

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for
Citrus County combined cycle power plant, by
Duke Energy Florida, Inc.

DOCKET NO. 140110-EI
ORDER NO. PSC-14-0397-PCO-EI
ISSUED: August 1, 2014

ORDER GRANTING INTERVENTION

By petition, dated July 15, 2014, EFS Shady Hills LLC (Shady Hills) has requested permission to intervene in this proceeding. Shady Hills owns and operates a simple cycle gas-fired facility in Pasco County, Florida, and has supplied power from that plant to Duke Energy Florida, Inc. (DEF) since 2007. Shady Hills was a qualified bidder in the 2013 “Request for Proposals for Long-term Power Supply Resources with an In-service Year of 2018” (RFP). Shady Hills asserts that their intervention should be granted because the decision made in this docket will determine Shady Hills’s substantial business and economic interests relating to the expansion of their plant and whether the increased electric output can be sold to DEF or will need to be marketed to other potential buyers. DEF takes no position on Shady Hill’s petition to intervene in this matter. By taking no position on Shady Hill’s petition to intervene, however, DEF does not agree with or concede any of the allegations in Shady Hill’s petition to intervene.

Having reviewed the Petition, it appears that Shady Hill’s substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request. The Petition shall be granted. Pursuant to Rule 25-22.039, F.A.C., Shady Hills takes the case as it finds it.


Therefore, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the Petition to Intervene filed by EFS Shady Hills LLP is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Linda Loomis Shelley, Esq.
Buchanan Ingersoll & Rooney / Fowley
White Boggs PA
101 North Monroe Street, Suite 1090
Tallahassee, FL 32301
Linda.shelley@bipc.com

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 1st day of August, 2014.



RONALD A. BRISÉ

Commissioner and Prehearing Officer
Florida Public Service Commission
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Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MTL

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.