

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a limited proceeding to
approve second solar base rate adjustment, by
Duke Energy Florida, LLC.

DOCKET NO.: 20190072-EI

FILED: June 14, 2019

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-PSC-2019-0161-PCO-EI issued May 03, 2019, submit this Prehearing Statement.

APPEARANCES:

CHARLES J. REHWINKEL, Esquire
Deputy Public Counsel
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.

A. **WITNESSES:**

None

B. **EXHIBITS:**

None

C. STATEMENT OF BASIC POSITION

Duke Energy Florida, LLC seeks approval of its second tranche solar projects for inclusion as a specific, discrete adjustment to base rates pursuant to the 2017 Second RRSSA (“Settlement Agreement”) approved in Order No. PSC-2017-0451-AS-EU”). Paragraph 15 of the Settlement

Agreement provides many criteria for eligibility under the streamlined, limited proceeding base rate freeze exception provided therein.

Citizens intend to conduct limited cross-examination at hearing intended to hold the Company to its burden to demonstrate compliance with the Settlement Agreement's terms. At this point, it has not been conclusively demonstrated that the burden has been met by Duke.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

ISSUE 1: Are the projected installed costs of the proposed Solar Projects (Trenton, Lake Placid, and DeBary) within the Installed Cost Cap of \$1,650 per kWac pursuant to subparagraph 15(a) of the 2017 Settlement?

OPC: It appears these costs are less than or equal to the Installed Cost Cap of \$1,650 per kWac pursuant to subparagraph 15(a) of the Settlement Agreement; however, while the estimated costs presented by Duke appear to be under the cost cap, to the extent that land and inverter costs are not adequately reflected in the actual costs, this threshold compliance may not be met.

ISSUE 2: Are the proposed Solar Projects proposed by DEF cost effective pursuant to subparagraph 15(c) of the 2017 Settlement?

OPC: No.

ISSUE 3: Are the Trenton, Lake Placid, and DeBary Solar Projects proposed by DEF needed pursuant to subparagraph 15(c) of the 2017 Settlement?

OPC: No.

ISSUE 4: Are the Trenton, Lake Placid, and DeBary Solar Projects otherwise in compliance with the Terms of Paragraph 15 of the 2017 Settlement?

OPC: No position at this time.

ISSUE 5: What is the annual revenue requirement associated with each of the proposed Solar Projects?

OPC: No position at this time.

ISSUE 6: What are the appropriate base rates needed to collect the estimated annual revenue requirement for the proposed Trenton and Lake Placid Solar Projects, projected to be effective in the first billing cycle of January, 2020?

OPC: No position at this time.

ISSUE 7: What are the appropriate base rates needed to collect the estimated annual revenue requirement for the proposed DeBary Solar Project, projected to be effective in the first billing cycle of April, 2020?

OPC: No position at this time.

ISSUE 8: Should the Commission give staff administrative authority to approve revised tariffs reflecting the base rates increase for the Trenton and Lake Placid Solar Projects determined to be appropriate in this proceeding?

OPC: To the extent the Commission finds that Duke has successfully met the criteria in Paragraph 15 of the 2017 Settlement Agreement and has found affirmatively on Issues 1-4, the OPC agrees that the 2017 Settlement Agreement requires the base rates to be increased through the appropriate tariffs.

ISSUE 9: Should the Commission give staff administrative authority to approve revised tariffs reflecting the base rates increase for the DeBary Solar Project determined to be appropriate in this proceeding?

OPC: No position.

ISSUE 10: Should the docket be closed?

OPC: No.

E. STIPULATED ISSUES:

None.

F. PENDING MOTIONS:

None.

G. REQUESTS FOR CONFIDENTIALITY

Citizens have no pending requests for claims for confidentiality.

H. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

OPC has no objections to any witness' qualifications as an expert in this proceeding.

I. REQUIREMENTS OF ORDER

There are no requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Dated this 14th day of June, 2019.

Respectfully submitted,

JR Kelly
Public Counsel

/s/Charles J. Rehwinkel
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Office of Public Counsel's Prehearing Statement to Duke Energy Florida, LLC has been furnished by electronic mail on this 14th day of June, 2019, to the following:

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