



**Ben Albritton**  
*President of the Senate*



**Daniel Perez**  
*Speaker of the House of  
Representatives*

# **Joint Committee on Public Counsel Oversight**

**Monday, December 8, 2025  
3:30 PM - 5:30 PM  
Mashburn Hall (314 HOB)**

## **Meeting Packet**

**Senator Jennifer Bradley**  
**Alternating Chair**

**Representative David Smith**  
**Alternating Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Joint Committee on Public Counsel Oversight

**Start Date and Time:** Monday, December 08, 2025 03:30 PM

**End Date and Time:** Monday, December 08, 2025 05:30 PM

**Location:** Mashburn Hall (314 HOB)

**Duration:** 2.00 hrs

Update from the Public Counsel, Mr. Walt Trierweiler

Other Related Meeting Documents

**NOTICE FINALIZED on 12/01/2025 3:35PM by Marks.Amie**

# Presentation



**FLORIDA OFFICE  
OF  
PUBLIC COUNSEL**

# **OVERVIEW OF THE OPC**

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**WALT TRIERWEILER  
PUBLIC COUNSEL**

# OVERVIEW OF OPC

**OPC IS CELEBRATING ITS 52<sup>ND</sup> YEAR!**

- **CREATED BY THE LEGISLATURE IN 1974 TO REPRESENT ALL CUSTOMERS OF FLORIDA'S PUBLICLY OWNED UTILITIES**
- **GOVERNED BY §350.061-350.0614, FLA. STAT.**
- **APPOINTED BY & OPERATING UNDER THE AUSPICES OF THE JOINT COMMITTEE ON PUBLIC COUNSEL OVERSIGHT**

# OVERVIEW OF OPC (cont.)

- REPRESENTS ALL RATEPAYERS COLLECTIVELY, NOT INDIVIDUALLY, BEFORE THE PUBLIC SERVICE COMMISSION
- INTERVENING IN INVESTOR-OWNED UTILITY CASES NOT MUNICIPAL UTILITIES OR COOPERATIVES
- INTERVENING IN COUNTIES THAT OPT OUT OF PSC JURISDICTION: WATER/WASTEWATER CASES

# THE OFFICE OF PUBLIC COUNSEL



# MAJOR INVESTOR-OWNED UTILITY COMPANIES

Company	Customers (approximate)
Florida Power and Light	12 Million
Duke Energy	2 Million
Tampa Electric	830,000
Peoples Gas	470,000
Florida City Gas	116,000
Florida Public Utilities Company	133,000
Sunshine Water Services Company	40,000
St. Joe Natural Gas	3,409

# TYPES OF CASES

## RATE CASES:

- ELECTRIC
- GAS
- WATER/WASTEWATER

NAMED STORMS (HURRICANES) RECOVERY DOCKETS

STORM PROTECTION PLANS

# TYPES OF CASES (cont.)

## COST RECOVERY CLAUSES:

- FUEL
- STORM PROTECTION PLAN
- ENVIRONMENTAL
- ENERGY CONSERVATION
- NUCLEAR (DORMANT FOR NOW)
- NATURAL GAS FACILITIES RELOCATION CLAUSE (NEW)

## MISCELLANEOUS – RULEMAKING, PROCEDURAL MATTERS, ETC.

- RULES
- WORKSHOPS
- SPECIALIZED RATES/LIMITED PROCEEDINGS

# 2025 CASE STATISTICS

## FLORIDA PUBLIC SERVICE COMMISSION:

- INTERVENTIONS: 31 DOCKETS
- MONITORING: 30 DOCKETS

*Note: why monitor cases? Avoids rate case expense in smaller dockets*

## CASES ON APPEAL:

- FLORIDA SUPREME COURT – TAMPA ELECTRIC COMPANY RATE
- FIRST DISTRICT COURT OF APPEAL – SUNSHINE WATER SERVICES RATE

Caseload as Intervenor - Calendar Year 2025



Name (Docket #)	Industry	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
DEF Storm Cost Recovery (20240173)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
FPL Rate Case (20250011)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
FPL Storm Cost Recovery (20240149)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
TECO Rate Case (20240026)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
CSWR Rate Case (20250052)	WATER / WW	█	█	█	█	█	█	█	█	█	█	█	█
DEF Storm Protection Plan (20250015)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
FPL Storm Protection Plan (20250014)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
FPUC Rate Case (20240099)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
FPUC Storm Protection Plan (20250017)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
Fuel Clause (20250001)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
KW Resort Rate Case (20240108)	WATER / WW	█	█	█	█	█	█	█	█	█	█	█	█
Peoples Gas System Rate Case (20250029)	GAS	█	█	█	█	█	█	█	█	█	█	█	█
Storm Protection Plan (SPP) Cost Recovery - DEF, FPL, FPUC, TECO (20250010)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
Sunshine Water Services Rate Case (20240068)	WATER / WW	█	█	█	█	█	█	█	█	█	█	█	█
TECO Storm Cost Recovery (20240172)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
TECO Storm Protection Plan (20250016)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
DEF Large Load Tariff (20250113)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
Energy Conservation Clause - DEF, FPL, FPUC, TECO (20250002)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
Environmental Clause - DEF, FPL, Gulf, TECO (20250007)	ELECTRIC	█	█	█	█	█	█	█	█	█	█	█	█
Florida City Gas (20250035)	GAS	█	█	█	█	█	█	█	█	█	█	█	█
Natural Gas Conservation Clause (20250004)	GAS	█	█	█	█	█	█	█	█	█	█	█	█
Purchased Gas Adjustment True-up - FCG, FPUC, PGS, St. Joe (20250003)	GAS	█	█	█	█	█	█	█	█	█	█	█	█

With the Florida Supreme Court    With the First District Court of Appeal

# CONVENTIONAL RATE CASES

- **OPC ADVOCATES FOR RATES THAT ARE AFFORDABLE, FAIR, JUST, AND REASONABLE**
- **A UTILITY IS ALLOWED PRUDENT AND REASONABLE COSTS & A FAIR, REASONABLE RETURN ON ITS INVESTMENTS IN RETURN FOR PROVIDING SAFE, ADEQUATE, AND RELIABLE SERVICE**
- **THE UTILITY MUST SUPPORT ITS REQUEST WITH COMPETENT SUBSTANTIAL EVIDENCE**
- **OPC WILL CONTEST THOSE AREAS WHERE COSTS ARE UNSUPPORTED, UNREASONABLE, OR IMPRUDENT**

# CONVENTIONAL RATE CASES (cont.)

- UTILITY FILES A PETITION, TESTIMONY, AND SUPPORT
- OPC INTERVENES BY STATUTORY RIGHT
- OPC SECURES THE TESTIMONY AND ASSISTANCE OF NATIONALLY RENOWNED EXPERTS IN THE FIELDS OF:
  - ACCOUNTING
  - COST OF CAPITAL
  - DEPRECIATION
  - ENGINEERING
  - ECONOMICS
  - LARGE LOAD TARIFFS (DATA CENTERS)
  - AFFORDABILITY

# CONVENTIONAL RATE CASES (cont.)

- **OPC PARTICIPATES IN ALL CUSTOMER SERVICE HEARINGS**
- **OPC CONDUCTS DETAILED DISCOVERY CONSISTING OF 500-1500 INTERROGATORIES AND THE PRODUCTION OF TENS OF THOUSANDS OF PAGES OF RELEVANT DOCUMENTS (AI?)**
- **OPC CONDUCTS DEPOSITIONS OF THE UTILITY'S DIRECT WITNESSES**
- **OPC FILES AND DEFENDS THE TESTIMONY OF OPC EXPERT WITNESSES IN DEPOSITIONS**

# CONVENTIONAL RATE CASES (cont.)

- **OPC CONDUCTS DEPOSITIONS OF UTILITY'S REBUTTAL TESTIMONY**
- **OPC WORKS WITH THE PARTIES TO ACHIEVE AGREEMENTS ON UNCONTESTED ISSUES**
- **OPC AND PARTIES EACH PRODUCE A PREHEARING STATEMENT DETAILING THE POSITION AND SUPPORT FOR EACH CONTESTED ISSUE**
- **PREHEARING AGREEMENTS RE: STIPULATED ISSUES, ADMISSIBILITY OF DOCUMENTS, AND EXCUSAL OF WITNESSES ARE ACHIEVED**

# CONVENTIONAL RATE CASES (cont.)

## ENSURING CUSTOMER VOICES ARE HEARD

- **IN THE FPL RATE CASE, OPC MOVED 3,206 LETTERS FILED IN THE CORRESPONDENCE SIDE OF THE PSC'S DOCKET INTO THE OFFICIAL RECORD**
- **OPC MINED CUSTOMER CORRESPONDENCE AND SERVICE HEARING TESTIMONIES FOR PERSUASIVE EVIDENCE AND INTEGRATED INTO OPC'S CASE**
- **DUE TO TIME CONSTRAINTS, THERE WERE THOUSANDS OF LETTERS THAT OPC COULD NOT READ OR PROCESS IN THE WEEKS PRIOR TO HEARING**

# CONVENTIONAL RATE CASES (cont.)

- AT HEARING, ALL CONTESTED ISSUES ARE LITIGATED THROUGH THE PRESENTATION OF EVIDENCE, WITNESS TESTIMONY, AND CROSS-EXAMINATION (FPL: 9 DAYS)
- PARTIES FILE POST-HEARING BRIEFS OF 100-150 PAGES
- COMMISSION STAFF FILES THEIR RECOMMENDATION – BUT NOT ALWAYS
- PUBLIC SERVICE COMMISSION ISSUES FINAL ORDER
- 8-MONTH SCHEDULE, BUT SUBJECT TO ADJUSTMENTS
- PARTIES MAY APPEAL COMMISSION'S FINAL ORDER

# WATER/WASTEWATER RATE CASES

THESE CASES ARE A LITTLE DIFFERENT THAN ELECTRIC & GAS

3 TYPES:

- **CONVENTIONAL RATE CASE (FOR LARGEST UTILITIES) –  
OPC INTERVENES**
- **STAFF ASSISTED RATE CASE OR SARC (FOR SMALL COMPANIES) –  
OPC MONITORS**
- **COMPANY-FILED PROPOSED AGENCY ACTIONS (PAA) –  
It depends. OPC may intervene to protect customer interests or avoid  
harmful precedent.**

# SETTLEMENTS

- **2025: FPL, TECO, AND DEF STORM COST RECOVERY DOCKETS, FLORIDA PUBLIC UTILITIES AND PEOPLES GAS RATE CASES**
  - **NOT SETTLED: FPL RATE CASE**
- **2024: DUKE AND ST. JOE RATE CASES**
  - **NOT SETTLED: TECO AND SUNSHINE RATE CASES**
- **SETTLEMENT BENEFITS (UNANIMOUS): A WIN FOR ALL CUSTOMERS, ADDITIONAL CUSTOMER PROTECTIONS, NO APPEAL, FINALITY OF RATES, AND BUSINESS CONFIDENCE**
- **WHY DOESN'T EVERY CASE SETTLE? INCONSISTENT GOALS AND EXPECTATIONS**

# SETTLEMENTS (cont.)

## OTHER ADVANTAGES OF SETTLEMENTS

- **AVOIDS UNCERTAINTY OF REGULATORY BODY DECISION**
- **TAKES SOME RISK OUT OF THE EQUATION**
- **ALLOWS CREATIVE SOLUTIONS THAT PSC COULD NOT OTHERWISE CONSIDER (E.G., RATE FREEZES, REVENUE SHARING, ASSET DEFERRALS, SOLAR & EV INVESTMENTS, ETC.)**
- **CAN AVOID EXPENSE OF HEARING, ATTORNEYS' FEES, ETC.**

# AFFORDABILITY

- **§ 366.06(1), FLA. STAT. (1951 - 2025)**  
....THE COMMISSION SHALL HAVE THE AUTHORITY TO DETERMINE AND FIX FAIR, JUST, AND REASONABLE RATES...
  
- **§ 377.601, FLA. STAT. (EFFECTIVE JULY 1, 2025)**  
**LEGISLATIVE INTENT**
  - (1) THE PURPOSE OF THE STATE'S ENERGY POLICY IS TO ENSURE AN ADEQUATE, RELIABLE, AND COST-EFFECTIVE SUPPLY OF ENERGY FOR THE STATE IN A MANNER THAT PROMOTES THE HEALTH AND WELFARE OF THE PUBLIC AND ECONOMIC GROWTH...
  - (2) FOR THE PURPOSES OF SUBSECTION (1) THE STATE'S ENERGY POLICY MUST BE GUIDED BY THE FOLLOWING GOALS:
    - (A) ENSURING A COST-EFFECTIVE AND AFFORDABLE ENERGY SUPPLY.



**FLORIDA OFFICE  
OF PUBLIC COUNSEL**

# QUESTIONS

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