

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by Tampa Electric Company : **DOCKET NO. 20240026-EI**
:
:
: **Filed: August 6, 2024**

**PETITION TO INTERVENE OF
WALMART INC.**

Pursuant to Sections 120.569 and 120.57 of the Florida Statutes and Rules 25-22.039, 28-106.201, and 28-106.205 of the Florida Administrative Code, Walmart Inc. ("Walmart"),¹ by its attorneys, respectfully petitions the Florida Public Service Commission ("Commission") for permission to intervene in the above-captioned proceeding. In support thereof, Walmart represents to the Commission:

1. Petitioner is Walmart, 2608 SE J Street, Bentonville, AR 72716.
2. The name and address of Petitioner's attorneys are:

Stephanie U. Eaton
Florida Bar No.: 165610
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¹ Walmart is a member of Intervenor Florida Retail Federation ("FRF"), but it is filing this intervention to also advocate for its individual interests and positions.

Steven W. Lee (*as Qualified Representative*)
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Ms. Eaton is authorized to accept service of papers in this proceeding on behalf of Walmart. Further, per Commission Order No. PSC-2024-0140-FOF-OT dated May 2, 2024, Mr. Lee has been admitted as a Qualified Representative for Walmart. Walmart also requests that Mr. Lee also be added to the service list.

3. On April 2, 2024, Tampa Electric Company ("TECO" or "Company") filed a Petition for an increase in rates ("Petition"). In the Petition, TECO is requesting an annual increase in general base rates of \$293,634,910 and an annual increase to its service charges of \$2,976,175, for a total increase of \$296,611,085 to be effective with the first billing cycle of January 2025. DEF is also requesting approval of a return on equity ("ROE") of 11.50 percent.

4. Walmart is a national retailer of goods and services through the United States with its principal office located at 2608 SE J Street, Bentonville, AR 72716.

5. Statement of Substantial Interest. Walmart operates 386 retail units, nine Distribution Centers, two Fulfillment Centers, and employs over 118,000 associates in Florida. In the fiscal year ending 2024, Walmart purchased over \$8.5 billion worth of goods and services from Florida-based suppliers, supporting over 82,000 supplier jobs.² Walmart is also a large commercial customer of the Company, owning and operating approximately 36 retail stores, a distribution center, and related facilities in the Company's service territory. Collectively, these

² <https://corporate.walmart.com/about/location-facts/united-states/florida>

facilities consume over 140.3 million kWh of electricity annually from the Company primarily on the Time-of-Day General Service – Demand ("GSDT") Schedule.

6. The cost of electric utility service is a significant element in the cost of operation for Walmart at multiple locations throughout the state, which could be impacted by the outcome in this case, thus Walmart has a unique and substantial interest in this matter.

7. As a large customer with multiple accounts, Walmart has a substantial and vital interest in the outcome of this proceeding that cannot be adequately represented by any other party.

8. Statement of Affected Interests. In the above-referenced proceeding, the Commission will consider whether to approve TECO's Petition. The Commission's decision will affect the Company and its customers, including Walmart, in the following ways. If approved, the Petition will increase the Company's rates by \$296,611,085 to be effective with the first billing cycle of January 2025. In addition, the Company has requested an ROE of 11.5 percent.

9. As a large electric consumer with multiple accounts served by the Company, Walmart will be substantially affected by the outcome of this proceeding. The Company's proposed rate increase will directly impact the cost of power supplied by the Company to Walmart's facilities located in the Company's territory, thereby affecting its operating costs.

10. Statement of Position. Walmart's position as a customer of the Company as set forth above provides it standing, and in light of the reasons set out in this Petition to Intervene, Walmart has an interest in ensuring that Commission approval of the Company's Petition will result in rates that are fair, just, and reasonable.

11. Disputed Issues of Material Fact. At this time, Walmart has not identified disputed issues of material facts stated by the Company.

12. Statement of Ultimate Facts Alleged and at Issue. Ultimate facts alleged and at issue include, but are not limited to, the following:

- a. Whether Commission approval of the Company's Petition and proposals will result in rates that are fair, just and reasonable; and
- b. Whether Commission approval of the Company's Petition in its entirety is in the public interest.

Walmart anticipates that other ultimate facts and issues may arise during the course of these proceedings.

13. The rules and statutes that entitle Walmart to intervene and participate in this case include, but are not limited to, the following:

- a. Section 120.569 of the Florida Statutes;
- b. Section 120.57 of the Florida Statutes;
- c. Section 25-22.039 of the Florida Administrative Code;
- d. Section 28-106.201 of the Florida Administrative Code; and
- e. Section 28-106.205 of the Florida Administrative Code.

12. Requested Relief. Walmart requests that it be permitted to intervene as a full party in this proceeding.

13. Pursuant to Rule 28-106.204(3) F.A.C., Walmart conferred with the parties regarding Walmart's intervention. The FRF has indicated that it supports Walmart's intervention.

All other parties³ have indicated that they either have no objection to or take no position on Walmart's intervention.

WHEREFORE, Walmart respectfully requests that the Commission grant this Petition to Intervene and be provided with full party status in this proceeding.

Respectfully submitted,

By /s/ Stephanie U. Eaton

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Counsel to Walmart Inc.

Dated: August 6, 2024

³ TECO, the Office of Public Counsel ("OPC"), Americans for Affordable Clean Energy, Inc. ("AAACE"), Circle K Stores, Inc. ("Circle K"), RaceTrac Inc. ("RaceTrac"), Wawa, Inc., Federal Executive Agencies, Florida Industrial Power Users Group ("FIPUG"), League of United Latin American Citizens of Florida, also known as LULAC Florida Inc. ("LULAC"), Florida Rising, Inc. ("Florida Rising"), and Sierra Club have indicated they have no objection or no position with respect to Walmart's intervention.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 6th day of August, 2024.

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