

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light
Company for Base Rate Increase

DOCKET NO. 20250011-EI

DATED: SEPTEMBER 30, 2025

**FEDERAL EXECUTIVE AGENCIES' OBJECTIONS AND RESPONSE TO CITIZENS'
FIRST SET OF REQUESTS FOR ADMISSIONS (NO. 1-24)**

The Federal Executive Agencies hereby serves the following Response to the Citizens of the State of Florida (Citizens), through the Office of Public Counsel's ("OPC") First Set of Requests for Admissions (Nos. 1-24).

I. General Objections

1. The FEA objects to each and every discovery request that calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made or is later determined to be applicable for any reason. FEA in no way intends to waive any such privilege or protection. The nature of the documents, if any, will be described in a privilege log prepared and provided by the FEA.

2. In certain circumstances, the FEA may determine, upon investigation and analysis, that information or documents responsive to certain discovery requests to which objections are not otherwise asserted is confidential and proprietary and should be produced only with provisions in place to protect the confidentiality of the information. By agreeing to provide such information or documents in response to such request, the FEA is not waiving its right to insist upon appropriate protection of confidentiality by means of a protective order, a request for confidential classification, a Notice of Intent, and any other process as provided for by Florida Statutes and Commission Rules, or other action to protect the confidential information or documents requested.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

The FEA asserts its right to require such protection of any and all information and documents that may qualify for protection under the Florida Rules of Civil Procedure, Florida Statutes, and other applicable statutes, rules and legal principles.

3. The FEA objects to each discovery request to the extent that it seeks information that is duplicative, not relevant to the subject matter of this docket, and is not reasonably calculated to lead to the discovery of admissible evidence.

4. The FEA objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests. Any responses provided by the FEA will be provided subject to, and without waiver of, the foregoing objection.

5. The FEA objects to each and every discovery request to the extent it calls for the FEA to prepare information in a particular format or perform calculations or analyses not previously prepared or performed as unduly burdensome and purporting to expand the FEA's obligations under applicable law.

6. The FEA objects to each and every discovery request to the extent it calls for the FEA to conduct legal research or provide a legal conclusion or analysis.

7. The FEA objects to providing information to the extent that such information is already in the public record before a public agency and available through normal procedures or is readily accessible through legal search engines.

8. The FEA objects to each and every discovery request and any instructions that purport to expand The FEA's obligations under applicable law. In addition, the FEA reserves its right to count discovery requests and their sub-parts, as permitted under the applicable rules of

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

procedure, in determining whether it is obligated to respond to additional requests served by any party.

9. The FEA expressly reserves and does not waive any and all objections it may have to the admissibility, authenticity, or relevance of the information provided in its responses.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 1:

Admit that the use of the term “represent” in these admissions means that you have the legal authority to bind at least one ratepayer or a group of FPL ratepayers subject to the rate increase requested by FPL its Petition in Docket No. 20250011-EI to the contractual agreement under the proposed settlement terms.

Response:

Objection: Calls for a legal opinion or conclusion.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 2:

Admit that FEA has no legal authority to represent the interests of CILC-1D ratepayers in settlement negotiations and therefore no legal authority to bind members of the CILC-1D ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, FEA agrees that it receives service from FPL on the following rate schedules:

Rate Schedule

- 11 - OL-1 - Outdoor Lighting
- 12 - O/D Srv-St & Gen Ar Lgt Cat OS-I OS-II
- 37 - SL-1M - Metered Street Lighting
- 44 - RS-1 Residential Service
- 55 - CILC-1T - Commercial Industrial Load Control - Transmission
- 56 - CILC-1G - Commercial Industrial Load Control - Distribution (200-499kW)
- 62 - GSLD-1 - General Large Service Demand (500-1999kW)
- 63 - GSLD-2 - General Large Service Demand (2000kW+)
- 64 - GSLDT-1 - General Large Service Demand TOU (500-1999kW)
- 65 - GSLDT-2 - General Large Service Demand TOU (2000kW+)
- 68 - GS-1 - General Service Non Demand (0-20kW)
- 69 - GST-1 - General Service Non Demand TOU (0-20kW)
- 70 - GSDT-1 - General Service Demand TOU (21-499kW)
- 72 - GSD-1 - General Service Demand (21-499kW)
- 87 - Street Lighting
- 90 - GSLDT-3 - General Large Service Demand TOU (2000kW+)
- 91 - GSLD-3 - General Large Service Demand (2000kW+)
- 164 - HLFT-2 - High Load Factor TOU (500-1999kW)
- 165 - HLFT-3 - High Load Factor TOU (2000kW+)
- 170 - HLFT-1 - High Load Factor TOU (21-499kW)
- 270 - SDTR-1A - Seasonal Demand TOU Rider (21-499kW)

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 3:

Admit that FEA has no legal authority to represent the interests of CILC-1G ratepayers in settlement negotiations and therefore no legal authority to bind members of the CILC-1G ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 4:

Admit that FEA has no legal authority to represent the interests of CILC-1T ratepayers in settlement negotiations and therefore no legal authority to bind members of the CILC-1T ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 5:

Admit that FEA has no legal authority to represent the interests of GS(T)-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of the GS(T)-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 6:

Admit that FEA has no legal authority to represent the interests of GSCU-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of the GSCU-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 7:

Admit that FEA has no legal authority to represent the interests of GSD(T)-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of GSD(T)-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 8:

Admit that FEA has no legal authority to represent the interests of GSLD(1)-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of the GSLD(1)-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 9:

Admit that FEA has no legal authority to represent the interests of GSLD(T)-2 ratepayers in settlement negotiations and therefore no legal authority to bind members of the GSLD(T)-2 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

**Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)**

Citizens' Request No. 10:

Admit that FEA has no legal authority to represent the interests of GSLD(T)-3 ratepayers in settlement negotiations and therefore no legal authority to bind members of the GSLD(T)-3 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Citizens' Request No. 11:

11. Admit that FEA has no legal authority to represent the interests of MET ratepayers in settlement negotiations and therefore no legal authority to bind members of the MET ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 12:

Admit that FEA has no legal authority to represent the interests of OS-2 ratepayers in settlement negotiations and therefore no legal authority to bind members of the OS-2 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 13:

Admit that FEA has no legal authority to represent the interests of RS(T)-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of the RS(T)-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

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Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 14:

Admit that FEA has no legal authority to represent the interests of SL/OL-1 ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SL/OL-1 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 15:

Admit that FEA has no legal authority to represent the interests of SL-1M ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SL-1M ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 16:

Admit that FEA has no legal authority to represent the interests of SL-2 ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SL-2 ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

**Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)**

Citizens' Request No. 17:

Admit that FEA has no legal authority to represent the interests of SL-2M ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SL-2M ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Citizens' Request No. 18:

Admit that FEA has no legal authority to represent the interests of SST-DST ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SST-DST ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 19:

Admit that FEA has no legal authority to represent the interests of SST-TST ratepayers in settlement negotiations and therefore no legal authority to bind members of the interest of SST-TST ratepayer class under a settlement.

Response:

Objection: Calls for a legal opinion or conclusion. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 20:

Admit that to the best of your knowledge, non-FPL signatories to the August 20, 2025, proposed settlement agreement represent less than 3% of FPL's customers.

Response:

Objection: FEA objects to this request for admission as it is vague and subject to multiple interpretations. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see FPL's MFR 1-16.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 21:

Admit that to the best of your knowledge, none of the non-FPL signatories including FEA to the August 20, 2025, proposed settlement agreement represents residential customers.

Response:

Objection: FEA objects to this request for admission as it is vague, and subject to multiple interpretations. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)

Citizens' Request No. 22:

Admit that to the best of your knowledge, none of the non-FPL signatories including FEA to the August 20, 2025, proposed settlement agreement represents small business and commercial customers.

Response:

Objection: FEA objects to this request for admission as it is vague, and is subject to multiple interpretations. Request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

Without waiving these objections, see table in RFA 2.

**Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)**

Citizens' Request No. 23:

Admit that FEA did not contact its residential customers seeking approval prior to executing the August 20, 2025, proposed settlement agreement.

Response:

Objection: This RFA infers a legal obligation on FEA to contact customers prior to signing, and calls for a legal interpretation or conclusion on that obligation. Further, any communications had between the FEA's attorneys and its clients would be covered by attorney-client privilege. Finally, the request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.

**Florida Power & Light Company
Docket No. 20250011-EI
FEA's Response to Citizens'
1st Set of Requests for Admissions (1-24)**

Citizens' Request No. 24:

Admit that FEA did not contact its small business and commercial customers seeking approval prior to executing the August 20, 2025, proposed settlement agreement.

Response:

Objection: This RFA infers a legal obligation on FEA to contact customers prior to signing and calls for a legal interpretation or conclusion on that obligation. Further, any communications had between FEA's attorneys and their clients would be covered by attorney-client privilege. Finally, the request is not calculated to result in relevant evidence or likely to lead to relevant evidence regarding fair and reasonable rates for FPL or the reasonableness of the settlement.