

CHARLES J. REHWINKEL

111 W. Madison Street, Tallahassee, FL 32399 | (850) 488-9330
REHWINKEL.CHARLES@leg.state.fl.us

PROFESSIONAL LICENSURE AND EXPERTISE

Member of the Florida Bar since January 25, 1986, experienced in public utility administrative law.
Florida Bar Number 0527599.

EDUCATION

University of Florida, Levin School of Law, J.D., May 1985
University of Florida, College of Liberal Arts & Sciences, Criminal Justice, B.S. June 1982

WORK EXPERIENCE

Deputy Public Counsel | Florida Office of Public Counsel
January 2011 to Present

Lead litigation attorney and chief advisor to the Public Counsel, principally charged with coordinating litigation strategy and assisting with management of the office and acting in the Public Counsel's stead when the Public Counsel is unavailable. Also assigned regular responsibilities for overseeing and executing litigation of investor-owned electric, gas, and water and wastewater rates cases, imprudence determinations and representing the office in other types of cases before the Florida Public Service Commission, and for briefing and oral argument before the Florida Supreme Court.

Associate Public Counsel | Florida Office of Public Counsel
December 2008 – January 2011

Litigation attorney responsible for overseeing and executing assigned litigation of investor-owned electric, gas, and water and wastewater rates cases, imprudence determinations and representing the office in other types of cases before the Florida Public Service Commission, and for briefing and oral argument before the Florida Supreme Court.

Regulatory and Legislative Affairs Executive | Embarq Florida

May 2006 to July 2007

Local executive for telecommunications provider that was spun-off from SprintNextel Corporation, responsible for regulatory affairs and litigation before the Florida Public Service Commission and other state agencies and the Florida Supreme Court. Responsible for the company's legislative efforts before the Florida Legislature and local government governing bodies.

Regulatory and Legislative Affairs Executive | Sprint-Florida, Inc.

November 2000 to April 2006

Local executive for telecommunications provider, responsible for regulatory affairs and litigation before the Florida Public Service Commission and other state agencies and the Florida Supreme Court. Responsible for the company's legislative affairs efforts before the Florida Legislature and local government governing bodies

Regulatory Counsel | Sprint Florida, Inc.

March 1997 to November 2000

Counsel for telecommunications provider, responsible for regulatory litigation before the Florida Public Service Commission and other state agencies and the Florida Supreme Court.

Aide to Florida Public Service Commissioner | Florida Public Service Commission

March 1991 to February 1997

Chief advisor to Public Service Commissioner, J. Terry Deason. Responsible for research and advising the Commissioner on matters pending before the Commission and assisted in facilitation of enhanced duties of the Commission when he was Chairman.

Associate Public Counsel | Florida Public Counsel

August 1985 to March 1991

Litigation attorney responsible for overseeing and executing assigned responsibilities for litigating investor-owned electric, gas, and water and wastewater rates cases, imprudence determinations and other cases before the Florida Public Service Commission, and Florida Supreme Court.

FLORIDA OFFICE OF PUBLIC COUNSEL



OVERVIEW OF THE OPC

CHARLES REHWINKEL
DEPUTY PUBLIC COUNSEL

OVERVIEW OF OPC

WHO IS OPC?

- CREATED IN 1974 TO REPRESENT CONSUMERS IN UTILITY MATTERS PRIMARILY BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
- GOVERNED BY §§ 350.061-350.0614, FLA. STAT.
- APPOINTMENT & OVERSIGHT PROVIDED BY JOINT COMMITTEE ON PUBLIC COUNSEL OVERSIGHT § 350.061, FLA. STAT.

OVERVIEW OF OPC (cont.)

- PROVIDE LEGAL REPRESENTATION FOR FLORIDA CITIZENS ON ISSUES:
 - BEFORE THE PSC
 - BEFORE COUNTIES THAT OPT OUT OF PSC JURISDICTION ON WATER/WASTEWATER CASES
- REPRESENT RATEPAYERS COLLECTIVELY, NOT INDIVIDUALLY

OVERVIEW OF OPC (cont.)

- **LOCATED IN TALLAHASSEE**
- **14 FTE'S**
- **BUDGET -- \$2.367 MILLION**

OPC STAFFING

13 STAFF POSITIONS REPORT TO THE PUBLIC COUNSEL

- 6 ATTORNEYS (3 VACANCIES)
- 3 ACCOUNTANTS
- 3 PARALEGALS
- 1 OFFICE MANAGER

TYPES OF CASES

RATE CASES:

- ELECTRIC
- GAS
- WATER/WASTEWATER

COST RECOVERY CLAUSES:

- FUEL
- STORM PROTECTION PLAN
- ENVIRONMENTAL
- ENERGY CONSERVATION
- NUCLEAR (DORMANT)

MISCELLANEOUS – RULEMAKING, PROCEDURAL MATTERS, ETC.

CASE STATISTICS

FLORIDA PUBLIC SERVICE COMMISSION:

- INTERVENTIONS: 42 DOCKETS
- MONITORING: 37 DOCKETS

COUNTY RATE PROCEEDINGS:

- MONITORING IN CITRUS COUNTY: 1 DOCKET

FLORIDA SUPREME COURT CASES:

- PENDING WITH OPC AS APPELLANT – 6
- 2015 – 2020 FINAL ORDER – 6 (3 AS APPELLANT & 3 AS APPELLEE)

CONVENTIONAL RATE CASES

OPC ROLE

- THE OPC ADVOCATES FOR FAIR & REASONABLE RATES
- A UTILITY IS ALLOWED PRUDENT AND REASONABLE COSTS & 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 WE ASSERT THE COSTS ARE NOT PROVEN TO BE REASONABLE AND PRUDENT

WATER/WASTEWATER RATE CASES

W/W CASES ARE A LITTLE DIFFERENT THAN ELECTRIC & GAS CASES

3 TYPES:

- CONVENTIONAL RATE CASE (FOR LARGEST UTILITIES)
- STAFF ASSISTED RATE CASE OR SARC (FOR SMALL COMPANIES)
- COMPANY-FILED PROPOSED AGENCY ACTIONS (PAA)

SETTLEMENTS

OPC'S PRIMARY GOAL DECIDING ON SETTLEMENT:

- THE BEST DEAL WE CAN GET FOR CONSUMERS MEASURING THE STRENGTHS AND WEAKNESSES OF OUR CASE AGAINST THE EXPECTED OUTCOME IN LITIGATION.

SETTLEMENTS

OTHER ADVANTAGES OF SETTLEMENTS

- AVOIDS MUCH OF UNCERTAINTY OF REGULATORY BODY DECISION
- TAKES SOME OF 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.

FLORIDA OFFICE OF PUBLIC COUNSEL



QUESTIONS

CHARLES REHWINKEL

DEPUTY PUBLIC COUNSEL

OFFICE OF PUBLIC COUNSEL

(850) 488-9330

REHWINKEL.CHARLES@LEG.STATE.FL.US



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Ethics and Elections, *Chair*
Education Pre-K -12, *Vice Chair*
Appropriations
Appropriations Committee on Criminal and
Civil Justice
Appropriations Committee on Health and
Human Services
Banking and Insurance
Health Policy
Rules

JOINT COMMITTEE:
Joint Committee on Public Counsel Oversight

SENATOR DANNY BURGESS

23rd District

January 10, 2023

The Honorable Joe Gruters
Chairman
Joint Committee on Public Counsel Oversight
525 Knott Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Mr. Chairman,

I respectfully request an excused absence from the January 19, 2023 meeting of the Joint Committee on Public Counsel Oversight.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Danny".

cc: Booter Imhof, Staff Director
Susan Datres, Administrative Assistant

REPLY TO:

- 38507 Fifth Avenue, Zephyrhills, FL 33542 (813) 779-7059
- 412 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5023

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

Datres, Susan

From: Mitchell, Janice <Janice.Mitchell@myfloridahouse.gov>
Sent: Thursday, January 19, 2023 2:07 PM
To: LaMarca, Chip; Verner, Samantha
Cc: Marks, Amie; Young, Kimberly; Datres, Susan
Subject: Request for an Excused Absence: Joint Committee on Public Counsel Oversight

Good afternoon Chair LaMarca,

Happy New Year!

Please be advised Rep. Angie Nixon is requesting an excused absence, unfortunately she still is not feeling well.
(See below.)

Thanks,

Janice M. Mitchell (she/her)
Legislative Aide, District 13
Janice.Mitchell@myfloridahouse.gov
3939 Roosevelt Blvd, Suite G-121 and G-122
Jacksonville, FL 32205
Office: 904.381.6013
"Blessed People Bless People"

State Representative Angie Nixon
Florida House of Representatives

From: Nixon, Angie <Angie.Nixon@myfloridahouse.gov>
Sent: Thursday, January 19, 2023 8:41 AM
To: Tuck, Kaylee <Kaylee.Tuck@myfloridahouse.gov>
Cc: Mitchell, Janice <Janice.Mitchell@myfloridahouse.gov>
Subject: Request for an Excused Absence

Morning Chair Tuck,

I'm writing to request an excused absence from the Choice & Innovation Subcommittee today unfortunately I am still not feeling well.

In service,

Angie Nixon
State Representative
Florida House, District 13

COMMITTEE MEETING EXPANDED AGENDA

JOINT COMMITTEE ON PUBLIC COUNSEL OVERSIGHT

Senator Gruters, Alternating Chair

Representative LaMarca, Alternating Chair

MEETING DATE: Thursday, January 19, 2023

TIME: 1:00—3:00 p.m.

PLACE: *Toni Jennings Committee Room*, 110 Senate Building

SENATE MEMBERS: Senator Gruters, Alternating Chair; Senators Burgess, Powell, Thompson, and Yarborough

HOUSE MEMBERS: Representative LaMarca, Alternating Chair; Representatives Anderson, Campbell, Griffiths, Nixon, and Stark

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Overview of the Office of Public Counsel	Discussion of Public Counsel vacancy and recommendation to the presiding officers of a designee to carry out the responsibilities of the position until a Public Counsel is appointed by the joint committee for the unexpired term.	Presented Senate Yeas 4 House Yeas 5
Other Related Meeting Documents			

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Joint Committee on Public Counsel Oversight

Judge:

Started: 1/19/2023 1:02:51 PM

Ends: 1/19/2023 1:17:09 PM

Length: 00:14:19

1:02:50 PM	Call to order
1:02:54 PM	Roll call
1:03:44 PM	Opening Comments by Chair Gruters
1:03:59 PM	Senator Burgess is excused
1:04:05 PM	Take up Tab 1 - Overview of the Office of Public Counsel
1:04:25 PM	Charles Rehwinkle, Deputy Public Counsel, is recognized
1:14:08 PM	Thank you for your presentation
1:14:15 PM	Questions?
1:14:18 PM	Comments?
1:14:24 PM	Discussion of Public Counsel vacancy and recommendations to presiding officers
1:15:20 PM	Chair Gruters recommends Charles Rehwinkle to carry out duties until position filled
1:15:31 PM	Rep. Lamarca for a motion to submit Charles Rehwinkle to presiding officers
1:15:48 PM	roll call on motion
1:16:23 PM	Motion is adopted and recommendation is submitted to presiding officers
1:16:40 PM	Alternate Chair La Marca moves we adjourn
1:17:00 PM	Adjourned

The Florida Senate

APPEARANCE RECORD

JAN 19, 2023

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

JT COMM PC OVERSIGHT

Committee

Amendment Barcode (if applicable)

Name CHARLES J. REHWINKEL

Phone 850.489-9330

Address 111 W. MADISON ST. RM 812

Email REHWINKEL.CHARLES@LEG.STATE.FL.US

TALLAHASSEE FL 32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

APPEARING @ COMMITTEE REQUEST

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

This form is part of the public record for this meeting.