

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Florida Power & Light Company).	DOCKET NO. 130199-EI
In re: Commission review of numeric conservation goals (Duke Energy Florida, Inc.).	DOCKET NO. 130200-EI
In re: Commission review of numeric conservation goals (Tampa Electric Company).	DOCKET NO. 130201-EI
In re: Commission review of numeric conservation goals (Gulf Power Company).	DOCKET NO. 130202-EI
In re: Commission review of numeric conservation goals (JEA).	DOCKET NO. 130203-EM
In re: Commission review of numeric conservation goals (Orlando Utilities Commission).	DOCKET NO. 130204-EM
In re: Commission review of numeric conservation goals (Florida Public Utilities Company).	DOCKET NO. 130205-EI

PETITION TO INTERVENE BY
FLORIDA STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Pursuant to Rule 25-22.039, F.A.C., the Florida State Conference of the National Association for the Advancement of Colored People (“NAACP”) hereby petitions for leave to intervene in the above captioned dockets and states:

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

Florida Public Service Commission
2540 Shumard Oak Boulevard

Tallahassee, Florida 32399-0850

2. The name and addresses of Petitioner are:

Florida State Conference of the National Association for the Advancement of Colored People
Legal Redress Committee
c/o David Honig, Esq., Committee Chair
802-4 S. Grand Highway
Clermont, Florida 34711
(202) 669-4533

3. Name and address of the Petitioner's representative, authorized to receive all notices, pleadings, and other communications in this docket is:

Alton E. Drew
667 Peoples Street, SW
#4
Atlanta, Georgia 30310
410.463.0582

4. Petitioner received notice of the Florida Public Service Commission's action through the Commission's August 19, 2013 order consolidating dockets and establishing procedures.
5. Petitioner Florida State Conference of the National Association for the Advancement of Colored People is a civil rights organization whose principal objective is to ensure the political, educational, social and economic equality of minority citizens of the Florida and eliminate race prejudice. The NAACP seeks to remove all barriers of racial discrimination through democratic processes. This mission is accomplished by seeking the enactment and enforcement of federal, state and local laws securing civil rights, and by informing the public of the adverse effects of racial discrimination. From school desegregation, fair housing, employment and voter registration, top health and equal economic opportunity, the NAACP is working successfully with

- allies of all races, plays a significant role in establishing legal precedents in order to improve the quality of life of America's downtrodden.
6. This Petition is filed on behalf of Florida's approximately 3.2 million African American residents and approximately three million Florida residents living below the poverty level who may be exposed to the adverse impact of environmental policies and practices in the State of Florida.
 7. The NAACP brings a unique perspective to this proceeding. We support efforts that reduce our communities' exposure to harmful emissions. By intervening in these dockets, the NAACP hopes to ensure that the particular economic and health needs of the African American community are considered as part of the hearing record.
 8. Second, African Americans are not benefiting from the economic benefits of energy conservation programs and African Americans spend a disproportionate amount of their disposable income on their utility bills. According to the American Association of Blacks in Energy, African Americans spent \$41 billion nationwide on energy yet hold only 1.1% of jobs in the energy sector and have earned only .01% of earnings from energy sector profits. We believe our participation in these dockets will lead to more access to the economic benefits Florida's conservation efforts bring to energy consumers. Further, should it appear that regulatory steps attendant to DSM considered in the proceeding could be economically regressive, the NAACP is well suited to address that concern.

STATEMENT OF AFFECTED INTERESTS

9. The members of the NAACP specifically and Florida's minority population in general are significantly impacted by environmental quality and energy affordability issues addressed in these proceedings.
10. In addition, there are no other interveners in this docket that represent the unique interests of the members and constituents of the NAACP or Florida's low-income population.
11. The NAACP's Petition is timely and consistent with the Commission's August 19, 2013 Order Consolidating Dockets and Establishing Procedure.

STATEMENT OF DISPUTED ISSUES OF FACT

12. At this time the NAACP cannot identify any disputed issues of material fact.

STATEMENT OF ULTIMATE FACTS

13. The Florida Energy Efficiency and Conservation Act requires the Commission to set goals and oversee the plans and programs for Florida's major electric utilities to secure clean energy resources, including conservation, efficiency, and demand-side renewable energy systems.
14. Section 366.82(3), Florida Statutes, requires that the Commission must "evaluate the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems.

STATUTE AND RULES THAT REQUIRE THE RELIEF SOUGHT

15. The statutes and rules that require the relief sought by the Florida State Conference of the National Association for the Advancement of Colored People include, but are not limited to, §§366.80-366.85, Florida Statutes, and §§ 25-22.039, 25-22.080, and 25-22.081, Florida Administrative Code.
16. Rule 25-22.039, Florida Administrative Code, provides that persons whose substantial interests are subject to determination in, or may be affected through an agency proceeding are entitled to intervene in such proceeding.

RELIEF SOUGHT

17. The Florida State Conference of the National Association for the Advancement of Colored People respectfully requests that the Commission enter an order granting it leave to intervene in the above captioned consolidated dockets, and further requests parties to provide the undersigned with all pleadings, testimony, evidence, and discovery filed in said dockets.

RESPECTFULLY SUBMITTED, this 24th day of June 2014

/s/ Alton E. Drew

Alton E. Drew
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Atlanta, Georgia 30310
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on
this 24th day of June, 2014 via the Internet on:

Florida Public Service Commission Kelley Corbari/Charles Murphy/Lee Eng Tan 2540 Shumard Oak Boulevard Tallahassee, FL 32399 Email: ltan@psc.state.fl.us	Florida Department of Agriculture and Consumer Services Steven L. Hall, Senior Attorney Office of General Counsel 407 South Calhoun Street, Suite 520 Tallahassee, FL 32399 Phone: 850-245-1000 FAX: 850-245-1001 Email: Steven.Hall@FreshFromFlorida.com
Florida Power & Light Company Mr. Ken Hoffman 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1858 Phone: (850) 521-3900 FAX: (850) 521-3939 Email: ken.hoffman@fpl.com	Duke Energy Mr. Paul Lewis, Jr./John Burnett 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 Phone: (727) 820-5184 FAX: (727) 820-5041 Email: john.burnett@duke-energy.com
Florida Power & Light Company (Juno 13i) John Butler/Jessica Cano 700 Universe Blvd Juno Beach, FL 33408 Phone: (561) 304-5639 FAX: (561) 691-7135 Email: john.butler@fpl.com	Tampa Electric Company Ms. Paula K. Brown, Regulatory Affairs P. O. Box 111 Tampa, FL 33601-0111 Phone: (813)228-1444 FAX: (813) 228-1770 Email: regdept@tecoenergy.com

<p>Florida Power & Light Company (Miami) Kevin Donaldson 4200 West Flagler Street Miami, FL 33134 Phone: (305) 442-5071 FAX: (305) 442-5435 Email: kevin.donaldson@fpl.com</p>	<p>Gulf Power Company Mr. Robert L. McGee, Jr. One Energy Place Pensacola, FL 32520-0780 Phone: (850) 444-6530 FAX: (850) 444-6026 Email: rlmcgee@southernco.com</p>
<p>Southern Alliance for Clean Energy c/o George Cavros, Esq. 120 East Oakland Park Blvd, Ste. 105 Fort Lauderdale, FL 33334 Email: george@cavros-law.com</p>	<p>JEA Mr. P. G. Para 21 West Church Street, Tower 16 Jacksonville, FL 32202-3 158 Phone: (904) 665-6208 FAX: (904) 665-4238 Email: parapg@jea.com</p>
<p>Office of Public Counsel Erik Saylor, Esq. c/o The Florida Legislature 111 W. Madison Street, Rm. 812 Tallahassee, FL 32393-1400 Email: sayler.erik@leg.state.fl.us</p>	<p>Florida Public Utilities Company Ms. Cheryl M. Martin 1641 Worthington Road, Suite 220 West Palm Beach, FL 33409-6703 Phone: (561) 838-1735 FAX: (561) 833-0151 Email: cyoung@fpuc.com 10</p>
<p>Orlando Utilities Commission Mr. W. Christopher Browder P. O. Box 3193 Orlando, FL 32802-3193 Phone: (407) 423-9100 FAX: (407) 434-2220 Email: cbrowder@ouc.com</p>	<p>Earthjustice Alisa Coe/David G. Guest 111 S. Martin Luther King, Jr. Blvd. Tallahassee, FL 32301 Phone: 850-681-0031 FAX: 681-0020 Email: acoe@earthjustice.org</p>

<p>Air-Conditioning, Heat and Refrigeration Institute Mr. Mikelann Scerbo 2111 Wilson Blvd., Suite 500 Arlington, VA 22201 Phone: 703-647-6128 Email: mscrbo@ahrinet.org</p>	<p>Ausley Law Firm J.Beasley/J. Wahlen/A. Daniels Post Office Box 391 Tallahassee, FL 32302 Phone: 850-224-9115 FAX: 850-222-7560 Email: jbeasley@ausley.com</p>
<p>Florida Industrial Power Users Group Jon C. Moyle, Jr./Karen Putnal c/o Moyle Law Firm 118 North Gadsden Street Tallahassee, FL 32301 Phone: 850-681-3828 FAX: 681-8788 Email: jmoyle@moylelaw.com</p>	<p>Beggs & Lane J.Stone/R.Badders/S.Griffin P.O. Box 12950 Pensacola, FL 32591-2950 Phone: 850-432-2451 FAX: 850-469-3331 Email: src@beggslane.com</p>
<p>Gardner Law Firm Robert Scheffel Wright/John T. La Via 1300 Thomaswood Drive Tallahassee, FL 32308 Phone: 850-385-0070 FAX: 850-385-5416 Email: schef@gbwlegal.com</p>	<p>Hopping Law Firm Gary V. Perko P.O. Box 6526 Tallahassee, FL 32314 Email: Gperko@hgslaw.com</p>
<p>Keyes Law Firm Kevin Fox/Justin Barnes/Rusty Haynes 436 14th St., Ste. 1305 Oakland, CA 94612 Phone: 510-314-8201 Email: kfox@kfwlaw.com</p>	<p>Keyes Law Firm Thadeus B. Culley 401 Harrison Oaks Blvd., Suite 100 Cary, NC 27514 Phone: 510-314-8205 Email: tculley@kfwlaw.com</p>
<p>Wal-Mart Stores East, LP and Sam's East, Inc. Kenneth E. Baker Energy Department 2001 SE 10th St. Bentonville, AR 72716-0550 Phone: 479-204-0404 FAX: 479-273-6851</p>	<p>OPOWER Alex Lopez FL Phone: 571.483.3042 Email: alex.lopez@opower.com</p>

PCS Phosphate-White Springs James W. Brew/F. Alvin Taylor c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW, Eighth Washington, DC 20007-5201 Phone: 202-342-0800 FAX: 202-342-0807 Email: jbrew@bbrslaw.com	Southeast Energy Efficiency Alliance Abby Schwimmer FL Phone: 404-602-9665 Email: aschwimmer@seealliance.org
The Alliance for Solar Choice Anne Smart 595 Market St. 29 th Floor San Francisco, CA 94105 Phone: 408-728-7166 Email: anne@allianceforsolarchoice.com	

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