

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20250011-EI  
ORDER NO. PSC-2025-0133-PCO-EI  
ISSUED: April 16, 2025

ORDER GRANTING IN PART AND DENYING IN PART  
OFFICE OF PUBLIC COUNSEL'S MOTION TO ENLARGE DISCOVERY  
AND DENYING REQUEST FOR ORAL ARGUMENT

Background

On April 1, 2025, the Office of Public Counsel (OPC) filed a Motion to Enlarge Discovery (Motion) and Request for Oral Argument (Request). OPC requests in the Motion that the current limit of 750 interrogatories be removed or, in the alternative, increased to 1,500. In support of this relief, OPC argues that this is an extremely complex proceeding involving almost \$10 billion in revenues over four years; that it has already propounded 582 interrogatories; and that it needs the current limit eliminated or increased so that it can continue to conduct discovery that it deems crucial to representing the ratepayers. OPC requests oral argument on the Motion pursuant to Rule 25-22.0022, Florida Administrative Code (F.A.C.), and in support thereof asserts that argument would assist the Prehearing Officer in disposing of the Motion.

On April 8, 2025, Florida Power & Light Company (FPL) filed a Response in Opposition to the Motion and a Response in Opposition to the Request. FPL argues that the Motion should be denied as premature because OPC has not yet reached the current limit on interrogatories. FPL continues that the existing limit is sufficient and consistent with prior practice; that removing the limit would place an undue burden on FPL; and that OPC has failed to demonstrate good cause to increase the limit. FPL opposes the Request and argues that no further argument on the issues presented in the Motion is necessary.

The League of United Latin American Citizens, Florida Rising, and the Environmental Confederation of Southwest Florida support the Motion. The Florida Industrial Power Users Group, the Federal Executive Agencies, and the Southern Alliance for Clean Energy do not object to the Motion. Walmart, the Florida Retail Federation, Electrify America, and EVgo Services, LLC take no position on the Motion.

Decision

Rule 25-22.0022, F.A.C., requires a movant to show with particularity why oral argument would aid the Prehearing Officer in comprehending and evaluating the issues. Although OPC maintains that oral argument is necessary, the Motion presents a full statement of relevant facts and thorough arguments on the issues. Therefore, it does not appear to me that oral argument would assist in evaluating the Motion, and the Request for Oral Argument is denied.

OPC has not demonstrated good cause to eliminate or double the existing limit on interrogatories. However, a modest increase to the limit is appropriate. Accordingly, the existing limit on interrogatories, including all subparts, shall be increased for the Office of Public Counsel only from 750 to 850. In all other respects, the Motion to Enlarge Discovery is denied. This denial is without prejudice to OPC filing a subsequent motion to expand the limit on interrogatories based on a particularized demonstration of good cause as to one or more specific issues. In addition, I note that the OEP in this docket included robust discovery limits recognizing the complex nature of base rate proceedings and all parties should be judicious and efficient with written discovery.

By ORDER of Chairman Mike La Rosa, as Prehearing Officer, this 16th day of April, 2025.



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Mike La Rosa  
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.