.718 |
| PL-1 | Premium Lighting | 8.720 |
| OL-1 | Outdoor Lighting | 8.725 |
| SL-2 | Traffic Signal Service | 8.730 |
| SL-2M | Traffic Signal Metered Service | 8.731 |
| LT-1 | LED Lighting | 8.735 |
| RL-1 | Recreational Lighting | 8.743 |
| SST-1 | Standby and Supplemental Service | 8.750 |
| ISST-1 | Interruptible Standby and Supplemental Service | 8.760 |
| EDR | Economic Development Rider | 8.800 |
| <u>MSR</u> | <u>FPL Main Street Cost Recovery Credit Program Rider</u> | <u>8.805</u> |
| DSMAR | Demand Side Management Adjustment Rider | 8.810 |
| TR | Transformation Rider | 8.820 |
| SDTR | Seasonal Demand – Time of Use Rider | 8.830 |
| OSP-1 | Supplemental Power Services Rider Pilot | 8.845 |
| EFEDR | Existing Facility Economic Development Rider | 8.900 |
| CISR | Commercial/Industrial Service Rider | 8.910 |
| VSP | Voluntary Solar Partnership Pilot Program | 8.930 |
| STR | FPL SolarTogether Rider | 8.932 |

FPL MAIN STREET RECOVERY CREDIT PROGRAM RIDERAVAILABLE:

In all territory served.

In order to provide assistance to certain small businesses that have been impacted by the COVID-19 global pandemic, an energy charge credit of 10% (FPL Main Street Recovery Credit) that is based on the applicant's qualifying bill is available under this Rider for load associated with: (1) a small business customer that resumes business operations in a space that was previously inoperative for a minimum of six months; (2) initial permanent service to new small business establishments; and (3) small businesses located in "Opportunity Zones," as defined by the Florida Department of Economic Opportunity or the United States Department of Treasury. The FPL Main Street Recovery Credit available under this Rider is limited to Customers who make an application to the Company no earlier than the effective date of this Rider and no later than the expiration of this Rider. The load eligible to receive the FPL Main Street Recovery Credit may not exceed 21 kW at a single delivery point.

TERMS OF SERVICE:

For new businesses, the first month's credit will be based on previous service, premise size, and estimated kWh consumption for similar businesses. For new businesses thereafter, and for all existing businesses, including small businesses located in Opportunity Zones, the Credit will be based on the customer's prior month's consumption. Upon approval of the application, the credit amount will be applied each month to the customer's monthly bill for the remainder of the program. All approved applicants will receive the credit until December 2021, regardless of when the application was submitted.

The program terminates December 31, 2021.

RULES AND REGULATIONS:

Service under this schedule is subject to orders of governmental bodies having jurisdiction and to the currently effective "General Rules and Regulations for Electric Service" on file with the Florida Public Service Commission. In case of conflict between any provision of this schedule and said "General Rules and Regulations for Electric Service" the provision of this schedule shall apply.

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Issued by: Tiffany Cohen, Senior Director, Regulatory Rates, Cost of Service and Systems

Effective:

FPL MAIN STREET RECOVERY CREDIT PROGRAM RIDERAVAILABLE:

In all territory served.

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