

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor.

DOCKET NO.: 20210001-EI
FILED: May 17, 2021

**PETITION TO INTERVENE OF
NUCOR STEEL FLORIDA, INC.**

Pursuant to Sections 120.569 and 120.57, Florida Statutes and Rule 28-106.205, Florida Administrative Code, Nucor Steel Florida, Inc. (“Nucor”), through its undersigned attorneys, files its Petition to Intervene in the above captioned proceeding. In support thereof, Nucor states as follows:

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

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

2. The name and address of the petitioner is:

Nucor Steel Florida, Inc.
22 Nucor Drive
Frostproof, FL 33843

3. All pleadings, motions, orders, and other documents directed to the petitioner

should be served on:

Peter J. Mattheis
Michael K. Lavanga
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Suite 800 West
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807

pjm@smxblaw.com
mkl@smxblaw.com

4. Statement of Affected Interests. Nucor owns and operates a steel production facility located within Duke Energy Florida's ("DEF") electric service territory. Nucor purchases large amounts of electric energy from DEF to power its steel making operations.

5. On January 4, 2021, the Commission established the above captioned proceeding to consider the active and continuing review of the fuel and purchased power cost recovery clause with generating performance incentive factor for calendar year 2021 for DEF, Florida Power & Light Company ("FPL"), Florida Public Utilities Company, Gulf Power Company ("Gulf Power"), and Tampa Electric Company ("Tampa Electric"). The purpose of this proceeding is to review and determine these utilities' fuel and fuel-related service costs, net purchased power costs, incentives associated with the efficient operation of generation facilities, and capacity-related service costs. These service costs are recovered through the fuel and capacity cost recovery factors that are collected from electric service customers like Nucor. Given that changes to the fuel and capacity cost recovery factors will affect the rates paid by DEF customers, and because Nucor purchases substantial amounts of electric energy from DEF, the outcome of this proceeding may adversely affect Nucor's interests.

6. Disputed Issues of Material Fact. Nucor is not aware of any disputed issues of material fact at this early stage of the proceeding. However, Nucor anticipates that disputed issues of material fact may be identified over the course of the proceeding, and Nucor reserves the right to identify such issues.

7. Disputed Legal Issues. Nucor is not aware of any disputed legal issues at this early stage of the proceeding. However, Nucor anticipates that disputed legal issues may be identified over the course of the proceeding, and Nucor reserves the right to identify such issues.
8. Statement of Ultimate Facts Alleged. Alleged ultimate facts include, but are not limited to, whether the costs for which recovery is sought are reasonable. Nucor anticipates additional alleged ultimate facts may be identified over the course of the proceeding.
9. Laws Entitling Petitioner to Relief and Relation to Alleged Facts. The rules and statutes entitling Nucor to relief include but are not necessarily limited to the following: Sections 120.569 and 120.57(1), Florida Statutes, Sections 366.04 through 366.07, Florida Statutes, and Rule 28-106.205, Florida Administrative Code.
10. Statement of Conferral. In accordance with Rule 28-106.204(3), Florida Administrative Code, Nucor has conferred with all parties to this proceeding regarding Nucor's intervention. DEF, the Office of Public Counsel and FIPUG have no objection to Nucor's intervention, and PCS Phosphate, Tampa Electric, and Florida Public Utilities Company take no position on the intervention. FPL and Gulf Power also take no position, based on Nucor's representation that its interest is as a customer of DEF, not as a customer of FPL or Gulf Power.
11. Relief. Nucor requests that it be permitted to intervene as a full party in this docket.

WHEREFORE, Nucor respectfully requests that the Commission enter an order allowing it to intervene as a full party in this docket.

Respectfully Submitted,

/s/ Michael K. Lavanga

Peter J. Mattheis

Michael K. Lavanga

Stone Mattheis Xenopoulos & Brew, PC

1025 Thomas Jefferson Street, NW

Suite 800 West

Washington, DC 20007-5201

Phone: (202) 342-0800

Fax: (202) 342-0807

pjm@smxblaw.com

mkl@smxblaw.com

Attorneys for Nucor Steel Florida, Inc.

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 17 day of May, 2021, to the following:

Ausley Law Firm
J. Beasley/J. Wahlen/M. Means
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com
mmeans@ausley.com

Duke Energy
Dianne M. Triplett
299 First Avenue North
St. Petersburg, FL 33701
Dianne.triplett@duke-energy.com

Duke Energy
Matthew R. Bernier/Robert L. Pickels
106 E. College Avenue, Suite 800
Tallahassee, FL 32301
matthew.bernier@duke-energy.com
robert.pickels@duke-energy.com

Florida Industrial Power Users Group
Jon C. Moyle, Jr.
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
mqualls@moylelaw.com

Florida Power & Light Company
Maria Jose Moncada/David M. Lee
700 Universe Boulevard
Juno Beach, FL 33408-0420
david.lee@fpl.com
maria.moncada@fpl.com

Florida Power & Light Company
Kenneth A. Hoffman
134 W. Jefferson Street
Tallahassee, FL 32301-1713
ken.hoffman@fpl.com

Florida Public Utilities Company
Mr. Mike Cassel
208 Wildlight Ave.
Yulee, FL 32097
mcassel@fpuc.com

Gulf Power Company
Russell A. Badders
One Energy Place
Pensacola, FL 32520-0100
Russell.Badders@nexteraenergy.com

Gunster Law Firm
Beth Keating
215 South Monroe St., Suite 601
Tallahassee, FL 32301
bkeating@gunster.com

PCS Phosphate - White Springs
James W. Brew/Laura Wynn Baker
c/o Stone Law Firm
1025 Thomas Jefferson St NW
Suite 800 West
Washington DC 20007
jbrew@smxblaw.com
lwb@smxblaw.com

Tampa Electric Company
Ms. Paula K. Brown
Regulatory Affairs
P. O. Box 111
Tampa, FL 33601-0111
regdept@tecoenergy.com

Office of the General Counsel
Suzanne Brownless
Florida Public Service Commission
sbrownles@psc.state.fl.us

Office of Public Counsel
Richard Gentry/P. Christensen/A.
Pirrello//S. Morse/C. Rehwinkel
c/o The Florida Legislature
111 W. Madison St., Rm 812
Tallahassee FL 32399
christensen.patty@leg.state.fl.us
morse.stephanie@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
pirrello.anastacia@leg.state.fl.us
gentry.richard@leg.state.fl.us

/s/ Michael K. Lavanga
Michael K. Lavanga