

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20240169-EG

Petition for approval of proposed  
demand-side management plan and  
demand-side management program  
standards, by Duke Energy  
Florida, LLC.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 9

COMMISSIONERS  
PARTICIPATING: CHAIRMAN MIKE LA ROSA  
COMMISSIONER ART GRAHAM  
COMMISSIONER GARY F. CLARK  
COMMISSIONER ANDREW GILES FAY  
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Tuesday, March 4, 2025

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK  
Court Reporter and  
Notary Public in and for  
the State of Florida at Large

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

2 CHAIRMAN LA ROSA: All right. Let's move into  
3 a little more depth on Item No. 9.

4 Ms. Thompson, you are recognized when you are  
5 ready.

6 MS. THOMPSON: Good morning Commissioners.  
7 Takira Thompson with Commission staff.

8 Item No. 5 is the petition for approval of  
9 Duke Energy Florida's proposed demand-side  
10 management plan and the associated program  
11 standards.

12 Staff has reviewed DEF's DSM plan and believes  
13 it is consistent with the proposed programs used to  
14 establish its DSM goals.

15 In addition, DEF's DSM plan is projected to  
16 meet the annual numeric conservation goals  
17 established by the Commission in the 2024 goal  
18 settings proceeding, and the proposed participation  
19 standards are consistent with DEF's DSM plan.  
20 Therefore, staff recommends that the Commission  
21 approve DEF's DSM plan and allow DEF to file for  
22 cost recovery of the programs in the Energy  
23 Conservation Cost Recovery Clause proceeding.

24 Staff and the utility are available for  
25 questions.

1           CHAIRMAN LA ROSA: Great. Thank you for that  
2 summary.

3           Commissioners, are there questions?

4           Commissioner Fay, you are recognized.

5           COMMISSIONER FAY: Thank you, Mr. Chairman.

6           And I just want to start by, overall, I think  
7 the plans are consistent with what the goals put  
8 forward in the recommendation. I did have a lot of  
9 questions for our staff on this new program that's  
10 added, which essentially is the multi-family new  
11 developer program.

12           When I originally looked at this, I had  
13 concerns it was very developer targeted, and I  
14 wasn't quite sure what the consumer would gain from  
15 this. But when you peel it back -- and it is a  
16 little hard. In the recommendation, it refers to  
17 this Energy Star qualified improvement tier one,  
18 which was not something I knew exactly what that  
19 entailed. But it appears to be targeted towards, I  
20 guess, renters for developers to receive a credit  
21 and then have the renters benefit from that  
22 efficiency.

23           I just want to get clarity, and I will ask our  
24 staff, and it looks like someone from the utility  
25 is here. Maybe, Mr. Chairman, if the utility could

1           opine a little bit on if I am interpreting this  
2           correctly. We just -- we don't see programs -- I  
3           know we have pushed for this, but we don't see  
4           programs that target the tenants. Historically,  
5           when you look at all the energy efficiency, it's  
6           for the homeowners and the viable options that they  
7           have. This seems like it's tenant targeted, but  
8           maybe they can explain this would actually work.

9           CHAIRMAN LA ROSA: Yeah. Excellent, I am  
10          happy to recognize the company. And I will just  
11          kind of add on to that a little bit, is that I  
12          had -- I was looking for some clarity as well. I  
13          am making the assumption that we are talking about  
14          apartments when we say multi-family. We are not  
15          talking about townhomes, or condos, or something of  
16          that nature, which I think some of these  
17          suggestions could maybe be a little bit more  
18          difficult, but I will recognize the company.

19          MS. CUELLO: Good morning. Stephanie Cuello  
20          with Duke Energy.

21          So, yes, this program, the idea is it's an  
22          attempt for us to reach out to the renters and  
23          allow them to have some benefit. The construction,  
24          they will install Energy Star certified products,  
25          and they have to meet the EPA's certification for

1 Energy Star. They have certain efficiency measures  
2 that they have to get to.

3 So that thought is the renter, or the occupant  
4 would benefit from possibly lower utility rates due  
5 to some of these programs, like the attic  
6 insulation, and the installation of Energy Star  
7 products.

8 COMMISSIONER FAY: And follow-up, Mr.  
9 Chairman?

10 CHAIRMAN LA ROSA: Yeah, go ahead.

11 COMMISSIONER FAY: And so it looks like on the  
12 RIM participant and TRC, the program actually  
13 scores fairly well. But I guess going forward, you  
14 have the developer receive that incentive, and then  
15 for the savings component, I know there is some  
16 benefit cost analysis that are in here, but is  
17 there a viable way -- I mean, you have -- you  
18 basically create this baseline, and then you try to  
19 interpret what those savings would be.

20 Obviously, each customer is going to use a  
21 different amount of energy, and so it seems really  
22 difficult to track what those specific benefits  
23 would be going forward. Obviously, we can estimate  
24 what they look like.

25 But is it -- does the utility feel pretty

1           comfortable going forward what will -- the benefits  
2           are, I guess, quantifiable, or is there a way to  
3           kind of interpret this is working well? Because if  
4           it is, it might be room for an expanded program.  
5           Is there any way to tell that in the future?

6           MS. CUELLO: I would have to double check on  
7           that. I think the idea is -- this is a new  
8           program, so obviously the first year, we would want  
9           to see the results from it, but I would have to --  
10          I could get you a more in-depth answer on that one.  
11          I just -- I am not sure I could answer that  
12          specifically right now.

13          COMMISSIONER FAY: Okay. And then also in the  
14          future, when the Commission looks at this, I  
15          presume there will be some discussion, which I  
16          didn't see in here, but there will be some  
17          discussion as to if the developer is already  
18          receiving some form of federal incentive to do  
19          this, this is kind of combining with that, some of  
20          these things are expiring or changing, and so maybe  
21          they won't receive that in the future.

22          But I would like to see, when we do that  
23          analysis in the future, if they are receiving some  
24          additional benefit, whatever that number may be,  
25          from a federal program, that we consider that when

1       doing that calculation too; because maybe right now  
2       it's viable because there is some larger credit out  
3       there for them to do that, or there is incentive.  
4       But if that goes away, this might be the only thing  
5       that really incentivizes this type of program.

6               And I love the concept. I mean, I know we  
7       have been sort of beating on trying to find  
8       conservation plans and programs that work so we  
9       don't end up at zero when we go forward, even  
10      though, you know, innovation has saved a lot of  
11      energy, and that's just part of the market. But I  
12      do think something like this that is creative and  
13      targeting these individuals who don't have that  
14      same ownership role is really good for customers.

15             So I appreciate it. I would have put a  
16      different title on it, honestly, because it does  
17      seem that it's more consumer focused at the end of  
18      the day. But I appreciate the utility bringing it  
19      forward, because I think we just don't see things  
20      like this typically. And I imagine it was not easy  
21      to come up with this sort of structure to  
22      incentivize those that don't own their homes.

23             So with that, Mr. Chairman, I am highly  
24      supportive of this component, and then the plans  
25      that have come forward, and appropriate to move the

1 item forward, but there might be other questions or  
2 comments.

3 CHAIRMAN LA ROSA: Commissioners, any other  
4 questions?

5 Commissioner Clark, you are recognized.

6 COMMISSIONER CLARK: She deferred to me, Mr.  
7 Chairman.

8 Just a couple of questions. In reviewing the  
9 program, I think you guys did an excellent job  
10 putting it together. There is one of the  
11 particular components that I do have some questions  
12 and concerns about, and that's your -- the  
13 Technology Development Program. Commissioner Fay  
14 made a great observation.

15 When it comes to energy conservation, we have  
16 picked a lot of the low hanging fruit, and the  
17 things that we are going to do to achieve  
18 additional conservation measures are going to  
19 require some south of out-of-the-box thinking, and  
20 I certainly support that idea. However, this is a  
21 pretty substantial budget item. \$800,000 line  
22 items specifically for technology development.

23 Can you give me some examples of some of the  
24 types of programs that Duke would be pursuing? I  
25 am also interested in knowing what process we will



1           be using to come back and justify these to the  
2           Commission at some point in time. Are you doing  
3           analysis up front on particular projects or  
4           particular technologies that we might be made aware  
5           of?

6           MS. CUELLO: So, I don't think I can give you  
7           an answer right now, but if we can take, like, a  
8           two-minute break, I have someone on the phone that  
9           get me -- and she's listening now, that can get me  
10          an answer specifically to that question.

11          CHAIRMAN LA ROSA: Yeah, I am okay with that,  
12          because I've got similar questions and thoughts as  
13          I am looking at my notes, so I have got no problem.

14          COMMISSIONER CLARK: If they want it approved  
15          we probably have to do that.

16          CHAIRMAN LA ROSA: Yeah, let's do that.

17          Are there any other questions or thoughts that  
18          maybe we can throw out there that in this  
19          two-minute break we can also maybe work to get some  
20          more background information, just to be more  
21          efficient with it, not that we can't ask more  
22          questions later.

23          COMMISSIONER PASSIDOMO SMITH: Am I  
24          recognized?

25          CHAIRMAN LA ROSA: You are recognized.

1 COMMISSIONER PASSIDOMO SMITH: Thank you.

2 My kind of comments sort of feed off of  
3 Commissioner Fay, so maybe, yeah, because we -- but  
4 you also kind of were wondering if you had this  
5 information.

6 My -- I just want to commend the company about  
7 coming forward with an innovative approach. We  
8 have talked about, you know, renters, and not  
9 really being able to participate in energy  
10 efficiency. And these are people who are the most  
11 -- typically would be the most energy burdened.

12 My thoughts are whether the company is going  
13 to -- I understand that this is sort of, you know,  
14 this is the initial process and -- but if there are  
15 any studies that you guys are conducting to see if  
16 any of these similar programs will be implemented  
17 with existing construction, because typically those  
18 energy burdened customers might not be the ones who  
19 are moving into new construction.

20 I understand that you have got to start  
21 somewhere, and this is, you know, it's likely much  
22 more cost-effective to be in the front end of new  
23 construction, but if that is the way that this  
24 program might materialize in the future, if there  
25 is sort of information that you can gather as this

1           program, you know, continues on, I would be curious  
2           to see if we can expand this out to those  
3           customers. I don't know if we can, you know, get  
4           those questions answered as well.

5           CHAIRMAN LA ROSA: Yeah, I will let you  
6           respond, and then we can take that break.

7           MS. CUELLO: Yes, we can. I will attempt to  
8           get an answer to that one as well.

9           CHAIRMAN LA ROSA: All right. Yeah, let's go  
10          ahead and do that. And the other option is move to  
11          14, but I think 14 also has a lot of thoughts and  
12          questions and moving parts to it. Let's go ahead  
13          and take a two-minute break or longer?

14          MS. CUELLO: Do five.

15          CHAIRMAN LA ROSA: Five-minute break, yeah,  
16          the questions started to stack on there. So let's  
17          go ahead and take a five-minute break and then we  
18          will reconvene. Thank you.

19          (Brief recess.)

20          CHAIRMAN LA ROSA: All right. Well,  
21          naturally, everyone got quiet. That must mean that  
22          we are getting close to where we need to be.

23          All right. Let's go ahead and open it back up  
24          and I will let the company, or ask the company  
25          to --

1 MS. CUELLO: So I think I can answer  
2 Commissioner Passidomo Smith's question regarding  
3 the studies. We have not done that yet but that is  
4 something we are considering and will take under  
5 advisement after this program goes through kind of  
6 its first year so we can figure out how it's  
7 working. But it is something we have considered  
8 and looked into. We just haven't actually done  
9 those studies yet.

10 CHAIRMAN LA ROSA: Commissioner.

11 COMMISSIONER PASSIDOMO SMITH: Okay. Thank  
12 you. I appreciate it. I think that will give the  
13 company and the Commission, like, valuable  
14 information as we go forward. I just -- I always  
15 want to be -- I understand, like, some -- you know,  
16 we -- it might not necessarily be cost-effective.  
17 It obviously has to comport with the rule, but to  
18 always keep in mind for those -- you know, I really  
19 am encouraged by seeing this sort of program  
20 having, you know, renters and other people who  
21 don't necessarily get to take advantage of these  
22 energy efficiency programs, but I also, you know,  
23 if you think about it, new construction, rental,  
24 you know, like apartment in downtown St. Pete, or  
25 some of your areas, that might not be affordable

1           for most people. So if we can hopefully include  
2           some of them in, as long as it comports with the  
3           rule, so I appreciate it. Thank you.

4           CHAIRMAN LA ROSA: Commissioner Clark.

5           MS. CUELLO: And then I can provide -- I got  
6           two examples of the programs with our technology.

7           The first one is the vehicle to grid pilot  
8           program with Ford. Another one that we are doing  
9           is the UCF energy storage and microgrid. Those are  
10          more laid out in Attachment A. It's kind of  
11          difficult to just brief those programs in a very  
12          short amount of time, but really how they work too  
13          is we do a 12-month trial period, and after that,  
14          if we see if they meet the requirements and the  
15          cost-effectiveness to become a program, then we  
16          consider turning it into a program.

17          And all of that information based on that  
18          12-month trial period will be included in our  
19          projected and annual the filing. So you will get  
20          to see kind of, in the 12-month trial period, how  
21          those programs are working and whether or not they  
22          are even close to being -- meeting the goals for  
23          cost-effectiveness or to be implemented as a  
24          program.

25          If you want, like, a little more information

1 on that, we are more than happy to provide a  
2 follow-up, whether it's a meeting with staff, email  
3 more detail, you know, maybe file something in the  
4 file. We file something in the docket.

5 CHAIRMAN LA ROSA: Commissioner Clark.

6 COMMISSIONER CLARK: One of my questions, Ms.  
7 Cuello, has to do with how the costs are going to  
8 be allocated. And what I want to make sure of is  
9 that this is not administrative costs. That the  
10 dollars that we are approving here are going to be  
11 used on the incentive side, are going to be used on  
12 program development side, and we are not just  
13 shifting administrative costs around to cover under  
14 the DSM program.

15 MS. CUELLO: I believe that's correct. We are  
16 not using it for the administrative side. It's for  
17 the programs.

18 COMMISSIONER CLARK: Okay. Great. Thank you.

19 CHAIRMAN LA ROSA: Commissioners, any further  
20 questions or thoughts?

21 Commissioner Fay, you are recognized.

22 COMMISSIONER FAY: Thank you, Mr. Chairman,  
23 and I am prepared to move the item. I just want to  
24 make one quick comment before I do.

25 So I appreciate you allowing some time for the

1 utility to get responses to this. I recognize the  
2 complexity of, you know, these large items that  
3 then have components of them where we narrow into a  
4 program or something specific and we need those  
5 answers, and it's difficult to know who should be  
6 here for the hearings, and how to respond to that,  
7 and so there is probably different, you know, maybe  
8 if it's a technical person, there is a way to have  
9 them, you know, on the phone, but make sure the  
10 lawyers are here to appear. I mean, I don't know  
11 what those options are, Mr. Chairman, but I just  
12 appreciate you being open to making sure we can get  
13 those responses before we make the decision.

14 It's always nice to have the follow-up, of  
15 course, and that's important to us, but I think  
16 some of these are just -- they are new programs,  
17 and so they are hard for us to get our arms wrapped  
18 and make sure we fully understand before we either  
19 approve, or modify, or rejected them. And it  
20 seemed like this might be a method to make sure we  
21 get those responses in the future. So thank you  
22 for that.

23 And I am prepared to move item whenever.

24 CHAIRMAN LA ROSA: Well, thank you. And I  
25 always want to obviously make sure everyone has got

1           the time that they have necessary, or feel that's  
2           necessary to provide the right answers to us so we  
3           can obviously analyze, so thank you for pointing  
4           that out.

5           Are there any further questions? If not,  
6           Commissioner Fay, I believe, has a --

7           COMMISSIONER FAY: Thank you, Mr. Chairman.

8           I will add, I think there is a lot of people  
9           that enjoy watching the lawyers get technical  
10          questions that they can't answer, and so hopefully  
11          not too many people enjoy that part of it, but I  
12          appreciate this.

13          With that, Mr. Chairman, I will move approval  
14          for Item 9, all issues on Item 9.

15          CHAIRMAN LA ROSA: Hearing a motion.

16          COMMISSIONER GRAHAM: Second.

17          CHAIRMAN LA ROSA: Hearing a motion and  
18          hearing a second.

19          All those in favor signify by saying yay.

20          (Chorus of yays.)

21          CHAIRMAN LA ROSA: Yay.

22          Opposed no?

23          (No response.)

24          CHAIRMAN LA ROSA: Show that Item No. 9  
25          passes.



1                   Thank you. Thank you to the company for  
2                   getting us some of the answers.

3                   (Agenda item concluded.)

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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA )  
3 COUNTY OF LEON )  
4

5 I, DEBRA KRICK, Court Reporter, do hereby  
6 certify that the foregoing proceeding was heard at the  
7 time and place herein stated.

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

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

18 DATED this 17th day of March, 2025.  
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DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #HH575054  
EXPIRES AUGUST 13, 2028

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