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June 10, 2014



Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850

RE: Docket No. 130202-EI

Dear Ms. Stauffer:

Attached for electronic filing in the above referenced docket is the prepared rebuttal testimony of John N. Floyd.

Sincerely,

A handwritten signature in black ink that reads "Robert L. McGee, Jr." in a cursive style.

Robert L. McGee, Jr.
Regulatory and Pricing Manager

md

Attachments

cc: Florida Public Service Commission
Lee Eng Tan, Sr Attorney, Office of the General Counsel (5 copies)
Beggs and Lane
Jeffrey A. Stone, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**COMMISSION REVIEW OF NUMERIC
CONSERVATION GOALS**

Docket No. 130202-EI

**REBUTTAL TESTIMONY
OF
JOHN N. FLOYD**

FILED JUNE 10, 2014



1 Gulf Power Company

2 Before the Florida Public Service Commission
3 Prepared Rebuttal Testimony of
4 John N. Floyd
5 Docket No. 130202-EI
6 Date of Filing: June 10, 2014

7 Q. Will you please state your name, business address, employer and
8 position?

9 A. My name is John Floyd, and my business address is One Energy Place,
10 Pensacola, Florida 32520. I am employed by Gulf Power Company (Gulf
11 Power, Gulf or the Company) as the Manager of Energy Sales &
12 Efficiency.

13 Q. Are you the same John N. Floyd that provided direct testimony on Gulf
14 Power's behalf in this docket?

15 A. Yes.

16
17 Q. Mr. Floyd, what is the purpose of your testimony?

18 A. My testimony is in rebuttal to the testimony of intervenor Witnesses Mims,
19 Woolf, Rabago and Fine previously filed in this docket.

20
21 Q. Do you have any initial observations about the intervenor testimony in this
22 docket?

23 A. Yes. The testimony provided by intervenor witnesses is voluminous,
24 covers a wide variety of issues both appropriate for this docket and not,
25 and is somewhat difficult to follow. In an effort to focus my rebuttal on the

1 key points in this docket, I will not attempt to address every point of
2 inaccuracy or misunderstanding, but instead respond to what appear to be
3 the main issues. These include the goal recommendations of Witnesses
4 Mims and Woolf, the appropriate cost-effectiveness tests and criteria for
5 setting goals, the goal-setting process, and solar pilots. The absence of a
6 response to any particular argument offered by the intervenor witnesses
7 should not be construed as acquiescence or agreement on my part.

8
9
10 **Goal Recommendations**

11
12 Q. What is your response to Witness Woolf and Mims' recommendations
13 that the Florida Public Service Commission (Commission) establish
14 conservation goals for Gulf Power of 1.0 percent of annual energy sales?

15 A. I do not believe that these recommendations meet the requirements of
16 section 366.82, Florida Statutes and Rule 25-17.0021, Florida
17 Administrative Code, for developing goals. Specifically, section 366.82(3)
18 requires evaluation of the full technical potential of available energy
19 efficiency and demand-side renewable measures and consideration of
20 four criteria in establishing goals: the costs and benefits to customers
21 participating in the measure; the costs and benefits to the general body of
22 ratepayers as a whole, including utility incentives and participant
23 contributions; the need for incentives to promote both customer-owned
24 and utility-owned energy efficiency and demand-side renewable energy
25 systems; and the costs imposed by state and federal regulations on the

1 emission of greenhouse gases. Rule 25-17.0021(1), in turn, requires that
2 goals be “based on an estimate of the total cost-effective kilowatt and
3 kilowatt-hour savings reasonably achievable through demand-side
4 management in each utility’s service area.” This rule also requires
5 consideration of building codes, which are specific to Florida, free riders,
6 and specific market segments and end-use categories. The intervenors’
7 recommended goals are not based on the criteria set forth in 366.82(3)
8 Florida Statutes, or the Commission’s rules, but rather on an arbitrary
9 percentage of the Company’s retail sales. Witness Mims does not
10 provide specific numeric goals for energy, summer demand, or winter
11 demand for any of the ten years covered by this proceeding. Witness
12 Woolf only provides a proposed energy goal for the first five years of the
13 ten year period and no specific summer or winter demand reduction
14 recommendations other than using a “simplistic assumption” based upon
15 ratios. Further, the goals recommended by these witnesses are not
16 reflective of a thorough, deliberate process like the one used by the
17 Company to develop proposed goals. These witnesses’ proposed goals
18 do not reflect Gulf Power’s planning process, including the nature and
19 timing of the avoided unit being used in the evaluation of energy efficiency
20 measures associated with development of the Company’s proposed
21 goals. In essence, Witness Woolf and Mims’ recommendations rest on
22 the bare assumption that because a handful of other jurisdictions run
23 DSM programs that save over 1.0 percent of electricity sales each year,
24 then a 1.0 percent goal must necessarily be appropriate for Florida.
25

1 Q. Is it appropriate to rely on Demand-Side Management (DSM)
2 achievements in other states as a proxy for setting goals in Florida?

3 A. No. While the approach is simplistic in its appeal, it ignores many
4 significant factors that differ between states including climates, regulatory
5 frameworks, utility rates, building codes, utility planning processes, and
6 historical DSM achievements.

7

8 Q. Do you agree with Witness Woolf and Mims' general characterization that
9 Florida has lagged behind other states with regard to DSM?

10 A. No. The Commission Staff's own study indicates that Florida's
11 achievements are very much in line with those of other states considering
12 the unique aspects of Florida's climate and customer mix. The study,
13 "Florida Investor-Owned Utilities' Demand-Side Management
14 Achievements Comparative Analysis, January 20, 2011," reveals that
15 Florida utilities generally compare favorably to the peer groups analyzed
16 in the study.

17

18

19 **Cost-Effectiveness Tests and Criteria for Goal Setting**

20

21 Q. What is your response to Witness Woolf and Mims' claim that the Florida
22 Energy Efficiency and Conservation Act (FEECA) mandates use of the
23 Total Resource Cost test (TRC) in establishing DSM goals?

24 A. Their claim directly conflicts with the plain reading of FEECA and
25 Commission precedent. First, the statute does not specifically name any

1 cost-effectiveness test as being the standard. The statute references
2 aspects of multiple cost-effectiveness tests (Rate Impact Measure (RIM),
3 Participant's Test (PT) and TRC) that are important in goal-setting. These
4 witnesses' suggestions that FEECA mandates the use of TRC and that
5 consideration of RIM is a "moot" issue in this hearing are contradicted by
6 the Commission's own ruling in the previous DSM goals docket. In Order
7 No. PSC-09-0855-FOF-EG (the Commission's 2009 Goals Order), page
8 15, the Commission concludes:

9 "We would note that the language added in 2008 did not
10 explicitly identify a particular test that must be used to set
11 goals. Based on the analysis above, we find that
12 consideration of both the RIM and TRC tests is necessary to
13 fulfill the requirements of Section 366.82(3)(b), F.S."
14

15 Q. Do the goals Gulf is proposing fulfill the requirements outlined by the
16 Commission and the statute?

17 A. Absolutely. Gulf's proposed goals completely meet these requirements as
18 all measures included in the achievable potential pass both the RIM and
19 TRC tests. In addition, they are all cost-effective to the participants who
20 elect to participate.

21
22 Q. Witness Woolf goes so far as to state that RIM should never be used to
23 determine DSM cost-effectiveness. Do you agree with this contention?

24 A. No. I do not agree with this contention. Use of the RIM test has served
25 Florida customers well over many years by supporting significant

1 conservation results while ensuring that non-participating customers are
2 not harmed through cross-subsidization. Moreover, this Commission's
3 own orders and rules clearly require use of the RIM test in evaluating
4 energy efficiency goals.

5

6 Q. Do the intervenor witnesses' proposals result in non-participating
7 customers subsidizing DSM participants?

8 A. Yes. In fact, they are open in their acknowledgment that cross-
9 subsidization will occur. In essence, they suggest that the Commission
10 should not concern itself with cross-subsidies because, with high
11 participation in DSM programs, customer bill savings will offset any rate
12 increases. This suggestion ignores the voluntary nature of DSM
13 programs. Since the launch of Gulf's 2010 DSM Plan, voluntary
14 participation in Gulf's programs only represents 11 percent of the total
15 customer base. Even if customer participation quadrupled, the number of
16 customers realizing bill savings would still be a minority while the majority
17 of customers would experience the upward rate pressure associated with
18 TRC-based programs.

19

20 Q. Witness Woolf states that higher DSM goals would lead to very small rate
21 impacts, if any. Is this consistent with Gulf's experience?

22 A. No. In 2009, Gulf's goals were increased substantially through
23 assignment of the TRC achievable potential as the Company's goal.
24 Since that time, Gulf's associated cost to customers that is recovered
25 through the Energy Efficiency and Conservation Clause (ECCR) has more

1 than doubled. These are new costs to customers that did not exist when
2 goals were set utilizing the RIM and PT to ensure cost-effective DSM was
3 pursued that did not result in cross-subsidy, nor cause upward rate
4 pressure.

5

6 Q. The intervenor witnesses have various criticisms of the assumptions and
7 methodology Gulf used in evaluating the cost-effectiveness of DSM
8 measures. Are these valid?

9 A. No. Stated simply, Gulf's methodology for evaluating the cost-
10 effectiveness of measures in this proceeding is consistent with the
11 process utilized in 2009 and meets the requirements of the Commission
12 rules. While I have not endeavored to address each criticism in detail,
13 there are a couple of specific critiques that I feel compelled to touch upon:
14 CO2 and "Other Program Impacts" (OPIs), also characterized as "non-
15 energy benefits."

16

17 Gulf's treatment of CO2 in this proceeding is true to FEECA's statutory
18 language. Specifically, section 366.82(3)(d) requires consideration of "the
19 costs imposed by state and federal regulations on the emission of
20 greenhouse gases." As discussed in my direct testimony, Gulf is not
21 incurring costs imposed by state and federal regulations on greenhouse
22 gas emissions. The intervenors' suggestion that Gulf must consider
23 potential or speculative unquantifiable costs associated with greenhouse
24 gas regulation is not consistent with the statutory language. The
25 Commission's 2009 Goals Order acknowledges as much: "[t]he statute

1 does not define 'greenhouse gases,' nor requires us to consider projected
2 costs that may be imposed." (Order p. 15). I would note that in the 2009
3 DSM Goals proceeding Gulf included projected CO2 costs in determining
4 the 2009 goal proposals. Ultimately, DSM goals were set based upon
5 assumed benefits of CO2 costs which not only did not materialize during
6 that proceeding, but have not materialized to date. Because these
7 decisions impact the level of DSM expenditures borne by all customers,
8 Gulf does not believe it is appropriate to incorporate non-existent CO2
9 costs into our cost-effectiveness evaluations in this proceeding.

10

11 Witnesses Mims and Woolf both suggest that OPIs should be considered
12 in assessing the benefits of energy efficiency in the goal-setting process.
13 Witness Woolf claims that these benefits should include such things as:
14 increased safety, improved health, improved productivity in schools and
15 businesses, and improved aesthetics and comfort. He goes on to say that
16 these types of benefits are especially important in the TRC test. Lacking
17 any reasonable quantification of these benefits, Witness Woolf suggests a
18 crude adder to the quantifiable benefits of each measure's avoided cost
19 savings. This recommendation is squarely at odds with the otherwise
20 rigorous process used in evaluating cost-effectiveness in this proceeding
21 and should be rejected by this Commission.

22

23

24

25

1 **Goal-Setting Process**

2
3 Q. Witnesses Mims and Woolf also criticize the process the Investor-Owned
4 Utilities (IOUs) utilized to determine the technical potential for DSM in their
5 service areas. How do you respond to these criticisms?

6 A. With regard to Gulf's Technical Potential Study, Gulf followed the
7 requirements set forth in the Order Establishing Procedure (OEP) dated
8 August 19, 2013. The OEP specifies that the 2009 Technical Potential
9 Study should be updated in lieu of a completely new study. Gulf and the
10 other IOUs updated the 2009 Study using available, state-specific data.
11 Many of Witness Woolf's criticisms are aimed toward the integrity of the
12 original 2009 Study. In this regard, he is simply restating arguments that
13 were rejected by the Commission in 2009. With respect to the updated
14 study, both witnesses contend that certain measures and sectors were
15 excluded or overlooked. In fact, at a Commission Staff meeting on June
16 17, 2013, all parties were invited to provide input on new measures,
17 including Florida-specific data, that they believed should be considered for
18 the updated study. The Southern Alliance for Clean Energy (SACE)
19 provided a measure list without any data, Florida-specific or otherwise, to
20 Commission Staff. A subsequent request from Witness Koch on behalf of
21 the utilities was sent to SACE outlining the measure information needed in
22 order to quantify the potential savings. SACE did not provide any
23 additional information in response to this request. As was the case in
24 2009, the intervenors have again failed to provide any Florida-specific
25 data necessary to evaluate their proposals. Moreover, while certain

1 measures mentioned by Witness Woolf were not specifically addressed in
2 the updated study, the underlying technology associated with many of
3 those measures was included in the study. For example, the measures
4 that would facilitate a “net-zero building” like HVAC, insulation and lighting
5 are included throughout the study. For all of the foregoing reasons, the
6 Commission should reject the intervenors’ unfounded critique of Gulf’s
7 technical potential analysis.

8
9 Q. Witnesses Mims and Woolf recommend abandoning the practice of using
10 a two-year payback criterion as a method to address free ridership. Do
11 you agree with this recommendation?

12 A. No. I continue to believe that this criterion is an objective, reasonable and
13 efficient method of addressing free ridership during the goal-setting
14 process as required by Commission rule.

15
16 Q. Is Witness Mims’ recommendation to use evaluation, measurement and
17 verification (EM&V) to account for free ridership in this goal-setting
18 process reasonable?

19 A. No. As is the case with many of Witness Mims’ recommendations, she is
20 quick to criticize the Company’s plan without offering reasonable and
21 achievable alternatives. While conducting additional EM&V may be an
22 approach to quantify free ridership, there is simply not time to perform
23 EM&V and use the resulting data to account for free ridership in this
24 proceeding. Witness Mims offers no alternative that is usable. Following
25 her recommendation would leave Florida customers with energy efficiency

1 goals that do not account for free ridership at all. In addition to causing
2 higher costs for Gulf's customers, such a result would not be in keeping
3 with Rule 27-17.0021(3)'s directive to address free ridership at the goal-
4 setting stage.

5
6 Q. Witness Mims claims that incentive levels were used to screen measures
7 from the Technical Potential Study. Is this an accurate representation?

8 A. No. Witness Mims completely mis-characterizes the manner in which
9 incentives are set in the process. Gulf did not screen out any measures
10 based on incentive levels. As explained in my direct testimony on page
11 17, incentive levels were set for all measures in the economic potential in
12 order to maximize adoption of all cost-effective measures.

13
14
15 **Demand-Side Renewables**

16
17 Q. Witnesses Rabago and Fine have made a number of policy
18 recommendations concerning renewable generation including
19 recommendations related to valuation of solar energy. Do you have any
20 observations or concerns regarding these recommendations?

21 A. Yes, particularly with respect to the witnesses' recommendation that the
22 Commission direct the utilities to develop and utilize a Value of Solar
23 methodology (VOS). The VOS methodology introduced by Witnesses
24 Rabago and Fine are new concepts for assigning value to distributed solar
25 resources. Adoption of these new concepts would represent a sweeping

1 change in policy for Florida and such changes should not be considered
2 without appropriate review and evaluation, neither of which have or can
3 take place in this docket. As illustrated by the e-Lab Rocky Mountain
4 Institute “study of studies” attached to Witness Fine and Rabago’s
5 testimony: (1) the proper valuation of distributed solar generation is
6 subject to “heated debate”; (2) to date, there is no single study which
7 comprehensively evaluates the benefits and costs of solar distributed
8 generation; (3) “there is broad recognition that some benefits and costs
9 may be difficult or impossible to quantify”; (4) “there is a significant range
10 of estimated value across studies driven primarily by differences in local
11 context, input assumptions and methodologies”; and (5) there remain “key
12 differences” in how to value the capacity benefit of distributed solar
13 generation and significantly more disagreement on the “overall approach
14 to estimating grid support services” (Exhibit JF-3, KRR-2 page 4). In spite
15 of all of this admitted debate and uncertainty, the intervenors are not only
16 asking this Commission to decide in this docket that VOS is appropriate
17 as a matter of policy, they further recommend a methodology similar to a
18 Minnesota protocol as the model for Florida. In addition to representing a
19 fundamental shift in policy, adoption of these recommendations could
20 potentially require modifications to existing legislation, rules and
21 Commission policies such as those involving net-metering. For example,
22 a cursory review of the Minnesota methodology attached as Exhibit
23 KRR-4 to Witness Rabago’s testimony reveals that this methodology is
24 statutorily based and is an alternative to net-metering which mandates
25 that solar customers are billed for usage under their existing applicable

1 tariff and receive VOS credit for their gross solar production (Exhibit
2 KRR-4, page 9).

3
4 While further evaluation of appropriate policies to encourage the
5 development of demand-side renewables may be warranted, these
6 recommendations are well beyond the scope of this proceeding and
7 therefore should not be adopted.

8
9 Q. Do you support the intervenors' recommendation to continue the solar
10 pilot programs?

11 A. No. The intervenors provide little factual support for continuation of the
12 programs. As demonstrated in my direct testimony, each of the solar
13 measures analyzed failed the Commission-approved cost-effectiveness
14 tests. The intervenors do not dispute this evaluation. Instead, they
15 assume that the pilots would be cost-effective under some presumed
16 "Value of Solar" analysis that has not been adopted in Florida.

17
18 Q. Witness Fine claims the utilities used a two-year payback period to
19 evaluate the cost-effectiveness of the distributed solar photovoltaic (PV)
20 program. Is this correct?

21 A. No. Based on the evidence we have presented in this proceeding, I can
22 find no reason why Witness Fine would make such an assumption. Gulf
23 evaluated the benefits of the distributed PV technologies over 30 years in
24 the same way that all energy efficiency measures were evaluated.

25

1 This approach considered the benefits of the distributed PV technology far
2 beyond the two years he claims.

3

4 Q. Witness Rabago claims transmission and distribution benefits were only
5 captured for ten years. Is this the case?

6 A. No. Witness Rabago appears to be confusing Gulf's Transmission and
7 Distribution (T&D) planning process (which spans ten years into the
8 future) with Gulf's process for evaluating cost-effectiveness. As
9 demonstrated in Gulf's response to SACE interrogatory No. 21, which was
10 provided to SACE on May 7, 2014, Gulf's evaluation process for solar PV
11 assigns avoided T&D benefits over the 30-year evaluation period.

12

13 Q. Witness Rabago contends that none of the utilities apply the same
14 sophisticated avoided cost analysis to PV as they do for other DSM
15 programs. Is this true in the case of Gulf?

16 A. No. Gulf utilizes the same sophisticated analytical methods to value the
17 benefits of PV as other DSM technologies. This analysis includes time
18 sensitive demand benefits during peak conditions, avoided energy
19 benefits, T&D benefits, and adjustment for losses that scales up each of
20 these benefits to reflect impacts at the generator.

21

22 Q. What about the location-specific analysis that Witness Rabago mentions?

23 A. Even under the presumption that some distributed generation benefits are
24 location-specific, for the purposes of evaluating the cost-effectiveness of
25 customer-sited distributed PV installations, it is impossible to predict

1 exactly where these might occur on the utility system. Therefore, these
2 considerations are not practical for evaluating the cost-effectiveness of
3 distributed generation within the scope of this proceeding.

4

5

6

Conclusions

7

8 Q. Should the Commission adopt the intervenor witnesses' recommendations
9 in this docket?

10 A. No. The intervenors' recommendations in this docket lack thoughtful
11 analysis, do not reflect consideration of the utility planning process as
12 required by FEECA and Commission rules, and contain broad
13 generalizations based on DSM policies of other jurisdictions without any
14 regard to Florida-specific conditions or requirements. Further, while the
15 intervenors are quick to criticize the processes used by Gulf, their critiques
16 lack substantive solutions. Gulf's proposed goals were developed utilizing
17 a rigorous process that reflects the Company's most recent planning
18 assumptions, meets the requirements of FEECA and Commission rules,
19 and should be adopted by this Commission.

20

21 Q. Does this conclude your testimony?

22 A. Yes.

23

24

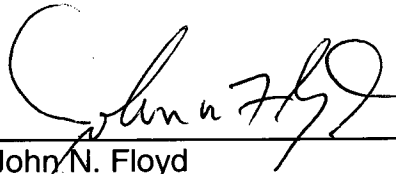
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STATE OF FLORIDA)
)
COUNTY OF ESCAMBIA)

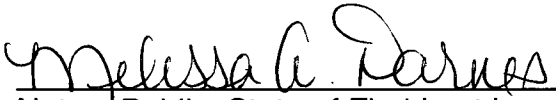
Docket No. 130202-EI

Before me the undersigned authority, personally appeared John N. Floyd, who being first duly sworn, deposes, and says that he is the Energy Sales and Efficiency Manager of Gulf Power Company, a Florida corporation, that the foregoing is true and correct to the best of his knowledge, information, and belief. He is personally known to me.



John N. Floyd
Energy Sales and Efficiency Manager

Sworn to and subscribed before me this 9th day of June, 2014.



Notary Public, State of Florida at Large



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: **Commission review of numeric)
conservation goals**)

Docket No.: **130202-EI**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 10th day of June, 2014 to the following:

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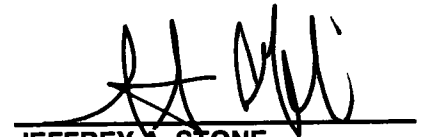
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