

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Fuel and Purchased Power)	
Cost Recovery Clause with Generating)	Docket No. 060001-EI
Performance Incentive)	Filed: September 20, 2006
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**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
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4. Florida Power and Light Company, Progress Energy Florida (“PEF”), Tampa Electric Company, Gulf Power Company and Florida Public Utilities Company are regulated electric utilities collectively serving in excess of 80 percent of all retail electric customers throughout the State of Florida.

5. PCS Phosphate is a manufacturer of fertilizer products with plants and operations located within PEF’s electric service territory.¹ PSC Phosphate receives service under PEF’s IS-1, IST-1, SS-2, GS-1, GSD-1, GSDDT-1, and LS-1 Rates.

6. Statement of Affected Interests. In the above-referenced docket, the Commission will decide, among other things, whether to approve PEF’s request to increase its fuel adjustment charges by roughly \$161.4 million effective January 1, 2007. PEF’s request, if approved, will substantially affect PCS Phosphate by directly increasing its cost of purchasing power, thereby affecting its production and operating costs, overall industry competitiveness, and level of sustainable employment in the region.

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

- (a) Whether historical fuel costs being sought for recovery here are reasonable, prudent and necessary.

¹ PCS Phosphate mines phosphate ore on approximately 100,000 acres (160 square miles) located in Hamilton County, Florida, and employs approximately 1,185 individuals.

- (b) Whether the projected fuel costs sought to be recovered by PEF in this proceeding is based upon reasonable projections and whether those forecasts are reasonable, prudent and necessary.
- (c) Whether all costs being sought by PEF by PEF in this proceeding are of the type to appropriately be recovered as part of a fuel adjustment modification.

PCS Phosphate anticipates that additional disputed issues of material fact will be identified in the course of these proceedings.

8. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues will be identified in the course of these proceedings.

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

- (a) PEF has the burden to prove that all costs for which they seek recovery were and are, or will be, reasonably and prudently incurred and of the type appropriate to be recovered through these proceedings, and
- (b) PEF has the burden to prove that no such costs sought for recovery are duplicative.

PCS Phosphate anticipates that additional alleged ultimate facts will be identified in the course of these proceedings.

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 U.S. Mail this 20th day of September 2006 to the following individuals:

/s/ James W. Brew

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Federal Executive Agencies Lt. Col. K. White/Capt. D. Williams c/o AFLSA/JACL-ULT 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 Phone: 850-283-6217 FAX: 850-283-6219	Progress Energy Florida, Inc. Mr. Paul Lewis, Jr. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 Phone: 222-8738 FAX: 222-9768 Email: paul.lewisjr@pgnmail.com

<p>Florida Industrial Power Users Group John W. McWhirter, Jr. c/o McWhirter Reeves 400 North Tampa Street, Suite 2450 Tampa, FL 33602 Phone: 813-224-0866 FAX: 813-221-1854 Email: jmcwhirter@mac-law.com</p>	<p>Progress Energy Service Company, LLC John T. Burnett/R. Alexander Glenn P.O. Box 14042 Saint Petersburg, FL 33733-4042 Phone: 727-820-5184 FAX: 727-820-5519 Email: john.burnett@pgnmail.com</p>
<p>Florida Power & Light Company Mr. Bill Walker 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859 Phone: (850) 521-3910 FAX: 521-3939</p>	<p>Tampa Electric Company Ms. Brenda Irizarry Regulatory Affairs P. O. Box 111 Tampa, FL 33601-0111 Phone: (813) 228-1934 FAX: (813) 228-1770 Email: regdept@tecoenergy.com</p>
<p>Florida Power & Light Company R. Litchfield/J. Butler/N. Smith 700 Universe Boulevard Juno Beach, FL 33408-0420 Phone: 561-691-7101 FAX: 561-691-7135 Email: Wade_Litchfield@fpl.com</p>	<p>Young Law Firm R. Scheffel Wright/John LaVia 225 South Adams Street, Suite 200 Tallahassee, FL 32301 Phone: 850-222-7206 FAX: 561-6834</p>
<p>Florida Public Utilities Company Ms. Cheryl Martin P.O. Box 3395 West Palm Beach, FL 33402-3395 Phone: (561) 838-1725</p>	<p>Gulf Power Company Ms. Susan D. Ritenour One Energy Place Pensacola, FL 32520-0780 Phone: (850) 444-6231 FAX: (850) 444-6026</p>
<p>Florida Retail Federation 100 E. Jefferson St. Tallahassee, FL 32301 Phone: 850-222-4082 FAX: 226-4082</p>	<p>Lisa Bennett Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850</p>