

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a Limited Proceeding to
Approve Large Load Tariff by Duke Energy
Florida, LLC

DOCKET NO. 20260064-EI

SERVED: July 29, 2026

**THE FLORIDA INDUSTRIAL POWER
USERS GROUP'S PREHEARING STATEMENT**

The Florida Industrial Power Users Group, ("FIPUG"), by and through counsel and pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2026-0120-PCO-EI, issued May 5, 2026, hereby submits this Prehearing Statement.

APPEARANCES:

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1. WITNESSES:

FIPUG does not intend at this time to call witnesses, except for FIPUG standing witness Jeff Pollock, if FIPUG's standing is contested, and/or a proposed stipulation between DEF and FIPUG as to standing is not accepted. FIPUG reserves the right to call and question witnesses identified by other parties as permitted and to conduct cross examination.

2. EXHIBITS:

Except for the following exhibits, FIPUG does not intend, at this time, to introduce exhibits, but reserves the right to use and introduce exhibits at hearing as permitted.

1. Public Counsel e-mail of March 13, 2026 to all parties and staff in the initial DEF large load docket set forth in Document Number 01575-2026, Exhibit B, PDF page 13, Docket 01575-2026.
2. Proposed stipulation between FIPUG and DEF regarding standing set forth in the March 13, 2026, e-mail from DEF's counsel to Public Counsel and others at

10:18 a.m. attached to document filing number 01575-2026, FIPUG's Motion for Protective Order, Attachment B, PDF page 13 in DEF's original large load tariff filing, Docket Number 20250113-EI.

3. STATEMENT OF BASIC POSITION

FIPUG seeks to ensure that DEF's proposals in this case do not adversely affect FIPUG's membership. FIPUG's membership includes a substantial number of customers of DEF who have been in business and customers of DEF for many years. The Commission's decisions in the docket should achieve the following:

- Approve fair, just, and reasonable terms and conditions of service for existing, grandfathered large load customers, including FIPUG members;
- Ensure that existing large load customers, including FIPUG members, are not subsidizing future data center operations or other customers of DEF;
- Take no action which would affect the existing and in effect 2024 Rate Case Settlement Agreement between DEF and DEF customers, including FIPUG members.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

ISSUE A: Does DEF's petition and associated tariffs comply with the requirements of Section 366.03, Florida Statutes?

FIPUG: Yes

ISSUE B: Does DEF's petition and associated tariffs comply with the requirements of Section 366.043, Florida Statutes?

FIPUG: Yes.

ISSUE C: Does DEF's petition and associated tariffs comply with the requirements of Section 366.05, Florida Statutes?

FIPUG: Yes.

ISSUE D: Whether the following persons have standing to intervene in this proceeding:

- a. PCS Phosphate – White Springs
- b. Florida Industrial Power Users Group
- c. Florida Rising, Inc.
- d. Nucor Steel Florida, Inc.

FIPUG: a. PCS Phosphate – White Springs - Yes

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|----|--------------------------------------|--------------------------|
| b. | Florida Industrial Power Users Group | Yes |
| c. | Florida Rising, Inc. | No position at this time |
| d. | Nucor Steel Florida, Inc. | Yes |

ISSUE E: Is Commission approval, as-filed or with modifications, of the proposed, Large Load Customer Agreement (Tariff Sheet Nos. 7.510-7.530), 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?

FIPUG: Yes.

ISSUE 1: Should the Commission approve, deny, or deny with leave to refile with modifications the proposed Large Load Customer Policy (Tariff Sheet Nos. 4.130-4.132) and the associated terms and conditions (e.g., minimum term, minimum monthly bill, security requirements, early termination, and special terms provision)? If denied with leave to refile, what should the modifications be?

FIPUG: The Commission should approve DEF's proposed Large Load Customer Policy (Tariff Sheet Nos. 4.130-4.132) and associated terms and conditions (e.g., minimum term, minimum monthly bill, security requirements, early termination, and special terms provision).

ISSUE 2: Should the Commission approve, deny, or deny with leave to refile with modifications the proposed Large Load Customer Agreement (Tariff Sheet Nos. 7.510-7.530) and the associated terms and conditions (e.g., minimum demand, minimum term, minimum demand charge payments, security requirements, and early termination provision)? If denied with leave to refile, what should the modifications be?

FIPUG: Existing customers should be grandfathered so that the new proposed Large Load Customer Agreement (Tariff Sheet Nos. 7.510-7.530) and the associated terms and conditions (e.g., minimum demand, minimum term, minimum demand charge payments, security requirements, and early termination provision) are not applicable to current DEF customers.

ISSUE 3: Should the Commission approve, deny, or deny with leave to refile with modifications the proposed CIAC tariff modifications (Tariff Sheet No. 4.030 and 4.132, paragraph 13.07)? If denied with leave to refile, what should the modifications be?

FIPUG: Existing customers should be grandfathered so that the proposed CIAC tariff modifications (Tariff Sheet No. 4.030 and 4.132, paragraph 13.07) are not applicable to current DEF customers.

ISSUE 4: What are the effective dates for the proposed Large Load Customer Policy, Large Load Customer Agreement, and CIAC tariff?

FIPUG: Adopt position of PGS Phosphate.

ISSUE 5: Should this docket be closed?

FIPUG: Yes.

E. STIPULATED ISSUES

FIPUG has not stipulated to any matters at this time.

F. PENDING MOTIONS

FIPUG has no pending motions at the time.

G. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

FIPUG has no pending requests for claims for confidentiality.

H. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT

None at this time.

I. SEQUESTRATION OF WITNESSES

FIPUG does not intend to seek to sequester witnesses at this time.

J. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE

There are no requirements of the Order Establishing Procedure with which FIPUG cannot comply.

Dated this 29th day of July, 2026.

Respectfully submitted,

/s/ Jon C. Moyle

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Prehearing

Statement has been furnished by electronic mail on this 29th day of July, 2026, to the following:

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