# BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Storm protection plan cost recovery clause

DOCKET NO.: 20250010-EI FILED: October 10, 2025

# PREHEARING STATEMENT OF NUCOR STEEL FLORIDA, INC.

Pursuant to the Florida Public Service Commission's *Order Establishing Procedure*, Order No. PSC-2025-0048-PCO-EI, issued February 10, 2025, Nucor Steel Florida, Inc. ("Nucor") hereby files its Prehearing Statement in this case.

#### A. APPEARANCES

Peter J. Mattheis Michael K. Lavanga Joseph R. Briscar Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Suite E-3400 Washington, DC 20007 (202) 342-0800 (202) 342-0807 (fax)

Email: pjm@smxblaw.com mkl@smxblaw.com jrb@smxblaw.com

#### B. WITNESSES

Nucor does not plan to call any witnesses at this time.

#### C. EXHIBITS

Nucor does not plan to offer any exhibits at this time.

#### D. STATEMENT OF BASIC POSITION

Rule 25-6.031, F.A.C, details the specific recoverable costs that Duke Energy Florida, LLC ("DEF") may collect through the SPPCRC and provides that such costs must be consistent with the Company's approved Storm Protection Plan. Nucor's basic position is that DEF bears the burden of proof to justify the amount of costs it seeks to recover through the SPPCRC and show that such costs are eligible recovery costs under 25-6.031(6) and are consistent with DEF's approved Storm Protection Plan.

#### E. STATEMENT ON SPECIFIC ISSUES

## **GENERIC STORM PROTECTION PLAN COST RECOVERY ISSUES**

**ISSUE 1A**: What jurisdictional amounts should the Commission approve as FPL's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• Nucor: No position.

**ISSUE 1B**: What jurisdictional amounts should the Commission approve as TECO's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• Nucor: No position.

**ISSUE 1C:** What jurisdictional amounts should the Commission approve as FPUC's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• Nucor: No position.

**ISSUE 1D**: What jurisdictional amounts should the Commission approve as DEF's final 2024 prudently incurred costs and final true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** Agree with OPC.

**ISSUE 2A**: What jurisdictional amounts should the Commission approve as FPL's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• Nucor: No position.

**ISSUE 2B**: What jurisdictional amounts should the Commission approve as TECO's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** No position.

**ISSUE 2C:** What jurisdictional amounts should the Commission approve as FPUC's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** No position.

**ISSUE 2D:** What jurisdictional amounts should the Commission approve as DEF's reasonably estimated 2025 costs and estimated true-up revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** Agree with OPC.

**ISSUE 3A:** What jurisdictional amounts should the Commission approve as FPL's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** No position.

**ISSUE 3B**: What jurisdictional amounts should the Commission approve as TECO's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor:** No position.

**ISSUE 3C**: What jurisdictional amounts should the Commission approve as FPUC's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• Nucor: No position.

**ISSUE 3D**: What jurisdictional amounts should the Commission approve as DEF's reasonably projected 2026 costs and projected revenue requirement amounts for the Storm Protection Plan Cost Recovery Clause?

• **Nucor**: The Commission should only approve projected costs that are consistent with DEF's approved Storm Protection Plan and 25-6.031, F.A.C.

**ISSUE 4A**: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPL?

Nucor: No position.

**ISSUE 4B**: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for TECO?

• Nucor: No position.

**ISSUE 4C**: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for FPUC?

• **Nucor**: No position.

**ISSUE 4D**: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional cost recovery amounts, including true-ups, to be included in establishing 2026 Storm Protection Plan Cost Recovery factors for DEF?

Nucor: Agree with OPC.

**ISSUE 5A**: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPL?

Nucor: No position.

**ISSUE 5B**: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for TECO?

• **Nucor**: No position.

**ISSUE 5C**: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for FPUC?

• Nucor: No position.

**ISSUE 5D**: What depreciation rates should be used to develop the depreciation expense included in the total 2026 Storm Protection Plan Cost Recovery Clause amounts for DEF?

• Nucor: Agree with OPC.

**ISSUE 6A**: What are the appropriate 2026 jurisdictional separation factors for FPL?

• Nucor: No position.

**ISSUE 6B**: What are the appropriate 2026 jurisdictional separation factors for TECO?

• Nucor: No position.

**ISSUE 6C**: What are the appropriate 2026 jurisdictional separation factors for FPUC?

• Nucor: No position.

**ISSUE 6D**: What are the appropriate 2026 jurisdictional separation factors for DEF?

• **Nucor**: Agree with OPC.

**ISSUE 7A**: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPL?

• **Nucor**: No position.

**ISSUE 7B**: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for TECO?

• **Nucor**: No position.

**ISSUE 7C**: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for FPUC?

• Nucor: No position.

**ISSUE 7D**: What are the appropriate 2026 Storm Protection Plan Cost Recovery Clause factors for each rate class for DEF?

• Nucor: Agree with OPC.

**ISSUE 8A**: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPL?

• Nucor: No position.

**ISSUE 8B**: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for TECO?

• **Nucor**: No position.

**ISSUE 8C**: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for FPUC?

• Nucor: No position.

**ISSUE 8D**: What should be the effective date of the 2026 Storm Protection Plan Cost Recovery Clause factors for billing purposes for DEF?

• **Nucor**: Agree with OPC.

**ISSUE 9A**: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPL?

• Nucor: No position.

**ISSUE 9B**: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for TECO?

• Nucor: No position.

**ISSUE 9C**: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for FPUC?

• Nucor: No position.

**ISSUE 9D**: Should the Commission approve revised tariffs reflecting the 2026 Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding for DEF?

• Nucor: Agree with OPC.

ISSUE 10: Should this docket be closed?

• Nucor: No position.

#### F. PENDING MOTIONS

None.

# G. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

None.

# H. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT

None at this time.

# I. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE

There are no requirements of the Procedural Orders with which Nucor cannot comply.

Respectfully submitted,

STONE MATTHEIS XENOPOULOS & BREW, PC

#### /s/ Michael K. Lavanga

Peter J. Mattheis
Michael K. Lavanga
Joseph R. Briscar
1025 Thomas Jefferson Street, NW
Suite E-3400
Washington, DC 20007
(202) 342-0800
(202) 342-0807 (fax)
E-mail: pjm@smxblaw.com

http://examsblaw.com mkl@smxblaw.com jrb@smxblaw.com

Attorneys for Nucor Steel Florida, Inc.

Dated: October 10, 2025

#### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Prehearing Statement of Nucor Steel

Florida, Inc. has been furnished by electronic mail this 10th of October 2025, to the following:

## **Duke Energy**

Matthew R. Bernier
Robert L. Pickels
Stephanie A. Cuello
106 E. College Avenue, Suite 800
Tallahassee, FL 32301
matthew.bernier@duke-energy.com
robert.pickels@duke-energy.com
stephanie.cuello@duke-energy.com
FLRegulatoryLegal@duke-energy.com

#### **Duke Energy**

Dianne M. Triplett 299 First Avenue North St. Petersburg, FL 33701 Dianne.triplett@duke-energy.com

## **Tampa Electric Company**

J. Jeffry Wahlen
Malcom N. Means
Virginia Ponder
Ausley McMullen
P.O. Box 391
Tallahassee, FL 32302
jwahlen@ausley.com
mmeans@ausley.com
vponder@ausley.com

## **Tampa Electric Company**

Paula K. Brown
Regulatory Affairs
P.O. Box 111
Tampa, FL 33601-0111
regdept@tecoenergy.com

#### Florida Power & Light Company

Christopher T. Wright 700 Universe Boulevard Juno Beach, FL 33408 christopher.wright@fpl.com

# Florida Public Utilities Company

Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe St., Suite 601 Tallahassee, FL 32301 bkeating@gunster.com

#### Florida Power & Light Company

Kenneth A. Hoffman 134 W. Jefferson Street Tallahassee, FL 32301-1859 ken.hoffman@fpl.com

## Florida Public Utilities Company

Michelle D. Napier
Jowi Baugh
1635 Meathe Drive
West Palm Beach, FL 33411
mnapier@fpuc.com
jbaugh@chpk.com

#### Office of Public Counsel

Walt Trierweiler
Mary A. Wessling
Patricia A. Christensen
Octavio Ponce
Austin Watrous
Charles J. Rehwinkel
The Florida Legislature
111 W. Madison St., Rm 812
Tallahassee, FL 32399
Trierweiler.walt@leg.state.fl.us
wessling.mary@leg.state.fl.us
christensen.patty@leg.state.fl.us
ponce.octavio@leg.state.fl.us
watrous.austin@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

# **PCS Phosphate - White Springs**

James W. Brew
Laura Wynn Baker
Sarah B. Newman
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson St., NW
Suite 800 West
Washington, DC 20007
jbrew@smxblaw.com
lwb@smxblaw.com
sbn@smxblaw.com

#### Florida Public Service Commission

Daniel Dose Shaw Stiller Office of General Counsel 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 ddose@psc.state.fl.us sstiller@psc.state.fl.us discovery-gcl@psc.state.fl.us

## Florida Industrial Power Users Group

Jon C. Moyle, Jr.
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
mqualls@moylelaw.com

<u>/s/ Michael K. Lavanga</u> Michael K. Lavanga