

**Undeliverable mail returned from the U.S. Postal Service.  
Address is consistent with the Master Commission Directory and/or the  
Case Management System.**

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

*Box # 20230020*

DISTRIBUTION CENTER

2024 MAY 14 AM 7:08

NEOPOST FIRST-CLASS MAIL  
04/17/2024  
US POSTAGE \$000.64<sup>0</sup>  
ZIP 32399  
041M11467390

RECEIVED-FPSC

2024 MAY 14 AM 9:23

COMMISSION  
CLERK

PCS Phosphate - White Springs (24)  
P.O. Box 300  
White Springs FL 32096

NIXIE 322 DE 1 0005/07/24  
RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

VAC BC: 32399085099 \*0538-05008-20-41  
320963000

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC.

DOCKET NO. 20230020-EI  
ORDER NO. PSC-2024-0098-PCO-EI  
ISSUED: April 17, 2024

ORDER GRANTING WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.  
D/B/A PCS PHOSPHATE-WHITE SPRINGS' PETITION TO INTERVENE

On January 23, 2023, Duke Energy Florida, LLC (DEF) filed a petition for a limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole and Tropical Storm Fred. By vote at its March 7, 2023 Agenda Conference the Commission approved DEF's request to implement an interim storm restoration recovery charge to recover \$442.1 million in incremental storm restoration costs subject to a final true-up at a later date. This docket has been set for hearing on May 21-22, 2024.<sup>1</sup>

Petition for Intervention

By petition dated March 27, 2024, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate –White Springs (PCS Phosphate) requested permission to intervene in this proceeding. PCS Phosphate is a manufacturer of fertilizer products with plants and operations located within the DEF electric service territory. PCS receives electric service under various DEF rate schedules. PCS represents that it has conferred with counsel for DEF, Office of Public Counsel (OPC) and Walmart regarding its request for intervention. OPC supports PCS Phosphate's intervention. DEF and Walmart take no position regarding PCS Phosphate's intervention. No written objections have been filed as of this date and the time for doing so has expired.

Standard for Intervention

Pursuant to Rule 28-106.205, Florida Administrative Code (F.A.C.), persons, other than the original parties to a pending proceeding, who have a substantial interest in the proceeding and who desire to become parties may move for leave to intervene. Motions for leave to intervene must be filed at least twenty (20) days before the final hearing, must comply with Rule 28-106.204(3), F.A.C., and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission Rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding. Intervenors take the case as they find it.

To have standing, the intervenor must meet the two-prong standing test set forth in *Agrico Chemical Company v. Department of Environmental Regulation*, 406 So. 2d 478, 482

<sup>1</sup> Order No. PSC-2023-0333-PCO-EI, issued November 2, 2023, in Docket No. 20230020-EI, *In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC.*