

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Approval of 2016 Depreciation ) DOCKET NOs.: 16-0170-EI  
and Dismantlement Studies, Approval of Proposed ) 16-0186-EI  
Depreciation Rates and Annual Dismantlement )  
Accruals and Plant Smith Units 1 and 2 Regulatory )  
Asset Amortization, by Gulf Power Company )  
 ) FILED: 15 November, 2016  
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**FEDERAL EXECUTIVE AGENCIES**  
**PETITION TO INTERVENE**

Pursuant to sections 120.569, 120.57, 366.04(1), and 366.06, Florida Statutes; and rules 25-22.039, 28-106.201 and 28-106.205, Florida Administrative Code, the Federal Executive Agencies (FEA), through its undersigned counsel, files its Petition to Intervene. In support thereof, FEA states the following:

1. Name and address of affected agency. The affected agency is :

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

2. Name and address of Petitioner.

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3. Petitioner's representatives. Copies of all pleadings, orders and correspondence should be directed to:

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4. Notice of docket Petitioner received notice of this docket from a review of the Commission's website.

5. Statement of Substantial Interests Affected. The FEA consist of certain agencies of the United States Government which have offices, facilities, and/or installations in the service area of Gulf Power and purchase electric utility service from Gulf Power. The Department of Defense has been delegated authority by the General Services Administration to represent, through Department of the Air Force counsel, the consumer interest of the FEA in this proceeding under 40 U.S.C.A. 481(a)(4) and 486(d).

6. In this case, the Commission will consider Gulf Power's request for authority to increase general rates. Electricity costs represent one of the largest variable expenses of operating Federal offices, facilities, and installations on whose behalf intervention is sought

herein, and all will be significantly affected by any action this Commission takes in this Docket. For these reasons, FEA has a substantial interest in the above-captioned Docket.

FEA reserves all rights to raise additional issues in accordance with the Commission's rules and the Order Establishing Procedure issued in this case.

7. Notice of agency decision. Insofar as this is a petition for intervention and because there is presently no agency decision pending in this docket, FEA states that Rule 28-106.201(c) of the Florida Administrative Code is not applicable. However, FEA received notice of this docket by reviewing the Commission's website

8. Disputed Issues of Material Fact. Disputed issues of material fact may include, but are not limited to the issues below. The following statement of issues is general in nature and FEA reserves the right to identify and develop additional issues and refine those below as this docket progresses in accordance with the Commission's rules.

- a. Determining the appropriate capital structure for Gulf Power.
- b. Determining the appropriate return on equity for Gulf Power.
- c. Determining the appropriate allocation of Gulf Power's costs of providing retail electric service among Gulf Power's retail customer classes.
- d. Determining the appropriate rates to be charged by Gulf Power for its services to each customer class.

9. Ultimate Facts Alleged. Because the FEA includes Federal offices, facilities, and installations that are Gulf Power ratepayers the FEA has substantial interests that are subject to determination in this docket and therefore FEA is entitled to intervene and participate in this proceeding which will determine the fair, just and reasonable rates to be charged by Gulf Power.

10. Specific Statutes or Rules.

- a. Florida Administrative Code Chapters 25-22 and 28-106
- b. Chapters 120 and 366 of the Florida Statutes

11. Explanation of How the Alleged Facts Relate to the Specific Rules or Statutes.

Florida Administrative Code 25-22.039 and 28-106.205 provide that persons whose substantial interests are subject to determination or will be affected through an agency proceeding are entitled to intervene in such a proceeding. Because the FEA includes Federal offices, facilities, and installations that are Gulf Power ratepayers the FEA has substantial interests that are subject to determination in this docket. Accordingly, the FEA is entitled to intervene and participate in this proceeding. Additionally, Chapter 366 of the Florida Statutes relates to the Commission's jurisdiction over Gulf Power's rates and the Commission's statutory mandate to ensure that Gulf Power's rates are fair, just, and reasonable. The facts alleged here by the FEA demonstrate that: (1) the Commission's decisions herein will have a significant impact on Gulf Power's rates and charges; (2) Gulf Power's FEA customers will be directly impacted (and will suffer an injury in fact of sufficient immediacy) by the Commission's decisions regarding Gulf Power's rates and charges herein; and (3) accordingly, these statutes herein and associated proceedings, protect against this type of substantial injury and provide the basis for the relief requested by FEA.

12. Relief Requested. **WHEREFORE**, the FEA respectfully requests the Florida Public Service Commission to enter its order granting this Petition to Intervene and requiring that all parties to this proceeding serve copies of all pleadings, notices, and other documents on the FEA representative in paragraph 3 above.

*/s/Thomas A. Jernigan* \_\_\_\_\_  
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Counsel for FEA

**CERTIFICATE OF SERVICE**  
**Docket Nos. 16-0170-EI, 16-0186-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Petition to Intervene has been furnished by electronic mail this 15<sup>th</sup> day of November, 2016 to the following:

**Gulf Power Company**

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