



Stephanie A. Cuello  
SENIOR COUNSEL

August 8, 2024

**VIA ELECTRONIC FILING**

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

Re: Docket 20240013-EG, Commission review of numeric Conservation goals by Duke Energy Florida, LLC.

Dear Mr. Teitzman,

Enclosed for filing on behalf of Duke Energy Florida, LLC (“DEF”) is DEF’s Joint Notice of Stipulations among Nucor Steel Florida, Inc., White Springs Agricultural Chemicals, Inc., Southern Alliance for Clean Energy, Walmart Inc., Florida Rising, Inc., and LULAC Florida Inc. Upon approval by the Florida Public Service Commission, the enclosed stipulations will fully resolve the Parties' respective issues in the above referenced docket.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1425 should you have any questions concerning this filing.

Respectfully,

*/s/ Stephanie A. Cuello*

Stephanie A. Cuello

SAC/clg  
Attachments

**CERTIFICATE OF SERVICE**

*Docket No. 20240013-EG*

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

/s/ Stephanie A. Cuello

Attorney

<p>Jacob Imig / Jonathan Rubottom Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:jimig@psc.state.fl.us">jimig@psc.state.fl.us</a> <a href="mailto:JRubotto@psc.state.fl.us">JRubotto@psc.state.fl.us</a></p> <p>James W. Brew / Laura Wynn Baker / Sarah B. Newman Stone Mattheis Xenopoulos &amp; Brew, PC PCS Phosphate – White Springs 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 <a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a> <a href="mailto:lwb@smxblaw.com">lwb@smxblaw.com</a> <a href="mailto:sbn@smxblaw.com">sbn@smxblaw.com</a></p> <p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. FIPUG 118 North Gadsden Street Tallahassee, Florida 32301 <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a> <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p> <p>Bradley Marshall Jordan Luebkekmann Earthjustice LULAC and Florida Rising 111 S. Martin Luther King Jr. Blvd. Tallahassee, Florida 32301 <a href="mailto:bmarshall@earthjustice.org">bmarshall@earthjustice.org</a> <a href="mailto:jluebkekmann@earthjustice.org">jluebkekmann@earthjustice.org</a> <a href="mailto:flcaseupdates@earthjustice.org">flcaseupdates@earthjustice.org</a></p> <p>Steven W. Lee SPILMAN THOMAS &amp; BATTLE, PLLC Walmart 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg, PA 17050 <a href="mailto:slee@spilmanlaw.com">slee@spilmanlaw.com</a></p>	<p>Erik Sayler / Brooks Rumenik / Kelly Wright Florida Department of Agriculture and Consumer Services 407 S Calhoun St The Mayo Bldg, Suite 520 Tallahassee FL 32399 <a href="mailto:Erik.Sayler@FDACS.gov">Erik.Sayler@FDACS.gov</a> <a href="mailto:Brooks.Rumenik@fdacs.gov">Brooks.Rumenik@fdacs.gov</a> <a href="mailto:kelly.wright@fdacs.gov">kelly.wright@fdacs.gov</a></p> <p>Peter J. Mattheis / Michael K. Lavanga Joseph R. Briscar Stone Mattheis Xenopoulos &amp; Brew, PC NUCOR 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 <a href="mailto:pjm@smxblaw.com">pjm@smxblaw.com</a> <a href="mailto:mkl@smxblaw.com">mkl@smxblaw.com</a> <a href="mailto:jrb@smxblaw.com">jrb@smxblaw.com</a></p> <p>William C. Garner Law Office of William C. Garner, PLLC SACE 3425 Bannerman Road Unit 105, No. 414 Tallahassee, FL 32312 <a href="mailto:bgarner@wcglawoffice.com">bgarner@wcglawoffice.com</a></p> <p>Stephanie U. Eaton SPILMAN THOMAS &amp; BATTLE, PLLC Walmart 110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103 <a href="mailto:seaton@spilmanlaw.com">seaton@spilmanlaw.com</a></p>
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Commission review of numeric conservation goals (Duke Energy Florida, LLC)

Docket No. 20240013-EG

Dated: August 8, 2024

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**Joint Notice of Stipulations**

Duke Energy Florida, LLC, (“DEF”), the Nucor Steel Florida, Inc. (“Nucor”), White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), Southern Alliance for Clean Energy (“SACE”), Walmart Inc., Florida Rising, Inc., and LULAC Florida Inc., and (the “Stipulating Parties” or “Parties”), hereby provide Notice that they have reached the following stipulations to fully resolve the Parties respective issues in Docket No. 20240013-EG:

1. The Parties stipulate to the entry of all pre-filed testimony and exhibits filed in this docket by the Parties into the record.
2. The Parties agree to waive cross-examination of all witnesses and have no objection to witnesses being excused from attendance at the hearing.
3. The Parties stipulate to the entry into the record of the of the following exhibits identified in Staff’s Comprehensive Exhibits List: Exh. Nos. 28-40, 88-97, 99-101, 103, 108, 112, 118-119, 123-139, 166-187, and 796-799.
4. The Parties agree that DEF’s proposed DSM Goals for the ten-year period of 2025-2034 shall be modified as set forth in the Amended Joint Notice of Necessary Stipulations filed on August 7<sup>th</sup>, attached as Exhibit A and the Updated Petition, Testimony, & Exhibits<sup>1</sup> filed on July 22<sup>nd</sup>.

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<sup>1</sup> See document no. 07773-2024

5. Subjection to Commission approval of the stipulations for Issue 8a & 8b and Issue 12 as set forth in the Joint Notice of Necessary Stipulations, the parties agree to Type 2 stipulations on Issues 1-7 and 12 -14 as follows:

**ISSUE 1:** Are the utility's proposed goals based on an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed goals are based on an adequate assessment of the full technical potential of all available demand-side and efficiency measures, including demand-side renewable energy systems, pursuant to Section 366.82(3), F.S.

**ISSUE 2:** Are the utility's proposed goals based on savings reasonably achievable through demand-side management programs over a ten year period?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed goals are based on savings reasonably achievable through demand-side management programs over a ten-year period.

**ISSUE 3:** Do the utility's proposed goals adequately reflect the costs and benefits to customers participating?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed DSM goals adequately reflect the costs and benefits to customers participating.

**ISSUE 4:** Do the utility's proposed goals adequately reflect the costs and benefits to the general body of rate payers as a whole, including utility incentives and participant contributions?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed DSM goals adequately reflect the costs and benefits to the general body of rate payers as a whole, including the utility incentives and participant contributions.

**ISSUE 5:** Do the utility's proposed goals adequately reflect the need for incentives to promote both customer-owned and utility-owned energy efficiency and demand-side renewable energy systems?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed DSM goals adequately reflect the need for incentives to

promote both customer-owned and utility-owned energy efficiency and demand side renewable energy systems.

**ISSUE 6:** Do the utility's proposed goals adequately reflect the costs imposed by state and federal regulations on the emissions of greenhouse gases?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed DSM goals adequately reflect the costs imposed by state and federal regulations on the emissions of greenhouse gases.

**ISSUE 7:** Do the utility's proposed goals appropriately reflect consideration of free riders?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that DEF's proposed DSM goals appropriately reflect the consideration of free riders.

**ISSUE 13:** What goals are appropriate for increasing the development of demand-side renewable energy systems?

**Stipulation:** The Parties stipulate and agree that the record supports a Commission finding that no additional goals should be established for demand-side renewable energy systems.

**ISSUE 14:** Should this docket be closed?

**Stipulation:** The Parties stipulate and agree that upon approval of the stipulations as set forth in the Amended Notice of Stipulations and the stipulations set forth in this Joint Notice of Stipulations, all issues in this docket, with the exception of Issue 8a, will be fully resolved and therefore should be closed upon issuance of a Final Order.

6. The Parties stipulate and agree that DEF's proposed DSM goals include both RIM and TRC-passing programs that will deliver energy efficient savings options to all customers.
7. The Parties stipulate and agree DEF's DSM goals as proposed meet the requirements as set forth in Section 366.82, Florida Statutes, and Rules 25-17.0021 and 25-17.008. Florida Administrative Code and will establish DSM goals at a reasonable and appropriate level for the period 2025 through 2034.

8. The Parties stipulate and agree that the positions and stipulations as set forth in the Joint Notice of Necessary Stipulations and this Joint Notice of Stipulations apply only to DEF's proposed DSM goals in Docket No. 20240013-EG and do not impact or limit the positions a Party may take in another current or future proceeding.
9. The Parties stipulate and agree that these stipulations, along with those set forth in the Amended Joint Notice, fully resolve their respective issues in Docket No. 20240013-EG and request that they be approved by the Commission.

/s/ Stephanie A. Cuello

**DIANNE M. TRIPLETT**

Deputy General Counsel

299 First Avenue North

St. Petersburg, FL 33701

T: 727.820.4692

E: [Dianne.Triplett@Duke-Energy.com](mailto:Dianne.Triplett@Duke-Energy.com)

**MATTHEW R. BERNIER**

Associate General Counsel

106 E. College Avenue, Suite 800

Tallahassee, FL 32301

T: 850.521.1428

E: [Matt.Bernier@Duke-Energy.com](mailto:Matt.Bernier@Duke-Energy.com)

**STEPHANIE A. CUELLO**

Senior Counsel

106 East College Avenue, Suite 800

Tallahassee, Florida 32301

T: 850.521.1425

E: [Stephanie.Cuello@Duke-Energy.com](mailto:Stephanie.Cuello@Duke-Energy.com)

[FLRegulatoryLegal@Duke-Energy.com](mailto:FLRegulatoryLegal@Duke-Energy.com)

Attorneys for Duke Energy Florida, LLC

/s/ Bradley Marshall

Florida Bar No. 98008

[bmarshall@earthjustice.org](mailto:bmarshall@earthjustice.org)

Jordan Luebke

Florida Bar No. 1015603

[jluebke@earthjustice.org](mailto:jluebke@earthjustice.org)

Earthjustice

111 S. Martin Luther King Jr. Blvd.

Tallahassee, Florida 32301

Telephone: (850) 681-0031

Fax: (850) 681-0020

***Counsel for Florida Rising and League of United Latin American Citizens***

Nucor Steel Florida, Inc.

By  \_\_\_\_\_

Michael K. Lavanga  
Stone Matheis Xenopoulos & Brew  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007



**PCS White Springs**

By   
7/15/2024

James W. Brew, Esquire  
Stone Matheis Xenopoulos & Brew  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007

By



Stephanie U. Eaton (FL State Bar No. 165610)

SPILMAN THOMAS & BATTLE, PLLC

110 Oakwood Drive, Suite 500

Winston-Salem, NC 27103

Phone: (336) 631-1062

Fax: (336) 725-4476

[seaton@spilmanlaw.com](mailto:seaton@spilmanlaw.com)

*Counsel to Walmart Inc.*

Southern Alliance for Clean Energy

(SACE)

Name: William C. Garner

Title: Attorney for Southern Alliance for Clean Energy

Signature: 

Date: 8/7/2024

# **Exhibit A**



Stephanie A. Cuello  
SENIOR COUNSEL

August 7, 2024

**VIA ELECTRONIC FILING**

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

Re: Docket 20240013-EG, Commission review of numeric Conservation goals by Duke Energy Florida, LLC.

Dear Mr. Teitzman,

Enclosed for filing on behalf of Duke Energy Florida, LLC (“DEF”) is DEF’s Amended Joint Notice of Necessary Stipulations. This Amended Joint Notice of Necessary Stipulations is being filed to capture the following changes:

- Provide clarifying language to the scope of the stipulations;
- Update the stipulation language for Issue 8a and 8b; and
- Reflect FIPUG’s position in regards to Issue 8a

The language in Issue 12 remains unchanged.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1425 should you have any questions concerning this filing.

Respectfully,

*/s/ Stephanie A. Cuello*

Stephanie A. Cuello

SAC/clg  
Attachments

**CERTIFICATE OF SERVICE**

*Docket No. 20240013-EG*

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 7th day of August 2024.

/s/ Stephanie A. Cuello

Attorney

<p>Jacob Imig / Jonathan Rubottom Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:jimig@psc.state.fl.us">jimig@psc.state.fl.us</a> <a href="mailto:JRubotto@psc.state.fl.us">JRubotto@psc.state.fl.us</a></p> <p>James W. Brew / Laura Wynn Baker / Sarah B. Newman Stone Mattheis Xenopoulos &amp; Brew, PC PCS Phosphate – White Springs 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 <a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a> <a href="mailto:lwb@smxblaw.com">lwb@smxblaw.com</a> <a href="mailto:sbn@smxblaw.com">sbn@smxblaw.com</a></p> <p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. FIPUG 118 North Gadsden Street Tallahassee, Florida 32301 <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a> <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p> <p>Bradley Marshall Jordan Luebkekmann Earthjustice LULAC and Florida Rising 111 S. Martin Luther King Jr. Blvd. Tallahassee, Florida 32301 <a href="mailto:bmarshall@earthjustice.org">bmarshall@earthjustice.org</a> <a href="mailto:jluebkekmann@earthjustice.org">jluebkekmann@earthjustice.org</a> <a href="mailto:flcaseupdates@earthjustice.org">flcaseupdates@earthjustice.org</a></p> <p>Steven W. Lee SPILMAN THOMAS &amp; BATTLE, PLLC Walmart 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg, PA 17050 <a href="mailto:slee@spilmanlaw.com">slee@spilmanlaw.com</a></p>	<p>Erik Sayler / Brooks Rumenik / Kelly Wright Florida Department of Agriculture and Consumer Services 407 S Calhoun St The Mayo Bldg, Suite 520 Tallahassee FL 32399 <a href="mailto:Erik.Sayler@FDACS.gov">Erik.Sayler@FDACS.gov</a> <a href="mailto:Brooks.Rumenik@fdacs.gov">Brooks.Rumenik@fdacs.gov</a> <a href="mailto:kelly.wright@fdacs.gov">kelly.wright@fdacs.gov</a></p> <p>Peter J. Mattheis / Michael K. Lavanga Joseph R. Briscar Stone Mattheis Xenopoulos &amp; Brew, PC NUCOR 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 <a href="mailto:pjm@smxblaw.com">pjm@smxblaw.com</a> <a href="mailto:mkl@smxblaw.com">mkl@smxblaw.com</a> <a href="mailto:jrb@smxblaw.com">jrb@smxblaw.com</a></p> <p>William C. Garner Law Office of William C. Garner, PLLC SACE 3425 Bannerman Road Unit 105, No. 414 Tallahassee, FL 32312 <a href="mailto:bgarner@wcglawoffice.com">bgarner@wcglawoffice.com</a></p> <p>Stephanie U. Eaton SPILMAN THOMAS &amp; BATTLE, PLLC Walmart 110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103 <a href="mailto:seaton@spilmanlaw.com">seaton@spilmanlaw.com</a></p>
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Commission review of numeric conservation goals (Duke Energy Florida, LLC)

Docket No. 20240013-EG

Dated: August 7<sup>th</sup>, 2024

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**Amended Joint Notice of Necessary Stipulations**

Duke Energy Florida, LLC, (“DEF”), the Florida Industrial Power Users Group (“FIPUG”), Nucor Steel Florida, Inc. (“Nucor”), White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), Walmart Inc., Florida Rising, Inc., and LULAC Florida Inc. (the “Stipulating Parties”), hereby provide Notice that they have reached Necessary Stipulations (as discussed in Paragraph 33 of the 2024 Settlement Agreement filed contemporaneously in Docket No. 20240025-EI) on two (2) issues, specifically Issue 8(a) & 8(b)<sup>1</sup> and Issue 12, as provided below.

**STIPULATIONS**

**Issue 8(a): Should demand credit rates for interruptible service, curtailable service, stand-by generation, or similar potential demand response programs be addressed in this proceeding or in the base rate proceedings for the rate regulated FEECA Utilities?**

Stipulation

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<sup>1</sup> Issue 8 currently asks: “Should demand credit rates for interruptible service, curtailable service, stand-by generation, or similar potential demand response programs be addressed in this proceeding or in the base rate proceedings for the rate regulated FEECA Utilities? If this proceeding, what demand credit rates are appropriate for purposes of establishing the utilities’ goals?”

The Stipulation provided herein relates to the second of the two questions (credit levels) but does not address the first except as provided in the 2024 Settlement Agreement. Therefore, the Stipulating Parties propose to bifurcate the issue into two parts, (a) and (b).

With respect to DEF, based on the stipulation to Issue 8b described below, the parties agree that no general policy guidance is required on this question at this time. The parties further agree that no changes in these credits shall be implemented any earlier than the effective date of new DEF base rates implemented pursuant to a general base rate proceeding, and that such new IS/CS/GSLM-2 credits shall only be implemented prospectively from such effective date. At such time as DEF's base rates are reset in a general base rate proceeding, the IS/CS/GSLM-2 credits may be reset. In the next Demand Side Management goals and plan approval proceeding (currently anticipated to occur in 2029), DEF shall not propose to change the level of the credits.<sup>2</sup>

**Issue 8(b): In this proceeding, what demand credit rates as appropriate for establishing DEF's goals?**

Stipulation:

For the purpose of Stipulation and for the limited purpose of establishing DEF's goals, the parties agree that Issue 8b is not applicable and that the appropriate demand credits are those stated in the pending 2024 Settlement Agreement filed contemporaneously in Docket No. 20240025-EI.

**Issue 12: What residential and commercial/industrial summer and winter megawatt (MW) and annual Gigawatt-hour (GWh) goals should be established for the period 2025-2034?**

Stipulation:

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<sup>2</sup> FIPUG does not join in the proposed stipulation on Issue 8a and reserves the right to state their position on the record at the hearing.



DEF’s energy efficiency goals will reflect their proposed goals, plus an increase in participation for Neighborhood Energy Saver by 10% and an increase the installation of smart thermostats from 10% to 40%. This results in the following goals for the 10-year period:

2025-2034 Annual Goals									
Recommended Annual Goals (values at the generator)									
	Residential			Non-Residential			Total		
	WMW	SMW	GWH'S	WMW	SMW	GWH'S	WMW	SMW	GWH'S
2025	32	21	50	4	7	5	35	28	55
2026	32	21	51	3	7	5	35	28	56
2027	33	22	52	4	9	6	38	31	58
2028	34	22	53	4	9	6	38	31	59
2029	34	22	54	4	10	7	39	32	61
2030	33	22	53	4	9	6	37	31	59
2031	33	22	53	4	8	6	37	30	59
2032	33	22	54	5	8	5	38	30	59
2033	33	22	54	5	8	4	38	30	58
2034	33	22	54	5	8	4	38	29	58
<b>TOTAL</b>	<b>331</b>	<b>215</b>	<b>527</b>	<b>42</b>	<b>84</b>	<b>55</b>	<b>373</b>	<b>300</b>	<b>582</b>

FIPUG agrees to the stipulations only with respect to Issue 8b and Issue 12, and reserves the right to state their position on Issue 8a on the record at the hearing.

Respectfully submitted this 7th day of August, 2024.

/s/ Stephanie A. Cuello  
**STEPHANIE A. CUELLO**  
 Senior Counsel  
**MATTHEW R. BERNIER**  
 Associate General Counsel  
 106 East College Avenue, Suite 800  
 Tallahassee, Florida 32301  
 T: (850) 521-1425  
 E: [Stephanie.Cuello@duke-energy.com](mailto:Stephanie.Cuello@duke-energy.com)  
[Matt.Bernier@duke-energy.com](mailto:Matt.Bernier@duke-energy.com)  
[FLRegulatoryLegal@duke-energy.com](mailto:FLRegulatoryLegal@duke-energy.com)

*Attorneys for Duke Energy Florida, LLC*

/s/ Bradley Marshall

Florida Bar No. 98008

[bmarshall@earthjustice.org](mailto:bmarshall@earthjustice.org)

Jordan Luebke

Florida Bar No. 1015603

[jluebke@earthjustice.org](mailto:jluebke@earthjustice.org)

Earthjustice

111 S. Martin Luther King Jr. Blvd.

Tallahassee, Florida 32301

Telephone: (850) 681-0031

Fax: (850) 681-0020

***Counsel for Florida Rising and League of United Latin American Citizens***

By



Stephanie U. Eaton (FL State Bar No. 165610)

SPILMAN THOMAS & BATTLE, PLLC

110 Oakwood Drive, Suite 500

Winston-Salem, NC 27103

Phone: (336) 631-1062

Fax: (336) 725-4476

[seaton@spilmanlaw.com](mailto:seaton@spilmanlaw.com)

*Counsel to Walmart Inc.*

Florida Industrial Power Users Group

By \_\_\_\_\_

Jon C. Moyle, Jr., Esquire  
Moyle Law Firm, PA  
118 North Gadsden Street  
Tallahassee, FL 32301

7/15/24


Stipulation in  
2024 GOALS  
Docket per  
RATE CASE  
Settlement w/  
Duke Energy Florida, LLC

Nucor Steel Florida, Inc.

By  \_\_\_\_\_

Michael K. Lavanga  
Stone Matheis Xenopoulos & Brew  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007

**PCS White Springs**

By   
7/15/2024

James W. Brew, Esquire  
Stone Matheis Xenopoulos & Brew  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007