

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Duke Energy Florida, LLC,  
for limited proceeding for recovery of  
incremental storm restoration costs related  
to Hurricanes Debby, Helene, and Milton

DOCKET NO.: 20240173-EI  
FILED: March 6, 2025

**NUCOR STEEL FLORIDA, INC.'S MOTION FOR RECONSIDERATION**

Nucor Steel Florida, Inc. (“Nucor”), pursuant to Rule 25-22.0376, Florida Administrative Code, requests the Florida Public Service Commission (“Commission”) to reconsider its decision in Order No. PSC-2025-0061-PCO-EI, issued on February 24, 2025 (“February 24 Order” or “Order”). The Order authorizes Duke Energy Florida (“DEF”) to implement an interim storm restoration recovery charge to recover incremental restoration costs related to Hurricanes Debby, Helene, and Milton and the replenishment of its retail storm reserve. Nucor seeks reconsideration to clarify that by approving the interim storm cost recovery charges, the Commission has not granted final approval of DEF’s proposed allocation and rate design and that parties may address the allocation and rate design at a later point in this case.

Rule 25-22.0376, F.A.C, provides that an adversely affected party may seek reconsideration of a non-final Commission order. The standard of review for a motion for reconsideration is whether the motion identifies a point of fact or law that the Commission overlooked or failed to consider in rendering its order.<sup>1</sup> Nucor avers that this motion for reconsideration meets the standard of review and should be granted.

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<sup>1</sup> See *Stewart Bonded Warehouse, Inc. v. Bevis*, 294 So.2d 315 (Fla. 1974); *Diamond Cab Co. v. King*, 146 So.2d 889 (Fla. 1962); and *Pingree v. Quaintance*, 394 So. 2d 162 (Fla. 1st DCA 1981).

In the February 24 Order, the Commission explained that it “reviewed the allocation to rate classes . . . and the derivation of the surcharges,” and the Commission found “that the surcharges have been calculated correctly, using projected kilowatt hour (kWh) sales for March 2025 through February 2026.”<sup>2</sup> However, the Commission also found that the “interim storm restoration surcharges shall be subject to final true-up once the total actual storm costs are known.”<sup>3</sup> The Order is unclear whether the Commission granted final approval of the cost allocation and rate design approach proposed by DEF, or if these issues are still open to be addressed by parties later in the case. Since the Order grants rate relief on an interim basis, Nucor assumes that cost allocation and rate design treatment remain open issues. We request that the Commission grant reconsideration to affirm that this is the case and that these issues can be addressed by parties later in this proceeding.

The Commission found that the proposed surcharges were allocated to the rate classes “consistent with the rate design approved in the 2021 and 2024 Settlements.”<sup>4</sup> Nucor is a party to both the 2021 and 2024 DEF rate case settlements, and Nucor continues to support those settlements. Both the 2021 and 2024 settlements allow DEF to recover certain storm expense via an interim surcharge, and Nucor does not dispute DEF’s right in this regard. However, neither the 2021 nor the 2024 settlement prescribes the appropriate cost allocation and rate design for the storm cost recovery surcharge. Therefore, whether the allocation of the incremental restoration costs is consistent with overall rate design in the 2021 and 2024 rate case settlements is not

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<sup>2</sup> Order No. PSC-2025-0061-PCO-EI at 3.

<sup>3</sup> *Id.* at 4.

<sup>4</sup> *Id.* at 3.

determinative of whether the cost allocation and rate design of the interim surcharge are just, reasonable, and reflective of cost causation.

While approval of interim storm cost recovery is allowed under the 2021 and 2024 settlements, parties should have a full opportunity to conduct discovery on the costs that DEF seeks to recover through the interim storm cost recovery charge, the reasoning for the cost allocation and rate design selected by DEF to recover the storm costs (including whether and how the approaches adopted by DEF reflect cost causation), and to develop positions on the appropriate cost allocation and rate design used to recover such costs from customers. As such, the Commission should grant reconsideration to clarify that the cost allocation and rate design of the incremental storm restoration costs is still an open issue to be decided by the Commission at a later time in this case.

In accordance with Rule 28-106.204(3), F.A.C., Nucor has conferred with all parties to this proceeding regarding this motion for reconsideration. DEF takes no position at this time but reserves the right to file a response. The Office of Public Counsel and PCS Phosphate also take no position on the motion.

WHEREFORE, based on the foregoing, Nucor requests reconsideration of Order No. PSC-2025-0061-PCO-EI to clarify that the Commission has not granted final approval of DEF's proposed allocation and rate design and that parties may address the allocation and rate design later in this case.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing NUCOR STEEL FLORIDA, INC.'S MOTION FOR RECONSIDERATION has been furnished by electronic mail and/or U.S. Mail this 6th day of March, 2025, to the following:

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