

## Crystal Card

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**From:** Owen J. Kopon <owen.kopon@bbrslaw.com>  
**Sent:** Tuesday, June 03, 2014 3:30 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** FW: FPSC Docket No. 140110  
**Attachments:** P-PCS Interv.140110\_f.pdf

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**From:** Owen J. Kopon  
**Sent:** Friday, May 30, 2014 4:43 PM  
**To:** 'Filings@psc.state.fl.us'  
**Cc:** Jay Brew; 'mwalls@CFJBLaw.com'; 'john.burnett@duke-energy.com'; 'matthew.bernier@duke-energy.com'; 'ana.richmond@deo.myflorida.com'; 'justin.b.green@dep.state.fl.us'; 'jmoyle@moylslaw.com'; 'Schef@gbwlegal.com'; 'kelly.jr@leg.state.fl.us'; 'ataylor@bbrslaw.com'; 'MLawson@PSC.STATE.FL.US'  
**Subject:** FPSC Docket No. 140110

(a) Person responsible for filing

James W. Brew  
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(b) Docket No. 140110-EI: In re: Petition for Determination of Need for Citrus County Combined Cycle Power Plant

(c) Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs

(d) Total Pages = 4

(e) PCS Phosphate's Petition to Intervene

*Owen J. Kopon* |  
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**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Determination of Need for     )  
Citrus County Combined Cycle Power Plant     )

DOCKET NO. 140110-EI

**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  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower  
Washington, DC 20007-5201  
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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 PEF rate schedules.

5. Statement of Affected Interests. Duke filed its Petition for Determination of Need for the Citrus County Combined Cycle Power Plant ("Duke Petition") pursuant to Section 413.519 of the Florida Statutes and Rules 25-22.080 and 25-22.081 of the Florida Administrative Code. Duke requests an affirmative determination of need for its proposed Citrus County Combined Cycle Power Plant. In this proceeding, the Commission will review the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, the need for fuel diversity and supply reliability, whether the proposed plant is the most cost-effective alternative available, and whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available. As a large customer of Duke that will be required to fund the costs of the proposed Citrus County Combined Cycle Plant, PCS Phosphate will be directly and substantially affected by the outcome of these proceedings.

6. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to, the following:

- (a) Whether there exists a public need and necessity for Duke's proposed Citrus County Combined Cycle Power Plant considering the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, the need for fuel diversity and supply reliability, whether the proposed plant is the most cost-effective alternative available, and whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available.

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

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

- (a) There may not be a public need or necessity for Duke's proposed Citrus County Combined Cycle Power Plant.

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, 120.57(1) and 403.519, Florida Statutes, and Rules 25-22.039, 25-22.080 – 25-22.082, Florida Administrative Code.

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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*Attorney 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 30th day of May 2014 to the following:

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s/ Owen J. Kopon