

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20250011-EI
ORDER NO. PSC-2025-0122-PCO-EI
ISSUED: April 10, 2025

ORDER GRANTING IN PART AND DENYING IN PART
FLORIDA RISING'S, LEAGUE OF UNITED LATIN AMERICAN CITIZENS FLORIDA'S,
AND ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC.'S
MOTION FOR ADDITIONAL SERVICE HEARINGS

On April 8, 2025, Florida Rising, Inc., the Environmental Confederation of Southwest Florida, Inc., and the League of United Latin American Citizens Florida (collectively "FEL") filed a Motion for Additional Service Hearings (Motion). On that same date, Florida Power & Light Company (FPL) filed a Response in Opposition to the Motion. FEL represents in the Motion that no other parties oppose the relief sought.¹ Because no further written responses are anticipated and every day of delay in finalizing the service hearing schedule adds rate case expense, this Order is issued on an expedited basis without waiting until the full seven-day response period in Rule 28-106.204(1), Florida Administrative Code (F.A.C.), has expired.

Motion for Additional Service Hearings

FEL makes four requests in the Motion.

First, FEL requests the Commission to add six additional in-person customer service hearings to be held in Ft. Lauderdale, Melbourne, Miami (south Miami-Dade), Miami Gardens, Plantation, and Sarasota. FEL argues the additional service hearings are more consistent with historic Florida Public Service Commission (Commission) practice from the three most recent rate cases for FPL and Gulf Power prior to 2021 and would broaden opportunities and increase fairness.

Second, FEL requests the Commission to prioritize holding these and already-announced customer service hearings at times outside of working hours. FEL argues that moving the times for service hearings to be set outside of working hours (*e.g.*, 6:30 or 7:00 p.m.) would also broaden opportunities and increase fairness.

Third, FEL requests the Commission provide simultaneous Spanish and Creole translation via in-room translators and call-in lines "to further improve . . . efficacy and fairness."

¹ "The Office of Public Counsel states that it supports increased customer access and participation. The Southern Alliance for Clean Energy supports the motion. Electrify America, EVgo, Federal Executive Agencies, Florida Industrial Power Users Group, Florida Retail Federation, and Walmart take no position or do not object to the motion. FPL opposes the motion." Motion at 9.

Finally, FEL requests for the Commission to discontinue any requirements for virtual service hearings that are not included at in-person hearings, such as advance registrations and preordained limits on the total number of participating customers, as it creates certain “additional hurdles” for customers to participate.

Response

In its Response, FPL argues that the existing service hearing schedule provides sufficient opportunity for customer participation, and that additional measures requested by FEL result only in unnecessary expense and delay, as well as potential noticing issues. FPL notes that each day of delay past Tuesday, April 8, 2025, may result in an additional expense of approximately \$37,000.

Decision

The Commission is currently scheduled to conduct in-person service hearings in Pensacola, Panama City, Ft. Myers, Daytona Beach, Miami, West Palm Beach, and Pembroke Pines. Two virtual service hearings are also scheduled. The combination of in-person hearings that span the entirety of FPL’s service territory and virtual hearings that allow participation by persons from any location was carefully crafted to provide broad opportunity for customer input. FEL has not demonstrated good cause to revisit and substantially revise that schedule.

We note that the position of the Office of Public Counsel on this Motion is “that it supports increased customer access and participation.” A minor revision to the existing schedule to add one or two in-person service hearings may increase access and participation for the surrounding areas, but will do nothing for others. Adding a virtual hearing will provide one more opportunity for customers from any location to participate, and will increase access to many.

Therefore, the first request in the Motion for additional service hearings is granted to the extent that the existing schedule for service hearings shall be amended to add the following:

VIRTUAL SERVICE HEARING June 4, 2025 2:00 p.m. (EST)

In all other manners, the first request in the Motion is denied.

The second request in the Motion relating to start times for the hearings is denied. FEL has not shown good cause for the start of the hearing to be delayed by 30 minutes from 6:00 to 6:30. Sign-ups for the in-person hearings continue through the hearing itself. Thus, although the hearing will start at 6:00, a person arriving at 6:30 will still have time to sign up and speak. Additionally, to delay the start time of the meeting may impose a hardship on those who rely on the earlier start time for travel arrangements that may not be available or as convenient later in the evening. For these reasons, FEL’s second request in the Motion is denied.

FEL’s third request in the Motion goes to translator services. The Commission has enhanced Spanish translation of its live meetings and materials available to customers. Spanish

closed captioning will be provided as part of the live stream of customer service hearings held by the Commission. Also, these meetings are archived and available on the Commission's website. Beginning with the in-person customer service hearings for the FPL rate case, Spanish closed captioning will be provided in each customer service hearing venue. Further, the Commission provides its rate case overviews in Spanish and offers Spanish language versions of its consumer brochures that are available on the Commission's website. These measures taken by the agency will facilitate more effective communications with Spanish speaking customers. For these reasons, FEL's third request in the Motion is denied.

FEL's fourth and final request in the Motion is that the Commission not cap participation in virtual hearings and not require preregistration for those hearings. There will be no numeric cap on the number of persons who can participate in a virtual hearing. However, preregistration will be required. Having the names and phone numbers of participants prior to the virtual hearing is a necessary component of the administrative and technical preparation for the service hearing. For these reasons, FEL's fourth request in the Motion is granted as to the numeric cap and denied as to preregistration.

In conclusion, I note that while service hearings are an important part of a rate case, they are only one part. Customers may provide input to the Commission at any time by submitting written correspondence to the Clerk's Office and referencing the Docket Number 20250011-EI. Hundreds of customer comments have already been received and reviewed. In addition to these inputs, all ratepayers are represented in the litigation by the Office of Public Counsel, who will advocate on their behalf for rates that are fair, just, and reasonable.

Conclusion

For all the reasons and as specifically set forth above, the Motion for Additional Service Hearings is granted as to one additional virtual service hearing and the absence of a numeric cap on customer participation in virtual hearings, and denied in all other respects.

By ORDER of Chairman Mike La Rosa, as Prehearing Officer, this 10th day of April, 2025.



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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.