

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

Petition of Duke Energy Florida, Inc. for Approval to)
Include in Base Rates the Revenue Requirement for) DOCKET NO. 150148-EI
the CR3 Regulatory Asset)

**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:

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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. In this proceeding, the Commission will review Duke's proposal to recover the value of the Crystal River Unit 3 ("CR3") Regulatory Asset in base rates. The costs that are to be included in the CR3 Regulatory Asset are set out in the 2013 Revised and Restated Stipulation and Settlement Agreement ("RRSSA"). In this proceeding, the Commission will determine whether DEF has complied with the terms of the 2013 RRSSA. PCS Phosphate is both a signatory to the 2013 RRSSA and a large customer of Duke that will be subject to cost recovery through base rates of the revenue requirement for the CR3 Regulatory Asset. As a result, PCS Phosphate will be directly and substantially affected by the outcome of these proceedings.

Because of the implications of the proposal to include in base rates the revenue requirement for the CR3 Regulatory Asset, PCS Phosphate anticipates taking an active role in this proceeding.

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

- (a) Whether DEF has complied with the terms of the 2013 RRSSA.
- (b) Whether DEF has minimized the costs charged to the CR3 Regulatory Asset.

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) DEF has the burden to prove that the CR3 Regulatory Asset, as calculated in the Petition, is reasonable and prudent and complies with the terms of the 2013 RRSSA.

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 and 28-106.205, 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 5th day of June 2015 to the following:

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