

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission review of numeric conservation ) Docket No. 20240013-EG  
goals (Duke Energy Florida, LLC) ) Filed: January 31, 2024  
\_\_\_\_\_)

**PETITION TO INTERVENE OF  
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.  
d/b/a PCS PHOSPHATE – WHITE SPRINGS**

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes and Rule 28-106.205, Florida Administrative Code, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorneys, files its Petition to Intervene. In support thereof, PCS Phosphate states as follows:

1. The name and address of the affected agency is:

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2. The name and address of the petitioner is:

White Springs Agricultural Chemicals, Inc.  
d/b/a PCS Phosphate – White Springs  
15843 SE 78th Street, P.O. Box 300  
White Springs, Florida 32096

3. All pleadings, motions, orders and other documents directed to the petitioner should

be served on:

James W. Brew  
Laura Wynn Baker  
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Stone Mattheis Xenopoulos & Brew, PC  
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4. PCS Phosphate is a manufacturer of fertilizer products with plants and operations located within Duke Energy Florida's ("DEF") electric service territory. PCS Phosphate receives service under various DEF rate schedules.

5. Statement of Affected Interests. The Commission is conducting its review, required every five years pursuant to the Florida Energy Efficiency and Conservation Act (FEECA), specifically Section 366.82, Florida Statutes, of its adoption of goals to increase the efficiency of energy consumption, increase the development of demand-side renewable energy systems, reduce and control the growth rates of electric consumption and weather-sensitive peak demand, and encourage the development of demand-side renewable energy resources. Any decisions made by the Commission regarding DEF's energy conservation goals may impact the cost of power supplied by DEF to PCS Phosphate's facilities in and around White Springs, Florida, thereby affecting its production and operating costs, overall industry competitiveness, and level of sustainable employment in the region. PCS Phosphate anticipates taking an active role in this proceeding.

6. Disputed Issues of Material Fact. PCS Phosphate anticipates that disputed issues of material fact will be identified in the continuing course of these proceedings. PCS Phosphate reserves the right to raise additional issues in accordance with the Commission's rules and the Orders Establishing Procedure in this case.

7. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues may be identified in the course of these proceedings.

8. Statement of Ultimate Facts Alleged. Alleged ultimate facts include, but are not limited to, the following:

- (a) Are DEF's conservation goals reasonable and compliant with the Florida Energy Efficiency and Conservation Act?

PCS Phosphate anticipates that additional alleged ultimate facts will be identified in the course of these proceedings.

9. Laws Entitling Petitioner to Relief and Relation to Alleged Facts. The rules and statutes entitling PCS Phosphate to relief include but are not necessarily limited to the following: Sections 120.569 and 120.57(1), Florida Statutes, Sections 366.04 through 366.07, Florida Statutes; Sections 366.80 through 366.85 and 403.519, Florida Statutes, and Rule 28-106.205, Florida Administrative Code.

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

11. Statement Required by Rule 28-106.204(3), Florida Administrative Code. Counsel for PCS Phosphate has conferred with counsel for DEF and is authorized to represent that DEF does not object to PCS Phosphate's Petition to Intervene.

WHEREFORE, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs respectfully requests that the Commission enter an order allowing it to intervene as a full party in this docket.

Respectfully submitted,

/s/ James W. Brew

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*Attorneys for White Springs Agricultural Chemicals  
Inc. d/b/a PCS Phosphate – White Springs*

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition to Intervene has been furnished by electronic mail and/or U.S. Mail this 31st day of January, 2024, to the following:

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