

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20250011-EI
ORDER NO. PSC-2025-0332-PCO-EI
ISSUED: September 4, 2025

ORDER GRANTING WALMART INC.'S MOTION FOR AND
NOTICE OF INTENT TO SEEK OFFICIAL RECOGNITION

Background

Consistent with the requirements of Section VI(H) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI, on August 4, 2025, Walmart Inc. (Walmart) timely filed a Motion for and Notice of Intent to Seek Official Recognition of the following:

1. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Adopting Settlement Agreement as Modified, Ga. P.S.C. Doc. No. 192550 (Ga. P.S.C., Dec. 30, 2022)
2. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Granting Joint Petition of Georgia Power Company and the Public Interest Advocacy Staff and Approval of the Stipulation to Extend the Alternative Rate Plan, Ga. P.S.C. Doc. No. 223495 (Ga.P.S.C., July 31, 2025)
3. *In Re: Georgia Power Company's 2022 Rate Case*, Docket No. 44280, Order Approving Revisions to Georgia Power Company's Rules and Regulations, Ga. P.S.C. Doc. No. 221165 (Ga. P.S.C., Jan. 28, 2025)
4. *In the Matter of the Application of Ohio Power Co. for New Tariffs Related to Data Centers and Mobile Data Centers*, Ohio P.U.C. Case No. 24-508-EL-ATA, Opinion and Order (July 9, 2025)

No party opposes the relief requested in the Motion.

Analysis and Decision

Official recognition in administrative proceedings is governed by the same substantive provisions as judicial notice in civil actions. Section 120.569(2)(i), Florida Statutes (F.S.), and Rule 28-106.213(6), Florida Administrative Code (F.A.C.). After notice and upon sufficient motion, official recognition is mandatory as to certain matters and permissive as to others.

Pursuant to Section 90.202(5), F.S., judicial notice of “[o]fficial actions of the legislative, executive, and judicial departments of the United States and of any state, territory, or jurisdiction

of the United States” is permissive. Similarly, judicial notice of “[r]ecords of any court of this state or of any court of record of the United States or of any state, territory, or jurisdiction of the United States” pursuant to Section 90.202(6), F.S., is permissive.

Each of the Orders for which Walmart requests official recognition meets the requirements of Section 90.202(5), F.S., as an official action of the Georgia Public Service Commission (Exhibits 1-3) or the Public Utilities Commission of Ohio (Exhibit 4). In light of the foregoing, Walmart’s Motion for Official Recognition is granted.

Therefore, it is

ORDERED by Chairman Mike La Rosa, as Prehearing Officer, that the August 4, 2025, Motion for Official Recognition by Walmart Inc. is granted.

By ORDER of Chairman Mike La Rosa, as Prehearing Officer, this 4th day of September, 2025.



Mike La Rosa
Chairman and Prehearing Officer
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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.

SPS

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.