

**Dorothy Menasco**

**From:** Miller, Samuel T Capt USAF AFLOA JACL/ULFSC [samuel.miller@tyndall.af.mil]  
**Sent:** Wednesday, May 23, 2012 11:39 AM  
**To:** Filings@psc.state.fl.us  
**Subject:** FEA's Petition to Intervene (Docket 120015-EI)  
**Signed By:** There are problems with the signature. Click the signature button for details.  
**Attachments:** FEA Petition to Intervene (120015-EI).docx

IAW the electronic filing procedures, the below filing is made on behalf of the Federal Executive Agencies (FEA):

a. Person responsible for this electronic filing:

Capt Samuel T. Miller

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b. Docket 120015-EI

In re: Petition for Increase in Rates by Florida Power & Light Company

c. Document being filed on behalf of FEA

d. There are 4 pages to FEA's Petition to Intervene

e. The document attached for electronic filing is FEA's Petition to Intervene

SAMUEL MILLER, Capt, USAF  
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5/23/2012

DOCUMENT NUMBER-DATE  
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 FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

\* \* \* \* \*

In re: Petition for Increase in Rates by )  
Florida Power & Light Company )

DOCKET NO.: 120015-EI  
FILED: May 23, 2012

**FEDERAL EXECUTIVE AGENCIES**  
**PETITION TO INTERVENE**

Pursuant to sections 120.569, 120.57, 366.04(1), and 366.06, Florida Statutes; and rules 25-22.039, 28-106.201 and 28-106.205, Florida Administrative Code, the Federal Executive Agencies (FEA), through their undersigned counsel, files its Petition to Intervene. In support thereof, FEA states the following:

1. Names of affected agencies. The affected agencies include:
  - a. Patrick Air Force Base
  - b. Cape Canaveral Air Force Station
  - c. Kennedy Space Center
2. Name and address of Petitioner. Copies of all pleadings, notices and orders in this docket should be provided to the Petitioner:

Federal Executive Agencies  
Ms. Karen White  
AFLOA/JACL-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
Ph: (850) 283-6348  
FAX: (850) 283-6219  
E-mail:  
[karen.white@tyndall.af.mil](mailto:karen.white@tyndall.af.mil)
3. Notice of docket. Petitioner received notice of this docket from a review of the Commission's website.
4. Statement of Substantial Interests. The FEA consist of certain agencies of the

United States Government which have offices, facilities, and/or installations in the service area of Florida Power & Light Company (FPL) and purchase electric utility service from FPL. The Department of Defense has been delegated authority by the General Services Administration to represent, through Department of the Air Force counsel, the consumer interest of the FEA in this proceeding under 40 U.S.C.A. 481(a)(4) and 486(d).

5. In this case, the Commission will consider FPL's request for authority to increase general rates. Electricity costs represent one of the largest variable expenses of operating the Federal offices, facilities, and installations on whose behalf intervention is sought herein, and all will be significantly affected by any action this Commission takes in this Docket. For these reasons, FEA has a substantial interest in the above-captioned Docket.

6. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to:

- a. Is FPL's requested rate increase just and reasonable?
- b. What is the appropriate return on equity for FPL?
- c. What is the appropriate capital structure for FPL?
- d. What is the appropriate test year for FPL for the purpose of setting rates?
- e. What are the appropriate depreciation rates for FPL?

FEA reserves all rights to raise additional issues in accordance with the Commission's rules and the Order Establishing Procedure issued in this case.

7. Disputed Legal Issues. Disputed legal issues include, but are not limited to, the following:

- a. Has FPL established the need for rate relief?
- b. Has FPL established that its requested return on equity is just and reasonable?

8. Statement of Ultimate Facts Alleged. Ultimate facts include, but are not limited to, the following: The rate increase that FPL has requested is unreasonable and should be denied.

9. Rules and statutes justifying relief. The rules and statutes that entitle FEA to intervene and participate in this case include, but are not limited to:

- a. Section 120.569, Florida Statutes;
- b. Section 120.57, Florida Statutes;
- c. Section 366.04(1), Florida Statutes;
- d. Section 366.06, Florida Statutes;
- e. Rule 25-22.039, Florida Administrative Code;
- f. Rule 28-106.201, Florida Administrative Code;
- g. Rule 28-106.205, Florida Administrative Code;

10. Relief. FEA requests that it be permitted to intervene as a full party in this docket.

WHEREFORE, FEA requests that the Commission enter an order allowing it to intervene and participate as a full party in this docket.

//signed//Samuel T. Miller

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**CERTIFICATE OF SERVICE**  
**Docket No. 120015-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Petition to Intervene has been furnished by electronic mail and/or U.S. Mail this 23rd day of May, 2012, to the following:

**Keino Young**  
Florida Public Service Commission  
Division of Legal Services  
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Tallahassee, FL 32399-0850

**Jennifer Crawford**  
Florida Public Service Commission  
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//signed// Samuel T. Miller

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Utility Litigation and Negotiation Attorney