

1 BEFORE THE
2 FLORIDA PUBLIC SERVICE COMMISSION
3

4 In the Matter of:

5 DOCKET NO. 20210121-EG

6 PETITION FOR APPROVAL OF
7 MODIFICATIONS TO DEMAND-SIDE
8 MANAGEMENT PROGRAM PLAN AND
9 PARTICIPATION STANDARDS, BY
10 DUKE ENERGY FLORIDA, LLC.
11 _____/

12 PROCEEDINGS: COMMISSION CONFERENCE AGENDA
13 ITEM NO. 7

14 COMMISSIONERS PARTICIPATING: CHAIRMAN GARY F. CLARK
15 COMMISSIONER ART GRAHAM
16 COMMISSIONER ANDREW GILES FAY
17 COMMISSIONER MIKE LA ROSA
18 COMMISSIONER GABRIELLA PASSIDOMO

19 DATE: Tuesday, December 7, 2021

20 PLACE: Betty Easley Conference Center
21 Room 148
22 4075 Esplanade Way
23 Tallahassee, Florida

24 REPORTED BY: DANA W. REEVES
25 Court Reporter and
Notary Public in and for
the State of Florida at Large

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Next up, Item No. 7.

3 Petition for approval of modifications to DSM
4 program plan and participation centers by Duke
5 Energy. Ms. Thompson, you're recognized to
6 introduce the item.7 MS. THOMPSON: Good morning, Commissioners.
8 Takira Thompson with Commission Staff. Item No. 7
9 is Duke Energy Florida's petition for approval of
10 modifications to three of its demand-side
11 management programs.12 According to DEF's petition, these
13 modifications are pursuant to the memorandum of
14 understanding that was entered into by DEF, Vote
15 Solar, the Southern Alliance for Clean Energy, and
16 the CLEO Institute, as an agreement for the
17 counterparties to forgo their opportunity to
18 petition to intervene in DEF's limited proceeding
19 for its 2021 settlement agreement. DEF is
20 requesting approvals to provide assistance kits to
21 low-income participants in its home energy check
22 program to provide two \$30 gift cards to low-income
23 participants in arrears in its residential load
24 management program, and to increase the program
25 participation for its Neighborhood Energy Saver

1 Program.

2 Based on staff's review of the proposed
3 modifications, the assistance kits are not
4 cost-effective and the gift cards do not contribute
5 to demand savings. Therefore, Staff recommends
6 that cost recovery of the modifications to the home
7 energy check and residential load management
8 programs be denied.

9 However, this does not preclude DEF from
10 making the modifications and having the associated
11 costs borne by its shareholders. For the
12 modification to the Neighborhood Energy Saver
13 Program, staff recommends that no action from the
14 Commission is necessary at this time. Two comments
15 are filed in the docket and representatives from
16 DEF, SACE and Vote Solar would like to address the
17 Commission. Staff is available for questions.

18 CHAIRMAN CLARK: All right. Thank you very
19 much, Ms. Thompson. Duke, would you like to go
20 first?

21 MS. TRIPLETT: Yes. Thank you. Thank you,
22 Mr. Chairman, and thank you for the opportunity to
23 address you today. As you may recall, and as your
24 staff just pointed out, earlier this year, we had
25 a -- y'all approved our rate settlement and it went

1 very smoothly. And one of the reasons that that
2 happened was because we worked hard on the side to
3 reach an agreement with Vote Solar, SACE and CLEO
4 that included bringing you these programs today to
5 help our customers most in need. So that's the
6 subject of why we're here today. And I would
7 respectfully ask that, despite your staff's
8 recommendation that you approve these
9 modifications.

10 First, just to level-set, I've reviewed the
11 FECA statutes again, and I think that you have
12 jurisdictional authority to approve what we have
13 put before you today. I think it's a policy
14 decision that you can look at and decide, that
15 given all of the facts and circumstances, that this
16 makes sense for our low-income customers. I also
17 wanted to address just a few points in the staff
18 recommendation. First, with respect to the
19 assistance kits, those are part of the home energy
20 check. Staff indicates that the kits themselves
21 are not cost effective, and, therefore, should not
22 be approved. But I would point out that we
23 answered in discovery and provided
24 cost-effectiveness analysis for the program as a
25 whole. And the program as a whole is cost

1 effective. And this Commission has approved other
2 programs for utilities. We've got the Home Energy
3 Improvement and the Better Business Program,
4 what -- that is cost effective as a whole, even
5 though there are particular measures within that
6 program that may not be cost effective, and I would
7 say that this is the same situation here. Even
8 though those costs -- those measures themselves may
9 not be cost effective, because the whole program is
10 cost effective, that it can and should be approved.

11 Second, with respect to the gift cards, it's
12 very targeted. There will be only low-income
13 customers who are on a residential demand-response
14 program and are in arrears greater than 60 days.
15 We will message that the gift cards are for the
16 purpose of paying off their bills, and we believe
17 that this will decrease the likelihood that they
18 will be disconnected -- the customers disconnected
19 and interrupt them, I can't get those demand
20 savings. So I think that's the logical connection.
21 And I know that there is not a -- I can't force
22 someone to use the gift card to pay their bill.
23 But if they use it for food -- and we're talking
24 about low-income customers -- it is often a
25 decision between do I put food on the table or do I

1 pay my electric bill. If they're using that gift
2 card for food, that frees up other money to have --
3 to help them pay their bill. So that was why --
4 that's how I think it meets the requirements of
5 FECA.

6 And, lastly, regarding the participation
7 levels and the Neighborhood Energy Saver Program,
8 we would request the certainty of approval before
9 we expend those additional dollars. We would have
10 to add staff to get to that next level of
11 participation. And we don't want to do that and
12 then wait until the clause proceeding to have, you
13 know, other intervenors or whoever come in and
14 question the validity of that, especially when the
15 goals were set at a particular participation level.

16 So, in closing, again, we worked really hard
17 with the parties here at the table to put together
18 program modifications that we feel meet the FECA
19 objectives, but also are targeted to help our
20 customers most in need. So we would ask you to
21 approve the petition. Thank you.

22 CHAIRMAN CLARK: Thank you, Ms. Triplett.

23 Ms. Ottenweller, I have you on the list next.

24 I'm sorry.

25 MS. OTTENWELLER: It's fine. Hi, again.

1 Katie Chiles Ottenweller with Vote Solar. I will
2 second everything that counsel for Duke just said,
3 and then just wanted to emphasize a couple of
4 points. One is, I know that this Commission is not
5 bound in any way by the MOU that we entered into
6 with Duke and these other parties. That said, I do
7 think that it is in the spirit of collaboration
8 where, you know, we really tried to avoid extensive
9 litigation in their rate case. We were
10 particularly -- continue to be particularly
11 concerned with low-income customers and wanting to
12 look for creative solutions to bring more energy
13 efficiency. I think that's particularly important
14 now, given increased gas prices. And so, you know,
15 I think we believe these programs are cost
16 effective.

17 I want to -- particularly with respect to the
18 assistance kits, I want to make sure everybody
19 knows exactly what we're talking about. These are
20 customers who are low income, they would be getting
21 three nine-watt LED's, one smart power strip, one
22 switch plate thermometer, and a hot water pipe
23 insulation. These measures represent 342 kilowatt
24 hours of savings. In other jurisdictions where we
25 aren't relying on the RIM test, we wouldn't even be

1 arguing about whether these measures are cost
2 effective. These measures are absolutely going to
3 make a huge difference for customers. You're
4 talking about potential 30-percent reduction in
5 energy usage just from applying these measures --
6 the kit that will go to up to 20,000 low-income
7 families every year over the next few years, and
8 there couldn't be a more important time for us to
9 be pushing these types of measures in Florida.

10 So I personally feel incredibly strongly about
11 this. We put a ton of time into negotiating these.
12 I think they're really good programs that are not
13 going to make a huge dent in the overall picture of
14 Florida. These are small modifications overall to
15 Duke's programs. You know, we're not talking about
16 810 million dollars here. We're talking about, you
17 know, maybe \$700,000 in additional spending for
18 next year. But in terms of who they're targeting
19 and where those benefits are going directly, it is
20 going to matter a huge deal to these families. And
21 we will be personally advocating for them and
22 encouraging customers to sign up for them.

23 So, really, just wanted to put that request
24 out there that this would be something you approve.
25 All due respect to the staff's opinion on this, I

1 think it's a little bit of not seeing the forest
2 for the trees. Overall, even if individual
3 measures are not cost effective, the overall
4 program is going to be cost effective. It's very
5 consistent with positions that the Commission has
6 taken on other programs when the approvals were
7 done. So I would really encourage you to take a
8 hard look at these. Thank you.

9 CHAIRMAN CLARK: Thank you, Ms. Ottenweller.
10 Mr. Cavros.

11 MR. CAVROS: Thank you, Chairman. Southern
12 Alliance for Clean Energy incorporates the comments
13 of Duke counsel and Vote Solar. We worked hard to
14 negotiate the terms of the MOU. What's before you
15 today is thoughtful, it's modest, and it's
16 reasonable.

17 I do want to take issue with just one part of
18 the recommendation. And that is Staff finding that
19 the additional measures and the assistance kits are
20 not cost effective. Commissioners, the measures
21 are cost effective. They're used by utilities
22 throughout the country to capture energy savings
23 and drive utility system benefits. You know, I
24 kind of hear -- staff rolling their eyes here, but,
25 you know, the problem is not the cost effectiveness

1 of the measures. It's the cost effectiveness test.
2 Florida is one of the only states, as you know, to
3 use the Rate Impact Measure test to screen out, you
4 know, basic measures like this. And it does so
5 because it focuses on lost revenue -- lost revenue
6 is in the cost of efficiency measure. The measures
7 are doing what they're supposed to do. They're
8 helping customers reduce energy use. And the
9 economic benefits flow to all customers, not just
10 those participating in the program, because it
11 provides system benefits, such as reduced fuel use
12 and deferring the need for that next power plant.

13 And, also, kind of just want to provide that,
14 you know, energy efficiency doesn't increase rates.
15 As you all know now, having gone through three rate
16 cases, its capital costs and expenses, supply side
17 and transmission assets that really drive up rates.
18 And these are the exact costs to all ratepayers
19 that these measures are trying to mitigate for.
20 Low-income families in particular need help to
21 manage increased base rates and fuel rate
22 increases. And Duke Energy has stepped up by
23 engaging in this agreement that is before you.

24 Also, the Commissioner is made clear in the --
25 the Commission has made clear in the past that

1 addressing the needs of low-income customers is a
2 priority to this Commission and this agreement
3 addresses that priority.

4 So, Commissioners, we're asking you to provide
5 relief for families that are right now having to
6 choose between medicine and food or paying a power
7 bill. Therefore, we respectfully request that you
8 approve the agreement. Thank you.

9 CHAIRMAN CLARK: Thank you, Mr. Cavros.
10 Commissioners, do you have questions?
11 Comments? Commissioner Passidomo.

12 COMMISSIONER PASSIDOMO: Thank you, Chairman
13 Clark. So I kind of want to just discuss a little
14 bit. I think it's important, as Vote Solar sort of
15 said, though, you know, when we're looking at cost
16 effectiveness, we're not going to harp on
17 individual measures. It's cost effectiveness of
18 programs as a whole. And I appreciate the
19 creativity of these programs and the collaboration
20 that you guys, you know, you worked through. I
21 know there was a lot of hours behind the scenes to
22 get to that settlement.

23 I do kind of -- I know this is contradicting
24 what I just said. I do want to talk just quickly
25 about the gift cards, because I want to know, you

1 know, what was the decision-making behind doing the
2 gift cards versus, you know, bill credits?

3 MS. TRIPLETT: Yes, Commissioner. I probably
4 can take that one. I'm not -- I don't want to get
5 too much into the negotiation process, but I will
6 just tell you -- because I know that's a natural
7 question. Just do a bill credit. We just rolled
8 out our new customer information system, customer
9 connect. And to do the changes that will be
10 necessary to effectuate this kind of a program --
11 we don't have any sort of bill credits like this.
12 So it's a new programming change and it would,
13 frankly, just cost too much money and we couldn't
14 get it implemented in time to really impact that --
15 what we were trying to do is near term because of
16 the pandemic. And so, in light of that -- okay.
17 The bill credit is not available -- well, because
18 of time and money, a gift card was, in our mind, a
19 reasonable proxy. Not perfect, but a reasonable
20 proxy to get the money in the hands of the
21 customers as quickly as possible.

22 COMMISSIONER PASSIDOMO: So administratively,
23 it's just more efficient to do the gift cards? Is
24 that --

25 MS. TRIPLETT: Yes, ma'am.

1 COMMISSIONER PASSIDOMO: Okay.

2 COMMISSIONER GRAHAM: Any other Commissioners?

3 I have a couple of comments myself -- said this
4 many times -- number one, it's always great to see
5 you guys together, because it's a rarity to see you
6 guys all there singing Kumbaya together. So that
7 in itself is just -- it's amazing to me.

8 I know there's nothing legally tying us to the
9 MOU that you guys came up with, but I know it does
10 give you comfort and to come to these -- come
11 together and with a deal. You said, okay, well, we
12 made sure that we're all on the same page, we made
13 sure we completely understand each other's point of
14 view, and we -- you can't call it a contract, but,
15 for the most part, you know, you articulated it.
16 And so that I appreciate. I think we've had
17 problems with our DSM for years. I've never been a
18 fan of the RIM test or the two-year payback. I
19 think the biggest problem you run into with the
20 two-year payback are the low-income people that are
21 renting a place, because they are paying for the
22 DSM program, but they're getting no benefits,
23 because they're not replacing their refrigerator.
24 They're not replacing their dishwasher. And so
25 they're not getting any bang for their buck, but,

1 yet, they're still paying into these DSM programs.
2 So you got to come up with a way for them to get a
3 benefit out of putting into these programs. And so
4 I find this as being a way of them getting a
5 benefit for paying into the DSM programs. I
6 haven't seen anything else other than some of these
7 low-income programs that do that. And so I
8 appreciate that. And so I agree. I disagree with
9 the recommendation.

10 CHAIRMAN CLARK: Commissioner Graham.
11 Commissioner Fay.

12 COMMISSIONER FAY: Thank you, Mr. Chairman.
13 If I could maybe just ask staff a question. So it
14 was mentioned on the assistance kits that -- turn
15 to my page here. It was mentioned on the
16 assistance kits that, you know, this RIM test
17 essentially by definition wouldn't be cost
18 effective. Do we -- so I know we've set the goals
19 in a separate docket, but just for purposes of
20 addressing what's in front of us here today, are we
21 bound by that RIM test or are we able to apply
22 other tests to determine cost effectiveness? Maybe
23 I'll ask it in another way. Is there anything that
24 prevents us from using another test maybe to come
25 up with the cost-effective analysis?

1 MS. THOMPSON: As to my knowledge, no,
2 Commissioner, there is not anything that prevents
3 you from using another test to base your decision
4 on.

5 COMMISSIONER FAY: Okay. Thank you. And I
6 guess, for me, I looked at the programs separately
7 and kind of went through each one individually. I
8 have no issues with recovery for the Neighborhood
9 Energy Saver program. I think the assistance kits
10 that were mentioned here, which considered for the
11 second part of the recommendation, the discussion
12 of cost effectiveness, I think, is a fair one, what
13 numbers do we really come to, and with those goals
14 we chose -- if those cost effectiveness were not
15 met, then we wouldn't allow recovery for that. It
16 does sound like there's some valid debate here as
17 to as holistically if that would mean cost
18 effectiveness or not.

19 I do think, Mr. Cavros, to your comment that
20 staff is using a quantifiable test that we've
21 previously used as our goals, and so I don't think
22 that they personally sort of feel that it's
23 something important to them or not. I think it's
24 just an objective analysis of what has been
25 provided. And I can see how it could be disproved

1 based on another test maybe being applied to answer
2 that cost effectiveness. I don't know it being
3 used somewhere else in the country satisfies that
4 quantitative part, but I think we probably could
5 find a way to get there.

6 The load management program is the one I have
7 significant concerns with, because once we start
8 branching out into providing some financial
9 assistance in the form of a gift card, beyond how
10 that potentially would be used related to our
11 authority in our jurisdiction, I have concerns
12 about that. I can appreciate that there were hard
13 negotiations to get to that. I can appreciate the
14 utility has provided on the record here that it
15 might not be cost effective to try to implement
16 them from their end, but I'm going to have trouble
17 accepting that program is one that would meet the
18 criteria as to what we could be approving within
19 our jurisdiction.

20 So, with that, Mr. Chairman, I'll allow my
21 colleagues to weigh in, too.

22 CHAIRMAN CLARK: Thank you. Any other --
23 Commissioner La Rosa.

24 COMMISSIONER LA ROSA: Thank you, Chairman.
25 This is a question maybe towards Duke. Are there

1 any other programs that offer a financial incentive
2 to your customers to sign up for?

3 CHAIRMAN CLARK: Ms. Triplett.

4 MS. TRIPLETT: Commissioner, do you mean
5 financial incentives in the DSM program space, or
6 just generally?

7 COMMISSIONER LA ROSA: Let's start with DSM
8 programming, and then let's back into things in
9 general.

10 MS. TRIPLETT: Yeah. Are you talking
11 specifically about the demand response?

12 COMMISSIONER LA ROSA: Yes.

13 MS. TRIPLETT: Yes. There is -- I think it's
14 in the staff rec. There's a monthly credit, I
15 think it's \$14 a month. So that's certainly -- and
16 that's why we have the participation that we have.
17 I think this -- the gift card was in addition to --
18 targeted to folks who are in arrears and in danger
19 of just being disconnected and not getting the
20 program at all and just basically being removed
21 from the program. But, yes, there is -- the short
22 answer is, yes, there is the financial incentive
23 for these programs.

24 COMMISSIONER LA ROSA: Yeah, Chairman. Just a
25 comment. And I look at it very similar to

1 Commissioner Fay. I looked at these all kind of
2 individually, and I could support them with the
3 exception of the residential load management
4 program. I think the \$30 gift card in the way it's
5 being presented and the way it's allocated and the
6 way it's laid out, just isn't -- I just don't feel
7 comfortable with it. But I do agree with the
8 programs and do believe that they would be
9 beneficial. I don't necessarily see somebody
10 stopping from offering the ability to make their
11 clients aware of these and still push these
12 forward, but I just -- I just don't agree with the
13 way it's being laid out and I do agree with you
14 guys.

15 CHAIRMAN CLARK: Thank you, Commissioner La
16 Rosa.

17 Any other comments? Commissioner Passidomo.
18 Your light's on. Do you want it or not?

19 COMMISSIONER PASSIDOMO: I just have a quick
20 question for staff. So, look, when we're looking
21 at these, there's like three different programs
22 here. One of them that there's no cap, so there's
23 not really any preclusion from expanding
24 participation, but -- or it seems like we're all a
25 little hesitant about the residential load

1 management program, but less so regarding the home
2 energy check. So is there a way that we can, you
3 know, break apart the rec and, you know, accept
4 some and not accept others? Is it all-or-nothing?

5 MR. TRIERWEILER: Yes, the Commission can
6 select what it wants. It can pick and choose. It
7 has the ability to modify. So do as you will.

8 CHAIRMAN CLARK: But I'll make an observation
9 before --

10 COMMISSIONER GRAHAM: I had a question.

11 CHAIRMAN CLARK: Okay. Question.

12 Commissioner Graham.

13 COMMISSIONER GRAHAM: And I guess this
14 question goes back to the three over here. If we
15 start getting in and picking and choosing winners
16 and losers, so to speak, is that in -- how does
17 that affect your MOU? I mean, I would imagine you
18 guys came to the table because this is the package
19 as a whole and not picking and choosing. Anyone.

20 MS. TRIPLETT: So you can kick me if I'm
21 wrong. I think this is different. If I had
22 brought this MOU to you and said, please approve,
23 then I think that you're right. Then we would have
24 to go back and decide are we comfortable with
25 splitting the baby or picking and choosing and --

1 but here because -- we submitted it for
2 informational purposes, it's not binding -- this
3 program, I think that we -- I feel a little more
4 comfortable, I guess is what I'm saying, especially
5 because it feels like if I don't get half a loaf,
6 I'm going to get no bread and go home empty-handed.
7 So if those are the options for my company, I would
8 be very pleased if y'all approved the two and left
9 out the gift cards. But I certainly would like to
10 hear from my colleagues here.

11 MR. CAVROS: Sure. I would echo Duke's
12 comments. You know, given just the need for these
13 programs in the community that, you know, we would,
14 you know, gladly accept an improvement in, you
15 know, the participation rates and, you know, the
16 additional assistance kits to Duke's
17 most-vulnerable customers.

18 MS. OTTENWELLER: I'll just say, yes, please.
19 I'll take what I can get. Thank you.

20 CHAIRMAN CLARK: Thank you, Ms. Ottenweller.
21 I will conclude. I personally can't support any of
22 the recommendations or any of the programs. I have
23 significant experience with -- especially the
24 energy-saving kits. I do not see them as being
25 cost effective. My experience with energy-saving

1 kits is about 20 percent of the items that are
2 actually in the kit be utilized, and six months
3 later, 10 percent of those will be taken out
4 because the water didn't come out hard and fast
5 enough. There are also other things that I see, as
6 well. These do not necessarily address the root
7 problems in energy efficiency. When you look and
8 estimate you're going to get a 30-percent savings
9 on your energy bill from a \$25 investment, that's a
10 little too good to be true. We know that about 50
11 percent of our cost in a typical utility bill comes
12 from heating and cooling. About 25 to 30 percent
13 of the remainder comes from water heating. So if
14 you take two factors alone. You're looking at 75
15 percent of our utility costs primarily are in two
16 specific areas. And we're not doing anything to
17 significantly address those two items. The
18 remaining portion, whether you call it 25 to 35
19 percent of the bill, is divided in a lot of areas,
20 that the items that we're focused on here do not
21 have that big of an effect on. If we're not
22 affecting insulation, if we're not controlling
23 infiltration in a house, we're not doing anything.
24 We can do every measure in here, and if you can
25 excuse the expression, throw a cat through the

1 wall, you aren't going to affect energy efficiency
2 and energy savings. I think that whether kits are
3 great, I don't think that those should be paid for
4 by all of the consumers. I think if that's
5 something the shareholders would like to take on, I
6 would highly encourage them to do so.

7 I would also, in response to the load
8 management program, certainly, will absolutely
9 believe that we should do everything we can to help
10 the low-income customers. But, again, we're doing
11 this in this program -- and all of these programs
12 are being done so on the backs of all ratepayers.
13 I would encourage if you do not have a project
14 share or project roundup program, I'm not sure if
15 Duke has a -- you do have one of those type
16 programs? Those funds list -- make a massive
17 campaign to get funds in to be able to -- if folks
18 voluntarily contribute to be able to help offset
19 some of the costs for low-income customers, I
20 certainly would consider that. I think there's a
21 lot of other sources out there that we could be
22 utilizing, as well.

23 I applaud any effort for energy efficiency,
24 but I will not support it based on the fact that
25 all of the ratepayers are going to be negatively

1 impacted by it. And, you know, we've talked about
2 the different tests. I support the RIM test. I
3 think the RIM test is a very important measure.
4 I've said that from the very beginning. The effect
5 that a program has on rates is critical. Now, I'm
6 certainly willing to take on a few causes and say
7 there are certain times I'll go against my own
8 nature and support something when I see a global
9 good that is going to have a significant impact, in
10 my opinion, on the direction that we're going to be
11 moving something. But, to me, these programs that,
12 as they are proposed right now, don't, and I can't
13 support them based on those.

14 Commissioners, other questions, comments?

15 I'll entertain your motion.

16 Commissioner Fay.

17 COMMISSIONER FAY: Thank you, Mr. Chairman.

18 And if you would, just allow me a brief comment
19 before I move forward with a motion, just to make
20 sure I get it accurate for staff and for the
21 Commission. I think what the -- one component of
22 what the Chair just mentioned that was really
23 important to me is, is we're not accepting or
24 rejecting these programs, per se, based on what the
25 MOU has provided. We're not bound essentially to

1 that MOU. With that said, what Commissioner Graham
2 mentioned, is that the parties worked really hard,
3 and when we see these parties get together and do
4 that, I don't want to disincentivize that. I think
5 that's extremely important, but it's a question of
6 recovery and to the general base and not
7 necessarily do we -- do we say these programs are
8 good or not. And so I think that's a valid point
9 for our Chair and that we're not saying if you
10 accept or reject that one program is good or bad
11 for individual, it's just a matter of the recovery
12 based on what the parties got together and put
13 forward with us.

14 And so, with that said, I do feel that the
15 two -- the first two programs, essentially, are the
16 Neighborhood Energy Saver Program, and the Home
17 Energy Check Program, would meet those
18 qualifications. And, therefore, I would request
19 that recovery be allowed for those and to deny and
20 accept staff recommendation on the residential load
21 management component of the programs put before us.

22 So, with that, Mr. Chairman, let me see --
23 that would be on all issues, because there is a
24 docket --

25 CHAIRMAN CLARK: Okay. Heard Commissioner

1 Fay's motion. Approve the first two, deny the load
2 management program. Do I have a second?

3 COMMISSIONER PASSIDOMO: Second.

4 CHAIRMAN CLARK: Second. All right. Any
5 discussion?

6 I do want to go back and play one word
7 Commissioner Fay pointed out. And I'm going to
8 compliment -- commend Commissioner Graham for what
9 he said. I appreciate the Memorandum of
10 Understanding and the cooperation and I want to
11 make sure we acknowledge that. This is a spirit
12 that I think we should be working together, and I
13 commend you for doing that. Sorry, I'm just on the
14 opposite side of the opinion on this particular
15 one.

16 Any other comments or questions?

17 On the motion, all in favor say, aye.

18 (Chorus of ayes.)

19 CHAIRMAN CLARK: Opposed?

20 (No comments made.)

21 CHAIRMAN CLARK: All right. Motion passes.

22 Any other business? Any questions? All
23 right. Made it easy. All right.

24 Any other business to come before the
25 Commission? If not, we stand adjourned.

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(Agenda item concluded.)

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CERTIFICATE OF REPORTER

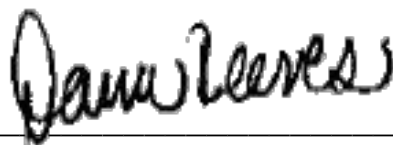
STATE OF FLORIDA)
COUNTY OF LEON)

I, DANA W. REEVES, Professional Court
Reporter, do hereby certify that the foregoing
proceeding was heard at the time and place herein
stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED THIS 21st day of December, 2021.



DANA W. REEVES
NOTARY PUBLIC
COMMISSION #GG970595
EXPIRES MARCH 22, 2024