

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for rate increase by  
Duke Energy Florida, LLC.

Docket No. 20240025-EI

Dated: April 9, 2024

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**DUKE ENERGY FLORIDA’S RESPONSE IN OPPOSITION TO SUPPLEMENT TO  
OFFICE OF PUBLIC COUNSEL’S MOTION FOR EXPEDITED JOINT DOCKET  
SCHEDULING CONFERENCE**

Duke Energy Florida, LLC, (“DEF”), pursuant to Rule 28-106.204(2), Fla. Admin. Code, hereby files this Response in Opposition to the Supplement to Office of Public Counsel’s Motion for Expedited Joint Docket Scheduling Conference (the “Supplement”). For the reasons discussed in more detail below, DEF opposes the proposed schedule included with OPC’s Supplement.

1. On March 8, 2024, the Office of Public Counsel (“OPC”) filed its Motion for Expedited Joint Docket Scheduling Conference (“Motion”) in this docket as well as Docket No. 20240026-EI. *See* Doc. No. 01094-2024. On April 3, 2024, OPC filed the Supplement that included its proposed schedules for both docket numbers 20240025 and 20240026. *See* Doc. No. 01589-2024.
2. DEF opposes OPC’s proposed schedule for this docket. Specifically, DEF does not believe the proposed schedule as framed provides adequate time for post-hearing proceedings and would be unable to accommodate any further delays that could result during the pendency of this docket.
3. As Tampa Electric Company (“TECO”) correctly noted in its response to OPC’s Supplement, it was foreseeable that both it and DEF would both file a rate case in 2024.

Indeed, DEF filed its Test-Year Notification Letter on January 31, 2024. *See* Doc. No. 00435-0024.

4. Subsequent to that filing, DEF has received four (4) sets of discovery from OPC totaling seventy-nine (79) interrogatories and thirty-eight (38) requests for production, not including subparts, (sixty-two (62) and twenty-eight (28) of which, respectively, were received in advance of DEF filing its petition on April 2, 2024), one joint (1) set of discovery from the League of United Latin American Citizens of Florida (“LULAC”) and Florida Rising comprised of twenty-eight (28) interrogatories and eight (8) requests for production, not including subparts, and one (1) set of discovery from the Sierra Club comprised of thirty-eight (38) interrogatories and thirteen (13) requests for production, not including subparts. DEF has agreed to respond to LULAC’s, Florida Rising’s, and Sierra Club’s discovery notwithstanding that their respective petitions to intervene have not been ruled upon. DEF will continue to work in good faith to timely respond to all discovery requests, subject to applicable objections, received from all intervening parties as well as Staff to support the schedule ordered by the Commission.
5. In addition, DEF is concerned that the schedule OPC has proposed does not provide adequate time for post-hearing procedures, including preparation of the transcripts, briefing, Staff’s analysis and recommendation, Commission consideration and formal vote, preparation of the Final Order, and customer notification of the new rates before those new rates take effect in the first billing cycle of January 2025 (which begins January 2, 2025). DEF believes that the schedule ultimately adopted in this docket should provide sufficient time to accomplish these tasks, recognizing that exigent circumstances could require a delay to any schedule adopted.

WHEREFORE, for the reasons stated herein, DEF respectfully urges the Commission to deny OPC's request and to instead create a schedule that provides sufficient time for the post-hearing process to proceed towards implementation of new Commission-approved rates to take effect with the first billing cycle of January, 2025.

Respectfully submitted this 9th day of April, 2024.

/s/ Dianne M. Triplett

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**CERTIFICATE OF SERVICE**

*Docket No. 20240025-EI*

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 9th day of April, 2024, to the following:

/s/ Dianne M. Triplett

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