

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 20250002-EG
ORDER NO. PSC-2025-0435-FOF-EG
ISSUED: November 24, 2025

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY AMOUNTS
AND RELATED TARIFFS AND ESTABLISHING ENERGY CONSERVATION COST
RECOVERY FACTORS FOR THE PERIOD JANUARY 2026 THROUGH DECEMBER 2026

APPEARANCES:

JOEL T. BAKER, MARIA JOSE MONCADA, and WILLIAM P. COX,
ESQUIRES, 700 Universe Boulevard, Juno Beach, Florida 33408
On behalf of FLORIDA POWER & LIGHT COMPANY (FPL).

DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg,
Florida 33701
MATTHEW R. BERNIER, and STEPHANIE A. CUELLO, ESQUIRES, 106
East College Avenue, Suite 800, Tallahassee, Florida 32301
On behalf of DUKE ENERGY FLORIDA, LLC (DEF).

J. JEFFRY WAHLEN, MALCOLM N. MEANS, and VIRGINIA L. PONDER,
ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of TAMPA ELECTRIC COMPANY (TECO).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South
Monroe Street, Suite 601, Tallahassee, Florida 32301
On behalf of FLORIDA PUBLIC UTILITIES COMPANY (FPUC).

WALT TRIERWEILER, CHARLES J. REHWINKEL, PATRICIA A.
CHRISTENSEN, MARY A. WESSLING, OCTAVIO PONCE, and AUSTIN
WATROUS, ESQUIRES, c/o The Florida Legislature, 111 West Madison Street,
Suite 812, Tallahassee, Florida 32399
On behalf of the OFFICE OF PUBLIC COUNSEL (OPC).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm,
P.A. 118 North Gadsden Street, Tallahassee, Florida 32301
On behalf of FLORIDA INDUSTRIAL POWER USERS GROUP (FIPUG).

JACOB IMIG, ESQUIRE, Florida Public Service Commission, 2540 Shumard
Oak Boulevard, Tallahassee, Florida 32399
On behalf of FLORIDA PUBLIC SERVICE COMMISSION STAFF (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public
Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-
0850
Advisor to the Florida Public Service Commission.

ADRIA H. HARPER, ESQUIRE, General Counsel, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

BY THE COMMISSION:

BACKGROUND

The Energy Conservation Cost Recovery Clause allows electric public utilities to seek recovery of costs for energy conservation programs on an annual basis, pursuant to Sections 366.80–366.83, Florida Statutes (F.S.), and Chapter 25-17, Florida Administrative Code (F.A.C.). As part of this Florida Public Service Commission’s (Commission) continuing energy conservation cost recovery proceedings, we held an administrative hearing on November 5, 2024. We are vested with subject matter jurisdiction by the provisions of Chapters 120 and 366, F.S., including Sections 366.04, 366.05, and 366.06, F.S.

Nucor Steel Florida, Inc. (Nucor) and White Springs Agricultural Chemicals Inc. d/b/a PCS Phosphate – White Springs (PCS Phosphate) were excused from appearing for this hearing.

Florida Power & Light Company (FPL), Duke Energy Florida, LLC (DEF), Tampa Electric Company (TECO), and Florida Public Utilities Company (FPUC) each submitted testimony and exhibits in support of their proposed final and estimated true-up amounts, total conservation cost recovery amounts, and conservation cost recovery factors. Commission Staff supplemented the record with interrogatory responses from the utilities’ witnesses.

Prior to the hearing, the four investor-owned electric utilities reached Type 2 stipulations¹ with Commission Staff concerning all issues identified for resolution at the hearing. The

¹ A “Type 2 stipulation” occurs on an issue when the utility and Commission Staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining Parties (including Commission Staff if it does not join in the agreement) do not object to the Commission relying upon the agreed language to resolve that issue in a final order.

intervenors—Office of Public Counsel (OPC), Florida Industrial Power Users Group (FIPUG), Nucor, and PCS Phosphate—took no position on any of the issues.²

DECISION

There are proposed Type 2 stipulations³ for all issues as stated below. The Intervenors' (OPC, FIPUG, NUCOR, and PCS Phosphate) position on each Type 2 stipulation stated below is as follows:

The Intervenors take no position on these issues nor do they have the burden of proof related to them. As such, the Intervenors represent that they will not contest or oppose the Commission taking action approving a proposed stipulation between the Company and another party or staff as a final resolution of these issues. No person is authorized to state that the Intervenors are a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission or in a representation to a Court.

FPL, TECO, FPUC, DEF, and Commission staff support the proposed stipulations.

OPC and FPL proposed the following stipulation as it pertains to the impact of FPL's rate case in Docket No. 20250011-EI on the ECCR:

STIPULATION:

OPC will facilitate a Type 2 Stipulation on the following: (i) approval of FPL's positions reflected in the prehearing order in this Docket in the event the Commission approves the settlement filed on August 20, 2025, in Docket 20250011-EI ("FPL Rate Case Settlement"); and (ii) approval of figures that reflect the schedules included in FPL's August 1, 2025 filing in the event the Commission does not approve the FPL Rate Case Settlement, subject to FPL filing for approval of updated figures that incorporate, for use in rates that will go into effect on January 1, 2026, the Commission's vote in Docket 20250011-EI as soon as practicable after that decision is issued. Nothing in this facilitation shall be used to suggest that the OPC supports approval of the FPL Rate Case Settlement, creates a waiver of its objections to the FPL Rate Case Settlement, or impairs the appellate rights of any party with respect to orders issued in Docket

² The intervenors took no position on these issues nor did they have the burden of proof related to them. As such, they represented that they would not contest or oppose the Commission taking action approving a proposed stipulation between the utilities and Commission Staff as a final resolution of these issues. No person is authorized to state that OPC, FIPUG, Nucor, or PCS Phosphate was a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission, or in a representation to a Court.

³ A Type 2 stipulation occurs on an issue when the utility and the staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining parties (including staff if they do not join in the agreement) do not object to the Commission relying on the agreed language to resolve that issue in a final order.

20250011-EI and any impact such orders have on this Docket. FPL agrees that the willingness of the OPC to facilitate a Type 2 Stipulation on these matters shall obviate the need for the OPC or any other substantially affected party to appeal the final order in this Docket in order for the OPC to preserve its right to require the direct impact, if any, of any final decision by a court of competent jurisdiction related to the FPL Rate Case Settlement to be flowed through to this Docket.

ISSUE 1: What are the final conservation cost recovery adjustment true-up amounts for the period January 2024 through December 2024?

STIPULATION:

The appropriate final conservation cost recovery adjustment true-up amounts for the period January 2024 through December 2024 are as follows:

Florida Power & Light Company

\$3,826,632, Over-recovery, as reflected in Schedule CT-1, Page 2 of 131, in Exhibit LSN-1.

Duke Energy Florida

\$267,930, Over-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Exhibit KR-1T.

Tampa Electric Company

\$3,649,409, Over-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Exhibit RGJ-1.

Florida Public Utilities Company

\$43,327, Over-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Exhibit BG-1.

ISSUE 2: **What are the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2025 through December 2025?**

STIPULATION:

The appropriate conservation adjustment actual/estimated true-up amounts for the period January 2025 through December 2025 are as follows:

Florida Power & Light Company

\$4,641,992, Over-recovery, which is calculated by taking the difference from the amount in Issue 1 from the \$8,468,624 (Over-recovery), that is reflected in Schedule C-3, Page 30 of 38, in LSN-2.

Duke Energy Florida

\$3,291,225, Over-recovery, which is calculated by taking the difference from the amount in Issue 1 from the \$3,559,155 (Over-recovery), that is reflected in Schedule C-3, Page 4 of 5, in Exhibit KR-1P.

Tampa Electric Company

\$290,553, Under-recovery, as reflected in Schedule C-3, in Schedule C-3, Page 10 of 11, in Exhibit RGJ-2. This amount includes a regulatory adjustment of \$1,138,253.

Florida Public Utilities Company

\$275,382, Under-recovery, which is calculated by taking the difference from the amount in Issue 1 from the \$232,055 (Under-recovery), that is reflected in Schedule C-3, Page 4 of 5, in KIL-1.

ISSUE 3: **What are the appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2026 through December 2026?**

STIPULATION:

The appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2026 through December 2026 are as follows:

Florida Power & Light Company

\$8,468,624, Over-recovery, as reflected in Schedule C-3, Page 30 of 34, in LSN-2.

Duke Energy Florida

\$3,559,155, Over-recovery, as reflected in Schedule C-3, Page 4 of 5, in Exhibit KR-1P.

Tampa Electric Company

\$2,220,603, Over-recovery, as reflected, Schedule C-3, Page 10 of 11, in Exhibit RGJ-2.

Florida Public Utilities Company

\$232,055, Under-recovery, as reflected in Schedule C-3, Page 4 of 5, Line 11, in KIL-1.

ISSUE 4: **What are the total conservation cost recovery amounts to be collected during the period January 2026 through December 2026?**

STIPULATION:

The appropriate total conservation cost recovery amounts to be collected during the period January 2026 through December 2026 are as follows:

Florida Power & Light Company:

OPC's position on each Type 2 stipulation for FPL is as follows: OPC will facilitate a Type 2 stipulation on the following: (i) approval of \$177,331,489, as total conservation cost to be collected during the period January 2026 through December 2026, which is the difference between projected 2026 costs and true up (overrecovered) costs, as shown in FPL witness Noack's 2025 supplemental direct testimony, Alternative Schedule C-1, Exhibit LSN-3, Page 2 of 15, in the event the Commission *approves* the settlement filed on August 20, 2025, in Docket No. 20250011-EI (FPL Rate Case Settlement), including the proposed alternative clause cost allocation methodology in paragraph 9: (ii) approval of \$166,337,695, as the total conservation cost to be collected during the period January 2026 through December 2026, which is the difference between projected 2026 costs and true up (overrecovered) costs, as shown in FPL witness Noack's 2025 direct testimony, Schedule C-1, Page 2 of 38, in Exhibit LSN-2, in the event

the Commission *does not approve* the proposed alternative clause cost allocation methodology in paragraph 9 and instead approves the cost allocation methodology in FPL witness Noack's 2025 direct testimony, Schedule C-1, Page 2 of 38, in Exhibit LSN-2.

In the event the Commission approves a different clause cost allocation methodology than either of those identified above, the total amount of conservation cost to be collected will be consistent with the approved methodology. FPL will file updated clause recovery factors in this Docket for administrative approval as soon as practicable in 2026 after the Commission's vote in Docket No. 20250011-EI.

Nothing in this facilitation shall be used to suggest that OPC supports approval of the FPL Rate Case Settlement, creates a waiver of its objections to the FPL Rate Case Settlement, or impairs the appellate rights of any party with respect to orders issued in Docket No. 20250011-EI and any impact such orders have on this Docket. FPL agrees that the willingness of OPC to facilitate a Type 2 stipulation on these matters shall obviate the need for OPC or any other substantially affected party to appeal the final order in this Docket in order for OPC to preserve its right to require the direct impact, if any, of any final decision by a court of competent jurisdiction related to the FPL Rate Case Settlement to be flowed through to this Docket.

Duke Energy Florida:

\$142,238,585, which is calculated by taking the amount in Issue 3 from the Total Demand and Energy Costs amount, \$145,797,740, as reflected in Schedule C-2, Line 23, Page 1 of 4, in Exhibit KR-1P.

Tampa Electric Company:

\$47,415,903, which is calculated by adding the amount in Issue 3 to the \$49,636,506 amount that is reflected in Schedule C-2, Page 1 of 8, in Exhibit RGJ-2.

Florida Public Utility Company:

\$2,002,020, which is calculated by adding the amount in Issue 3 to the Total Incremental Costs amount, \$1,769,965, as reflected in Schedule C-1, Line 3, Page 1 of 1, in KIL-1.

ISSUE 5: What are the conservation cost recovery factors for the period January 2026 through December 2026?

STIPULATION:

The appropriate conservation cost recovery factors for the period January 2026 through December 2026 are as follows:

Florida Power & Light Company:

On August 20, 2025, in Docket No. 20250011-EI (FPL's Rate Case), the signatories to a Stipulation and Settlement Agreement (SSA) proposed a change in the cost allocation methodology to be effective 1/1/26 for this and other cost recovery clause dockets.

If the SSA is approved, the appropriate conservation cost recovery factors for the period January 2026 through December 2026 are as follows:

2026 ECCR Cost Recovery Factors as reflected in Alternate Schedule C-1, Page 4 of 15, in Exhibit LSN-3				
Rate Class	Conservation Recovery Factor (\$/kw)	Conservation Recovery Factor (Cents/kwh)	RDC (\$/KW)	DDC (\$/KW)
RS1/RTR1		0.148	-	-
GS1/GST1	-	0.144	-	-
GSD1/GSDT1/HLFT1/GSD1-EV	0.49	-	-	-
OS2	-	0.085	-	-
GSLD1/GSLDT1/CS1/ CST1/HLFT2/GSLD1-EV	0.55	-	-	-
GSLD2/GSLDT2/CS2/ CST2/HLFT3	0.55	-	-	-
GSLD3/GSLDT3/CS3/CST3	0.55	-	-	-
SST1T	-	-	0.06	0.03
SST1D1/SST1D2/SST1D3	-	-	0.06	0.03
CILC D/CILC G	0.57	-	-	-
CILC T	0.56	-	-	-
MET	0.45	-	-	-
OL1/SL1/SL1M/PL1/OSI/II	-	0.050	-	-
SL2/SL2M/GSCU1	-	0.102	-	-

If the SSA is not approved, the appropriate conservation cost recovery factors for the period January 2026 through December 2026 are as follows:

2026 ECCR Cost Recovery Factors as reflected in Schedule C-1, Page 4 of 34, in Exhibit LSN-2				
Rate Class	Conservation Recovery Factor (\$/kw)	Conservation Recovery Factor (Cents/kwh)	RDC (\$/KW)	DDC (\$/KW)
RS1/RTR1		0.139	-	-
GS1/GST1	-	0.131	-	-
GSD1/GSDT1/HLFT1/GSD1-EV	0.46	-	-	-
OS2	-	0.078	-	-
GSLD1/GSLDT1/CS1/ CST1/HLFT2/GSLD1-EV	0.52	-	-	-
GSLD2/GSLDT2/CS2/ CST2/HLFT3	0.53	-	-	-
GSLD3/GSLDT3/CS3/CST3	0.52	-	-	-
SST1T	-	-	0.06	0.03
SST1D1/SST1D2/SST1D3	-	-	0.06	0.03
CILC D/CILC G	0.55	-	-	-
CILC T	0.55	-	-	-
MET	0.44	-	-	-
OL1/SL1/SL1M/PL1/OSI/II	-	0.045	-	-
SL2/SL2M/GSCU1	-	0.102	-	-

In the event the Commission approves a different clause cost allocation methodology than either of those identified in Issue 4, then the appropriate conservation cost recovery factors for the period January 2026 through December 2026 will be consistent with the approved methodology. FPL will file updated clause recovery factors in this docket for administrative approval by staff as soon as practicable after the Commission's vote in Docket No. 20250011-EI.

Duke Energy Florida:

2026 ECCR Cost Recovery Factors, as reflected in Schedule C-1, Page 2 of 2, in Exhibit KR-1P			
Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Transmission
Residential: RS-1, RST-1, RSL-1, RSL-2	0.386	N/A	N/A
General Service Non-Demand: GS-1, GST-1, GSLM-1, GLMS-2	0.342	0.339	0.335
General Service (100% Load Factor): GS-2	0.273	N/A	N/A
Lighting: LS-1	0.152	N/A	N/A

2026 ECCR Cost Recovery Factors, as reflected in Schedule C-1, Page 2 of 2, in Exhibit KR-1P			
Retail Rate Schedule	Cost Recovery Factor (Dollars/kW-month) Voltage Level		
	Secondary	Primary	Transmission
General Service Demand: GSD-1, GSDT-1, GSLM-1, GSLM-2, SS-1	1.08	1.07	1.06
Curtaillable: CS-2, CST-2, CS-3, CST-3, SS-3	1.06	1.05	1.04
Interruptible: IS-2, IST-2, SS-2	0.99	0.98	0.97
Standby Monthly: SS-1, SS-2, SS-3	0.106	0.105	0.104
Standby Daily: SS-1, SS-2, SS-3	0.050	0.050	0.049

Tampa Electric Company:

2026 ECCR Cost Recovery Factors, as reflected in Schedule C-1c, Page 1 of 1, in Exhibit RGJ-2			
Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Subtransmission
RS	0.270	N/A	N/A
GS and CS	0.233	N/A	N/A
GSD Optional	0.194	0.192	0.190
LS1 and LS2	0.070	N/A	N/A

2026 ECCR Cost Recovery Factors, as reflected in Schedule C-1c, Page 1 of 1, in Exhibit RGJ-2			
Retail Rate Schedule	Cost Recovery Factor (Dollars/kW) Voltage Level		
	Secondary	Primary	Subtransmission
GSD SBD and RSD	0.79	0.78	0.78
GSLDPR and SBLDPR	N/A	0.77	N/A
GSLDSU and SBLDSU	N/A	N/A	0.72

FPUC: \$0.321 cents per kWh (consolidated levelized conservation cost recovery factor), as reflected in Schedule C-1, Line 8, Page 1 of 1, in KIL-1.

ISSUE 6: What should be the effective date of the new conservation cost recovery factors for billing purposes?

STIPULATION:

The factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2026 through December 2026. Billing cycles may start before January 1, 2026 and the last cycle may be read after December 31, 2026, so that each customer is billed for twelve months regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission.

ISSUE 7: **Should the Commission approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding?**

STIPULATION:

Yes. The Commission should approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision.

Company Specific Issues – Tampa Electric Company

ISSUE 8: **What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2026 through December 2026?**

STIPULATION:

TECO: In accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021 in Docket No. 20210034, the Contracted Credit Value (CCV) by Voltage Level for the forthcoming cost recovery period, January 2026 through December 2026, for the GSLM-2 and GSLM-3 rate riders will be:

<u>Voltage Level</u>	<u>Contracted Credit Value (dollars per kW)</u>
Secondary	11.75
Primary	11.63
Subtransmission	11.52

ISSUE 9: **What are the residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric Company for the period January 2026 through December 2026?**

STIPULATION:

TECO: For the period January 2026 through December 2026 the Residential Price Responsive Load Management (RSVP-1) rates are as follows:

<u>Rate Tier</u>	<u>Cents per kWh</u>
P1	-3.381
P2	-1.324
P3	7.435
P4	41.340

ISSUE 10: Should this docket be closed?

STIPULATION:

No. While a separate docket number is assigned each year, this is a continuing docket and should remain open for administrative convenience.

CONCLUSION

After reviewing the evidence before us and being duly advised in the premises, we accept and approve the Type 2 stipulations reflected above, finding them reasonable and supported by sufficient evidence.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the stipulations and findings set forth in the body of this order are hereby approved. It is further

ORDERED that each electric utility that was a party to this docket shall abide by the stipulations and findings herein which are applicable to it. It is further

ORDERED that the revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding are approved. Commission Staff shall verify that the revised tariffs are consistent with our decision herein. It is further

ORDERED that Commission Staff shall have administrative authority to approve revised tariffs reflecting amended cost recovery clause factors that incorporate any revisions necessary as

a result of this Commission's decision in Florida Power & Light Company's current base rate case in Docket No. 20250011-EI. It is further

ORDERED that the utilities named herein are authorized to collect the energy conservation cost recovery amounts and utilize the factors approved herein for the period January 2026 through December 2026. Billing cycles may start before January 1, 2026, and the last cycle may be read after December 31, 2026, so that each customer is billed for 12 months regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission. It is further

ORDERED that while a separate docket number is assigned each year, the Energy Conservation Cost Recovery Clause is a continuing docket and shall remain open for administrative convenience.

By ORDER of the Florida Public Service Commission this 24th day of November, 2025.



ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

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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.

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.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.