

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

Application for limited proceeding to approve ) DOCKET NO.: 20170183-EI  
2017 second revised and restated settlement ) FILED: September 13, 2017  
agreement, including certain rate adjustments, )  
by Duke Energy Florida, LLC. )  
\_\_\_\_\_)

**PETITION TO INTERVENE OF  
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.  
d/b/a PCS PHOSPHATE – WHITE SPRINGS**

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorney, files its Petition to Intervene. In support thereof, PCS Phosphate states as follows:

1. The name and address of the affected agency is:

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2. The name and address of the petitioner is:

White Springs Agricultural Chemicals, Inc.  
d/b/a PCS Phosphate – White Springs  
15843 SE 78th Street, P.O. Box 300  
White Springs, Florida 32096

3. All pleadings, motions, orders and other documents directed to the petitioner should

be served on:

James W. Brew  
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4. PCS Phosphate is a manufacturer of fertilizer products with plants and operations located within Duke Energy Florida's ("DEF" or "Duke") electric service territory. PCS Phosphate receives service under various DEF rate schedules.

5. Statement of Affected Interests. The Commission is considering whether to approve the 2017 Second Revised and Restated Settlement Agreement, filed by DEF on August 29, 2017. If approved, the Second Revised and Restated Settlement Agreement will resolve significant outstanding electric rate and related issues currently facing DEF and its customers. These include determining the final rate treatment of costs associated with the Levy nuclear units, increases to DEF's base electric rates, establishing a base rate adjustment mechanism for DEF investments in utility scale solar PV projects, and establishing pilot programs for electric vehicle charging stations and battery storage. As a large electric consumer served by DEF, a signatory to previous DEF comprehensive electric rate settlements approved by the Commission in 2012 and 2013, an active participant in the settlement negotiations that resulted in the pending 2017 Second Revised and Restated Settlement Agreement, and a signatory to that Agreement, PCS Phosphate will be substantially affected by the outcome of this proceeding. The proposed terms of the 2017 Revised and Restated Stipulation and Settlement Agreement will directly impact the cost of power supplied by DEF to the PCS Phosphate's facilities in and around White Springs, Florida, thereby affecting its production and operating costs, overall industry competitiveness, and level of sustainable employment in the region. PCS Phosphate anticipates taking an active role in this proceeding.

6. Disputed Issues of Material Fact. PCS Phosphate is not aware of any disputed issues of material fact.

7. Disputed Legal Issues. PCS Phosphate is not aware of any disputed legal issues.
8. Statement of Ultimate Facts Alleged. Alleged ultimate facts include, but are not

limited to, the following:

- (a) Whether Commission approval of the Revised and Restated Stipulation and Settlement Agreement will result in rates that are fair, just and reasonable, and
- (b) Whether Commission approval of the Agreement in its entirety is in the public interest.

PCS Phosphate anticipates that additional alleged ultimate facts will be identified in the course of these proceedings.

9. Laws Entitling Petitioner to Relief and Relation to Alleged Facts. The rules and statutes entitling PCS Phosphate to relief include but are not necessarily limited to the following: Sections 120.569 and 120.57(1), Florida Statutes, Sections 366.04 through 366.07, Florida Statutes; Sections 366.80 through 366.85 and 403.519, Florida Statutes, and Rule 25-22.039, Florida Administrative Code.

10. Relief. PCS Phosphate – White Springs requests that it be permitted to intervene as a full party in this docket.

WHEREFORE, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate –  
White Springs respectfully requests that the Commission enter an order allowing it to intervene  
as a full party in this docket.

Respectfully submitted,

/s/ James W. Brew

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*Attorneys for White Springs Agricultural Chemicals  
Inc. d/b/a PCS Phosphate – White Springs*

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition to Intervene has been furnished by electronic mail and/or U.S. Mail this 13th day of September, 2017, to the following:

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