

# READY, SET, LOBBY!

A 5-STEP, HOW-TO GUIDE  
FOR FMEA MEMBERS

by John Egan

*Florida*  
FACTS

LENGTH NORTH & SOUTH  
447 Miles Long  
St. Mary's River to Key West

WIDTH EAST & WEST  
361 Miles Wide  
Atlantic Ocean to Perdido River

ACQUIRED BY UNITED STATES  
From Spain by Treaty  
ADMITTED TO UNION AS STATE  
March 3, 1845  
RANK AMONG STATES OF ADMISSION  
27th

Western  
Florida Cracker  
Loggerhead  
Florida, Where the S  
Meer

FMEA's lobbyists in Tallahassee and Washington, D.C., agree that grassroots advocacy from public power officials and Board members makes an impact on elected officials — and is a force multiplier for third-party government relations professionals.

"If a picture is worth a thousand words," FMEA Congressional Lobbyist Michael Nolan said, "a face-to-face visit with an elected official is worth a million."

Members of Congress and their staff are spending more time in their district offices than they once did, he continued, which is the perfect opportunity for Florida public power leaders and Board members to reach out and make sure the voice of their community is heard by lawmakers.

Nolan urged FMEA members to advocate this advantage: "We're not large, for-profit corporations from someplace else. We provide a critical service to our communities and their constituents. We reflect the voices of our communities that vote for elected officials."

Because of its not-for-profit status, public power typically is unable to write big checks to lawmakers' election campaigns, but the wallet is only one way to convey a utility's viewpoint to an elected official. "People power," the secret weapon of locally owned utilities, can level the playing field. Grassroots activism from people in the district helps offset the deeper pockets of investor-owned utilities, lobbyists said.

"The relationship between a constituent and a legislator is different from that of a lobbyist and legislator," commented Ryan Matthews, FMEA's lead state lobbyist and a shareholder at GrayRobinson, a legal and public affairs firm that has represented Florida public power in Tallahassee for more than 25 years. "The stories and connections public power officials bring from their community are so important to lawmakers. Legislators need to hear how laws they pass directly affect people in their districts."

"Public power leaders are a force multiplier for lobbyists," said Dean Cannon, a former speaker of Florida's House of Representatives and current GrayRobinson president and CEO. "We are more successful when FMEA members join us."

"If it was about money, we would have lost a long time ago," added GrayRobinson shareholder Joseph Salzverg.

### **Step 1: Why Lobby?**

Florida's term limits mean there is a fresh new crop of lawmakers each year. In the House, members can serve four two-year terms, while in the Senate, they are limited to two four-year terms.

"In an era of term limits and member turnover in Tallahassee and Washington, D.C., our opponents do their best to undermine public power," commented Cannon.

"It is essential that we are proactive, not reactive," said Salzverg. "It's more difficult to play defense when a contentious issue arises."

"If something sudden happens and you haven't already laid the foundation, there is insufficient time to do so," added Cannon. "That is why public power needs to continuously plant the flag year after year, renewing resources and relationships, and maintaining those connections."

"When the legislature is not in session, our job is to educate elected officials, their staff and committee staff," said Matthews. "For much of 2022, that has meant explaining why natural gas prices are rising, which affects each utility's prices. We're also explaining how supply chain issues are leading to the extreme shortage of transformers and other

critical electric components, where there's a two-year backlog for new orders. And, of course, in advance of the Atlantic Hurricane season, we discuss what locally owned utilities have done to become more resilient."

"Our work has to start with safety and reliability of what FMEA members provide," said Salzverg. "That's the true North for FMEA members. There is no real conversation about anything until elected officials understand that public power provides safe, reliable and affordable service to their constituents."

"At the end of the day, it is our job to deliver the message to lawmakers that public power is in our communities and providing low-cost, highly reliable electric utility services," Salzverg continued.

While lobbying is inherently a political act, it should not be conducted on a partisan basis.

"Stay away from partisanship," advised Nolan. "Our job is to make friends. We need friends on both sides of the aisle, so it's best to emphasize that our customers are a lawmaker's constituents. We're true believers for public power and our communities, let them know that."

### **Step 2: Know the Legislative Calendar**

Becoming familiar with a legislature's calendar is a critical first step for those public power policymakers and local utility officials who want to work alongside FMEA and their lobbyists in Tallahassee or Washington, D.C.

The Florida House of Representatives consists of 120 members, while there are 40 state senators. Currently, Republicans are in the majority in both chambers: 78-42 in the House and 24-16 in the Senate.





U.S. Congressman Neal Dunn (Florida-02) on a tour of the city of Tallahassee's acclaimed airport-based solar farm with members of the city's leadership team and FMEA representatives.

Florida's current congressional delegation consists of 27 members of the U.S. House and two Senators: There, too, Republicans predominate. Following the 2020 U.S. Census, Florida gains one new House seat for the new Congress that will be elected in November 2022, growing the total delegation to 28 members.

### Step 3: Come Prepared

"When trying to influence lawmakers, come prepared," recommended Nolan.

Nolan suggested coming with two or three key messages and ending by reiterating them. "You don't have a lot of time with members of Congress. Stay focused. Perhaps a bill is having or could have a negative unforeseen consequence. Our job is to work with FMEA members to help them make sure lawmakers understand the consequences

of proposed or actual legislation and the impacts locally."

Since members of Congress are spending more time in their home districts than was once the case, the best time to schedule an in-person visit is when a member or their staffer is in the district office.

Knowing the legislative calendar, and members' travel schedules, is critical to securing a face-to-face meeting, lobbyists said.

"During the legislative session, it's not unusual for a member to reschedule a meeting with a lobbyist to accommodate a meeting with people who have traveled from the home district to Tallahassee to share an issue of concern," said GrayRobinson's Cannon. "Elected officials care what people from their district think.

"That is even greater when it comes to public power because we have to capitalize on the nobility and the public nature of what we do and how and why we do it," he continued. "Nobody is better equipped to deliver that message than someone whose business is a municipal electric customer from the district. There is a different level of significance when the message comes from someone who is doing it on a volunteer basis vs. a hired advocate."

### Step 4: If You Have an 'Ask,' Don't Beat Around the Bush

Salzverg recalled a "really big fight" over broadband in Florida where public power leaders "helped turn the tide" against restrictive draft legislation.

"These three communities that came together and met with their elected officials really helped turn the tide in a contentious moment," Salzverg continued. Their involvement helped amend the bill and preserve the ability for local utilities to control their power poles as it relates to pole attachments.

Nolan recalled when a member of Congress visited the City of Tallahassee and a separate occasion when a key staffer recently visited Beaches Energy Services in Jacksonville Beach. Both visited areas of the electric utility critical to the provision of electric service — a control room and a substation — and came away knowing much more than they did before.

Tallahassee's large solar project at the airport was particularly interesting — the member had never seen so much solar in one place — and he came away with a deeper appreciation of renewable resources and what it could mean to his constituents. Visits like these are important and can make a lasting impression.

"Electricity is a business unlike any other, and it's harder than it looks," Nolan said.

“That’s why it is so important to meet with your elected officials to make sure they understand your commitment to safety, reliability and affordability.”

If your community has a specific request, lobbyists say it is best to be forthright with the lawmaker or staffer. “Maybe you want them to sign a letter or cosponsor a bill or vote a certain way,” said Nolan. “Let them know right away. But sometimes you don’t have a specific ‘ask,’ and that’s OK too — use it to your advantage. I have seen members and staff visibly relax when we tell them we don’t have a specific request. Immediately the mood changes. Those can be some of the best meetings.

“Remember, our job is to inform and make friends; informing them is paramount, making friends is an added bonus.”

### Step 5: Don’t Burn Bridges

The GrayRobinson Government Affairs and Lobbying Team has a few tips for FMEA members as they advocate for their utilities and public power:

- Be concise.
- Stay focused on the issue.
- Be respectful.
- Come with an ask.
- Seek to leave with a result.
- Don’t burn a bridge.
- If you must criticize, fight the policy, not the people.

Nolan agreed that burning a bridge can doom future lobbying efforts. “Today’s Capitol Hill scheduler can become a chief of staff someday. You need to have a personal touch when you interact with people in the legislative process: Where did they come from? What are they interested in? How did they get into politics?”

Asking those kinds of questions can lead to an invitation to play softball on a team organized by Capitol Hill staffers or a

round of golf with a staffer. All of that off-the-clock interaction has kept doors open or opened doors that had once been closed, he said.

### Top Legislative Issues for Florida Public Power

There is no shortage of issues where public power would be strengthened by FMEA members’ hands-on involvement in the lobbying process, lobbyists agree:

- Preserving the existing state regulatory structure where city councils and public power governing bodies set retail electricity prices.
- Protecting the public power business model and preserving local control and local operation.
- Three-quarters of Florida’s power is generated from natural gas, so anything involving natural gas is important to lawmakers and FMEA because gas prices affect electric prices.
- Last year’s federal bipartisan Infrastructure Investment and Jobs Act is a once-in-a-generation, \$1.2 trillion legislative smorgasbord with about 350 program areas administered by more than a dozen federal agencies. Billions of dollars are being distributed to states to support utility grid modernization, resiliency, cybersecurity, electric vehicle charging infrastructure, transmission

upgrades, hydroelectric projects and transportation electrification.

- Municipal bonds are the financial lifeline for public power utilities, and that lifeline must be protected from encroachments by profit-seeking utilities. Lawmakers need to understand what could happen if that lifeline is cut.
- Resiliency and power restoration: Florida has extreme weather, and lawmakers at the local, state and federal levels need to know that locally owned utilities work hard to restore power safely and quickly.
- As concerns rise over global climate change, it is important that legislators know FMEA members are individually, or collectively through the Florida Municipal Solar Project, bringing more and more megawatts of solar power online throughout the state.

“Nearly every energy or environmental issue is a public power issue,” Nolan said.

Nolan shared two longtime lobbyist truisms that, he hopes, will get executives out of their offices and into the offices of lawmakers:

- If you don’t have an agenda, someone else will, and you need to be prepared for that.
- If you’re not at the table, you will be on the menu. ■



“Meeting with Congressional staff in our district, rather than in Washington D.C., is hugely beneficial in highlighting the key issues that face our city, our utility, our citizens and our customers. These in-person visits further enhance Congressional staff’s understanding [of] the challenges as they can see for themselves what constituents are dealing with back at home. It also gives us the opportunity for one-on-one discussions, which are rarely possible in D.C. due to their hectic schedules.”

– Allen Putnam, Director, Beaches Energy Services on recent visit with Katie Heffernan from Congressman John Rutherford’s office