

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase by Florida
City Gas.

DOCKET NO. 20260026-GU
ORDER NO. PSC-2026-0245-PCO-GU
ISSUED: July 10, 2026

ORDER GRANTING INTERVENTION FOR
THE FEDERAL EXECUTIVE AGENCIES

Florida City Gas (FCG) filed its minimum filing requirements on April 20, 2026, based on a projected test year ending December 31, 2027, seeking approval to increase rates and charges. Discovery guidelines, hearing procedures, and controlling dates were established by the Order Establishing Procedure.¹ This docket is currently scheduled for hearing for September 28 through October 2, 2026.

Petition for Intervention

On June 12, 2026, the Federal Executive Agencies (FEA) filed a petition to intervene in this proceeding. FEA represents that it consists of certain agencies of the United States Government which have offices, facilities, and/or installations in FCG's service area, and that those agencies purchase natural gas service from FCG. FEA states that its utility costs represent one of its largest operating expenses. Therefore, FEA argues that its interests will be directly and substantially impacted by the Commission's actions in this proceeding.

FEA represents that it conferred with the parties to this docket and no party has objected, and the Office of Public Counsel has taken no position. No opposition to the petition to intervene has been filed and the time for doing so has expired.

Standards for Intervention

Pursuant to Rule 28-106.205, F.A.C., persons, other than the original parties to a pending proceeding, who have a substantial interest in the proceeding, and who desire to become parties may move for leave to intervene. Motions for leave to intervene must be filed at least twenty (20) days before the final hearing, must comply with Rule 28-106.204(3), F.A.C., and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding. Intervenors take the case as they find it.

To have standing, the intervenor must meet the three-prong standing test set forth in Florida Home Builders Association v. Department of Labor and Employment Security, 412 So. 2d 351, 353-54 (Fla. 1982), and Farmworker Rights Organization, Inc. v. Department of Health

¹ Order No. PSC-2026-0153-PCO-GU, issued May 15, 2026, in Docket No. 20260026-GU, *In re: Application for rate increase by Florida City Gas*.

and Rehabilitative Services, 417 So. 2d 753, 754 (Fla. 1st DCA 1982), which is based on the basic standing principles established in Agrico Chemical Company v. Department of Environmental Regulation, 406 So. 2d 478, 481-82 (Fla. 2d DCA 1981).² Associational standing may be found where: (1) the association demonstrates that a substantial number of an association's members may be substantially affected by the Commission's decision in a docket; (2) the subject matter of the proceeding is within the association's general scope of interest and activity; and (3) the relief requested is of a type appropriate for the association to receive on behalf of its members. Fla. Home Builders, 412 So. 2d at 353-54; Farmworker Rights Org., 417 So. 2d at 754.

Analysis

"In determining whether a party has standing to seek a formal administrative hearing, the allegations contained in the party's petition must be taken as true." Mid-Chattahoochee River Users v. Fla. Dep't of Env't Prot., 948 So. 2d 794, 796 (Fla. 1st DCA 2006). Taken as true, FEA's allegations are sufficient to support all elements of associational standing under Florida Home Builders. Therefore, FEA's petition to intervene shall be granted, subject to proof of standing or stipulations that there are sufficient facts to support all elements for standing. As an intervenor, FEA takes the case as it finds it.

Based on the above representations, it is

ORDERED by Commissioner Mike La Rosa, as Prehearing Officer, that the Federal Executive Agencies is hereby granted provisional intervention subject to proof of standing at hearing as set forth in the body of this Order. It is further

ORDERED that the Federal Executive Agencies takes the case as it finds it. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings, and other documents which may hereinafter be filed in this proceeding to:

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² Under Agrico, the intervenor must show that (1) he will suffer injury in fact which is of sufficient immediacy to entitle him to a Section 120.57, F.S., hearing, and (2) the substantial injury is of a type or nature which the proceeding is designed to protect. The first aspect of the test deals with the degree of injury. The second deals with the nature of the injury. 406 So. 2d 478 at 482. The "injury in fact" must be both real and immediate and not speculative or conjectural. International Jai-Alai Players Assn. v. Florida Pari-Mutuel Commission, 561 So. 2d 1224, 1225-26 (Fla. 3d DCA 1990). See also: Village Park Mobile Home Assn., Inc. v. State Dept. of Business Regulation, 506 So. 2d 426, 434 (Fla. 1st DCA 1987), rev. den., 513 So. 2d 1063 (Fla. 1987) (speculation on the possible occurrence of injurious events is too remote).

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By ORDER of Commissioner Mike La Rosa, as Prehearing Officer, this 10th day of July,
2026.



MIKE LA ROSA
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MRT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.