

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Storm protection plan cost recovery
clause

DOCKET NO.: 20240010-EI
FILED: July 31, 2024

**PREHEARING STATEMENT OF
NUCOR STEEL FLORIDA, INC.**

Pursuant to the Florida Public Service Commission's *Order Establishing Procedure*, Order No. PSC-2024-0032-PCO-EI, issued February 6, 2024, the *First Order Modifying Order Establishing Procedure*, Order No. PSC-2024-0110-PCO-EI, issued April 19, 2024, and the *Second Order Modifying Order Establishing Procedure*, Order No. PSC- 2024-0216-PCO-EI, issued June 20, 2024, Nucor Steel Florida, Inc. ("Nucor") hereby files its Prehearing Statement in this case.

A. APPEARANCES

Peter J. Mattheis
Michael K. Lavanga
Joseph R. Briscar
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007
(202) 342-0800
(202) 342-0807 (fax)
Email: pjm@smxblaw.com
mkl@smxblaw.com
jrb@smxblaw.com

B. WITNESSES

Nucor does not plan to call any witnesses at this time.

C. EXHIBITS

Nucor does not plan to offer any exhibits at this time.

D. STATEMENT OF BASIC POSITION

Rule 25-6.031, F.A.C, details the specific recoverable costs that Duke Energy Florida, LLC (“DEF”) may collect through the SPPCRC and provides that such costs must be consistent with the Company’s approved Storm Protection Plan. Nucor’s basic position is that DEF bears the burden of proof to justify the amount of costs it seeks to recover through the SPPCRC and show that such costs are eligible recovery costs under 25-6.031(6) and are consistent with DEF’s approved Storm Protection Plan. Finally, Nucor notes that DEF over-recovered and/or projects to over-recover its eligible costs through the SPPCRC for 2023 and 2024. The Commission should carefully review DEF’s projected 2025 SPPCRC rates to ensure that the rates are properly designed to recover the Company’s forecast 2025 costs.

E. STATEMENT ON SPECIFIC ISSUES

GENERIC STORM PROTECTION PLAN COST RECOVERY ISSUES

ISSUE 1A: What jurisdictional amounts should the Commission approve as FPL’s final 2023 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 1B: What jurisdictional amounts should the Commission approve as TECO’s final 2023 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 1C: What jurisdictional amounts should the Commission approve as the FPUC’s final 2023 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 1D: What jurisdictional amounts should the Commission approve as the DEF's final 2023 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** Agree with OPC.

ISSUE 2A: What jurisdictional amounts should the Commission approve as the FPL's reasonably estimated 2024 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 2B: What jurisdictional amounts should the Commission approve as TECO's reasonably estimated 2024 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 2C: What jurisdictional amounts should the Commission approve as FPUC's reasonably estimated 2024 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 2D: What jurisdictional amounts should the Commission approve as DEF's reasonably estimated 2024 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** Agree with OPC.

ISSUE 3A: What jurisdictional amounts should the Commission approve as FPL's reasonably projected 2025 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 3B: What jurisdictional amounts should the Commission approve as TECO's reasonably projected 2025 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 3C: What jurisdictional amounts should the Commission approve as FPUC’s reasonably projected 2025 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** No position.

ISSUE 3D: What jurisdictional amounts should the Commission approve as DEF’s reasonably projected 2025 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

- **Nucor:** The Commission should only approve projected costs that are consistent with DEF’s approved Storm Protection Plan and 25-6.031, F.A.C.

ISSUE 4A: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2025 Storm Protection Plan Cost Recovery factors for FPL?

- **Nucor:** No position.

ISSUE 4B: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2025 Storm Protection Plan Cost Recovery factors for TECO?

- **Nucor:** No position.

ISSUE 4C: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2025 Storm Protection Plan Cost Recovery factors for FPUC?

- **Nucor:** No position.

ISSUE 4D: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2025 Storm Protection Plan Cost Recovery factors for DEF?

- **Nucor:** Agree with OPC.

ISSUE 5A: What depreciation rates should be used to develop the depreciation expense included in the total 2025 Storm Protection Plan Cost Recovery Clause amounts for FPL?

- **Nucor:** No position.

ISSUE 5B: What depreciation rates should be used to develop the depreciation expense included in the total 2025 Storm Protection Plan Cost Recovery Clause amounts for TECO?

- **Nucor:** No position.

ISSUE 5C: What depreciation rates should be used to develop the depreciation expense included in the total 2025 Storm Protection Plan Cost Recovery Clause amounts for FPUC?

- **Nucor:** No position.

ISSUE 5D: What depreciation rates should be used to develop the depreciation expense included in the total 2025 Storm Protection Plan Cost Recovery Clause amounts for DEF?

- **Nucor:** Agree with OPC.

ISSUE 6A: What are the appropriate 2025 jurisdictional separation factors for FPL?

- **Nucor:** No position.

ISSUE 6B: What are the appropriate 2025 jurisdictional separation factors for TECO?

- **Nucor:** No position.

ISSUE 6C: What are the appropriate 2025 jurisdictional separation factors for FPUC?

- **Nucor:** No position.

ISSUE 6D: What are the appropriate 2025 jurisdictional separation factors for DEF?

- **Nucor:** Agree with OPC.

ISSUE 7A: What are the appropriate 2025 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPL?

- **Nucor:** No position.

ISSUE 7B: What are the appropriate 2025 Storm Protection Plan Cost Recovery Clause factors for each rate class for TECO?

- **Nucor:** No position.

ISSUE 7C: What are the appropriate 2025 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPUC?

- **Nucor:** No position.

ISSUE 7D: What are the appropriate 2025 Storm Protection Plan Cost Recovery Clause factors for each rate class for DEF?

- **Nucor:** Agree with OPC.

ISSUE 8A: What should be the effective date of the 2025 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPL?

- **Nucor:** No position.

ISSUE 8B: What should be the effective date of the 2025 Storm Protection Plan Cost Recovery Clause factors for billing purposes for TECO?

- **Nucor:** No position.

ISSUE 8C: What should be the effective date of the 2025 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPUC?

- **Nucor:** No position.

ISSUE 8D: What should be the effective date of the 2025 Storm Protection Plan Cost Recovery Clause factors for billing purposes for DEF?

- **Nucor:** Agree with OPC.

ISSUE 9A: Should the Commission approve revised tariffs reflecting the 2025 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPL?

- **Nucor:** No position.

ISSUE 9B: Should the Commission approve revised tariffs reflecting the 2025 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for TECO?

- **Nucor:** No position.

ISSUE 9C: Should the Commission approve revised tariffs reflecting the 2025 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPUC?

- **Nucor:** No position.

ISSUE 9D: Should the Commission approve revised tariffs reflecting the 2025 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for DEF?

- **Nucor:** Agree with OPC.

ISSUE 10: Should this docket be closed?

- **Nucor:** No position.

F. PENDING MOTIONS

None.

G. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

None.

H. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT

None at this time.

I. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE

There are no requirements of the Procedural Orders with which Nucor cannot comply.

Respectfully submitted,

STONE MATTHEIS XENOPOULOS & BREW, PC

/s/ Michael K. Lavanga

Peter J. Mattheis

Michael K. Lavanga

Joseph R. Briscar

1025 Thomas Jefferson Street, NW

Eighth Floor, West Tower

Washington, DC 20007

(202) 342-0800

(202) 342-0807 (fax)

E-mail: pjm@smxblaw.com

mkl@smxblaw.com

jrb@smxblaw.com

Attorneys for Nucor Steel Florida, Inc.

Dated: July 31, 2024

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Prehearing Statement of Nucor Steel

Florida, Inc. has been furnished by electronic mail this 31st of July 2024, to the following:

Duke Energy

Matthew R. Bernier
Robert L. Pickels
Stephanie A. Cuello
106 E. College Avenue, Suite 800
Tallahassee, FL 32301
FLRegulatoryLegal@duke-energy.com
matthew.bernier@duke-energy.com
robert.pickels@duke-energy.com
stephanie.cuello@duke-energy.com

Duke Energy

Dianne M. Triplett
299 First Avenue North
St. Petersburg, FL 33701
Dianne.triplett@duke-energy.com

Tampa Electric Company

J. Jeffry Wahlen
Malcom N. Means
Virginia Ponder
Ausley Law Firm
P.O. Box 391
Tallahassee, FL 32302
jwahlen@ausley.com
mmeans@ausley.com
vponder@ausley.com

Tampa Electric Company

Paula K. Brown
Regulatory Affairs
P.O. Box 111
Tampa, FL 33601-0111
regdept@tecoenergy.com

Florida Power & Light Company

Christopher T. Wright
David M. Lee
700 Universe Boulevard
Juno Beach, FL 33408
christopher.wright@fpl.com
david.lee@fpl.com

Florida Power & Light Company

Kenneth A. Hoffman
134 W. Jefferson Street
Tallahassee, FL 32301-1859
ken.hoffman@fpl.com

Florida Public Utilities Company

Beth Keating
Gunster Law Firm
215 South Monroe St., Suite 601
Tallahassee, FL 32301
bkeating@gunster.com

Office of Public Counsel

Walt Trierweiler
Mary A. Wessling
Patricia A. Christensen
Octavio Ponce
Austin Watrous
Charles J. Rehwinkel
The Florida Legislature
111 W. Madison St., Rm 812
Tallahassee, FL 32399
Trierweiler.walt@leg.state.fl.us
wessling.mary@leg.state.fl.us
christensen.patty@leg.state.fl.us
ponce.octavio@leg.state.fl.us
watrous.austin@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

Florida Public Service Commission

Daniel Dose
Jennifer Crawford
Shaw Stiller
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
ddose@psc.state.fl.us
jcrawford@psc.state.fl.us
sstiller@psc.state.fl.us

Florida Public Utilities Company

Michelle D. Napier
Phuong Nguyen
1635 Meathe Drive
West Palm Beach, FL 33411
mnapier@fpuc.com
pnguyen@chpk.com

PCS Phosphate - White Springs

James W. Brew
Laura Wynn Baker
Sarah B. Newman
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson St., NW
Suite 800 West
Washington, DC 20007
jbrew@smxblaw.com
lwb@smxblaw.com
sbn@smxblaw.com

Florida Industrial Power Users Group

Jon C. Moyle, Jr.
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
mqualls@moylelaw.com

/s/ Michael K. Lavanga
Michael K. Lavanga