

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition for Rate Increase by ) DOCKET NO. 20210034-EI  
Tampa Electric Company )  
) FILED: April 27, 2021

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**THE FEDERAL EXECUTIVE AGENCIES' PETITION TO INTERVENE**

Pursuant to Rule 28-106.205, Florida Administrative Code, and Sections 120.569 and 120.57, Florida Statutes, the Federal Executive Agencies (FEA), through their undersigned counsel, hereby submit this Petition to Intervene in the aforementioned docket. In support thereof, FEA states the following:

1. Name of Affected Agencies:  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399
2. Name and address of Petitioner/Intervenor.  
Federal Executive Agencies  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403
3. All pleadings, notices, and orders in this docket should be provided to the Intervenor's

mailing and e-mail addresses as follows:

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4. Statement of Substantial Interest. The FEA consists of certain agencies of the United States Government which have offices, facilities, and/or installations in the service area of Tampa Electric Company (“Tampa Electric”) and purchase electric utility service from Tampa Electric. 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. §§ 481(a)(4) and 486(d).

5. In this case, the Florida Public Service Commission (“Commission”) will consider Tampa Electric’s request for authority to raise rates for its customers. Utility costs represent one of the largest variable expenses of operating 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, the FEA has a substantial interest in the above-captioned docket.

6. Notice of Docket: The FEA received notice of this docket through informal communication from Tampa Electric.

7. Disputed Issues of Material Fact: The FEA has not identified all disputed issues of material fact at this time. However, the FEA expects that disputed issues of material fact include, but are not limited to, the following:

- a. Determining the appropriate capital structure for Tampa Electric.
- b. Determining the appropriate return on equity for Tampa Electric.

c. Determining the appropriate allocation of Tampa Electric's cost of providing retail electric services among its customer classes.

d. Determining the appropriate rates to be charged by Tampa Electric for its service to each customer class.

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

9. Statement of Ultimate Facts Alleged: Because the FEA includes federal offices, facilities, and installations that are Tampa Electric ratepayers and will be significantly affected by any action the Commission takes in this docket, the FEA has substantial interests that are subject to determination in this docket. Therefore, the FEA is entitled to intervene and participate in the proceeding, which will determine the fair, just, and reasonable rates to be charged by Tampa Electric.

10. Standing: The FEA meets the three-prong associational standing test.<sup>1</sup> With regard to the first prong, the FEA asserts that its agencies are located in Tampa Electric's service area and receive electric service from Tampa Electric, for which they are charged Tampa Electric's applicable service rates. Therefore, the agencies the FEA represents will be substantially affected by the Commission's determinations in this proceeding concerning Tampa Electric's requested rate increase. Regarding the second prong of the test, the subject matter of the proceeding falls within the FEA's general scope of interest and activity. Ensuring that federal tax dollars spent by federal offices, facilities, and installations are spent on fair, just, and reasonable electricity rates falls within the purview of the FEA's general scope of interest. With respect to the third prong of the test, the FEA seeks intervention in this docket to represent the

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<sup>1</sup> Florida Home Builders Association v. Department of Labor and Employment Security, 412 So. 2d 351, 353-54 (Fla. 1982); Farmworker Rights Organization, Inc. v. Department of Health and Rehabilitative Services, 417 So. 2d 753, 754 (Fla. 1st DCA 1982).

interests of its agencies, as Tampa Electric customers, in seeking reliable service and fair, just, and reasonable rates. Therefore, the FEA asserts that it meets the requirements for standing in this docket.

11. Rules and Statutes Justifying Relief: The rules and statutes that entitle the 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, Florida Statutes;
- d. Section 366.05, Florida Statutes;
- e. Section 366.06, Florida Statutes;
- f. Rule 28-106.201, Florida Administrative Code;
- g. Rule 28-106-205, Florida Administrative Code

12. Conferral with Parties of Record: In accordance with Rules 28-106.204(3) and 28-106.205(2)(e), counsel for the FEA has conferred with the parties of record in this case and the FEA is authorized to represent that no party objects to the FEA's intervention in this docket.

13. Relief Requested: The FEA requests permission to intervene as a full party in this docket.

WHEREFORE, the FEA respectfully requests the Commission enter an order granting this petition and thereby allowing the FEA to intervene and participate as a full party in this docket.

Respectfully submitted,

**Attorneys for Federal Executive Agencies**

By: /s/ Holly L. Buchanan

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**CERTIFICATE OF SERVICE**  
**Docket No. 20210034-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Federal Executive Agencies' Petition to Intervene has been furnished by electronic mail (e-mail) and/or U.S. Mail this 27<sup>th</sup> day of April 2021 to the following:

<p><b>Florida Public Service Commission</b>          Keith Hetrick          Charles Murphy          Gabriella Passidomo          2540 Shumard Oak Blvd., Room 110          Tallahassee, FL 32399  <a href="mailto:khetrick@psc.state.fl.us">khetrick@psc.state.fl.us</a>  <a href="mailto:cmurphy@psc.state.fl.us">cmurphy@psc.state.fl.us</a>  <a href="mailto:gpassidomo@psc.state.fl.us">gpassidomo@psc.state.fl.us</a></p>	<p><b>Tampa Electric Company</b>          Paula K. Brown          Regulatory Affairs          P.O. Box 111          Tampa, FL 33601  <a href="mailto:regdept@tecoenergy.com">regdept@tecoenergy.com</a></p>
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*/s/ Ebony M. Payton*  
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 Paralegal for FEA