

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need for Andytown-Oasis Transmission Lines Project in Broward and Miami-Dade Counties, by Florida Power & Light Company	DOCKET NO. 20260020-EI DATED: MARCH 24, 2026
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**MOTION TO INTERVENE OF
THE ENVIRONMENTAL DEFENSE FUND**

The Environmental Defense Fund, Inc. (“EDF”), pursuant to Chapters 120 and 366, Florida Statutes,¹ and Rules 28-106.204 and 28-106.205, Florida Administrative Code (“F.A.C.”), hereby moves for leave to intervene in the above-styled docket. EDF is a not for profit corporation incorporated in the State of New York and registered and authorized to do business in Florida. EDF’s purposes include advocating and participating directly in legal, legislative, and regulatory proceedings, as well as advocating to the public generally, to promote sound environmental and public policy decisions that serve the public interest by reducing harmful pollution and enhancing the efficient provision of low-cost energy services that support the economic well-being of all participants in the U.S. and world economies. EDF works in more than thirty countries and has more than 3.5 million members worldwide. EDF has 16,769 members in Florida, many of whom receive their retail electric service from Florida Power & Light Company (“FPL”), the petitioner in this proceeding.

EDF respectfully moves to intervene in this transmission line need determination proceeding to protect its members’ interests in ensuring that FPL’s proposed transmission lines and related facilities are needed to ensure electric system reliability and integrity and to provide abundant, low-cost electrical energy that will ensure the economic well-

¹ All references herein to the Florida Statutes are to the 2025 edition thereof.

being of the residents of Florida. The interests of EDF's members who are FPL customers will be directly affected by the Commission's decisions in this case, and accordingly, EDF is entitled to intervene to protect its members' substantial interests. In further support of its Motion to Intervene, EDF states as follows.

1. The name and address of EDF is as follows:

Environmental Defense Fund, Inc.
257 Park Avenue South, 17th Floor
New York, New York 10010.

2. All pleadings, orders and correspondence should be directed to EDF's representatives as follows:

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3. The agency affected by this Motion to Intervene is the Florida Public Service Commission ("Commission"). The Commission's address is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850.

4. The Petitioner and affected utility in this docket is Florida Power & Light Company.

5. Statement of Affected Interests. In this proceeding, FPL seeks the Commission's determination that the "Andytown-Oasis Project," hereinafter the "AOP" or the "Project," which consists of four transmission lines subject to the mandatory

jurisdiction of the Florida Electric Transmission Line Siting Act, Sections 403.52-403.5365, Florida Statutes (“TLSA”), is needed.

6. EDF’s substantial interests are of sufficient immediacy to entitle EDF to participate in the proceeding and are the type of interests that the proceeding is designed to protect. To participate as a party in this proceeding, an intervenor must demonstrate that its substantial interests will be affected by the proceeding. Specifically, the intervenor must demonstrate that it will suffer a sufficiently immediate injury in fact that is of the type the proceeding is designed to protect. Ameristeel Corp. v. Clark, 691 So. 2d 473 (Fla. 1997); Agrico Chemical Co. v. Dep’t of Environmental Regulation, 406 So. 2d 478 (Fla. 2d DCA 1981), rev. denied, 415 So. 2d 1359 (Fla. 1982). Here, EDF is the representative of its members who are retail electric customers of FPL, and these members’ substantial interests will be directly affected by the Commission’s decisions regarding FPL’s request for a determination of need for FPL’s Andytown-Oasis Project. Commission approval of the proposed Project will directly affect the interests of EDF’s members who are FPL customers in ensuring that the proposed Project is needed in accordance with the criteria established by the TLSA, i.e., whether the Project is needed to ensure electric system reliability and whether it would meet the needs of FPL’s customers for abundant, low-cost electrical energy to assure their economic well-being. Thus, the interests that EDF seeks to protect are of sufficient immediacy to warrant intervention, and its members’ interests in having the Commission make sound decisions consistent with the TLSA are exactly the interests that this proceeding is designed to

protect. EDF properly seeks to protect its members' substantial interests as they will be affected by the Commission's decisions in this proceeding.

7. Associational Standing. Under Florida law, to establish standing as an association representing its members' substantial interests, an association such as EDF must demonstrate three things:

- a. that a substantial number of its members, although not necessarily a majority, are substantially affected by the agency's decisions;
- b. that the intervention by the association is within the association's general scope of interest and activity; and
- c. that the relief requested is of a type appropriate for an association to obtain on behalf of its members.

Florida Home Builders Ass'n v. Dep't of Labor and Employment Security, 412 So. 2d 351, 353-54 (Fla. 1982). EDF satisfies all of these "associational standing" requirements. A substantial number of EDF's Florida members receive their electric service from FPL. Consistent with its organizational mission and on behalf of its members, EDF actively participates in regulatory proceedings to advance a clean, reliable, affordable, and resilient energy supply system. In pursuit of these objectives, EDF routinely intervenes in administrative and regulatory dockets before key public utility and energy commissions, including the Federal Energy Regulatory Commission ("FERC"), as well as the state commissions of California, Colorado, Illinois, Louisiana, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, and Texas. Across these regulatory forums, EDF's interventions focus on supporting comprehensive grid modernization,

promoting robust grid planning for extreme weather resilience, and protecting ratepayers from the stranded asset costs associated with the expansion of unnecessary natural gas infrastructure. Consistent with its purposes, EDF was previously granted standing to intervene in the Commission's 2013-2014 Energy Conservation Goals Dockets. In re: Commission Review of Numeric Conservation Goals, Docket Nos. 20130199-EI-20130202-EI, Order No. PSC-2013-2014-0239-PCI-EI (F.P.S.C., May 16, 2014). Finally, the relief requested -- intervention and Commission decisions that will ensure that the AOP is needed to ensure system reliability and that it will provide abundant, low-cost electrical energy that will assure the economic well-being of Floridians -- is across-the-board relief that will apply to all of EDF's members in the same way, and therefore, the requested relief is of the type that is appropriate for an association to obtain on behalf of its members.

8. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to, the following:
 - a. Whether the Andytown-Oasis Project is needed to ensure electric system reliability for FPL and for the Florida electrical grid as a whole;
 - b. Whether the Andytown-Oasis Project is needed to provide abundant, low-cost electrical energy to assure the economic well-being of FPL's customers and the residents of Florida generally;

- c. Whether the Andytown-Oasis Project is consistent with the requirements of FERC Orders 1920, 1920-A, and 1920-B regarding long-term transmission planning;
- d. Whether the Andytown-Oasis Project is needed to serve the public interest of all Floridians; and
- e. Whether the Andytown-Oasis Project is needed to promote or serve any other purposes that the Commission is to consider pursuant to its governing statutes.

EDF reserves all rights to raise additional issues in this proceeding in accordance with the Commission's applicable rules and the Order Establishing Procedure for this proceeding, Order No. PSC-2026-0056-PCO-EI, issued on March 12, 2026.

9. Statement of Ultimate Facts Alleged – EDF's Standing. A substantial number of EDF's members are FPL customers, and their substantial interests are subject to determination in and will be directly affected by the Commission's decisions in this transmission line need determination proceeding. EDF satisfies all requirements for associational standing established by Agrico and Florida Home Builders. Accordingly, as the representative association of its members who are FPL customers, EDF is entitled to intervene in this proceeding.

10. Statement of Ultimate Facts Alleged – Substantive. It is FPL's burden to prove, by competent, substantial evidence presented in the hearing planned for this case, that FPL's proposed Andytown-Oasis Project is needed to ensure electric system reliability for FPL and for the Florida electrical grid as a whole, to provide abundant,

low-cost electrical energy to assure the economic well-being of FPL's customers and the residents of Florida generally, to serve the public interest of all Floridians, or to promote or serve any other purposes within the Commission's jurisdiction.

11. Statutes and Rules That Entitle EDF to Relief. The applicable statutes and rules that entitle EDF to relief include, but are not limited to, Sections 120.57(1) and 403.537, Florida Statutes, and Rules 28-106.204 and 28-106.205, Florida Administrative Code. Sections 120.57, Florida Statutes, and Rules 28-106.204 and 28-106.205, F.A.C., provide that persons whose substantial interests are subject to determination in, or may be affected through, an agency proceeding are entitled to intervene in such proceeding. A substantial number of EDF's members are retail customers of FPL, and their substantial interests are subject to determination in and will be affected by the Commission's decisions in this proceeding. Accordingly, as the representative association of its members who are customers of FPL, EDF is entitled to intervene herein. The above-cited section of the TLSA articulates the Commission's jurisdiction and obligations to consider whether any proposed electric transmission line is needed. The facts alleged here by EDF demonstrate that a substantial number of EDF's members will be substantially affected by the Commission's decisions in this docket, and accordingly, that these statutes provide the basis for the relief requested by EDF in this Motion to Intervene.

12. Statement of Conferral. Pursuant to Rules 28-106.204(3) and 28-106.205(2)(e), F.A.C., counsel for EDF conferred with the other parties in this case regarding this Motion to Intervene. EDF can represent that FPL and the Office of Public

Counsel take no position pending review of EDF's motion, and that the Commission Staff take no position on the motion.

CONCLUSION AND RELIEF REQUESTED

13. The Environmental Defense Fund seeks to intervene in this need determination proceeding for FPL's proposed Andytown-Oasis Project to protect its members' substantial interests in having the Commission make sound decisions as to whether the Project is needed consistent with the criteria set forth in the Florida Electric Transmission Line Siting Act. The interests of EDF's members that EDF seeks to protect via its intervention and participation in this case are immediate and of the type to be protected by the Commission through this proceeding.

WHEREFORE, the Environmental Defense Fund, Inc., respectfully requests the Florida Public Service Commission to enter its order GRANTING this Motion to Intervene and requiring that all parties to this proceeding serve copies of all pleadings, notices, and other documents on EDF's representatives indicated in paragraph 2 above.

Respectfully submitted this 24th day of March, 2026.

/s/Robert Scheffel Wright

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by electronic mail on this 24th day of March, 2026, to the following:

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