

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of electric utility hurricane  
preparedness and restoration actions.

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DOCKET NO.: 20170215  
FILED: October 12, 2017

**FLORIDA INDUSTRIAL POWER USERS GROUP'S  
PETITION TO INTERVENE**

Pursuant to sections 120.569, 120.57, Florida Statutes, and rules 25-22.039, 28-106.201 and 28-106.205, Florida Administrative Code, the Florida Industrial Power Users Group (FIPUG), through its undersigned counsel, files its Petition to Intervene. In support thereof, FIPUG states the following:

1. Name and address of agency. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

2. Name and address of Petitioner. The name and address of the Petitioner is:

Florida Industrial Power Users Group  
c/o Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
Telephone: (850) 681-3828  
Facsimile: (850) 681-8788

3. Petitioner's representatives. Copies of all pleadings, notices and orders in this docket should be provided to:

Jon C. Moyle, Jr.  
Karen A. Putnal  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
Telephone: (850) 681-3828  
Facsimile: (850) 681-8788  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)  
[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)

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

5. Statement of Substantial Interests. FIPUG is an ad hoc association consisting of industrial users of electricity in Florida. The cost of electricity constitutes a significant portion of FIPUG members' overall costs of production. FIPUG members require adequate, reasonably-priced and dependable electricity in order to compete in their respective markets.

6. In this case, the Commission will consider the Hurricane Irma response and restoration activities of the state's investor-owned utilities and the results of storm hardening efforts of the state's respective utilities. FIPUG members receive electrical service from these electric utilities. Efforts to minimize the adverse impacts of hurricane events, such as Hurricane Irma, are important to and impact FIPUG members, who depend on electricity supplied by the respective electric utilities to power their respective business operations. When storm related electrical outages occur, prompt restoration of electrical service is important to and affects FIPUG members, who depend on electricity generated by the respective electric utilities for their business operations.

7. FIPUG's interests are of the type that this proceeding is designed to protect. *See, Agrico Chemical Company v. Department of Environmental Regulation*, 406 So.2d 478 (Fla. 2nd DCA 1981). The purpose of the proceeding is to evaluate utilities storm hardening efforts, the results of those storm hardening efforts, utility's electric restoration plans and efforts, and how those electric restoration plans and efforts were executed during Hurricane Irma. Thus, the purpose of this proceeding coincides with and affects FIPUG's substantial interests, which is to ensure that the rates its members receive dependable electrical service from electric utilities at fair, just and reasonable rates.

8. Disputed Issues of Material Fact. Disputed issues of material fact have not yet been identified at this point, but may become known as activities in this docket unfold.

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

9. Disputed Legal Issues. Disputed legal issues have not yet been identified at this point, but may become known as activities in this docket unfold. FIPUG reserves all rights to raise disputed legal issues in accordance with the Commission's rules and the Order Establishing Procedure in this case.

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

- a. How did the utilities' storm hardening efforts perform during Hurricane Irma and how did the utilities' execute electric restoration efforts following Hurricane Irma?

11. Rules and statutes justifying relief. The rules and statutes that entitle FIPUG to intervene and participate in this case include, but are not limited to:

- a. Section 120.569, Florida Statutes;
- b. Section 120.57, Florida Statutes;
- c. Section 366.04(1), Florida Statutes;
- d. Section 366.06, Florida Statutes;
- e. Rule 25-22.039, Florida Administrative Code;
- f. Rule 28-106.201, Florida Administrative Code;
- g. Rule 28-106.205, Florida Administrative Code.

12. Relief. FIPUG requests that it be permitted to intervene as a full party in this docket.

13. Position of investor-owned utilities. The undersigned contacted all of the state's investor-owned utilities and is authorized to represent that no investor-owned utility opposes FIPUG's Petition to Intervene in this matter.

**WHEREFORE,** FIPUG requests that the Commission enter an order allowing it to intervene and participate as a full party in this docket.

*/s/ Jon C. Moyle*

Jon C. Moyle, Jr.

Karen A. Putnal

Moyle Law Firm, P.A.

118 North Gadsden Street

Tallahassee, Florida 32301

Telephone: (850)681-3828

Facsimile: (850)681-8788

[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)

[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)

Attorneys for Florida Industrial Power Users Group

### **CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Industrial Power Users Group's Petition to Intervene has been furnished by electronic mail this 12<sup>th</sup> day of October, 2017, to the following:

Keith Hetrick  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
[khetrick@psc.state.fl.us](mailto:khetrick@psc.state.fl.us)

James D. Beasley  
J. Jeffrey Wahlen  
Ausley Law Firm  
P.O. Box 391  
Tallahassee FL 32302  
[jbeasley@ausley.com](mailto:jbeasley@ausley.com)  
[jwahlen@ausley.com](mailto:jwahlen@ausley.com)

J.R. Kelly, Esq.  
Erik Sayler  
Office of Public Counsel  
111 West Madison Street, room 812  
Tallahassee, FL 32301  
[kelly.jr@leg.state.fl.us](mailto:kelly.jr@leg.state.fl.us)  
[sayler.erik@leg.state.fl.us](mailto:sayler.erik@leg.state.fl.us)

Rhonda J. Alexander  
Jeffrey A. Stone  
One Energy Place  
Pensacola, FL 32520  
[jastone@southernco.com](mailto:jastone@southernco.com)

[rjalexad@southernco.com](mailto:rjalexad@southernco.com)

Russell A. Badders  
Steven R. Griffin  
Beggs & Lane  
Post Office Box 12950  
Pensacola, Florida 32591-2950  
[rab@beggslane.com](mailto:rab@beggslane.com)  
[srg@beggslane.com](mailto:srg@beggslane.com)

Ms. Paula K. Brown  
Regulatory Affairs  
P. O. Box 111  
Tampa FL 33601  
[regdept@tecoenergy.com](mailto:regdept@tecoenergy.com)

John T. Butler  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
[john.butler@fpl.com](mailto:john.butler@fpl.com)

Kenneth Hoffman  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1858  
[Ken.Hoffman@fpl.com](mailto:Ken.Hoffman@fpl.com)

Dianne Triplett  
Matthew R. Bernier  
Duke Energy Florida, Inc.  
299 1st Avenue North, FL 151  
St. Petersburg, FL 33701  
[dianne.triplett@duke-energy.com](mailto:dianne.triplett@duke-energy.com)  
[matthew.bernier@duke-energy.com](mailto:matthew.bernier@duke-energy.com)

Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe Street, Suite 601  
Tallahassee, Florida 32301  
[bkeating@gunster.com](mailto:bkeating@gunster.com)

*/s/ Jon C. Moyle*  
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Jon C. Moyle, Jr.