



*Reply To: Tallahassee*

June 11, 2024

Electronic Filing  
Mr. Adam J. Teitzman, Commission Clerk  
Office of Commission Clerk Florida Public Service Commission  
2540 Shumard Oaks Boulevard Tallahassee, Florida 32399-0850

Re: Docket 20240025-EG Petition for Rate Case Increase by Duke Energy Florida, LLC

Dear Mr. Teitzman:

Please find attached the intervenor testimony of witness David Fialkov provided on behalf of Americans for Affordable Clean Energy, Inc. (“AACE”), Circle K Stores, Inc. (“Circle K”), RaceTrac Inc. (“RaceTrac”), and Wawa, Inc. (“Wawa”) (collectively, the “Fuel Retailers”). Thank you for your assistance in filing this testimony.

While the instant testimony is being filed after 5:00 PM, the undersigned was able to communicate with Counsel for Duke Energy Florida, LLC, who has no objection to the testimony being filed June 12<sup>th</sup>. A separate motion to accept this testimony is forthcoming.

Sincerely,

**LEWIS, LONGMAN & WALKER, P.A.**

Frederick L Aschauer, Jr.

Attachment

cc: All Parties of Record (with attachment)

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Rate Increase by Duke Energy )  
Florida, LLC ) DOCKET NO. 20240025-EI  
)  
)

**TESTIMONY OF DAVID FIALKOV**

**ON BEHALF OF AMERICANS FOR AFFORDABLE CLEAN ENERGY, INC.,**

**CIRCLE K STORES, INC., RACETRAC, INC., AND WAWA, INC.**

**JUNE 11, 2024**



1 fuel for all shapes, forms and types of vehicles found on the nation's roads today.  
2 Electric service is instrumental to the ability of the AACE members operating in the  
3 Duke Energy service area to offer any and all of their fuel and other services to  
4 Floridians and the larger traveling public. In addition, electric vehicle ("EV") charging  
5 for AACE members is just another type of transportation fuel, and the EV charging is  
6 totally dependent upon receiving reliable and affordable electric service. Thus, the  
7 rates, terms and conditions governing the provision of electricity to AACE members in  
8 the Duke Energy service territory will substantially and materially impact their ability  
9 to provide vehicle fueling services generally and especially EV charging services.  
10 Collectively, AACE's members in Duke Energy's Territory consume significant  
11 quantities of electricity and require reasonably price and reliable supply of electricity  
12 to power their businesses.

13 **Q. What are Circle K's interests in this proceeding?**

14 A. Circle K's success in the convenience retailing industry spans more than 60 years,  
15 beginning in Texas and growing across the U.S. and internationally. Today, Circle K is  
16 the global brand of Alimentation Couche-Tard, Inc. ("Couche-Tard"). Couche-Tard is  
17 a global leader in convenience and mobility, operating in 29 countries and territories,  
18 with more than 16,700 stores, of which approximately 13,100 offer road transportation  
19 fuel. It is one of the largest independent convenience store operators in the United  
20 States and it is a leader in the convenience store industry and road transportation fuel  
21 retail in Canada, Scandinavia, the Baltics, as well as in Ireland. It also has an important  
22 presence in Poland and Hong Kong Special Administrative Region of People's  
23 Republic of China and has recently expanded to Belgium, Germany, Luxembourg, and  
24 the Netherlands. More than 150,000 people are employed throughout its network.  
25 Circle K is a leading destination for EV charging in Europe, with nearly 2,500 chargers

1 at more than 500 locations. In addition, the company expects to have 200 locations  
2 across North America offering EV fast charging services by the end of 2024. Currently,  
3 there are approximately 820 Circle K locations in Florida, of which, 150 are located  
4 within Duke Energy's service area. Circle K's use of electricity makes Circle K a large  
5 retail customer of Duke Energy, paying Duke Energy substantial amounts for electric  
6 service each year. Circle K's continued operation and further expansion of EV refueling  
7 stations within Duke Energy's service area is dependent, in part, upon the outcome of  
8 this docket. While Circle K offers EV charging in other areas and looks to expand its  
9 EV charging services, Circle K has not yet deployed EV charging in the Duke Energy  
10 service area.

11 **Q. What are RaceTrac's interests in this proceeding?**

12 A. RaceTrac is a family-owned business that has been serving guests since 1934.  
13 Together with its franchise-brand RaceWay, RaceTrac operates over 800 convenience  
14 stores and employs over 10,000 team members across its footprint. The company has  
15 been proudly serving Floridians for almost half a century. Currently, there are 295  
16 stores (249 company-owned RaceTrac stores and 46 franchise-operated RaceWay  
17 stores) in Florida, which are supported by over 4,200 team members. Since 2017,  
18 RaceTrac has invested about \$92 million each year in the state and plans to invest  
19 approximately \$100 million in 2024. RaceTrac has refueling stations located at the  
20 most convenient real estate for travelers, including many locations along alternative  
21 fuel corridors. Of its refueling stations, 78 are located within Duke Energy's service  
22 area. Additionally, RaceTrac has one Store Support Center in Duke Energy's Service  
23 area, making RaceTrac a large retail customer of Duke Energy, paying Duke Energy  
24 substantial amounts for electric service each year. RaceTrac offers EV charging in other  
25 areas outside of Duke Energy's service area and looks to expand its EV charging

1 services in the Duke Energy service area.

2 **Q. What are Wawa's interests in this proceeding?**

3 Wawa is a privately held, family-owned company that began as an iron foundry in 1803.  
4 As of 2023, Wawa was number 20 on Forbes' list of America's largest private  
5 companies. Wawa operates more than 1,040 stores and employs over 46,000 team  
6 members across its footprint. Approximately 865 of these locations include motor  
7 vehicle refueling stations. The company has been proudly serving Floridians since  
8 2012. Currently, there are 280 stores in Florida, which are supported by over 10,000  
9 team members, and Wawa is continuing to actively expand in Florida. Of its Florida  
10 locations, Wawa has 79 locations within Duke Energy's service territory, 17 of which  
11 have EV charging stations, making Wawa a large retail customer of Duke Energy,  
12 paying Duke Energy substantial amounts for electric service each year. Wawa  
13 anticipates adding 39 EV refueling stations within Duke Energy's service territory over  
14 the next 10 years.

15 **Q. Are there any other witnesses testifying on behalf of the Fuel Retailers?**

16 A. No

17 **Q. Are you sponsoring any exhibits with your testimony?**

18 A. No.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Petition to Intervene has been furnished by electronic mail this 11th day of June 2024 to the following:

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