



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

June 30, 2022

BRIAN TOBIN, TREASURER
NEXTERA ENERGY, INC. POLITICAL ACTION
COMMITTEE
801 PENNSYLVANIA AVE., NW SUITE 220
WASHINGTON, DC 20004

Response Due Date
08/04/2022

IDENTIFICATION NUMBER: C00064774

REFERENCE: JUNE MONTHLY REPORT (05/01/2022 - 05/31/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§30116(f) and 30118 or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided

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written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly by providing the date and method of your remedy (refund and/or transfer to a non-federal account) for each contribution. The committee should retain for its records copies of refund checks and/or transfers to nonfederal account. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number(202) 694-1169.

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Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Fortkiewicz". The signature is fluid and cursive, with the first name "Kevin" and last name "Fortkiewicz" clearly distinguishable.

Kevin Fortkiewicz

Sr. Campaign Finance & Reviewing Analyst

Apparent Impermissible, Excessive, and Prohibited Contributions
NEXTERA ENERGY, INC. POLITICAL ACTION COMMITTEE (C00064774)

Contributions from Possible Unregistered Organizations

Contributor Name	Date	Amount	Report
Responsible Government Committee of Gulf Power Company Employees	5/27/22	\$3,409.18	2022 June Monthly