

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Florida Power & Light Company's     )     Docket No. 20250011-EI**  
**Petition for a Base Rate Increase             )**  
**)     Filed: June 18, 2025**

**PETITION TO INTERVENE OF ARMSTRONG WORLD INDUSTRIES, INC.**

Armstrong World Industries, Inc. ("AWI"), pursuant to Rule 28-106.205 of the Florida Administrative Code, and Sections 120.569 and 120.57 of the Florida Statutes, hereby respectfully submits this Petition to Intervene ("Petition") in the above-referenced proceeding.

In support of its Petition, AWI states as follows:

1.     Name of Affected Agencies

The name and address of the agency affected by this petition is:

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

2.     Name, Address, Email Address and Telephone Number of Petitioner/Intervenor

The name, address, and contact information for the Petitioner is:

Jason Simmons  
Armstrong World Industries, Inc.  
300 S. Myrick St,  
Pensacola, FL 32505  
Phone: (850) 429-1342  
ijsimmons@armstrongceilings.com

3.     Petitioner's Representatives. The name and address of AWI's counsel, as well as

its other representatives in this proceeding authorized to receive all notices, pleadings, correspondence, and other communications associated with this proceeding are as follows:

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Armstrong World Industries, Inc.  
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baardire@armstrongceilings.com

Robert E. Montejo  
Duane Morris LLP  
201 S. Biscayne Boulevard, Suite 3400  
Miami, FL 33131-4325  
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REMontejo@duanemorris.com

Alexander W. Judd<sup>1</sup>  
Duane Morris LLP  
100 Pearl Street, 13th Floor  
Hartford, CT 06103  
Phone: (202) 494-2299  
AJudd@duanemorris.com

4. Notice of Docket. AWI received notice of this proceeding through its practice of monitoring new and open proceedings at the Florida Public Service Commission (“Commission”).

5. Affected Utility. The utility affected in this proceeding is Florida Power & Light Company.

6. Statement of Substantial Interest. AWI (NYSE: AWI) is a leader in the design and manufacture of innovative interior and exterior architectural applications including ceilings, specialty walls and exterior metal solutions. For more than 160 years, AWI has delivered products and capabilities that enable architects, designers and contractors to transform building design and construction with elevated aesthetics, acoustics and sustainable attributes. Its 3,600 employees are committed to making a positive difference in the spaces where people live, work, learn, heal and play. AWI’s manufacturing plant in Pensacola, Florida has the privilege of employing more 250 workers. Due to its size, the plant used 30,350,000 kWhs in 2024.

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<sup>1</sup> In conjunction with its Petition to Intervene, AWI has submitted the attached request with the Commission seeking approval for Attorney Judd to appear as its qualified representative.

7. The cost of electric utility service is a significant element in the cost of operation for AWI, which could be impacted by the outcome in this case, thus AWI has a unique and substantial interest in this matter.

8. As a large customer, AWI has a substantial and vital interest in the outcome of this proceeding that cannot be adequately represented by any other party.

9. Statement of Affected Interests. In this proceeding, the Commission will evaluate FPL's petition and its supporting evidence, as well as the evidence provided by other parties to this proceeding, to ultimately determine whether to grant FPL's requested increase in base rates.

10. The Commission's decision will affect the Company and its customers, including AWI, in the following ways. If approved, the Petition will increase the Company's base rates by \$1,545 billion effective January 1, 2026, and by \$927 million effective January 1, 2027. In addition, the Company has requested an ROE of 11.90 percent.

11. As a large electric consumer served by FPL, AWI will be substantially affected by the outcome of this proceeding. The Company's proposed rate increase will directly impact the cost of power supplied by FPL to AWI's facility located in the Company's territory, thereby affecting its operating costs.

12. Disputed Issues of Fact. AWI has yet to identify each disputed issue of material fact at this time, as discovery is still ongoing in this proceeding. However, AWI expects that disputed issues of fact will include, but not be limited to:

- a. The appropriateness of FPL's proposed revenues and forecasts.
- b. The reasonableness of FPL's proposed revenue allocation among the customer classes.
- c. If FPL's overall requested rate increase is just and reasonable.

13. AWI reserves the right to raise and respond to additional issues in accordance with the Commission's rules and regulations, as well as the directives in the Commission's March 14, 2025 Order Establishing Procedure.

14. Timeliness. F.A.C. 28-106.205 requires that petitions for leave to intervene must be filed at least 20 days before the final hearing, and per the Commission's March 14, 2025 Order Establishing Procedure the final hearing in this proceeding is scheduled to begin on August 11, 2025. As such, this Petition is timely filed.

15. Statement of Ultimate Facts Alleged. While AWI is unable provide a complete statement of ultimate facts to be proven given that discovery has not yet been completed, its allegations of ultimate facts include, but are not limited to, that FPL's requested rate increase is unjust, unreasonable, and unduly discriminatory, and that FPL's proposed modifications are not in the public interest.

16. Statutes and Rules that Require the Relief Requested. As set forth herein, AWI is entitled to intervene in this Docket. The rules and statutes that entitle AWI to intervene and participate in this case include, but are not limited to, the following:

- a. Rule 25-22.039, Florida Administrative Code;
- b. Rule 28-106.201, Florida Administrative Code;
- c. Rule 28-106.205, Florida Administrative Code;
- d. Section 120.569, Florida Statutes;
- e. Section 120.57, Florida Statutes; and
- f. Sections 366.03-366.07, Florida Statutes.

20. Disputed Issues of Law. Disputed legal issues include, but are not limited to:

- a. Whether FPL's proposed rates meet the applicable just and reasonable standards.

b. Whether FPL has proven that it is entitled to the requested revenue requirement relief that it seeks.

21. AWI reserves the right to raise additional legal issues and to address those raised by parties to this proceeding in accordance with the Commission's rules and regulations, as well as the directives in the Commission's March 14, 2025 Order Establishing Procedure.

22. Statement of Conferral. As required by F.A.C. 28-106.204(3), AWI has conferred with counsel for all other parties of record as of the date of the filing of this Petition, and no such party has stated any position to this Petition. EVgo Services, LLC has not responded to e-mail outreach on June 17 and 18, 2025 or telephone outreach on June 18, 2025 prior to filing.

23. Relief Requested. AWI requests that it be permitted to intervene as a full party in this proceeding in light of its interests in this case, which as set forth above establish that AWI is a large customer of the Company.

24. Statement of Position. AWI's position as a customer of FPL as set forth above provides it standing, and in light of the reasons set out in this Petition to Intervene, AWI has an interest in ensuring that Commission approval of the Company's Petition will result in rates that are fair, just, and reasonable.

25. FPL is required to meet the applicable legal burden of proof in this proceeding. Should this Petition be granted, AWI intends to conduct discovery and reserves the right to modify its position based on information obtained in response to discovery or otherwise.

**WHEREFORE**, AWI respectfully requests that the Commission grant this Petition to Intervene, provide AWI with full party status, and allow it to participate fully in this proceeding.

Respectfully submitted,

/s/ Robert Montejo\_\_\_\_\_

Robert E. Montejo  
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Miami, FL 33131-4325  
Phone: (202) 776-7827  
REMontejo@duanemorris.com

Dated: June 18, 2025

Counsel for Armstrong World Industries, Inc.

## CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served a copy of the foregoing document on the following persons via email as follows:

Walmart Inc.  
2608 SE J Street  
Bentonville AR 72716

Represented By: Spilman Law Firm

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Represents: Florida Retail Federation

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Represents: Walmart Inc.

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Represents: Florida Energy for Innovation Association

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Represented By: Holland Law Firm

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Represents: Florida Rising, Inc./League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida, Inc.

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Represents: League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida/Florida Rising, Inc.

Duane Morris Law Firm  
Robert E. Montejo  
201 S. Biscayne Boulevard, Suite 3400  
Miami FL 33131-4325

Represents: Electrify America, LLC

This 18<sup>th</sup> day of June, 2025.

\_\_\_\_\_/s/ Robert  
Montejo\_\_\_\_\_

**BEFORE THE PUBLIC SERVICE COMMISSION**

**In re: Florida Power & Light Company’s Petition )      Docket No. 20250011-EI**  
**for a Base Rate Increase )**  
**)      Filed: June 18, 2025**

**REQUEST FOR NAMING OF QUALIFIED REPRESENTATIVE**

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code, Armstrong World Industries, Inc. (“Armstrong”) requests that Alexander W. Judd, an attorney with the law firm of Duane Morris LLP, be named a qualified representative for Armstrong in Docket No. 20250011-EI, *In re: Florida Power & Light Company’s Petition for a Base Rate Increase*. Mr. Judd will associate with and be co-counsel with Robert Montejo. (Fla. Bar No. 107198), Duane Morris LLP.

1. Mr. Judd’s business address is as follows:

Alexander W. Judd  
100 Pearl Street, 13th Floor  
Hartford, CT 06103  
Telephone: (202) 494-2299  
Email: [ajudd@duanemorris.com](mailto:ajudd@duanemorris.com)

2. Consistent with Rule 28-106.106(2)(a), F.A.C., Armstrong is aware that it can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1) of the Florida Administrative Code.

3. Armstrong submits that Mr. Judd possesses the necessary qualifications to continue to responsibly represent Armstrong’s interests in these matters. In this regard, Mr. Judd’s qualifications are set forth in the attached affidavit.

4. As reflected in Mr. Judd's affidavit, he: (i) is an attorney admitted to practice in the state of Connecticut, (ii) has reviewed those portions of the Florida Statutes relative to the Commission's jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding, and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

5. Consistent with the standard set forth in Rule 28-106.106, F.A.C., Mr. Judd has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of Armstrong is concerned in the above-referenced matters.

WHEREFORE, for the above and foregoing reasons, Armstrong respectfully requests that this request for Naming of Qualified Representative be granted.

Dated this 18<sup>th</sup> day of June, 2025.

Respectfully submitted,

/s/ Robert Montejo

Robert E. Montejo (Fla. Bar Number  
107198)

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*Attorney for and Authorized on beha.f.c.f  
Armstrong*

**BEFORE THE PUBLIC SERVICE COMMISSION**

**AFFIDAVIT**

ALEXANDER W. JUDD, being first duly sworn, states that:

1. I am an attorney with the law firm of Duane Morris LLP.
2. I have been engaged to represent Armstrong World Industries, Inc. (“Armstrong”) in connection with the Florida Power & Light Company’s Petition for a Base Rate Increase.
3. I have prepared this affidavit in connection with Armstrong’s request that I be named a qualified representative of Armstrong in Docket No. 20250011-EI, *In re: Florida Power & Light Company’s Petition for a Base Rate Increase*, and all docketed and non-docketed matters before the Florida Public Service Commission (“Commission”).
4. I possess the necessary qualification to responsibly represent Armstrong in this proceeding.
5. I am a member in good standing of the bar of the state of Connecticut, and have practiced extensively before utility regulatory agencies and authorities, including the Connecticut Public Utilities Regulatory Authority, Rhode Island Public Utilities Commission, and the New Jersey Board of Public Utilities. Notably, I have over a decade of experience representing companies on rate case issues, including in proceedings before the Connecticut Public Utilities Regulatory Authority.
6. I have knowledge of the Florida Statutes relevant to the Commission's jurisdiction; knowledge of the Florida Rules of Civil Procedure relating to discovery in administrative proceedings; and knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in administrative proceedings. I have acquired or will acquire knowledge of the factual and legal issues in these matters, and have knowledge of, am in

compliance with and will comply with the Standards of Conduct for qualified representatives contained in Rule 28-106.107, Florida Administrative Code.

/s/ Alexander W. Judd