

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

DOCKET NO. 20230001-EI  
ORDER NO. PSC-2023-0321-PHO-EI  
ISSUED: October 25, 2023

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 17, 2023, in Tallahassee, Florida, before Commissioner Mike La Rosa, as Prehearing Officer.

APPEARANCES:

MATTHEW BERNIER and STEPHANIE CUELLO, ESQUIRES, 106 East College Avenue, Tallahassee, Florida 32301-7740; and DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg, Florida 33701  
On behalf of Duke Energy Florida, LLC (DEF)

MARIA JOSE MONCADA, WILLIAM P. COX, and DAVID M. LEE, ESQUIRES, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, Florida 33408-0420  
On behalf of Florida Power & Light Company (FPL)

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On behalf of Florida Public Utilities Company (FPUC)

MALCOLM N. MEANS, J. JEFFRY WAHLEN, and VIRGINIA PONDER, ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302  
On behalf of Tampa Electric Company (TECO)

WALT TRIERWEILER, CHARLES REHWINKEL, PATRICIA A. CHRISTENSEN, MARY WESSLING, and OCTAVIO SIMOES-PONCE, ESQUIRES, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400  
On behalf of the Citizens of the State of Florida (OPC)

JON C. MOYLE, JR., and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm, PA, The Perkins House, 118 North Gadsden Street, Tallahassee, Florida 32301  
On behalf of the Florida Industrial Power Users Group (FIPUG)

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On behalf of Florida Retail Federation (FRF)

JAMES W. BREW and LAURA WYNN BAKER, ESQUIRES, Stone Mattheis Xenopoulos & Brew, PC, 1025 Thomas Jefferson St., NW, Eighth Floor, West Tower, Washington, DC 20007

On behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (PCS Phosphate)

PETER J. MATTHEIS, MICHAEL K. LAVANGA, and JOSEPH R. BRISCAR, ESQUIRES, Stone Mattheis Xenopoulos & Brew, PC, 1025 Thomas Jefferson St., NW, Eighth Floor, West Tower, Washington, DC 20007

On behalf of Nucor Steel Florida, Inc. (NUCOR)

SUZANNE BROWNLESS and RYAN SANDY, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

Advisor to the Florida Public Service Commission.

KEITH C. HETRICK, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

Florida Public Service Commission General Counsel

## **I. CASE BACKGROUND**

As part of the continuing fuel and purchased power adjustment and generating performance incentive clause proceedings, an administrative hearing will be held by the Florida Public Service Commission (Commission) on November 1, 2 and 3, 2023. The purpose of this docket is to review and approve purchased wholesale electric power charges, electric generation facilities' fuel and fuel related costs, and incentives associated with the efficient operation of generation facilities which are passed through to ratepayers through the fuel adjustment factor. The Commission will address those issues listed in this prehearing order. The Commission has the option to render a bench decision with agreement of the parties on any or all of the issues listed below.

## **II. CONDUCT OF PROCEEDINGS**

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

## **III. JURISDICTION**

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes (F.S.). This hearing will be governed by said Chapter, Chapter 120, F.S., and Chapters 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

## **IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION**

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

#### **V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES**

Testimony of all witnesses to be sponsored by the parties has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness's direct testimony is adverse to its interests.

**VI. ORDER OF WITNESSES**

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
+Gary P. Dean	DEF	1B-1E, 5-10, 16-20, 21A-D and 24-32
+Adam R. Bingham	DEF	14 and 15
+James (Jim) McClay	DEF	1A
+Gerard J. Yupp	FPL	2A-2D, 2F, 5-10
+Dean Curtland	FPL	10
+Charles R. Rote	FPL	14, 15
+Kelly Fagan	FPL	2G
+Andrew W. Whitley	FPL	2G
+Jason Chin	FPL	2H
+Edward J. Anderson	FPL	2E, 2I, 2J, 7-10, 16-20, 22A, 24-33
+Curtis D. Young	FPUC	7 and 8
+Phuong T. Nguyen	FPUC	3A, 9, 10, 16-20, and 31-33
+P. Mark Cutshaw	FPUC	9 and 10
+M. Ashley Sizemore	TECO	5-10, 16-20, 24-30 and 31-33
+Elena B. Vance	TECO	14-16
+Benjamin F. Smith	TECO	16 and 28
+John C. Heisey	TECO	4A, 4B, and 16

+ These witnesses have been excused from attending the final hearing.

**VII. BASIC POSITIONS**

**DEF:** Not applicable. DEF's positions on specific issues are listed below.

**FPL:** FPL's 2024 Fuel and Purchased Power Cost Recovery factors and Capacity Cost Recovery factors are appropriate and reasonable and should be approved. FPL's proposed FCR factors for the period January 2024 through December 2024 reflect the recovery of projected total net fuel costs of \$4,636,390,906. This amount includes a 2022 final true-up, the Generating Performance Incentive Factor ("GPIF") reward, FPL's 2024 projected fuel costs, FPL's portion of the 2022 Jurisdictional Asset Optimization Gains, and the projected 2024 FPL SolarTogether Credit. FPL's proposed CCR factors for the period January 2024 through December 2024 reflect the recovery of projected total net capacity costs of \$192,792,636. This amount includes the 2022 final true-up, the 2023 actual/estimated under-recovery, FPL's 2024 projected capacity costs, and a revenue requirement reduction to reflect incremental tax savings (for 2023 and 2024) stemming from the Inflation Reduction Act. In addition, FPL's 2024 Risk Management Plan and GPIF targets and ranges are reasonable and should be approved.

FPL's request for a Solar Base Rate Adjustment ("SoBRA") to be effective 2024, satisfies the requirements set forth in Order No. PSC-2021-0446-S-EI (the "2021 Rate Settlement" or "Settlement"), and should therefore be approved. FPL will place 894 MW<sup>1</sup> of solar generation into service in 2024 (the "2024 Project"), which is projected to save FPL customers approximately \$561 million on a cumulative present value of revenue requirements ("CPVRR") basis. In addition, FPL's costs are reasonable, and it is limiting the amount of construction costs to be recovered through the SoBRA to \$1,161 per kW<sup>2</sup> in accordance with the "Adjusted Cap" calculations prescribed by the Settlement. Finally, the revenue requirement of \$68.128 million and SoBRA factor of 0.759% are calculated in accordance with the terms approved in the 2021 Rate Settlement. Accordingly, the Commission should approve the proposed tariff rates reflecting the requested base rate percentage increase for the 2024 SoBRA.

**FPUC:** The Commission should approve Florida Public Utilities Company's final net true-up for the period January through December 2022, the estimated true-up for the period January through December 2023, and the purchase power cost recovery factors for the period January through December 2024, until subsequently revised by the Commission. In approving the under-recovery and calculation of the appropriate factors, the Commission should approve FPUC's proposal to shorten the previously approved recovery period for the 2022 under-recovery to allow

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<sup>1</sup> All capacity references for the 2024 Project are measured in alternating current.

recovery of the remainder in 2024, which will still result in reduced cost-recovery factors and avoid additional interest on the deferred amount.

**TECO:** The Commission should approve Tampa Electric's calculation of its fuel adjustment, capacity cost recovery, and GPIF true-up and projection calculations, including the proposed fuel adjustment factor of 3.843 cents per kWh before any application of time of use multipliers for on-peak or off-peak usage; the company's proposed capacity factor for the period January through December 2024; a GPIF penalty of \$1,648,937 for performance during 2022 and the company's proposed GPIF targets and ranges for 2024.

**OPC:** The utilities bear the burden of proof to justify the recovery of costs they request in this docket and must carry this burden regardless of whether or not the Interveners provide evidence to the contrary. Further, the utilities bear the burden of proof to support their proposal(s) seeking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of a cost, factor, or adjustment as meeting the Commission's own requirements, the utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory test(s) and are reasonable in amount and prudently incurred. Further, recovery of all costs is constrained by the Commission's obligation to set fair, just, and reasonable rates, based on projects that are prudent in purpose and scope and costs that are prudently incurred pursuant to Section 366.01, Florida Statutes. Additionally, the provisions of Chapter 366 must be liberally construed to protect the public welfare.

**FIPUG:** The utilities bear the burden of proof to justify the recovery of costs they request in this docket as reasonable and prudent. The utilities must carry this burden regardless of whether or not FIPUG or other parties introduce evidence to the contrary. The utilities must also carry their burden of proof to support their proposal(s) asking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought.

**FRF:** The Commission's task in the Fuel Docket, as in all ratemaking proceedings, is to ensure that the rates charged by Florida public utilities are fair, just, reasonable, non-discriminatory, and neither insufficient nor excessive. In this context, Florida public utilities are only allowed to recover reasonable and prudent costs that are fully authorized by Florida Statutes, Commission rules, and Commission orders through their Fuel Cost Recovery and Capacity Cost Recovery charges (collectively herein, "Fuel Charges"). The utilities bear the burden of proof that their proposed Fuel Charges satisfy the statutory criteria articulated above.

**PCS**

**Phosphate:** Only costs prudently incurred and legally authorized may be recovered through the fuel clause. Florida electric utilities, including in particular Duke Energy Florida, LLC ("DEF"), must satisfy the burden of proving the reasonableness of

any expenditures for which recovery or other relief is sought in this proceeding. Also, DEF does not currently hedge its fuel purchases. If it were to resume hedging, improvements to the hedging mechanism described in its risk management plan are needed.

**NUCOR:** Nucor's basic position is that Duke Energy Florida, LLC ("DEF") bears the burden of proof to justify the costs it seeks to recover through the fuel clause and any other relief DEF requests in this proceeding.

**STAFF:** Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

## **VIII. ISSUES AND POSITIONS**

### **I. FUEL ISSUES**

#### **Duke Energy Florida, LLC**

#### **ISSUE 1A: Should the Commission approve DEF's 2024 Risk Management Plan?**

**DEF:** Yes. (McClay)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** Hedging should not be authorized at this time. To the extent any risk management plan authorizes a utility to engage in financial hedges related to natural gas fuel procurement, it should be denied.

**FIPUG:** Duke should not be permitted to hedge given the overwhelming hedging losses previously incurred when Duke was engaged in hedging.

**FRF:** Agree with OPC.

#### **PCS**

**Phosphate:** No.

**NUCOR:** Agree with OPC.



**STAFF:** Staff has no position at this time.

**ISSUE 1B: What is the appropriate subscription bill credit associated with DEF's Clean Energy Connection Program, approved by Order No. PSC-2021-0059-S-EI, to be included for recovery in 2024?**

**DEF:** \$49,715,436 (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation<sup>3</sup> on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 1C: What is the impact on this docket if a decision is issued in Case SC22-94 before January 1, 2024?**

**DEF:** There will be no impact. The impact of any decision should be handled in the normal true-up process. (Dean)

**FPL:** No position.

**FPUC:** No position.

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<sup>3</sup> A Type 2 stipulation occurs on an issue when the utility and staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order.

**TECO:** No position.

**OPC:** No position.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 1D: If the decision in Case SC22-94 requires the return of replacement power costs to customers, what interest amount should be applied?**

**DEF:** This issue is not ripe for determination at this time. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** Interest should be applied pursuant to Commission rule and policy.

**FIPUG:** Interest should be applied pursuant to Commission rule and policy.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 1E: What is the appropriate Clean Energy Impact (CEI) credit, approved by Order No. PSC-2023-0191-TRF-EI, to be included in the fuel clause in 2024?**

**DEF:** \$1,748,081. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

### **Florida Power & Light Company**

**ISSUE 2A:** What was the total gain under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446-AS-EI that FPL may recover for the period January 2022 through December 2022, and how should that gain to be shared between FPL and customers?

**DEF:** No position.

**FPL:** FPL's asset optimization activities in 2022 delivered total gains of \$130,180,330. Of the total gains, FPL is allowed to retain \$49,590,165 (system). (Yupp)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2B:** **What is the appropriate amount of Incremental Optimization Costs under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446-AS-EI that FPL should be allowed to recover through the fuel clause for Personnel, Software, and Hardware costs for the period January 2022 through December 2022?**

**DEF:** No position.

**FPL:** The amount of Incremental Optimization Costs for Personnel, Software, and Hardware Costs that FPL should be allowed to recover through the fuel clause is \$527,488 for the period January 2022 through December 2022. (Yupp)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2C:** What is the appropriate amount of Variable Power Plant O&M Attributable to Off-System Sales under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446-AS-EI that FPL should be allowed to recover through the fuel clause for the period January 2022 through December 2022?

**DEF:** No position.

**FPL:** The amount of Incremental Optimization Costs under the Asset Optimization Program that FPL should be allowed to recover through the fuel clause for variable power plant O&M attributable to off-system sales for the period January 2022 through December 2022 is \$1,311,977. (Yupp)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2D:** What is the appropriate amount of Variable Power Plant O&M Avoided due to Economy Purchases under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446-AS-EI that FPL should be allowed to recover through the fuel clause for the period January 2022 through December 2022?

**DEF:** No position.

**FPL:** FPL has included a credit of \$123,908 as the amount of Incremental Optimization Costs under the Asset Optimization Program for variable power plant O&M avoided due to economy purchases for the period January 2022 through December 2022. The Commission should authorize FPL to flow this credit to customers through the fuel clause. (Yupp)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2E:** **What is the appropriate subscription credit associated with FPL's SolarTogether Program approved by Order No. PSC-2020-0084-S-EI, to be included for recovery in 2024?**

**DEF:** No position.

**FPL:** \$203,511,528. (Anderson)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus object to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2F: Should the Commission approve FPL's 2024 Risk Management Plan?**

**DEF:** No position.

**FPL:** Yes. FPL's 2024 Risk Management Plan complies with the Hedging Guidelines established by this Commission and should be approved. (Yupp)

**FPUC:** No position.

**TECO:** No position.

**OPC:** Hedging should not be authorized at this time. To the extent any risk management plan authorizes a utility to engage in financial hedges related to natural gas fuel procurement, it should be denied.

**FIPUG:** FPL should not be permitted to hedge given the overwhelming hedging losses previously incurred when FPL was engaged in hedging.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2G: Are the 2024 SoBRA units (12 total) proposed by FPL cost effective?**

**DEF:** No position.

**FPL:** Yes. The 2024 projects are projected to result in \$561 million (CPVRR) of customer savings. (Fagan, Whitley)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the 2024 SoBRA units (12 total) proposed by FPL are cost effective reasonable or prudent and thus objects to inclusion of the associated costs for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 2H: What are the revenue requirements associated with the 2024 SoBRA Project?**

**DEF:** No position.

**FPL:** \$68,127,892. (Chin)

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the 2024 SoBRA units (12 total) proposed by FPL are cost effective, reasonable or prudent and thus objects to inclusion of the associated revenue requirements. Nevertheless for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.



**ISSUE 2I:**     **What is the appropriate base rate percentage increase for the 2024 SoBRA Project to be effective when all 2024 units are in service, currently projected to be January 31, 2024?**

**DEF:**            No position.

**FPL:**            0.759%. (Anderson)

**FPUC:**          No position.

**TECO:**          No position.

**OPC:**            The OPC is not in full agreement that the Company has demonstrated that the 2024 SoBRA units (12 total) proposed by FPL are cost effective, reasonable or prudent and thus objects to inclusion of the associated revenue requirements. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:**         No position.

**FRF:**            Agree with OPC.

**PCS**

**Phosphate:**    No position.

**NUCOR:**         No position.

**STAFF:**         Staff has no position at this time.

**ISSUE 2J:**     **Should the Commission approve revised tariffs for FPL reflecting the base rate percentage increases for the 2024 SoBRA Project determined to be appropriate in this proceeding?**

**DEF:**            No position.

**FPL:**            Yes. (Anderson)

**FPUC:**          No position.

**TECO:**          No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the 2024 SoBRA units (12 total) proposed by FPL are cost effective, reasonable or prudent and thus objects to inclusion of the associated revenue requirements. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

### **Florida Public Utilities Company**

**ISSUE 3A:** **Should the Commission modify the previously ordered (Order No. PSC-2023-0026-FOF-EI) recovery schedule for FPUC's under-recovery of 2022 fuel costs from three years to two years?**

**DEF:** No position.

**FPL:** No position.

**FPUC:** Yes. The Company has experienced a substantial decrease in fuel costs, and as a result, recovering the remaining portion of the 2022 under-recovery in 2024, rather than extending into 2025, will still result in lower fuel factors for the Company's customers in 2024 and provide the added benefit of avoiding the additional accumulation of interest.

**TECO:** No position.

**OPC:** No position.

**FIPUG:** No position.

**FRF:** No position.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** No position at this time.

**Tampa Electric Company**

**ISSUE 4A:** What was the total gain under TECO's Optimization Mechanism approved by Order No. PSC-2017-0456-S-EI that TECO may recover for the period January 2022 through December 2022, and how should that gain to be shared between TECO and customers?

**DEF:** No position.

**FPL:** No position.

**FPUC:** No position.

**TECO:** The total gain for the period January 2022 through December 2022 under the Optimization Mechanism approved by Order No. PSC-2017-0456-S-EI is \$24,569,361. Customers should receive \$14,184,681, and Tampa Electric should receive \$10,384,680. (Heisey)

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**ISSUE 4B:** Should the Commission approve TECO's 2024 Risk Management Plan?

**DEF:** No position.

**FPL:** No position.

**FPUC:** No position.

**TECO:** Yes. Tampa Electric's 2024 Risk Management Plan provides prudent, non-speculative guidelines for mitigating price volatility while ensuring supply reliability. (Heisey)

**OPC:** Hedging should not be authorized at this time. To the extent any risk management plan authorizes a utility to engage in financial hedges related to natural gas fuel procurement, it should be denied.

**FIPUG:** TECO should not be permitted to hedge given the overwhelming hedging losses previously incurred when TECO was engaged in hedging.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**GENERIC FUEL ADJUSTMENT ISSUES**

**ISSUE 5:** **What are the appropriate actual benchmark levels for calendar year 2023 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?**

**DEF:** \$3,179,060. (Dean)

**FPL:** FPL's revised Asset Optimization Program approved by the Commission in Order No. PSC-2021-0046-S-EI does not rely upon the three-year average Shareholder Incentive Benchmark specified in Order No. PSC-00-1744-PAA-EI, so it is not applicable to FPL for calendar year 2023. (Yupp)

**FPUC:** No position.

**TECO:** The company did not set an actual benchmark level for calendar year 2023. Pursuant to Tampa Electric's Settlement Agreement, approved in Order No. PSC-

2021-0423-S-EI, the company's Optimization Mechanism replaces the non-separated wholesale energy sales incentive. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 6:** **What are the appropriate estimated benchmark levels for calendar year 2024 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?**

**DEF:** \$3,891,306. (Dean)

**FPL:** The Asset Optimization Program approved in Order No. PSC-2021-0046-S-EI does not rely upon the three-year average Shareholder Incentive Benchmark specified in Order No. PSC-00-1744-PAA-EI, so it would not be applicable to FPL for calendar year 2024. (Yupp)

**FPUC:** No position.

**TECO:** The company did not set an estimated benchmark level for calendar year 2024. Pursuant to Tampa Electric's Settlement Agreement approved by Order No. PSC-2021-0423-S-EI, the company's Optimization Mechanism replaces the non-separated wholesale energy sales incentive. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 7: What are the appropriate final fuel adjustment true-up amounts for the period January 2022 through December 2022?**

**DEF:** \$147,455 under-recovery. (Dean)

**FPL:** \$1,201,340,636 under-recovery. (Anderson)

**FPUC:** The final, end of period true-up amount for 2022 is an under-recovery of \$9,648,946.

**TECO:** \$295,994,153 under-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 8: What are the appropriate fuel adjustment actual/estimated true-up amounts for the period January 2023 through December 2023?**

**DEF:** \$119,078,499 over-recovery, which is the 2023 actual/estimated true-up balance of \$829,303,287 over-recovery less the approved 2023 midcourse projected true-up over-recovery balance of \$710,224,788. (Dean)

**FPL:** \$207,586,520 over-recovery. (Anderson)

**FPUC:** The Company projects a consolidated under-recovery of \$1,987,573.

**TECO:** \$183,160,125 over-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 9: What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2024 through December 2024?**

**DEF:** \$554,889,752 under-recovery, calculated as follows:

2022 Approved Under-Recovery	\$1,354,975,755 *
Less: Previously Approved in Rates	<u>\$ 175,789,361 *</u>
Net 2022 Remaining Under-Recovery	\$1,179,186,394 *
Less: Approved Portion Projected to Recover in 2023 (\$1,179,186,394 / 21months x 9 months)	\$ 505,365,598 *
Plus: 2022 True-Up Adjustment Under-Recovery	\$ 147,455
Less: 2023 Actual/Estimate True-Up Over-Recovery	<u>\$ 119,078,499</u>
	<u>\$ 554,889,752</u>

\* Refer to Order No. PSC-2023-0112-PCO-EI

(Dean)

**FPL:** \$993,754,116 under-recovery. (Anderson)

**FPUC:** If the Commission approves the Company's request to collect the total remaining 2022 true up amount in 2024, rather than spreading it out over the next two years, the total true-up amount to be collected in 2024 is \$11,636,519.

**TECO:** \$112,834,024 under-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 10: What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2024 through December 2024?**

**DEF:** \$1,471,960,084 which is adjusted for line losses and excludes prior period true-up, GPIF, CEC Bill Credits and the CEI. (Dean)

**FPL:** \$3,380,953,363 jurisdictionalized and adjusted for line losses, excluding prior period true-ups, FPL's portion of Asset Optimization Program gains, FPL's projected 2024 SolarTogether Credit amount and the GPIF reward. (Anderson)

**FPUC:** The appropriate projected total fuel and purchased power cost recovery amount for the period January 2024 through December 2024 is \$53,711,392. (Nguyen, Cutshaw)

**TECO:** The total recoverable fuel and purchased power recovery amount to be collected, adjusted by the jurisdictional separation factor, is \$654,842,720. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.



**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

## **COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES**

### **Duke Energy Florida, LLC**

No company-specific GPIF issues for Duke Energy Florida, LLC have been identified at this time. If such issues are identified, they shall be numbered 11A, 11B, 11C, and so forth, as appropriate.

### **Florida Power & Light Company**

No company-specific GPIF issues for Florida Power and Light Company have been identified at this time. If such issues are identified, they shall be numbered 12A, 12B, 12C, and so forth, as appropriate.

### **Tampa Electric Company**

No company-specific GPIF issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 13A, 13B, 13C, and so forth, as appropriate.

## **GENERIC GPIF ISSUES**

**ISSUE 14:** What is the appropriate GPIF reward or penalty for performance achieved during the period January 2022 through December 2022 for each investor-owned electric utility subject to the GPIF?

**DEF:** \$986,550 reward. (Bingham)

**FPL:** \$10,818,303 net reward. (Rote)

**FPUC:** No position.

**TECO:** A penalty in the amount of \$1,648,937 for January 2022 through December 2022 performance to be applied to the January 2024 through December 2024 period. (Vance)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 15:** **What should the GPIF targets/ranges be for the period January 2024 through December 2024 for each investor-owned electric utility subject to the GPIF?**

**DEF:** The appropriate targets and ranges are shown on Page 4 of Exhibit ARB-1P filed on September 5, 2023 with the Direct Testimony of Adam Ross Bingham. (Bingham)

**FPL:** FPL's GPIF targets and ranges for January 2024 through December 2024 are:

Plant/Unit	EAF			ANOHR		
	Target	Maximum		Target	Maximum	
	EAF (%)	EAF (%)	Savings (\$000's)	ANOHR BTU/KWH	ANOHR BTU/KWH	Savings (\$000's)
Cape Canaveral 3	75.6	78.1	112	6,758	6,852	1,324
Ft. Myers 2	77.5	80.0	51	7,339	7,550	5,978
Manatee 3	90.9	93.4	449	6,898	7,195	7,932
Martin 8	86.3	88.8	409	6,952	7,120	4,424
Okeechobee 1	82.1	84.6	545	6,353	6,437	3,296
Port Everglades 5	93.7	96.2	691	6,745	6,892	3,711
Riviera 5	88.3	90.8	199	6,668	6,754	1,977
Sanford 5	84.7	86.7	32	7,380	7,488	1,666
St. Lucie 1	82.7	85.7	4,530	10,419	10,508	324
St. Lucie 2	81.6	84.6	3,822	10,304	10,392	260
Turkey Point 3	73.3	76.3	3,444	10,548	10,688	439
Turkey Point 4	93.6	96.6	4,157	10,394	10,521	507
Turkey Point 5	87.4	89.9	168	7,205	7,315	1,816
West County 1	87.4	90.4	425	7,040	7,187	2,935
West County 2	90.8	93.3	384	6,990	7,102	2,520
West County 3	83.4	86.4	452	7,086	7,209	2,590

(Rote)

**FPUC:** No position.

**TECO:** The appropriate targets and ranges are shown in Exhibit No. \_\_ (EBV-2) to the prefiled testimony of Elena B. Vance. Targets and ranges should be set according to the prescribed GPIF methodology established in 1981 by Commission Order No. 9558 in Docket No. 800400-CI and modified in 2006 by Commission Order No. PSC-2006-1057-FOF-EI in Docket No. 20060001-EI. (Vance)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.**FRF:** Agree with OPC.**PCS****Phosphate:** No position.**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.**STAFF:** Staff has no position at this time.

## FUEL FACTOR CALCULATION ISSUES

**ISSUE 16:** What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2024 through December 2024?

**DEF:** \$2,075,803,742. (Dean)

**FPL:** \$4,636,390,906 including prior period true-ups, FPL's portion of Asset Optimization gains, FPL's 2024 SolarTogether Credit amount and the GPIF reward. (Anderson)

**FPUC:** The appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2024 through December 2024 is \$65,347,911, which includes prior period true-ups. (Nguyen)

**TECO:** The projected net fuel and purchased power cost recovery amount to be included in the recovery factor for the period January 2024 through December 2024, adjusted by the jurisdictional separation factor, is \$654,842,720. The total recoverable fuel and purchased power cost recovery amount to be collected, including the true-up, optimization mechanism, and GPIF, adjusted for the revenue tax factor, is \$776,972,691. (Sizemore, Heisey, Vance, Smith)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

### PCS

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 17:** What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2024 through December 2024?

**DEF:** Pursuant to the 2021 Settlement approved in Order No. PSC-2021-0202-AS-EI, DEF removed the Regulatory Assessment Fee beginning with its 2022 Projection Filing and includes it with the Gross Receipts Tax on customer bills. (Dean)

**FPL:** 0%. FPL's 2021 Settlement Agreement removed the Regulatory Assessment Fee from base and clause rates and is presented as its own line item. (Anderson)

**FPUC:** The appropriate tax revenue factor is 1.00072. (Nguyen)

**TECO:** The appropriate revenue tax factor is 1.00072. (Sizemore)

**OPC:** No position.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 18: What are the appropriate levelized fuel cost recovery factors for the period January 2024 through December 2024?**

**DEF:** 5.239 cents/kWh (adjusted for jurisdictional losses). (Dean)

**FPL:** FPL proposed that the fuel factors be reduced as of the in-service date of the 2024 Project to reflect the projected jurisdictional fuel savings as of that date. FPL is proposing the following factors:

- (a) 3.760 cents/kWh for January 2024 through the day prior to the 2024 Project in-service date (Projected to be January 31, 2024);
- (b) 3.718 cents/kWh from the 2024 Project in-service date (Projected to be February 1, 2024) until the fuel factor is reset by the Commission. (Anderson)

**FPUC:** The appropriate factor is 7.807¢ per kWh. (Nguyen)

**TECO:** The appropriate factor is 3.843 cents per kWh before any application of time of use multipliers for on-peak or off-peak usage. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 19:** **What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?**

<b>DEF:</b>	<u>Delivery</u>	<u>Line Loss</u>	
	<u>Group</u>	<u>Voltage Level</u>	<u>Multiplier</u>
	A	Transmission	0.9800
	B	Distribution Primary	0.9900
	C	Distribution Secondary	1.0000
	D	Lighting Service	1.0000
		(Dean)	

**FPL:** The appropriate fuel cost recovery line loss multipliers are provided in response to Issue No. 20. (Anderson)

**FPUC:** The appropriate line loss multiplier is 1.0000. (Nguyen)

**TECO:** The appropriate fuel recovery line loss multipliers are as follows:

<u>Metering Voltage Schedule</u>	<u>Line Loss Multiplier</u>
Distribution Secondary	1.0000
Distribution Primary	0.9900
Transmission	0.9800

Lighting Service 1.0000

(Sizemore)

**OPC:** No position.

**FIPUG:** No position.

**FRF:** No position.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 20:** What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

**DEF:**

Fuel Cost Factors (cents/kWh)							
Group	Delivery Voltage Level	First Tier Factor	Second Tier Factors	Levelized Factors	Time of Use		
					On-Peak	Off-Peak	Super Off-Peak
A	Transmission	--	--	5.142	6.571	5.178	3.661
B	Distribution Primary	--	--	5.195	6.639	5.231	3.699
C	Distribution Secondary	4.947	6.017	5.247	6.706	5.284	3.736
D	Lighting Secondary	--	--	4.880	--		--

(Dean)

**FPL:** January 2024:

ESTIMATED FOR THE PERIOD OF: JANUARY 2024				
GROUPS	RATE SCHEDULE	Average Factor	Fuel Recovery Loss Multiplier	Fuel Recovery Factor
A	RS-1 first 1,000 kWh	3.760	1.00271	3.462
A	RS-1 all additional kWh	3.760	1.00271	4.462
A	GS-1, SL-2, SL-2M, GSCU-1	3.760	1.00271	3.771
A-1	SL-1, SL-1M, OL-1, PL-1, LT-1, OS VIII <sup>(1)</sup>	3.681	1.00271	3.691
B	GSD-1, GSD-1EV	3.760	1.00264	3.770
C	GSLD-1, GSLD-1EV, CS-1	3.760	1.00195	3.768
D	GSLD-2, CS-2, OS-2, MET	3.760	0.99492	3.741
E	GSLD-3, CS-3	3.760	0.97286	3.658
A	GST-1 On-Peak	4.159	1.00271	4.170
A	GST-1 Off-Peak	3.591	1.00271	3.600
A	RTR-1 On-Peak			0.400
A	RTR-1 Off-Peak			(0.170)
B	GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 On-Peak	4.159	1.00264	4.170
B	GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 Off-Peak	3.591	1.00264	3.600
C	GSLDT-1, CST-1, SST-1D(2), HLFT-2 On-Peak	4.159	1.00195	4.167
C	GSLDT-1, CST-1, SST-1D(2), HLFT-2 Off-Peak	3.591	1.00195	3.598
D	GSLDT-2, CST-2, SST-1D(3), HLFT-3 On-Peak	4.159	0.99492	4.138
D	GSLDT-2, CST-2, SST-1D(3), HLFT-3 Off-Peak	3.591	0.99492	3.572
E	GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) On-Peak	4.159	0.97286	4.046
E	GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) Off-Peak	3.591	0.97286	3.493
F	CILC-1(D), ISST-1(D) On-Peak	4.159	0.99435	4.135
F	CILC-1(D), ISST-1(D) Off-Peak	3.591	0.99435	3.570

<sup>(1)</sup>Weighted average 16% on-peak and 84% off-peak

GROUPS	RATE SCHEDULE	Average Factor	Fuel Recovery Loss Multiplier	Fuel Recovery Factor
B	GSD(T)-1 On-Peak	4.440	1.00264	4.452
B	GSD(T)-1 Off-Peak	3.675	1.00264	3.684
C	GSLD(T)-1 On-Peak	4.440	1.00195	4.449
C	GSLD(T)-1 Off-Peak	3.675	1.00195	3.682
D	GSLD(T)-2 On-Peak	4.440	0.99492	4.418
D	GSLD(T)-2 Off-Peak	3.675	0.99492	3.656

After the 2024 Project enters commercial service, currently projected to occur January 31, 2024 (implementation of new factor February 2024):



ESTIMATED FOR THE PERIOD OF: FEBRUARY 2024 THROUGH DECEMBER 2024				
GROUPS	RATE SCHEDULE	Average Factor	Fuel Recovery Loss Multiplier	Fuel Recovery Factor
A	RS-1 first 1,000 kWh	3.718	1.00271	3.419
A	RS-1 all additional kWh	3.718	1.00271	4.419
A	GS-1, SL-2, SL-2M, GSCU-1	3.718	1.00271	3.728
A-1	SL-1, SL-1M, OL-1, PL-1, LT-1, OS VII <sup>(1)</sup>	3.640	1.00271	3.650
B	GSD-1, GSD-1EV	3.718	1.00264	3.728
C	GSLD-1, GSLD-1EV, CS-1	3.718	1.00195	3.725
D	GSLD-2, CS-2, OS-2, MET	3.718	0.99492	3.699
E	GSLD-3, CS-3	3.718	0.97286	3.617
A	GST-1 On-Peak	4.112	1.00271	4.123
A	GST-1 Off-Peak	3.550	1.00271	3.560
A	RTR-1 On-Peak			0.395
A	RTR-1 Off-Peak			(0.168)
B	GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 On-Peak	4.112	1.00264	4.123
B	GSDT-1, CILC-1(G), SST-1D(1), HLFT-1 Off-Peak	3.550	1.00264	3.559
C	GSLDT-1, CST-1, SST-1D(2), HLFT-2 On-Peak	4.112	1.00195	4.120
C	GSLDT-1, CST-1, SST-1D(2), HLFT-2 Off-Peak	3.550	1.00195	3.557
D	GSLDT-2, CST-2, SST-1D(3), HLFT-3 On-Peak	4.112	0.99492	4.091
D	GSLDT-2, CST-2, SST-1D(3), HLFT-3 Off-Peak	3.550	0.99492	3.532
E	GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) On-Peak	4.112	0.97286	4.000
E	GSLDT-3, CST-3, CILC-1(T), SST-1(T), ISST-1(T) Off-Peak	3.550	0.97286	3.454
F	CILC-1(D), ISST-1(D) On-Peak	4.112	0.99435	4.089
F	CILC-1(D), ISST-1(D) Off-Peak	3.550	0.99435	3.530

<sup>(1)</sup> Weighted average 16% on-peak and 84% off-peak

GROUPS	RATE SCHEDULE	Average Factor	Fuel Recovery Loss Multiplier	Fuel Recovery Factor
B	GSD(T)-1 On-Peak	4.390	1.00264	4.402
B	GSD(T)-1 Off-Peak	3.633	1.00264	3.643
C	GSLD(T)-1 On-Peak	4.390	1.00195	4.399
C	GSLD(T)-1 Off-Peak	3.633	1.00195	3.640
D	GSLD(T)-2 On-Peak	4.390	0.99492	4.368
D	GSLD(T)-2 Off-Peak	3.633	0.99492	3.615

(Anderson)

**FPUC:** The appropriate levelized fuel adjustment and purchased power cost recovery factors for the period January 2024 through December 2024 for the Consolidated

Electric Division, adjusted for line loss multipliers and including taxes, are as follows:

<i>Rate Schedule</i>	<i>Adjustment</i>
RS	\$0.10588
GS	\$0.10637
GSD	\$0.10035
GSLD	\$0.09772
LS	\$0.08180
<u>Step rate for RS</u>	
RS Sales	\$0.10588
RS with less than 1,000 kWh/month	\$0.10259
RS with more than 1,000 kWh/month	\$0.11509

Consistent with the fuel projections for the 2024 period, the appropriate adjusted Time of Use (TOU) and Interruptible rates for the Northwest Division for 2024 period are:

*Time of Use/Interruptible*

<i>Rate Schedule</i>	<i>Adjustment On Peak</i>	<i>Adjustment Off Peak</i>
RS	\$0.18659	\$0.06359
GS	\$0.14637	\$0.05637
GSD	\$0.14035	\$0.06785
GSLD	\$0.15772	\$0.06772
Interruptible	\$0.08272	\$0.09772

**TECO:** The appropriate factors are as follows:

<u>Metering Voltage Level</u>	<u>Fuel Charge Factor (cents per kWh)</u>	
Secondary	3.843	
RS Tier I (Up to 1,000 kWh)	3.536	
RS Tier II (Over 1,000 kWh)	4.536	
Distribution Primary	3.805	
Transmission	3.766	
Lighting Service	3.806	
Distribution Secondary	4.045	(on-peak)
	3.757	(off-peak)
Distribution Primary	4.005	(on-peak)
	3.719	(off-peak)
Transmission	3.964	(on-peak)
	3.682	(off-peak)
(Witness: Sizemore)		

**OPC:** No position.

**FIPUG:** No position.

**FRF:** No position.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

## **II. CAPACITY ISSUES**

### **COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES**

**Duke Energy Florida, LLC**

**ISSUE 21A:** What is the appropriate amount of costs for the Independent Spent Fuel Storage Installation (ISFSI) that DEF should be allowed to recover through the capacity cost recovery clause pursuant to DEF's 2017 Settlement for 2024?

**DEF:** \$6,879,837. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the respective amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 21B: What adjustment amount should the Commission approve to be refunded through the capacity clause associated with the Solar Base Rate Adjustment true-up for Plant Sandy Creek?**

**DEF:** The Commission should approve a credit of \$955,358 through the capacity clause for the final cost true ups for the Sandy Creek project. The Commission should also approve a credit of \$580,807 for the reduction of the revenue requirements for Sandy Creek in lieu of reflecting these reductions in base rates. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the respective amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 21C:** **What adjustment amount should the Commission approve to be refunded through the capacity clause associated with the Solar Base Rate Adjustment true-up for Plant Santa Fe?**

**DEF:** \$386,291. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the respective amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

**ISSUE 21D:** **What adjustment amount should the Commission approve to be refunded through the capacity clause associated with the Solar Base Rate Adjustment true-up for Plant Twin Rivers?**

**DEF:** \$533,447. (Dean)

**FPL:** No position.

**FPUC:** No position.

**TECO:** No position.

**OPC:** The OPC is not in full agreement that the Company has demonstrated that the respective amount is reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with the Public Counsel.

**NUCOR:** Agree with OPC.

**STAFF:** Staff has no position at this time.

### **Florida Power & Light Company**

**ISSUE 22A:** Should the Commission approve a \$7.92 million refund related to the incremental impact of the Inflation Reduction Act for years 2022 and 2023 due to the application of the Tax Provision contained in FPL'S current Rate Settlement Agreement?

**DEF:** No position.

**FPL:** Yes. (Anderson)

**FPUC:** No position.

**TECO:** No position.

**OPC:** Yes.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**Tampa Electric Company**

No company-specific capacity cost recovery factor issues for Tampa Electric Company have been identified at this time. If such issues are identified, they will be numbered 23A, 23B, 23C, and so forth, as appropriate.

**GENERIC CAPACITY COST RECOVERY FACTOR ISSUES**

**ISSUE 24:** What are the appropriate final capacity cost recovery true-up amounts for the period January 2022 through December 2022?

**DEF:** \$5,788,998 under-recovery. (Dean)

**FPL:** \$8,047,503 over-recovery. (Anderson)

**FPUC:** No position.

**TECO:** \$2,216,062 under-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 25: What are the appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2023 through December 2023?**

**DEF:** \$4,762,828 under-recovery. (Dean)

**FPL:** \$3,279,655 over-recovery. (Anderson)

**FPUC:** No position.

**TECO:** \$5,202,844 under-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 26: What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2024 through December 2024?**

**DEF:** \$10,551,826 under-recovery. (Dean)

**FPL:** \$11,327,158 over-recovery. (Anderson)

**FPUC:** No position.

**TECO:** \$7,418,904 under-recovery. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.



**FRF:** Agree with OPC.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 27: What are the appropriate projected total capacity cost recovery amounts for the period January 2024 through December 2024?**

**DEF:** \$310,027,071. (Dean)

**FPL:** \$212,040,854. (Anderson)

**FPUC:** No position.

**TECO:** The projected total capacity cost recovery amount for the period January 2024 through December 2024 is \$3,511,508. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 28: What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2024 through December 2024?**

**DEF:** \$327,458,733. (Dean)

**FPL:** \$192,792,636. (Anderson)

**FPUC:** No position.

**TECO:** The total recoverable capacity cost recovery amount to be collected, including the true-up amount, adjusted for the revenue tax factor, is \$10,938,282. (Sizemore, Smith)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective amounts are reasonable or prudent and thus objects to inclusion of the cost for recovery. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 29:** **What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2024 through December 2024?**

**DEF:** Base – 97.403%, Intermediate – 92.637%, Peaking – 95.110%, consistent with the 2021 Settlement approved in Order No. PSC-2021-0202-AS-EI. (Dean)

**FPL:**

ENERGY

Retail Energy Jurisdictional Factor - Base/Solar	95.8349%
Retail Energy Jurisdictional Factor - Intermediate	94.4751%
Retail Energy Jurisdictional Factor - Peaking	95.7272%

DEMAND

Retail Demand Jurisdictional Factor - Transmission	89.4143%
Retail Demand Jurisdictional Factor - Base/Solar	96.0923%
Retail Demand Jurisdictional Factor - Intermediate	95.4528%
Retail Demand Jurisdictional Factor - Peaking	94.2663%
Retail Demand Jurisdictional Factor - Distribution	100.0000%

GENERAL PLANT

Retail General Plant Jurisdictional Factor - Labor

97.0449%

(Anderson)

**FPUC:** No position.

**TECO:** The appropriate jurisdictional separation factor is 1.0000000. (Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective factors are reasonable or prudent and thus objects to them. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** No position.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 30: What are the appropriate capacity cost recovery factors for the period January 2024 through December 2024?**

**DEF:**

Rate Class	Jan-Dec 2024 CCR Factor
Residential	0.946 cents/kWh
General Service Non-Demand @ Primary Voltage	0.816 cents/kWh
@ Transmission Voltage	0.808 cents/kWh
General Service 100% Load Factor	0.800 cents/kWh
General Service Demand	0.597 cents/kWh
@ Primary Voltage	2.53 \$/kW-month
@ Transmission Voltage	2.50 \$/kW-month
Curtailed	2.48 \$/kW-month
@ Primary Voltage	2.05 \$/kW-month
@ Transmission Voltage	2.03 \$/kW-month
Interruptible	2.01 \$/kW-month
@ Primary Voltage	1.99 \$/kW-month
	1.97 \$/kW-month

@ Transmission Voltage	1.95 \$/kW-month
Standby Monthly	0.244 \$/kW-month
@ Primary Voltage	0.242 \$/kW-month
@ Transmission Voltage	0.239 \$/kW-month
Standby Daily	0.116 \$/kW-month
@ Primary Voltage	0.115 \$/kW-month
@ Transmission Voltage	0.114 \$/kW-month
Lighting	0.237 cents/kWh

(Dean)

**FPL:**

Rate Schedule	Capacity Recovery Factor (\$/KW)	Capacity Recovery Factor (\$/kw h)	RDC (\$/KW)	SDD (\$/KW)
RS1/RTR1		0.00170		
GS1/GST1		0.00155		
GSD1/GSDT1/HLFT1/GSD1-EV	0.56			
OS2		0.00076		
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV	0.59			
GSLD2/GSLDT2/CS2/CST2/HLFT3	0.61			
GSLD3/GSLDT3/CS3/CST3	0.67			
SST1T			0.07	0.03
SST1D1/SST1D2/SST1D3			0.07	0.03
CILC D/CILC G	0.63			
CILC T	0.60			
MET	0.56			
OL1/SL1/SL1M/PL1/OSI/WLT1		0.00013		
SL2/SL2M/GSCU1		0.00110		

(Anderson)

**FPUC:** No position.

**TECO:** The appropriate factors for January 2024 through December 2024 are as follows:

<u>Rate Class and Metering Voltage</u>	<u>Capacity Cost Recovery Factor</u>	
	<u>Cents per kWh</u>	<u>\$ per kW</u>
RS Secondary	0.062	
GS and CS Secondary	0.054	
GSD, RSD Standard Secondary		0.20
Primary		0.20
Transmission		0.20
GSD Optional		
Secondary	0.048	
Primary	0.048	
Transmission	0.047	
GSLDPR/GSLDTPR/SBLDPR/SBLDTPR		0.17
GSLDSU/GSLDTSU/SBLDSU/SBLDTSU		0.19
LS-1, LS-2	0.012	

(Sizemore)

**OPC:** The OPC is not in full agreement that the Companies have demonstrated that the respective factors are reasonable or prudent and thus objects to them. Nevertheless, for various reasons, including judicial economy, the OPC is willing to facilitate a Type 2 stipulation on this issue.

**FIPUG:** Adopt position of OPC.

**FRF:** Agree with OPC.

**PCS**

**Phosphate:** Agree with OPC.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

### **III. EFFECTIVE DATE**

**ISSUE 31:** What should be the effective date of the fuel adjustment factors and capacity cost recovery factors for billing purposes?

**DEF:** The new factors should be effective beginning with the first billing cycle for January 2024 through the last billing cycle for December 2024. The first billing cycle may start before January 1, 2024, and the last billing cycle may end after December 31, 2024, so long as each customer is billed for twelve months regardless of when the factors became effective. (Dean)

**FPL:** The factors shall be effective for meter readings commencing as follows:

- FPL's CCR factors should become effective January 1, 2024;
- The FCR factors which do not include an incremental adjustment to reflect the fuel savings associated with the 2024 Project should become effective January 1, 2024;
- The FCR factors which include the incremental fuel savings associated with the 2024 Project should become effective after the 2024 Project enters commercial operations (expected to enter service January 31, 2024 with effective date for the factor of February 1, 2024; and
- The SoBRA associated with the 2024 Project should become effective after the 2024 Project enters commercial operations (expected to enter service January 31, 2024 with effective date for the factor of February 1, 2024.

These charges should continue in effect until modified by subsequent order of this Commission. (Anderson)

**FPUC:** The effective date for FPUC's cost recovery factors should be the first billing cycle for January 1, 2024, which could include some consumption from the prior month. Thereafter, customers should be billed the approved factors for a full 12 months, unless the factors are otherwise modified by the Commission. (Nguyen)

**TECO:** The new factors should be effective beginning with the first billing cycle for January 2024 through the last billing cycle for December 2024. The first billing cycle may start before January 1, 2024, and the last cycle may be read after December 31, 2024, so that each customer is billed for twelve months regardless of when the recovery factors became effective. The new factors shall continue in effect until modified by this Commission. (Sizemore)

**OPC:** No position.

**FIPUG:** No position.

**FRF:** The effective date of the Fuel Charges approved by the Commission in this proceeding should be the first day of the first billing cycle of January 2024.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 32: Should the Commission approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding?**

**DEF:** Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission decision. (Dean)

**FPL:** Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be reasonable in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision. (Anderson)

**FPUC:** Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision. (Nguyen)

**TECO:** Yes. (Sizemore)

**OPC:** The tariffs should be based on costs deemed reasonable and prudent in a hearing.

**FIPUG:** Adopt position of OPC.

**FRF:** Yes.

**PCS**

**Phosphate:** No position.

**NUCOR:** Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**STAFF:** Staff has no position at this time.

**ISSUE 33: Should this docket be closed?**

**DEF:** No, docket to remain open because it is a continuing docket.

**FPL:** This is a continuing docket and should remain open. (Anderson)

**FPUC:** This is a continuing docket and should remain open.

**TECO:** Yes.

**OPC:** No.

**FIPUG:** No.

**FRF:** No. This is a continuing docket that should remain open and then continued in its successor docket for 2024.

**PCS**

**Phosphate:** No position.

**NUCOR:** No position.

**STAFF:** Staff has no position at this time.

**IX. EXHIBIT LIST**

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
			<u>Direct</u>
Gary Dean	DEF	GPD-1T	Fuel Cost Recovery True-Up (Jan – Dec. 2022)
Gary Dean	DEF	GPD-2T	Capacity Cost Recovery True-Up (Jan – Dec. 2022)
Gary Dean	DEF	GPD-3T	Schedules A1 through A3, A6 and A12 for Dec 2022
Gary Dean	DEF	GPD-4T	2022 Capital Structure and Cost Rates Applied to Capital Projects
Gary Dean	DEF	GPD-2	Actual/Estimated True-up Schedules for period January – December 2023



<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Gary Dean	DEF	GPD-3	Projection Factors for January - December 2024
Adam R. Bingham	DEF	ARB-1T	Calculation of GPIF Penalty for January - December 2022
Adam R. Bingham	DEF	ARB-1P	GPIF Targets/Ranges Schedules for January – December 2024
James (Jim) McClay	DEF	JM-1P	Hedging Testimony 2024 Risk Management Plan <b>Confidential</b> <b>DN. 04315-2023</b>
Gerard J. Yupp	FPL	GJY-1	2022 Asset Optimization Program Results <b>Confidential</b> <b>DN. 05053-2023</b>
Gerard J. Yupp	FPL	GJY-2	2024 Risk Management Plan <b>Confidential</b> <b>DN. 04335-2023</b>
Gerard J. Yupp	FPL	GJY-3	2024 Projected Dispatch Costs and Availability
Charles R. Rote	FPL	CRR-1	2022 GPIF Results
Charles R. Rote	FPL	CRR-2	Generating Performance Incentive Factor
Kelly Fagan	FPL	KF-1	List of FPL Solar Energy Centers in service
Kelly Fagan	FPL	KF-2	FPL 2024 Solar Energy Center Maps
Kelly Fagan	FPL	KF-3	Typical Solar Energy Center Block Diagram
Kelly Fagan	FPL	KF-4	Specifications for 2024 Solar Energy Centers
Kelly Fagan	FPL	KF-5	Construction Schedules for the 2024 Solar Energy Centers

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Kelly Fagan	FPL	KF-6	Capital Cost Table
Kelly Fagan	FPL	KF-7	Cost Increase Waterfall
Andrew W. Whitley	FPL	AWW-1	Load Forecast
Andrew W. Whitley	FPL	AWW-2	FPL Fuel Price Forecast
Andrew W. Whitley	FPL	AWW-3	FPL Resource Plans
Andrew W. Whitley	FPL	AWW-4	CPVRR – Costs and (Benefits)
Andrew W. Whitley	FPL	AWW-5	Yearly PTC Impact
Andrew W. Whitley	FPL	AWW-6	Avoided Natural Gas
Andrew W. Whitley	FPL	AWW-7	Avoided Air Emissions
Jason Chin	FPL	JC-1	2024 SoBRA Revenue Requirement Calculation
Edward J. Anderson	FPL	EJA-1	2022 FCR Final True-Up
Edward J. Anderson	FPL	EJA-2	2022 CCR Final True-Up <b>Confidential</b> <b>DN. 02491-2023</b>
Edward J. Anderson	FPL	EJA-5	2023 FCR Actual Estimated
Edward J. Anderson	FPL	EJA-6	2023 CCR Actual Estimated
Edward J. Anderson	FPL	EJA-7	2024 FCR Projections (January –December Not Including SoBRA Fuel Savings
Edward J. Anderson	FPL	EJA-8	2024 FCR Projections (February –December Including SoBRA Fuel Savings
Edward J. Anderson	FPL	EJA-9	2024 FCR Projections (January –December Including SoBRA Fuel Savings

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Edward J. Anderson	FPL	EJA-10	2024 CCR Projections <b>Confidential</b> <b>DN. 05085-2023</b>
Edward J. Anderson	FPL	EJA-11	2024 SoBRA Factor Calculation
Edward J. Anderson	FPL	EJA-12	Residential Bill Impacts
Edward J. Anderson	FPL	EJA-13	Typical Bill Projections
Curtis D. Young	FPUC	CDY-1	Final True Up Schedules (Schedules A, C1 and E1-B for FPUC’s Divisions)
Curtis D. Young	FPUC	CDY-2	Estimated/Actual (Schedules E1-A, E1-B, and E1-B1) <sup>4</sup>
Phuong T. Nguyen	FPUC	PTN-1	Schedules E1, E1A, E2, E7, E8, E10 and Schedule A
M. Ashley Sizemore	TECO	MAS-1	Final True-Up Capacity Cost Recovery January 2022-December 2022  Final True-up Fuel Cost Recovery January 2022-December 2022  Actual Fuel True-up Compared to Original Estimates January 2022-December 2022  Schedules A-1, A-2, A-6 through A-9, and A-12 January 2022-December 2022 <b>Confidential</b> <b>DN. 02502-2023</b>

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<sup>4</sup> As amended August 5, 2022.

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
M. Ashley Sizemore	TECO	MAS-2	Actual/Estimated True-Up Fuel Cost Recovery January 2023-December 2023  Actual/Estimated True-Up Capacity Cost Recovery January 2023-December 2023 <b>Confidential</b> <b>DN. 04338-2023</b>
M. Ashley Sizemore	TECO	MAS-3	Projected Capacity Cost Recovery January 2024-December 2024  Projected Fuel Cost Recovery January 2024-December 2024  Levelized and Tiered Fuel Rate January 2024-December 2024 <b>Confidential</b> <b>DN. 04828-2023</b>
Elena B. Vance	TECO	EBV-1	Final True-Up Generating Performance Incentive Factor January 2022-December 2022  Actual Unit Performance Data January 2022-December 2022
Elena B. Vance	TECO	EBV-2	Generating Performance Incentive Factor January 2024-December 2024  Summary of Generating Performance Incentive Factor Targets January 2024-December 2024
John C. Heisey	TECO	JCH-1	Optimization Mechanism Results January 2022-December 2022 <b>Confidential</b> <b>DN. 02504-2023</b>

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
John C. Heisey	TECO	JCH-2	Risk Management Plan January 2024-December 2024

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

**X. PROPOSED STIPULATIONS**

There are no proposed stipulations at this time.

**XI. PENDING MOTIONS**

There are no pending motions at this time.

**XII. PENDING CONFIDENTIALITY MATTERS**

Confidentiality orders are pending at this time.

**XIII. POST-HEARING PROCEDURES**

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 75 words, it must be reduced to no more than 75 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

**XIV. RULINGS**

Opening statements, if any, shall not exceed three minutes per party unless a party chooses to waive its opening statement.

FPL has requested that Issue 22A be dropped for several reasons. First, this calculation is included in the development of the capacity cost recovery factors in Issue 30. Second, the calculation of the amount associated with the Inflation Reduction Act for 2022 and 2023 and the method of returning it to customers via the capacity cost recovery factor are not at issue here. The amount was decided in Docket No. 20220165-EI (Order No. PSC-2022-0433-TRF-EI) and the method of returning it to customers was decided in FPL's 2021 Settlement Agreement. None of the parties expressed a desire to drop this issue. Further, FPL likewise agrees to retain this issue with the understanding that neither the amount, nor the decision to include this refund, are at issue. That being the case, Issue 22A shall be retained.

It is therefore,

ORDERED by Commissioner Mike La Rosa, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Mike La Rosa, as Prehearing Officer, this 25th day of October, 2023.



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Mike La Rosa  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.