

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

Application for limited proceeding for) DOCKET NO.: 20170272
recovery of incremental storm restoration costs) FILED: June 6, 2018
related to Hurricanes Irma and Nate, 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 DEF's request to recovery storm restoration costs associated with Hurricanes Irma and Nate and the replenishment of DEF's Storm Reserve. Any decisions made by the Commission regarding the costs to be recovered 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 anticipates that disputed issues of material fact will be identified in the continuing course of these proceedings. Disputed issues of material fact currently include, but are not limited to, the following:

- a. Are the costs for which DEF seeks recovery from customers reasonable?
- b. What are the final, actual storm restoration costs for Hurricanes Irma and Nate that DEF may recover from customers?
- c. Based on the final, actual storm restoration costs for Hurricanes Irma and Nate that DEF may recover from customers, has DEF over- or under-recovered these costs from customers while the interim storm cost recovery factors were in effect?
- d. If DEF over- or under-recovered storm costs from customers while the interim storm cost recovery factors were in effect, how should DEF recover from or credit to customers these amounts?

7. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues may be identified in the course of these proceedings.

8. Statement of Ultimate Facts Alleged. Alleged ultimate facts include, but are not limited to, the following:

- (a) Whether the storm recovery costs claimed by DEF related to Hurricanes Irma and Nate are reasonable?

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 6th day of June, 2018, to the following:

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