

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's) Docket No. 20250011-EI
Petition for a Base Rate Increase)
) Filed: June 18, 2025

PETITION TO INTERVENE OF ARMSTRONG WORLD INDUSTRIES, INC.

Armstrong World Industries, Inc. ("AWI"), pursuant to Rule 28-106.205 of the Florida Administrative Code, and Sections 120.569 and 120.57 of the Florida Statutes, hereby respectfully submits this Petition to Intervene ("Petition") in the above-referenced proceeding.

In support of its Petition, AWI states as follows:

1. Name of Affected Agencies

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

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

2. Name, Address, Email Address and Telephone Number of Petitioner/Intervenor

The name, address, and contact information for the Petitioner is:

Jason Simmons
Armstrong World Industries, Inc.
300 S. Myrick St,
Pensacola, FL 32505
Phone: (850) 429-1342
ijsimmons@armstrongceilings.com

3. Petitioner's Representatives. The name and address of AWI's counsel, as well as

its other representatives in this proceeding authorized to receive all notices, pleadings, correspondence, and other communications associated with this proceeding are as follows:

Brian A. Ardire
Armstrong World Industries, Inc.
2500 Columbia Avenue

Lancaster, PA 17603
baardire@armstrongceilings.com

Robert E. Montejo
Duane Morris LLP
201 S. Biscayne Boulevard, Suite 3400
Miami, FL 33131-4325
Phone: (202) 776-7827
REMontejo@duanemorris.com

Alexander W. Judd¹
Duane Morris LLP
100 Pearl Street, 13th Floor
Hartford, CT 06103
Phone: (202) 494-2299
AJudd@duanemorris.com

4. Notice of Docket. AWI received notice of this proceeding through its practice of monitoring new and open proceedings at the Florida Public Service Commission (“Commission”).

5. Affected Utility. The utility affected in this proceeding is Florida Power & Light Company.

6. Statement of Substantial Interest. AWI (NYSE: AWI) is a leader in the design and manufacture of innovative interior and exterior architectural applications including ceilings, specialty walls and exterior metal solutions. For more than 160 years, AWI has delivered products and capabilities that enable architects, designers and contractors to transform building design and construction with elevated aesthetics, acoustics and sustainable attributes. Its 3,600 employees are committed to making a positive difference in the spaces where people live, work, learn, heal and play. AWI’s manufacturing plant in Pensacola, Florida has the privilege of employing more 250 workers. Due to its size, the plant used 30,350,000 kWhs in 2024.

¹ In conjunction with its Petition to Intervene, AWI has submitted the attached request with the Commission seeking approval for Attorney Judd to appear as its qualified representative.

7. The cost of electric utility service is a significant element in the cost of operation for AWI, which could be impacted by the outcome in this case, thus AWI has a unique and substantial interest in this matter.

8. As a large customer, AWI has a substantial and vital interest in the outcome of this proceeding that cannot be adequately represented by any other party.

9. Statement of Affected Interests. In this proceeding, the Commission will evaluate FPL's petition and its supporting evidence, as well as the evidence provided by other parties to this proceeding, to ultimately determine whether to grant FPL's requested increase in base rates.

10. The Commission's decision will affect the Company and its customers, including AWI, in the following ways. If approved, the Petition will increase the Company's base rates by \$1,545 billion effective January 1, 2026, and by \$927 million effective January 1, 2027. In addition, the Company has requested an ROE of 11.90 percent.

11. As a large electric consumer served by FPL, AWI will be substantially affected by the outcome of this proceeding. The Company's proposed rate increase will directly impact the cost of power supplied by FPL to AWI's facility located in the Company's territory, thereby affecting its operating costs.

12. Disputed Issues of Fact. AWI has yet to identify each disputed issue of material fact at this time, as discovery is still ongoing in this proceeding. However, AWI expects that disputed issues of fact will include, but not be limited to:

- a. The appropriateness of FPL's proposed revenues and forecasts.
- b. The reasonableness of FPL's proposed revenue allocation among the customer classes.
- c. If FPL's overall requested rate increase is just and reasonable.

13. AWI reserves the right to raise and respond to additional issues in accordance with the Commission's rules and regulations, as well as the directives in the Commission's March 14, 2025 Order Establishing Procedure.

14. Timeliness. F.A.C. 28-106.205 requires that petitions for leave to intervene must be filed at least 20 days before the final hearing, and per the Commission's March 14, 2025 Order Establishing Procedure the final hearing in this proceeding is scheduled to begin on August 11, 2025. As such, this Petition is timely filed.

15. Statement of Ultimate Facts Alleged. While AWI is unable provide a complete statement of ultimate facts to be proven given that discovery has not yet been completed, its allegations of ultimate facts include, but are not limited to, that FPL's requested rate increase is unjust, unreasonable, and unduly discriminatory, and that FPL's proposed modifications are not in the public interest.

16. Statutes and Rules that Require the Relief Requested. As set forth herein, AWI is entitled to intervene in this Docket. The rules and statutes that entitle AWI to intervene and participate in this case include, but are not limited to, the following:

- a. Rule 25-22.039, Florida Administrative Code;
- b. Rule 28-106.201, Florida Administrative Code;
- c. Rule 28-106.205, Florida Administrative Code;
- d. Section 120.569, Florida Statutes;
- e. Section 120.57, Florida Statutes; and
- f. Sections 366.03-366.07, Florida Statutes.

20. Disputed Issues of Law. Disputed legal issues include, but are not limited to:

- a. Whether FPL's proposed rates meet the applicable just and reasonable standards.

b. Whether FPL has proven that it is entitled to the requested revenue requirement relief that it seeks.

21. AWI reserves the right to raise additional legal issues and to address those raised by parties to this proceeding in accordance with the Commission's rules and regulations, as well as the directives in the Commission's March 14, 2025 Order Establishing Procedure.

22. Statement of Conferral. As required by F.A.C. 28-106.204(3), AWI has conferred with counsel for all other parties of record as of the date of the filing of this Petition, and no such party has stated any position to this Petition. EVgo Services, LLC has not responded to e-mail outreach on June 17 and 18, 2025 or telephone outreach on June 18, 2025 prior to filing.

23. Relief Requested. AWI requests that it be permitted to intervene as a full party in this proceeding in light of its interests in this case, which as set forth above establish that AWI is a large customer of the Company.

24. Statement of Position. AWI's position as a customer of FPL as set forth above provides it standing, and in light of the reasons set out in this Petition to Intervene, AWI has an interest in ensuring that Commission approval of the Company's Petition will result in rates that are fair, just, and reasonable.

25. FPL is required to meet the applicable legal burden of proof in this proceeding. Should this Petition be granted, AWI intends to conduct discovery and reserves the right to modify its position based on information obtained in response to discovery or otherwise.

WHEREFORE, AWI respectfully requests that the Commission grant this Petition to Intervene, provide AWI with full party status, and allow it to participate fully in this proceeding.

Respectfully submitted,

_____/s/ Robert Montejo_____

Robert E. Montejo
Duane Morris LLP
201 S. Biscayne Boulevard, Suite 3400
Miami, FL 33131-4325
Phone: (202) 776-7827
REMontejo@duanemorris.com

Dated: June 18, 2025

Counsel for Armstrong World Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served a copy of the foregoing document on the following persons via email as follows:

Walmart Inc.
2608 SE J Street
Bentonville AR 72716

Represented By: Spilman Law Firm

Stone Law Firm
J. Brew/L. Baker/J. Briscar/S. Newman
1025 Thomas Jefferson St., NW, Suite 800 West
Washington DC 20007
(202) 342-0800
(202) 342-0807
jbrew@smxblaw.com
lwb@smxblaw.com
jrb@smxblaw.com
sbn@smxblaw.com

Represents: Florida Retail Federation

Spilman Law Firm
Steven W. Lee
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg PA 17050
(717) 791-2012
(717) 795-2743
slee@spilmanlaw.com

Represents: Walmart Inc.

Spilman Law Firm
Stephanie U. Eaton
110 Oakwood Drive, Suite 500
Winston-Salem NC 27103
(336) 631-1062

(336) 725-4476
seaton@spilmanlaw.com

Represents: Walmart Inc.

Southern Alliance for Clean Energy
P.O. Box 1842
Knoxville TN 37901
(865) 637-6055

Represented By: Garner Law Firm

Office of Public Counsel
Walt Trierweiler/Mary A. Wessling
c/o The Florida Legislature
111 W. Madison Street, Suite 812
Tallahassee FL 32399-1400
wessling.mary@leg.state.fl.us

League of United Latin American Citizens of Florida
100 South Belcher Road #4752
Clearwater FL 33765

Represented By: Earthjustice

Keyes Law Firm
Nikhil Vijaykar
580 California St., 12th Floor
San Francisco CA 94104
(408) 621-3256
nvijaykar@keyesfox.com

Represents: EVgo Services, LLC

Holland Law Firm
D. Bruce May/Kevin W. Cox/Kathryn Isted

315 South Calhoun Street, Suite 600
Tallahassee FL 32301
(850) 224-7000
bruce.may@hklaw.com
kevin.cox@hklaw.com
kathryn.isted@hklaw.com

Represents: Florida Energy for Innovation Association

Garner Law Firm
William C. Garner
3425 Bannerman Road
Tallahassee FL 32312
(850) 320-1701
(850) 792-6011
bgarner@wcglawoffice.com

Represents: Southern Alliance for Clean Energy

Florida Rising, Inc.
10800 Biscayne Blvd., Suite 1050
Miami FL 33161
Represented By: Earthjustice

Florida Retail Federation
Lorena Holley
227 South Adams St.
Tallahassee FL 32301
(850) 222-4082
lorena@frf.org

Represented By: Stone Law Firm

Florida Power & Light Company
J. Burnett/M. Moncada/C. Wright/W. Cox/J. Baker
700 Universe Boulevard
Juno Beach FL 33408-0420

(561) 304-5253
(561) 691-7135
maria.moncada@fpl.com
john.t.burnett@fpl.com
christopher.wright@fpl.com
will.p.cox@fpl.com
joel.baker@fpl.com

Florida Power & Light Company
Kenneth A. Hoffman
134 West Jefferson Street
Tallahassee FL 32301-1713
(850) 521-3901
(850) 521-3939
ken.hoffman@fpl.com

Florida Industrial Power Users Group
Jon C. Moyle, Jr./Karen A. Putnal
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee FL 32301
(850) 681-3828
(850) 681-8788
jmoyle@moylelaw.com
mqualls@moylelaw.com
kputnal@moylelaw.com

Florida Energy for Innovation Association
1700 Flamingo Drive
Orlando FL 32803-1911
(407) 947-0877
Contact@EnergyForInnovation.org

Represented By: Holland Law Firm

Federal Executive Agencies
L. Newton/A. George/T. Jernigan/J. Ely/M. Rivera/E. Payton

139 Barnes Drive, Suite 1
Tyndall AFB FL 32403
(850) 283-6347
Ashley.George.4@us.af.mil
ebony.payton.ctr@us.af.mil
Leslie.Newton.1@us.af.mil
Michael.Rivera.51@us.af.mil
thomas.jernigan.3@us.af.mil
james.ely@us.af.mil

EVgo Services, LLC
Katelyn Lee/Lindsey Stegall
1661 E. Franklin Ave.
El Segundo CA 90245
(213) 500-9092
Katelyn.Lee@evgo.com
Lindsey.Stegall@evgo.com

Represented By: Keyes Law Firm

Environmental Confederation of Southwest Florida
421 Verna Road
Sarasota FL 34230

Represented By: Earthjustice

Electrify America, LLC
Stephen Bright/Jigar J. Shah
1950 Opportunity Way, Suite 1500
Reston VA 20190
(781) 206-7979
Steve.Bright@electrifyamerica.com
Jigar.Shah@electrifyamerica.com

Represented By: Duane Morris Law Firm

Earthjustice

Bradley Marshall/Jordan Luebke
111 S. Martin Luther King Jr. Blvd.
Tallahassee FL 32301
(850) 681-0031
(850) 681-0020
bmarshall@earthjustice.org
jluebke@earthjustice.org
flcaseupdates@earthjustice.org

Represents: Florida Rising, Inc./League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida, Inc.

Earthjustice
Danielle McManamon
4500 Biscayne Blvd. Ste. 201
Miami FL 33137
(786) 224-7031
dmcmanamon@earthjustice.org
Flcaseupdates@earthjustice.org

Represents: League of United Latin American Citizens of Florida/Environmental Confederation of Southwest Florida/Florida Rising, Inc.

Duane Morris Law Firm
Robert E. Montejo
201 S. Biscayne Boulevard, Suite 3400
Miami FL 33131-4325

Represents: Electrify America, LLC

This 18th day of June, 2025.

_____/s/ Robert
Montejo_____

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Petition for a Base Rate Increase)))	Docket No. 20250011-EI Filed: June 18, 2025
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REQUEST FOR NAMING OF QUALIFIED REPRESENTATIVE

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code, Armstrong World Industries, Inc. ("Armstrong") requests that Alexander W. Judd, an attorney with the law firm of Duane Morris LLP, be named a qualified representative for Armstrong in Docket No. 20250011-EI, *In re: Florida Power & Light Company's Petition for a Base Rate Increase*. Mr. Judd will associate with and be co-counsel with Robert Montejo. (Fla. Bar No. 107198), Duane Morris LLP.

1. Mr. Judd's business address is as follows:

Alexander W. Judd
100 Pearl Street, 13th Floor
Hartford, CT 06103
Telephone: (202) 494-2299
Email: ajudd@duanemorris.com

2. Consistent with Rule 28-106.106(2)(a), F.A.C., Armstrong is aware that it can elect to be represented solely by "counsel," as that term is defined by Rule 28-106.106(1) of the Florida Administrative Code.

3. Armstrong submits that Mr. Judd possesses the necessary qualifications to continue to responsibly represent Armstrong's interests in these matters. In this regard, Mr. Judd's qualifications are set forth in the attached affidavit.

4. As reflected in Mr. Judd's affidavit, he: (i) is an attorney admitted to practice in the state of Connecticut, (ii) has reviewed those portions of the Florida Statutes relative to the Commission's jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding, and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

5. Consistent with the standard set forth in Rule 28-106.106, F.A.C., Mr. Judd has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of Armstrong is concerned in the above-referenced matters.

WHEREFORE, for the above and foregoing reasons, Armstrong respectfully requests that this request for Naming of Qualified Representative be granted.

Dated this 18th day of June, 2025.

Respectfully submitted,

/s/ Robert Montejo

Robert E. Montejo (Fla. Bar Number
107198)

Duane Morris LLP

201 S. Biscayne Boulevard, Suite 3400
Miami, FL 33131-4325

Phone: (202) 776-7827

REMontejo@duanemorris.com

*Attorney for and Authorized on behalf of
Armstrong*

BEFORE THE PUBLIC SERVICE COMMISSION

AFFIDAVIT

ALEXANDER W. JUDD, being first duly sworn, states that:

1. I am an attorney with the law firm of Duane Morris LLP.
2. I have been engaged to represent Armstrong World Industries, Inc. (“Armstrong”) in connection with the Florida Power & Light Company’s Petition for a Base Rate Increase.
3. I have prepared this affidavit in connection with Armstrong’s request that I be named a qualified representative of Armstrong in Docket No. 20250011-EI, *In re: Florida Power & Light Company’s Petition for a Base Rate Increase*, and all docketed and non-docketed matters before the Florida Public Service Commission (“Commission”).
4. I possess the necessary qualification to responsibly represent Armstrong in this proceeding.
5. I am a member in good standing of the bar of the state of Connecticut, and have practiced extensively before utility regulatory agencies and authorities, including the Connecticut Public Utilities Regulatory Authority, Rhode Island Public Utilities Commission, and the New Jersey Board of Public Utilities. Notably, I have over a decade of experience representing companies on rate case issues, including in proceedings before the Connecticut Public Utilities Regulatory Authority.
6. I have knowledge of the Florida Statutes relevant to the Commission's jurisdiction; knowledge of the Florida Rules of Civil Procedure relating to discovery in administrative proceedings; and knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in administrative proceedings. I have acquired or will acquire knowledge of the factual and legal issues in these matters, and have knowledge of, am in

compliance with and will comply with the Standards of Conduct for qualified representatives contained in Rule 28-106.107, Florida Administrative Code.

/s/ Alexander W. Judd