

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for a Limited** )  
**Proceeding to Approve Large Load** ) **Docket No. 20260064-EI**  
**Tariff, by Duke Energy Florida, LLC.** ) **Filed: April 30, 2026**  
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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 Rule 28-106.205, Florida Administrative Code, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorneys, 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:

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4. PCS Phosphate operates mining and manufacturing operations of fertilizer products located in Hamilton County within Duke Energy Florida's ("DEF") electric service territory.<sup>1</sup> PCS Phosphate receives service under various DEF non-residential rate schedules approved by the Commission. PCS Phosphate operates, among other facilities, a waste heat cogeneration facility that exports power to DEF on an as-available basis. DEF routinely lists the PCS Phosphate cogeneration facility as a resource in its annual Ten Year Site Plan submissions.<sup>2</sup>

5. Statement of Affected Interests. On September 5, 2025, DEF filed a petition with the Commission in Docket No. 20250113 for approval of a Large Load Customer Rate Schedule ("LLC-1"), implementation of a Large Load Customer Policy ("LLCP") that includes a requirement that customer loads covered by the LLCP execute long term contracts, changes affecting implementation of the Contribution In Aid of Construction ("CIAC") rules for affected loads, and other requested relief. PCS Phosphate filed a petition to intervene in that matter, which the Pre-hearing Examiner granted in Order No. PSC-2026-0043-PCO-EI, dated February 12, 2026.

After passage by the Florida Legislature of Senate Bill 484 at the end of March 2026 (which is currently pending signature by the Governor), DEF filed a Motion for temporary

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<sup>1</sup> Florida Pub. Serv. Comm'n, Statistics of the Florida Electric Utility Industry (Oct. 2025), *available at* <https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/ElectricGas/Statistics/2024.pdf> (showing that Hamilton County is served by Duke Energy Florida, LLC and Suwannee Valley Electric Cooperative).

<sup>2</sup> See Duke Energy Florida, LLC's 2026-2035 Ten Year Site Plan at 3-54 (April 1, 2026).

abatement of the procedural schedule in that proceeding.<sup>3</sup> Subsequently, on April 20, 2026, DEF withdrew its application in that proceeding and stated it would file a modified petition in a new docket.<sup>4</sup>

On April 22, 2026, in the instant proceeding, DEF filed a new petition for approval of an amended LLCP and other relief. The updated petition continues to seek approval of provisions that would allow data center development to proceed in its service area while mitigating potential rate impacts to existing customers and assuring compliance with the new data center legislation.<sup>5</sup> In its modified petition, DEF no longer includes the previously proposed LLC-1 rate, but DEF's amended proposal would, upon Commission approval of its petition, still immediately apply its proposed LLCP to all large load customers with a Peak Contract Demand forecast reasonably expected to be greater than or equal to a Monthly Maximum Demand of 50,000 kW of firm load, and those customers will be required to execute a new Large Load Customer Agreement ("LLCA"). DEF also continues to propose changes to the CIAC tariff for affected large loads.

How DEF's proposed LLCP, LLCA, and CIAC provisions are defined and implemented will affect all current DEF retail customers, including non-residential customers such as PCS Phosphate. Indeed, the avowed purpose of the revised petition is to safeguard existing customers in the face of expected data center development.<sup>6</sup> How these issues are resolved in this proceeding will affect the rates, terms, conditions, and availability of electricity to DEF customers in general. As a large non-residential customer of DEF, PCS Phosphate may be

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<sup>3</sup> Docket No. 20250113, *In re: Petition for a limited proceeding to approve large load tariff, by Duke Energy Florida, LLC*, Duke Energy Florida, LLC's Motion for Temporary Abatement of Procedural Schedule (Mar. 16, 2026).

<sup>4</sup> Docket No. 20250113, *In re: Petition for a limited proceeding to approve large load tariff, by Duke Energy Florida, LLC*, Duke Energy Florida, LLC's Status Report (Apr. 20, 2026).

<sup>5</sup> April 22 Petition at 2, 4, and 6.

<sup>6</sup> *Id.* at 4-5.

directly and substantially affected by the outcome of this proceeding. Additionally, as a signatory to the 2024 Settlement Agreement regarding DEF's base rates, approved by the Commission in Order No. PSC-2024-0472-AS-EI, PCS Phosphate has a substantial interest in ensuring that the terms and conditions of the LLCP, LLCA, and revisions to the CIAC tariff comply with the terms of the 2024 Settlement Agreement.

6. Disputed Issues of Material Fact. PCS Phosphate anticipates that disputed issues of material fact will be identified in the course of these proceedings. Disputed issues of material fact currently include, but are not limited to, the following:

(a) Whether the proposed LLCP, LLCA, and CIAC tariff revisions are fair, just, reasonable, and non-discriminatory.

7. Disputed Legal Issues. PCS Phosphate anticipates that disputed legal issues will be identified in the course of these proceedings. Disputed legal issues currently include, but are not limited to, the following:

(a) Whether the proposed Large Load Customer Agreement (Tariff Sheet Nos. 7.510-7.522), the Large Load Customer Policy (Tariff Sheet Nos. 4.130-4.132), and their associated terms and conditions consistent with provisions of the 2024 Settlement Agreement approved in Order No. PSC-2024-0472-AS-EI?

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

(a) Whether the proposed LLCP, LLCA, and CIAC tariff revisions are fair, just, reasonable, and nondiscriminatory.

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 and 120.57(1), Florida Statutes, and Sections 366.04 through 366.07, Florida Statutes; and Rule 28-106.205, Florida Administrative Code.

10. Statement of Conferral. Pursuant to Rules 28-106.204(3) and 28-106.205(2)(e), Florida Administrative Code, PCS Phosphate contacted the parties of record regarding PCS Phosphate's intervention in this proceeding. The Office of Public Counsel and DEF take no position.

11. Relief. PCS Phosphate requests that it be permitted to intervene as a full party in this docket.

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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*Attorneys for White Springs Agricultural  
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**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 April 2026 to the following:

**Duke Energy Florida, LLC**

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