

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20250011-EI
ORDER NO. PSC-2025-0323-PCO-EI
ISSUED: August 22, 2025

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

I. Case Background

This proceeding was set for final hearing on August 11-22, 2025, by Order No. PSC-2025-0075-PCO-EI, issued March 14, 2025. On August 8, 2025, Florida Power & Light Company filed a Notice of Settlement in Principle and Joint Motion to Suspend Schedule and Amend Procedural Order. The Florida Industrial Power Users Group, Florida Retail Federation, Florida Energy for Innovation Association, Walmart Inc., EVgo Services, Americans for Affordable Clean Energy, Circle K, RaceTrac, Wawa, Electrify America, Federal Executive Agencies, Armstrong World Industries, and the Southern Alliance for Clean Energy (collectively “Signatories”) joined in the Joint Motion to Suspend. On August 11, 2025, the Office of Public Counsel, Florida Rising, League of United Latin American Citizens Florida, Environmental Confederation of Southwest Florida, and Floridians Against Increased Rates (collectively “Non-Signatories”) filed a Joint Response in Opposition to the Joint Motion to Suspend.

After hearing argument from the parties, the Commission voted to grant the Joint Motion and suspend the schedule in order to allow the parties time to finalize the settlement. On August 12, 2025, Order No. PSC-2025-0304-PCO-EI memorializing this vote was issued in the docket. The Order acknowledged the Notice of Settlement, granted the Motion to Suspend Schedule, and deferred ruling on the Motion to Amend Procedural Schedule. The Order noted that ruling on the Motion to Amend was deferred “in order to allow time for the parties to finalize and file the settlement agreement, and for our staff and the Prehearing Officer to have sufficient time to review the agreement and determine an appropriate schedule consistent with ensuring due process for all parties.”¹

On August 20, 2025, FPL and the Signatories filed a Joint Motion for Approval of Settlement Agreement. The Non-Signatories did not sign or otherwise join in the Settlement Agreement. Accordingly, the Settlement Agreement is not unanimous, and further proceedings under Section 120.57(1), Florida Statutes, are necessary to address the disputed issues of material fact.

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case. This Commission is vested with jurisdiction over the subject matter by the provisions of Chapters 120 and 366, F.S. This hearing will be governed by said Chapter and Chapters 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

¹ Order No. PSC-2025-0304-PCO-EI at page 1.

II. Discovery

Discovery shall be limited to the issues in the Settlement Agreement. The following limits on discovery shall apply:

- (1) Interrogatories, including all subparts, shall be limited to 250.
- (2) Requests for production of documents, including all subparts, shall be limited to 100.
- (3) Requests for admissions, including all subparts, shall be limited to 100.
- (4) All discovery requests and responses shall be served by email except as set forth in paragraph II(5). Discovery served via e-mail shall be limited to 5 MB per attachment, shall indicate how many e-mails are being sent related to the discovery (such as 1 of 6 e-mails), and shall be numbered sequentially.
- (5) Documents provided in response to a document request may be served via flash or external drive if the response is so voluminous as to make service by email impractical.
- (6) Responses to discovery requests shall be served within 7 days of the date of the request. When a discovery request is served and the respondent intends to seek clarification of any portion of the discovery request, the respondent shall request such clarification within 2 days of service of the discovery request. This procedure is intended to reduce delay in resolving discovery disputes.
- (7) All discovery responses must be accompanied by an affidavit sworn or affirmed by the person(s) providing the responses.

III. Confidentiality

Any confidential information provided pursuant to discovery shall comply with the requirements set forth in Section V(B) of Order Establishing Procedure No. PSC-2025-0075-PCO-EI. The use of confidential information at hearing shall comply with the requirements set forth in Section IV of Prehearing Order No. PSC-2025-0298-PHO-EI.

IV. Controlling Dates

I have reviewed the Joint Motion and the attached Settlement Agreement, and hereby establish the following dates for this proceeding:

Testimony and exhibits (<i>FPL & Signatories</i>)	September 3, 2025
Testimony and exhibits (<i>Non-Signatories</i>)	September 17, 2025
Provision of Exhibits	September 29, 2025

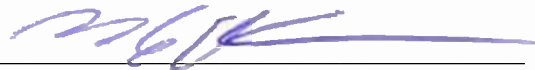
Rebuttal testimony (<i>FPL & Signatories</i>)	October 1, 2025
Discovery actions completed	October 3, 2025
Final Hearing	October 6-10, 2025 October 13-17, 2025
Post-Hearing Briefs	November 7, 2025

Based on the foregoing, it is

ORDERED by Chairman Mike La Rosa, as Prehearing Officer, that Order No. PSC-2025-0075-PCO-EI is modified as set forth in the body of this order. It is further

ORDERED that Order No. PSC-2025-0075-PCO-EI is reaffirmed in all other respects.

By ORDER of Chairman Mike La Rosa, as Prehearing Officer, this 22nd day of August, 2025.



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.