

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for Rate Increase by** )  
**Duke Energy Florida, LLC** )  
\_\_\_\_\_ )  
**Docket No. 20240025**  
**Filed: March 29, 2024**

**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 Rule 28-106.205, Florida Administrative Code, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorneys, 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") electric service territory. PCS Phosphate receives service under various DEF rate schedules.

5. Statement of Affected Interests. In this docket, the Commission will decide, among other things, just and reasonable rates for electricity service in response to DEF's request to increase its base rates described in a Test Year Notification letter dated January 31, 2024. DEF's base rate request, if approved, will substantially affect PCS Phosphate by directly increasing the cost of power supplied by DEF to the PCS facilities in and around White Springs, Florida, thereby affecting its production and operating costs, overall industry competitiveness, and level of sustainable employment in the region. Because of the implications of DEF's proposed base rate increase, PCS Phosphate anticipates taking an active role in this proceeding.

6. Disputed Issues of Material Fact. PCS Phosphate anticipates that disputed issues of material fact will be identified in the course of these proceedings.

7. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues will be identified in the course of these proceedings.

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 all costs for which it seeks recovery were and are, or will be, reasonably and prudently incurred and of the type appropriate to be recovered through these proceedings, and
- (b) DEF has the burden to prove that no such costs sought for recovery are duplicative.

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 Sections 366.04 through 366.07, Florida Statutes; and Rule 25-22.039, Florida Administrative Code.

10. Relief. PCS Phosphate requests that it be permitted to intervene as a full party in this docket.

11. Statement Required by Rule 28-106.204(3), Florida Administrative Code. Counsel for PCS Phosphate has conferred with counsel for the Office of Public Counsel (“OPC”), DEF, Florida Rising, League of United Latin American Citizens (“LULAC”), Sierra Club, Public Service Commission (“PSC”) Staff, and Florida Industrial Power Users Group (“FIPUG”). OPC and FIPUG support PCS Phosphate’s intervention. PSC Staff, DEF, Sierra Club, Florida Rising, and LULAC take no position regarding PCS Phosphate’s intervention.

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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*Attorneys for White Springs Agricultural  
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## 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 29<sup>th</sup> day of March 2024 to the following:

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s/ Sarah B. Newman