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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of the Petition of
GREEN RECURSIVE UTILITY SERVICE LLC
for Rulemaking to Designate the Measurement and
Reporting Methodology for Large Load Service
Under § 366.043, Florida Statutes

PETITION TO INITIATE RULEMAKING

Under § 120.54(7), Florida Statutes

TO: The Florida Public Service Commission, through the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850

I. THE PETITIONER

Petitioner: Green Recursive Utility Service LLC ("GRUS" or "Petitioner"), a Texas limited liability company.
Address: 205 E 3rd St, Weatherford, TX 76086
Email: management@greenrecursiveutilityservice.org
Telephone: 817-404-6379
Contact: Nick Cordova, Principal

GRUS is the author and publisher of GRUS-STD-60084, a measurement standard for data center and large-load water and energy consumption, published in the public domain under a CC0 dedication, and performs facility consumption audits in the standard's audit form (GRUS-AUD). GRUS petitions in its own name under § 120.54(7)(a), Florida Statutes. Its substantial interest in the rule proposed is pleaded expressly in Part II.

Identifiers: ISNI 0000 0005 3033 4084 · Ringgold ID 851161 · IANA PEN 65876 · FERC CID C013240 · SAM UEI JGT4J9QKGCQ3

II. PETITIONER'S SUBSTANTIAL INTEREST — § 120.54(7)(a)

Section 120.54(7)(a) opens this petition to "any person regulated by an agency or having substantial interest in an agency rule." Petitioner pleads its substantial interest expressly, and on facts particular to Petitioner:

1. Petitioner is the author of the subject matter of the proposed rule. The rule proposed in Annex A designates a single measurement and reporting methodology for large load service under § 366.043: **GRUS-STD-60084 v2.0-U (Uniform Edition), DOI 10.5281/zenodo.23246001**. Petitioner wrote that standard, publishes it, maintains it, and is the person answerable for its content. A Commission decision to designate the standard makes Petitioner's own work product the operative measurement method for Florida large load service; a decision to refuse designation, or to designate a different or no method, determines with equal directness the standing of that same work product. No other person stands in that relation to the proposed rule.

2. Petitioner is a practitioner under the proposed rule, not a commentator on it. Petitioner performs facility consumption audits in the standard's audit form (GRUS-AUD), including the granular consumption audit of the Circle T facility in Texas (GRUS-AUD-CTDC-R1, September 2026), which was submitted to the City of Keller and the Texas Commission on Environmental Quality and sworn into the record of that proceeding, with third parties standing on it. If the Commission designates the methodology, Petitioner's audit practice is the practice the designation describes; the rule regulates the form of work Petitioner itself performs.

3. The interest is direct, particular, and distinct from the general public's. Petitioner does not plead the interest of a Florida ratepayer, and does not rest on the public's interest in sound ratemaking, which it shares with everyone. It pleads the interest of the standard's author and of an audit practitioner in the designation decision itself — an interest that exists whether or not Petitioner ever takes electric service in Florida, and that is affected by the Commission's grant or denial of this petition in a way no member of the general public's interest is.

4. No proprietary stake is asserted. The standard is dedicated to the public domain under CC0. Designation creates no royalty, license fee, or proprietary dependency running to Petitioner or to any party; Petitioner's interest is the authorial and professional interest stated above, stated openly so the Commission can weigh it for exactly what it is.

III. THE SUBSTANCE AND PURPOSE OF THE REQUESTED RULEMAKING — THE PROPOSED RULE AND ACTION REQUESTED

As § 120.54(7)(a) requires, Petitioner specifies the proposed rule and the action requested.

Action requested. Petitioner requests that the Commission **initiate rulemaking under § 120.54, Florida Statutes, to adopt the rule proposed in Annex A** — a new rule in Chapter 25-6, Florida Administrative Code (numbering to be assigned by the Commission) — designating **GRUS-STD-60084 v2.0-U (Uniform Edition), DOI 10.5281/zenodo.23246001**, incorporated by reference, as the measurement and reporting methodology for large load service under § 366.043, Florida Statutes.

Substance of the proposed rule (Annex A). In summary, the proposed rule provides that, for service to a large load customer as defined in § 366.043(2)(d):

1. the load, energy consumption, and associated resource consumption (including water consumed for cooling) figures on which a public utility's § 366.043 tariff, cost-of-service showing, and any compliance report rest shall be **measured and stated in accordance with the Standard** — metered measurement at or near the point of delivery, stated by quantity and source, with the measurement method from which each figure is derived stated alongside it;

2. each facility served shall carry its **consumption classification under the Standard**, computed from the facility's filed load and site conditions; and

3. figures so stated are subject to **verification in the audit form of the Standard (GRUS-AUD)**, under which reported quantities are checked against metered records.

Purpose. Section 366.043(3) states a test — each large load customer bears its own full cost of service; no shift to the general body of ratepayers — that can only be applied to numbers. One designated method, adopted once, underneath every § 366.043 tariff and compliance showing, so the numbers the test is applied to are produced the same way by every utility and can be compared, checked, and audited, instead of resting on three (and in time more) different utility conventions that no order can reconcile after the fact.

IV. LEGAL AUTHORITY

1. § 120.54(7)(a), Florida Statutes — a person having substantial interest in an agency rule may petition the agency to adopt a rule; the petition shall specify the proposed rule and action requested (done, Part III and Annex A); not later than 30 calendar days following the date of filing, the agency shall initiate rulemaking, otherwise comply, or deny the petition with a written statement of its reasons.

2. § 366.043, Florida Statutes — the Commission's charge over large load tariffs: subsection (1) recites the legislative finding that the Commission is to "develop and enforce rate structures and other policies" preventing the costs of serving large load customers from shifting to the general body of ratepayers; subsection (3) prescribes the minimum tariff and service requirements; subsection (8) required each public utility to file a compliant tariff by October 1, 2026 — the filings now before the Commission.

3. §§ 366.04, 366.05, and 366.06, Florida Statutes — the Commission's jurisdiction over public utilities with respect to their rates and service, its powers in the exercise of that jurisdiction, and its rate-fixing authority, the provisions under which the Commission acts on the § 366.043 tariffs themselves (invoked as jurisdiction for the § 366.043 tariff dockets, e.g., Order No. PSC-2026-0120-PCO-EI in Docket No. 20260064-EI).

V. FACTS AND ARGUMENT IN SUPPORT

A. Florida has ordered the cost determination; it has not designated a method for making it.

The § 366.043 test is quantitative at every step. Whether a customer is a large load customer turns on a measured figure (anticipated monthly peak load of 50 MW or more, as the highest average load over a 15-minute interval at a single location, § 366.043(2)(d)). Whether that customer "bears its own full cost of service" (§ 366.043(3)(a)) turns on measured load, measured consumption, and costs allocated by reference to both. Whether cost has shifted to the general body of ratepayers is a comparison between measured figures. The Legislature specified the threshold measurement and the conclusion the numbers must support, and left the production of every other number to convention. Three utilities have now produced three tariffs on three conventions, and the Commission's staff, reviewing them, has recommended three different procedural outcomes. There is nothing in any of the three records that would let the Commission — or a ratepayer, or this Petitioner — restate Duke's figures, Tampa Electric's figures, and FPL's figures in a common form and test them against the same test.

B. The live record proves the gap; it is cited as context, not as the relief.

Duke Energy Florida, LLC — Docket No. 20260064-EI. The first tariff filed under SB 484 (petitioned April 22, 2026): a Large Load Customer Policy, a Large Load Customer Agreement, and revised CIAC tariffs. Staff recommendation (October 22, 2026): deny as filed, with leave to refile — on the ground, in substance, that a tariff setting contract terms without a large load rate does not yet demonstrate the § 366.043(3) cost-bearing the statute requires. A demonstration is a measured showing or it is an assertion; no rule presently states how the showing is to be measured.

Tampa Electric Company — Docket No. 20260146-EI. Tariff filed September 30, 2026, with a separate data center class. Staff recommendation: suspend for further review. The class exists; the measurement basis on which its members' costs will be shown is the utility's own.

Florida Power & Light Company — Docket No. 20260149-EI. FPL's position: its previously approved LLCS-1 and LLCS-2 tariffs already satisfy § 366.043. Staff recommendation: suspend for further examination. Whether an existing tariff "already satisfies" a new quantitative test is again a measurement question, and it cannot be answered in a form anyone can check until the method of measurement is designated.

All three dockets are scheduled for the Commission's **November 3, 2026 agenda conference**. Petitioner states expressly: **this petition does not depend on the outcome of those dockets, does not ask the Commission to stay, defer, or condition any vote in them, and seeks no relief in them.** They are named because they are the record on which the absence of a designated method is presently visible. The rule proposed here governs measurement for § 366.043 service generally — for tariffs approved November 3, tariffs refiled after November 3, and tariffs not yet filed alike.

C. The proposed method exists, is published, is free, and has been demonstrated under scrutiny.

GRUS-STD-60084 v2.0-U does three things. *First*, it classifies each facility by measured characteristics — a consumption classification (water-use categories W-1 through W-3 crossed with consumption classes C-1 through C-5) computed from the facility's filed load and site conditions, not from the facility's own description of itself. *Second*, it accounts granularly — load, energy, and water (withdrawal, consumption, and evaporation, by source and by use) — at the granularity a full-cost determination requires if it is to be checked rather than credited. *Third*, it carries its own verification protocol in audit form (GRUS-AUD), under which a reported figure is checked against metered records, so a compliance showing is a verifiable document rather than an attestation.

The method is not theoretical. It has been applied in full form to a real facility: the granular consumption audit of the Circle T facility in Texas (**GRUS-AUD-CTDC-R1**, September 2026), performed under the standard, submitted to the City of Keller and the Texas Commission on Environmental Quality, and **sworn into the record** of that proceeding, with third parties standing on it. Its reproducibility has therefore already been tested in the setting that matters — a contested proceeding in which the numbers had to survive scrutiny.

D. Timing is the substance.

The first § 366.043 tariffs are being acted on now, and the compliance conventions adopted in these first dockets — by approval, by suspension orders, or by refiled tariffs — are the conventions later proceedings must displace if a common method is adopted afterward. A method placed before the Commission while the first generation of tariffs is still open can be built into the template those tariffs set; the same method offered after the template hardens arrives as a request to reopen finished work. The petition is therefore filed now. It is a rulemaking petition, and its 30-day clock under § 120.54(7)(a) runs independently of the November 3 agenda conference and of every pending tariff docket.

E. Record elsewhere (one line).

GRUS-STD-60084 is of record in Texas PUC Project No. 58317 (Item 96), Ohio PUCO Case No. 24-0508-EL-ATA, Arizona Corporation Commission Docket No. E-01773A-26-0123, and New Jersey BPU Docket No. EO26080463; a pleading presenting the Uniform Edition was filed October 30, 2026 in Kansas Corporation Commission Docket No. 25-EKME-315-TAR; a petition for rulemaking presenting the Uniform Edition was prepared October 30, 2026 for the Virginia State Water Control Board and Department of Environmental Quality.

VI. EFFECT ON EXISTING RULES AND TARIFFS

The proposed rule supplements, and does not amend in substance or repeal, any existing rule of the Commission or any provision of § 366.043. It prescribes no rate, no contract term, and no tariff condition: the minimum tariff and service requirements of § 366.043(3), and every utility's obligation under § 366.043(8), stand exactly as enacted and as filed. The proposed rule designates the measurement and reporting methodology by which the figures supporting those tariffs and their compliance showings are produced. Tariffs already filed or approved — including the tariffs in Docket Nos. 20260064-EI, 20260146-EI, and 20260149-EI — would not be reopened by the rule; their utilities' subsequent compliance reports, true-ups, and successor filings would state their figures under the designated method.

VII. PERSONS AND CLASSES LIKELY TO BE AFFECTED

Public utilities serving large load customers (including Duke Energy Florida, LLC, Tampa Electric Company, and Florida Power & Light Company) — the figures underlying their § 366.043 tariffs and compliance showings gain a designated measurement method: metering, a stated derivation, and a facility classification. The rule imposes no rate, fee, or new tariff condition.

Large load customers — the costs attributed to them, and the demonstrations that they bear their full cost of service, are stated in one auditable method rather than in each utility's convention.

The general body of ratepayers — the statutory protection of § 366.043(3) (no shift of large load costs to them) becomes testable: a shift can be detected only if the figures on both sides of the comparison were measured the same way.

The Commission — § 366.043 determinations that rest on figures produced by a stated method, defensible on the record that produced them, and comparable across utilities and across years.

Petitioner — its published standard would become the designated method; Petitioner states this interest openly (Part II), and notes the standard is dedicated to the public domain under CC0, so designation creates no royalty, license fee, or proprietary dependency for any party.

ANNEX A — PROPOSED RULE TEXT

New rule, Chapter 25-6, Florida Administrative Code (numbering to be assigned by the Commission): Measurement and reporting methodology for large load service.

1. Purpose and applicability. This rule designates the measurement and reporting methodology for service to a large load customer, as defined in § 366.043(2)(d), Florida Statutes, under the tariffs required by § 366.043, Florida Statutes. It applies to each public utility providing or offering electric service to a large load customer.

2. Definitions. *Large load customer* — as defined in § 366.043(2)(d), Florida Statutes. *Standard* — GRUS-STD-60084 v2.0-U (Uniform Edition), published by Green Recursive Utility Service LLC, DOI 10.5281/zenodo.23246001, dedicated to the public domain under CC0 1.0, incorporated by reference.

3. Measurement method. The anticipated and actual peak load, energy consumption, and associated resource consumption (including water consumed for cooling) figures on which a public utility's tariff, cost-of-service showing, compliance filing, or report for large load service rests shall be measured and stated in accordance with the Standard, including: (a) metered measurement of load and consumption at or near the point of delivery, with peak load stated consistently with § 366.043(2)(d), Florida Statutes; (b) a statement accompanying each filing or report of the metered quantities and the measurement method from which each reported figure is derived; and (c) the consumption classification of the facility served, computed under the Standard.

4. Verification. A filing or report stating figures measured under this rule is subject to verification in the audit form of the Standard (GRUS-AUD), under which reported quantities are checked against metered records.

5. Availability. The Standard is available to the Commission, to public utilities, and to the public at no cost at DOI 10.5281/zenodo.23246001. Incorporation by reference creates no license fee or royalty obligation.

6. No other effect. This rule designates a measurement and reporting methodology only. It prescribes no rate, charge, contract term, or service condition, and does not modify any requirement of § 366.043, Florida Statutes, or of any tariff.

VIII. REQUESTED ACTION

Petitioner respectfully requests that the Commission, in accordance with § 120.54(7)(a), Florida Statutes, **not later than 30 calendar days following the date of filing of this petition**, either (a) **initiate rulemaking proceedings** under Chapter 120, Florida Statutes, to adopt the rule proposed in Annex A, or otherwise comply with the requested action; or (b) **deny this petition in writing**

with a statement of its reasons for the denial. Petitioner further requests that all notices and orders in this matter be directed to the contact in Part I. Petitioner requests no stay, deferral, or other relief in Docket Nos. 20260064-EI, 20260146-EI, or 20260149-EI or in any other pending docket.

IX. SIGNATURE

Respectfully submitted,

/s/ Nick Cordova
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Dated: October 30, 2026