

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition for rate increase by Florida ) DOCKET NO. 20250011-EI  
Power & Light Company )  
 ) FILED: March 3, 2025  
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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 dockets. 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 Florida Power & Light (“FPL”). 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 these proceedings under 40 U.S.C. §§ 501(c) and 121(d).

5. In this case, the Florida Public Service Commission (“Commission”) will consider FPL’s request for a general base rate increase and approval of its revenue increase. 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 the Commission takes in these dockets. For these reasons, the FEA has a substantial interest in the above-captioned docket.

6. Notice of Docket: Based on the timing and provisions of in FPL’s prior rate case, the FEA monitored the Commission’s docket and learned of FPL’s recent filing of a general rate increase on 2 January 2025. FPL filed their petition for base rate increase on 28 February 2025.

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

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

- c. Determining the appropriate allocation of FPL's cost of providing services among its customer classes.
  - d. Determining the appropriate rates to be charged by FPL for its service to each customer class.
  - e. Determining the appropriate revenue requirements for FPL.
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 FPL 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 these dockets. 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 FPL.
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 FPL's service area and receive service from FPL, for which they are charged FPL's applicable service rates. Therefore, the agencies that FEA represents will be substantially affected by the Commission's determinations in this proceeding concerning FPL's petition for a general base 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 utility rates falls within the purview of 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).

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 interests of its agencies, as FPL 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. 40 U.S.C. Section 501(c);
- b. 40 U.S.C. Section 121(d);
- c. Section 120.569, Florida Statutes;
- d. Section 120.57, Florida Statutes;
- e. Section 366.04, Florida Statutes;
- f. Section 366.05, Florida Statutes;
- g. Section 366.06, Florida Statutes;
- h. Rule 28-106.201, Florida Administrative Code;
- i. 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 and is authorized to represent that Florida Rising, Inc., League of United Latin American Citizens of Florida, Inc. (LULAC), Environmental Confederation of Southwest Florida, Inc. (ECOSWF), Southern Alliance for Clean Energy (SACE), Staff Counsel, and Florida Power and Light Company (FPL) took no position on the FEA's intervention, while Florida Industrial Power Users Group (FIPUG) and Office of Public Counsel (OPC) did not object to the FEA's intervention.

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 this 3rd day of March, 2025.

**Attorneys for Federal Executive Agencies**

By: /s/Michael A. Rivera

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**CERTIFICATE OF SERVICE**  
**Docket Nos. 20250011-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 3rd day of March, 2025, to the following:

<p><b>Florida Public Service Commission</b>  <b>Office of the General Counsel</b>  Timothy Sparks  Shaw Stiller  2540 Shumard Oak Boulevard  Tallahassee, Florida 32399  tsparks@psc.state.fl.us  SStiller@psc.state.fl.us</p>	<p><b>Florida Power &amp; Light Company</b>  Kenneth A. Hoffman  John T. Burnett  134 West Jefferson Street  Tallahassee, Florida 32301  Ken.hoffman@fpl.com  John.T.Burnett@fpl.com</p>
<p><b>Earthjustice</b>  <b>Florida Rising, Inc.</b>  <b>LULAC Florida, Inc.</b>  <b>Environmental Confederation of Southwest Florida, Inc.</b>  Bradley Marshall  Jordan Luebkemann  111 S. Martin Luther King Jr. Blvd.  Tallahassee, Florida 32301  bmarshall@earthjustice.org  jluebkemann@earthjustice.org  flcaseupdates@earthjustice.org</p>	<p><b>Federal Executive Agencies</b>  Leslie Newton  Ashley George  Michael Rivera  Thomas Jernigan  Ebony M. Payton  James Ely  AFLOA/JAOE-ULFSC  139 Barnes Drive, Suite 1  Tyndall Air Force Base, FL 32403  Leslie.Newton.1@us.af.mil  Ashley.George.4@us.af.mil  Michael.Rivera.51@us.af.mil  Thomas.Jernigan.3@us.af.mil  Ebony.Payton.ctr@us.af.mil  James.Ely@us.af.mil</p>
<p><b>Office of Public Counsel</b>  Mary A. Wessling  Walt Trierweiler  c/o The Florida Legislature  111 West Madison Street, Room 812  Tallahassee, FL 32399  Wessling.mary@leg.state.fl.us  Trierweiler.walt@leg.state.fl.us</p>	<p><b>Southern Alliance for Clean Energy</b>  William C. Garner  Law Office of William C. Garner, PLLC  3425 Bannerman Road  Unit 105, No. 414  Tallahassee, FL 32312  bgarner@wcglawoffice.com</p>

**Florida Industrial Power Users Group**

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*/s/ Ebony M. Payton*

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