

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for limited proceeding for : **DOCKET NO. 20230017-EI**
recovery of incremental storm restoration :
costs related to Hurricanes Ian and Nicole, :
by Florida Power & Light Company : **Filed: May 8, 2024**

**PETITION TO INTERVENE OF
JET BLAST INC.**

Pursuant to Sections 120.569 and 120.57 of the Florida Statutes and Rules 25-22.039, 28-106.201, and 28-106.205 of the Florida Administrative Code, Jet Blast, Inc. ("Jet Blast"), by its attorney, respectfully petitions the Florida Public Service Commission ("Commission") for permission to intervene in the above-captioned proceeding. In support thereof, Jet Blast represents to the Commission:

1. Petitioner is Jet Blast, Inc., a Texas Corporation, engaged in storm restoration services including power washing.
2. The name and address of Petitioner's attorney is:

Justin L. Winch, Esq.,
Winch Law Firm, LLC,
404 Stafford Place
New Orleans, LA 70124;
Phone: (504) 214-3400
Email: justin.winch@winchlawfirm.com

3. Mr. Winch, via email, is authorized to accept service of papers in this proceeding on behalf of Jet Blast, and also requests that it be added jointly to the service list. Undersigned may cause to be filed a motion for himself to be admitted *pro hac vice*

before this Commission, and after any Commission grant of such request, requests that he be added to the office service list as an attorney authorized to accept service of papers in this proceeding.

4. On January 23, 2023, Florida Power & Light Company ("FPL" or "Company") filed with the Commission its Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole ("Petition").
5. Jet Blast is a provider of labor and services engaged in storm recovery and restoration, and specifically, provided in excess of two million dollar's worth of labor, services and value however derived, to FPL and its contractors – the work was accepted and yet compensation refused, without explanation.
6. Statement of Substantial Interest. Jet Blast performs power washing services, critical to the post storm restoration efforts, and employed workers engaged in the complicated and laborious restoration work following Ian's landfall in Florida. In the fiscal year ending 2022, Jet Blast provided manpower output and provided services that were absolutely critical to FPL's ability to restore power.
7. The appropriate compensation of restoration workers, is a critical component of Jet Blast's ability to compensate its workers and continue to provide services as a restoration company. Currently, Jet Blast has unpaid invoices in excess of \$2,000,000.00 for work performed and accepted by FPL and others, and which could be impacted by the outcome in this case, thus Jet Blast has a unique and substantial interest in this matter.
8. Jet Blast has a substantial and vital interests in the outcome of this proceeding that cannot be adequately represented by any other party.

9. Disputed Issues of Material Fact. At this time, Jet Blast anticipates that disputed issues of material fact in this proceeding may include the following:
 - a. Whether its submitted invoices were fraudulently dismissed or denied review/compensation and consideration. Accordingly, and if so, whether FPL and other parties have misrepresented the thoroughness and prudence of their restoration efforts, as they have nevertheless not paid out monies owed to the relief workers;
 - b. Whether costs are proposed to be recovered from ratepayers in a manner that reflects cost causation in the allocation and design of those rates.

10. Disputed Legal Issues. Jet Blast submits that there is no dispute as to the fact that labor, services and manpower was supplied, all of which enured to the benefit of FPL and its contracting parties, but for which Jet Blast was grossly negligently denied remuneration. Beyond that, Jet Blast has requested documentation from FPL, and those requests have been ignored, and further necessarily has not completed its analysis of FPL's Petition; however, it reserves its right to do so.

11. Statement of Ultimate Legal Facts Alleged. The interests of Jet Blast, Inc. -- as a vendor rendering critical restoration and relief services following Hurricanes, whose work was accepted by the Company yet not compensated -- that it seeks to protect are sufficient to warrant intervention and include whether FPL's proposed cost recovery is reasonable and in the public interest, or whether there have been fraudulent misrepresentations or omissions. With respect to recoverable costs in the context of Irma, it is represented by the PWC auditors, that the inputs used to calculate the actual labor costs charged to storm restoration internal orders (i.e., charge codes) that were greater than the operation and maintenance expense three year average for the same month exists, and that a reconciliation of files by third party vendor, which included electronic timesheets and expense information from the iStormed App or "flat files" containing detailed information by contractor including crew information and daily timesheets with billing

and point of origin location, distance to travel, travel days, dates secured, date started travel, date arrived, date released, time released, released to whom and, if vendor travels home, the date arrived at home, and claimed expenses such as lodging, per diem, and fuel not otherwise provided by FPL. Further, contractor analysis workpapers were generated, which summarized the contractor labor costs related to restoration presented in the Summary, including the inputs used to calculate the actual restoration contractor labor costs charged to storm restoration internal orders (i.e., charge codes) that were greater than the operation and maintenance expense three-year average for the same month. For third party services and out-of-pocket costs incurred in connection with types C through E and G through H in Note 2, a summary in a format that shows total billing by vendor. Jet Blast anticipates that it will be able to identify the gross negligence with which its submitted invoices were rejected by FPL and/or other responsible parties, and that the result was that valuable, and on-demand labor and resources were ordered, accepted and the benefit of their hard work and labor retained – yet wrongfully denied remuneration. Other issues of ultimate legal fact will be identified as well throughout the course of this proceeding.

12. Rules and Statutes Justifying Relief. As set forth within, Jet Blast is entitled to intervene in this docket. The rules and statutes that entitle Jet Blast to intervene and participate in this case include, but are not limited to, the following:
 - a. Section 120.569 of the Florida Statutes;
 - b. Section 120.57 of the Florida Statutes;
 - c. Section 366.04 of the Florida Statutes;
 - d. Section 366.041 of the Florida Statutes;
 - e. Section 366.06 of the Florida Statutes;
 - f. Section 366.96 of the Florida Statutes;
 - g. Section 25-22.039 of the Florida Administrative Code;
 - h. Section 28-106.201 of the Florida Administrative Code; and
 - i. Section 28-106.205 of the Florida Administrative Code.

13. Requested Relief. Jet Blast requests that it be permitted to intervene as a full party in this proceeding.

14. Pursuant to Rule 28-106.204(3) F.A.C., Jet Blast will request consent from the parties below regarding Jet Blast's intervention.

WHEREFORE, Jet Blast, Inc. respectfully requests that the Commission grant this Petition to Intervene and be provided with full party status in this proceeding.

Respectfully Submitted,



Justin L. Winch, Esq.

Attorney, Member

WINCH LAW FIRM, LLC

404 Stafford Place

New Orleans, LA 70124

Direct: (504) 214-3400

Email: justin.winch@winchlawfirm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 8th day of May 2024.

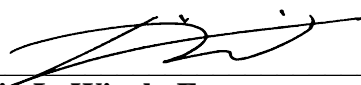
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Respectfully Submitted,



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