

Crystal Card

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To: Filings@psc.state.fl.us
Subject: FW: FPSC Docket No. 140111
Attachments: P-PCS Interv 140111_f.pdf

From: Owen J. Kopon
Sent: Friday, May 30, 2014 4:45 PM
To: 'Filings@psc.state.fl.us'
Cc: Jay Brew; 'mwalls@CFJBLaw.com'; 'john.burnett@duke-energy.com'; 'matthew.bernier@duke-energy.com'; 'ana.richmond@deo.myflorida.com'; 'justin.b.green@dep.state.fl.us'; 'jmoyle@moylslaw.com'; 'Schef@gbwlegal.com'; 'kelly.jr@leg.state.fl.us'; 'ataylor@bbrslaw.com'; 'MLawson@PSC.STATE.FL.US'
Subject: FW: FPSC Docket No. 140111

(a) Person responsible for filing

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(b) Docket No. 140111-EI: In re: Petition for Determination of Cost Effective Generation Alternative to Meet Need Prior to 2018 for Duke Energy Florida, Inc.

(c) Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs

(d) Total Pages = 5

(e) PCS Phosphate's Petition to Intervene

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**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Determination of Cost)
Effective Generation Alternative to Meet Need)
Prior to 2018 for Duke Energy Florida, Inc.) DOCKET NO. 140111-EI

**PETITION TO INTERVENE OF
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.
d/b/a PCS PHOSPHATE – WHITE SPRINGS**

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorney, files its Petition to Intervene. In support thereof, PCS Phosphate states as follows:

1. The name and address of the affected agency is:

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

2. The name and address of the petitioner is:

White Springs Agricultural Chemicals, Inc.
d/b/a PCS Phosphate – White Springs
15843 SE 78th Street, P.O. Box 300
White Springs, Florida 32096

3. All pleadings, motions, orders and other documents directed to the petitioner

should be served on:

James W. Brew
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4. PCS Phosphate is a manufacturer of fertilizer products with plants and operations located within Duke Energy Florida's ("DEF" or "Duke") electric service territory. PCS Phosphate receives service under various PEF rate schedules.

5. Statement of Affected Interests. Duke filed its Petition for Determination of Cost Effective Generation Alternative to Meet Need Prior to 2018 ("Duke Petition") pursuant to Rules 25-22.080 and 25-22.081 of the Florida Administrative Code. Duke requests an affirmative determination that Duke has a need for additional generation capacity prior to 2018 and that Duke's Suwannee Simple Cycle and Hines Chillers Power Uprate projects are the most cost effective generation alternatives to meet that need. In this proceeding, the Commission will review the need for electric system reliability and integrity, the need for adequate reasonable cost electricity, the need for fuel diversity and supply reliability, whether the proposal is the most cost-effective alternative available, and whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available. As a large customer of Duke that will be required to fund the costs of the proposed Suwannee Simple Cycle and Hines Chillers Power Uprate projects in rates approved by the Commission. Consequently, PCS Phosphate will be directly and substantially affected by the outcome of these proceedings.

6. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to, the following:

- (a) Whether Duke will have a need for additional generation capacity prior to 2018.
- (b) Whether, if such a need exists, Duke's proposed Suwannee Simple Cycle and Hines Chillers Power Uprate projects is the most cost effective method of satisfying its need considering the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, the need for fuel diversity and supply reliability, whether the proposed plant is the most cost-effective alternative

available, and whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available.

7. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues may be identified in the course of this proceeding.

8. Statement of Ultimate Facts Alleged. Alleged ultimate facts include, but are not limited to, the following:

- (a) Duke may not have a need for additional generation capacity prior to 2018.
- (b) Duke's proposed Suwannee Simple Cycle and Hines Chillers Power Uprate projects may not be the most cost effective method of satisfying its need.

PCS Phosphate anticipates that additional alleged ultimate facts will be identified in the course of these proceedings.

9. Laws Entitling Petitioner to Relief and Relation to Alleged Facts. The rules and statutes entitling PCS Phosphate to relief include, but are not necessarily limited to, the following: Sections 120.569 and 120.57(1), Florida Statutes, and Rules 25-22.039, 25-22.080 – 25-22.082, Florida Administrative Code.

WHEREFORE, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs respectfully requests that the Commission enter an order allowing it to intervene as a full party in this docket.

Respectfully submitted,

s/ James W. Brew

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*Attorney for White Springs Agricultural
Chemicals Inc. d/b/a PCS Phosphate – White
Springs*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition to Intervene has been furnished by electronic mail and/or U.S. Mail this 30th day of May 2014 to the following:

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