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DANIEL PEREZ
*Speaker of the House of
Representatives*

May 12, 2025

VIA: ELECTRONIC FILING

Adam Teitzman
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No. 20240155-EI, Florida Power & Light Company's Petition for
Approval of Accounting Treatment for the Transfer of its Proportional share of Plant
Daniel Units 1&2**

Dear Mr. Teitzman:

Please find attached Citizens' Petition Protesting Proposed Agency Action Order No.
PSC-2025-0139-PAA-EI.

If you have any questions or concerns regarding the attached document, please do not
hesitate to contact my office.

Sincerely,
/s/ Charles J. Rehwinkel
Charles J. Rehwinkel
Deputy Public Counsel
rehwinkel.charles@leg.state.fl.us

Attachment

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for Approval of Accounting Treatment
for the Transfer of its Proportional share of
Plant Daniel Units 1&2

DOCKET NO.: 20240155-EI

FILED: May 12, 2025

PETITION PROTESTING PROPOSED AGENCY ACTION

Citizens of the State of Florida ("Citizens"), by and through the Public Counsel, pursuant to Section 120.57, and Chapter 366, Florida Statutes, and Rules 25-22.029 and 28-106.201, Florida Administrative Code, file this protest to Florida Public Service Commission ("Commission") Order No. PSC-2025-0139-PAA-EI ("PAA Order"), issued April 21, 2025, and request an evidentiary hearing, and state:

1. The name of the agency affected and the agency's file number:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Docket No. 20240155-EI

2. On November 8, 2024, Florida Power & Light Company ("FPL" and "Company") filed a Petition for Approval of Accounting Treatment for the Transfer of its Proportional share of Plant Daniel Units 1&2 ("Petition") and requesting processing under the Commission's Proposed Agency Action ("PAA") procedure. On March 17, 2025, the Citizens filed a Notice of Intervention in this docket. On March 18, 2025, the Commission acknowledge the intervention of the Office of Public Counsel ("OPC"), in Order No. PSC-2025-0083-PCO-EI. On April 1, 2025 the Commission voted to issue the PAA Order, in which it proposed to grant substantially all of the relief sought by FPL. The OPC, pursuant to Section 350.0611, Florida Statutes, represents the customers of this Company whose substantial interests will be affected by the Order because the Order authorizes the

Company to recover costs in the rates and charges it imposes upon its customers and files this protest on their behalf.

3. Pursuant to Rule 28-106.201, the address and telephone number of the attorneys for the Citizens of the State of Florida, including the customers of FPL, who file this petition, by and through the undersigned counsel, are as follows:

Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, Florida 32399-1300
(850) 413-9330

4. Citizens received a notice of the PAA Order on April 21, 2025, via electronic service of the PAA Order issued by the Commission in this docket.
5. Petitioner contends the following issue is in dispute from the agency's proposed action and is not stipulated pursuant to Section 120.80(b), Florida Statutes:

The price to be paid by FPL to Mississippi Power Company ("MPC"), and associated necessary accounting treatment, pursuant to the transaction that supports the transfer that is the subject of the Petition, in order for MPC to take ownership of FPL's share of Plant Daniel Units 1 & 2 and to relieve FPL of most Common Facilities costs related to the units.

6. The forgoing matter involves a disputed issue of material fact that will require appropriate adjustments to the Company's request to record costs that affect rates and charges that will be fair, just, and reasonable.
7. The PAA Order establishes May 12 2025, as the date by which protests must be filed.
8. Sections 120.569, 120.57(1), 366.04(1), 366.05(1), 366.06(1) & (2), and 366.07, Florida Statutes, and Chapter 28-106, Florida Administrative Code ("F.A.C."), are the specific statutes and administrative code provision the Petitioner contends requires reversal of the agency's proposed action. The cited sections of Chapter 120, Florida Statutes, and Chapter 28-106, F.A.C., provide that parties whose substantial interest will be determined by final agency action (i.e., PAA Order), are entitled to a formal hearing with full rights to conduct discovery, present evidence, conduct cross-examination, and submit proposed findings of fact and post-hearing briefs. The cited sections of Chapter 366, Florida Statutes, require

that the Commission set rates for public utilities that are fair, just, reasonable, and not unduly discriminatory.

9. Citizens request that the Commission set the PAA Order No. PSC-2025-0139-PAA-EI, for hearing on the Company's Petition on the issue identified above.

WHEREFORE, the Citizens hereby protest PAA Order No. PSC-2025-0139-PAA-EI, as, and to the extent, provided above, and petition the Commission to conduct a formal evidentiary hearing, under the provisions of Section 120.57(1), Florida Statutes.

Respectfully submitted,

Walt Trierweiler
Public Counsel
Florida Bar No.: 0912468

/s/ Charles J. Rehwinkel
Charles J. Rehwinkel
Deputy Public Counsel
Florida Bar No.: 527599

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Suite 812
Tallahassee, FL 32399-1400

*Attorneys for the Citizens
of the State of Florida*

CERTIFICATE OF SERVICE
DOCKET NO. 20240155-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties on this 12th day of May, 2025.

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