

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

DOCKET No.: 150009 - EI
Filed: January 21, 2015

**THE CITY OF MIAMI'S
PETITION FOR LEAVE TO INTERVENE**

The City of Miami (The CITY), by and through undersigned counsel, respectfully submits this Petition, pursuant to Rule 25-22.039, Fla. Admin. Code, for leave to intervene in the Nuclear Cost Recovery Clause (NCRC) docket. The CITY states the following in support of its Petition:

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

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

2. The name and address of the Petitioner to receive all notices, pleadings, and other communications related to this docket are:

The City of Miami
444 SW 2nd Ave
Miami, FL 33130
Phone: (305) 416-1800
Primary e-mail: vmendez@miamigov.com
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3. The CITY received notice of this docket through the January 2, 2015 Order Establishing 2015 Docket Number, PSC-15-0009-PCO-EI.

4. The CITY is a municipal government, and the county seat of Miami-Dade County, with a population of over 400,000 people. Both the municipality itself and the residents that it represents are rate-paying consumers of electricity within the service territory of Florida Power & Light Company (FPL).

5. Pursuant to section 366.93, Fla. Stat., and to Rule 25-6.0423, Fla. Admin. Code, Florida's Public Service Commission (the Commission) must establish cost recovery mechanisms that allow for the recovery in rates of all costs prudently incurred in the siting, design, licensing, and construction of nuclear or integrated gasification combined cycle power plants and allow for the recovery in rates of all such prudently incurred costs.

6. The CITY's substantial interests will be affected by the Commission's decision whether to approve FPL's cost recovery requests because approval of these requests will substantially and

directly increase the rates charged to the CITY and its residents. *See Agrico Chemical Company v. Department of Environmental Regulation*, 406 So. 2d 478, 482 (Fla. 2nd DCA 1981); *International Jai-Alai Players Assn. v. Florida Pari-Mutuel Commission*, 561 So. 2d 1224, 1225-26 (Fla. 3rd DCA 1990); *see also Village Park Mobile Home Assn., Inc. v. State Dept. of Business Regulation*, 506 So. 2d 426, 434 (Fla. 1st DCA 1987), *rev. den.*, 513 So. 2d 1063 (Fla. 1987).

7. The CITY's Petition is timely pursuant to Rule 25-22.039, Fla. Admin. Code.

8. While additional disputed issues of fact may emerge, the CITY suggests that the disputed issues of fact include the following:

- Whether FPL is entitled to the cost recovery it requests; and
- Whether the Turkey Point Unit 6 & 7 project continues to be feasible or cost effective for ratepayers.

WHEREFORE, for the foregoing reasons, the CITY respectfully requests that the Commission grant its Petition for Leave to Intervene and afford the CITY full party status in this proceeding, so that it may submit filings in the NCRC docket to be considered in the Commission's review of electric utility cost recovery requests.

Respectfully submitted this 21st day of January, 2015.

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By: s/ Matthew Haber
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of January, 2015, I served the foregoing document on all parties list in the attached Service List by e-mail.

By: s/ Matthew Haber
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