

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Sally, by Gulf Power Company.

Docket No: 20200241-EI  
Docket No. 20210178-EI  
Docket No. 20210179-EI

Date: February 8, 2022

In re: Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company.

In re: Petition for limited proceeding for recovery of incremental storm restoration costs and associated true-up process related to Hurricane Zeta, by Gulf Power Company.

**AGREED MOTION TO AMEND ORDER CONSOLIDATING DOCKETS AND ESTABLISHING PROCEDURE**

Florida Power & Light Company (“FPL”) and Gulf Power Company<sup>1</sup> (“Gulf”), by and through their undersigned counsel, hereby file this Agreed Motion to Amend the Prehearing Officer’s Order Consolidating Dockets and Establishing Procedure<sup>2</sup> (“OEP”), and in support thereof state as follows:

1. Section IX of the OEP establishes the Controlling Dates for this proceeding. Under this Section, Intervenor were given until May 16, 2022 to file testimony and exhibits in response to the Consolidated Petitions and accompanying voluminous cost documentation filed on November 12, 2021, roughly six months. FPL and Gulf on the other hand were given only three weeks, until June 6, 2022, to file rebuttal testimony and exhibits. FPL reached out to the Office

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<sup>1</sup> At the time Hurricane Sally impacted the service area formerly served by Gulf, and at the time the instant Petition was filed with the Commission, Gulf was a subsidiary of NextEra Energy, Inc. and operated as a ratemaking entity separate and distinct from Florida Power & Light Company. Gulf no longer exists as a corporate entity, and effective January 1, 2022, Gulf no longer exists as a separate ratemaking entity. However, the storm surcharge requested in this proceeding, to the extent approved by the Commission, will be applied to northwest Florida customers of Florida Power & Light Company. As a result, to avoid confusion, petitioner will continue to use the name of the former Gulf Power Company for filings made in this proceeding.

<sup>2</sup> Order No. PSC-2022-0042-PCO-EI issued January 26, 2022.

of Public Counsel (“OPC”) to address the disparities in the time allowed for Intervenor and rebuttal testimony and through productive discussions an agreement has been reached.

2. Pursuant to that agreement, FPL and Gulf respectfully request amendments to the OEP to revise Section V.A.(6) (Discovery Procedures) and Section IX.(2) and IX.(4)(Controlling Dates). The proposed revision to Section IX.(2) would require Intervenors’ testimony and exhibits to be submitted on May 9, 2022 rather than May 16, 2022, while the proposed revision to Section IX.(4) would require Rebuttal testimony and exhibits to be submitted on June 13, 2022 rather than June 6, 2022. These modifications will provide FPL and Gulf a total of five weeks to address Intervenor testimony and issues related to four storm events and the costs associated with each through separate sets of rebuttal testimonies. In addition, FPL and Gulf have agreed to a proposed revision to Section V.A. (6) of the OEP to shorten the time for service of responses to future discovery on the direct case from 30 days to 25 days.

3. FPL and Gulf have been authorized by OPC to represent herein that OPC agrees to the above-described proposed modifications to the OEP.

Wherefore, based upon the foregoing, FPL and Gulf respectfully request Commission approval of this Agreed Motion to Amend Order Consolidating Dockets and Establishing Procedure as more fully described above.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY  
GULF POWER COMPANY

By: /s/ Kenneth M. Rubin

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**CERTIFICATE OF SERVICE**  
**20200241-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail this 8th day of February 2022 to the following parties:

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