

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgment of name change from Duke Energy Florida, Inc. d/b/a Duke Energy to Duke Energy Florida, LLC d/b/a Duke Energy.

DOCKET NO. 150184-PU
ORDER NO. PSC-15-0388-FOF-PU
ISSUED: September 15, 2015

ORDER ACKNOWLEDGING NAME CHANGE FROM DUKE ENERGY FLORIDA, INC.
TO DUKE ENERGY FLORIDA LLC D/B/A DUKE ENERGY

BY THE COMMISSION:

On August 5, 2015, Duke Energy submitted a letter notifying this Commission that on July 31, 2015, Duke Energy Florida, Inc. submitted Articles of Conversion and Articles of Organization to the Florida Department of State resulting in the company's conversion to a Florida Limited Liability Company, Duke Energy Florida, LLC. By its August 5th letter, Duke Energy requests this Commission's acknowledgement of the name change (applicable to Company Codes EI801 and GS065). Duke Energy also submitted this Commission's Change of Information form to update the company's name from Duke Energy Florida, Inc. d/b/a Duke Energy to Duke Energy Florida, LLC d/b/a Duke Energy.

Duke Energy states in its notification letter that pursuant to Section 607.1114, Florida Statutes (F.S.), a domestic corporation converted into another business entity is "for all purposes the same entity that existed before the conversion" and is "responsible for all liabilities and obligations" of the converting corporation. In compliance with Commission Rule 25-9.044(1), Florida Administrative Code (F.A.C.), the company also states that customers served by the former Duke Energy Florida, Inc. facilities will continue to receive service under the tariffed rates, rules, and classifications currently on file with the Commission for Duke Energy Florida, Inc.

Commission Rule 25-9.044(3), F.A.C., sets forth requirements for the filing of new or revised tariff sheets when an existing utility has a change in ownership or control, or changes its name. In consideration of the provisions of Section 607.1114, F.S., as well as the fact that the company's tariff sheets will continue to reflect the "d/b/a" designation "Duke Energy", we find that it is not necessary for Duke Energy to refile tariff sheets that would be identical to those already on file with the Commission.

Therefore, Duke Energy Florida, Inc. is entitled to acknowledgement of its name change to Duke Energy Florida, LLC d/b/a Duke Energy, effective August 5, 2015.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that the name change of Duke Energy Florida, Inc. to Duke Energy Florida, LLC d/b/a Duke Energy, effective August 5, 2015, is in compliance with Rule 25-9.044, Florida Administrative Code, and is hereby acknowledged. It is further

ORDERED that Duke Energy Florida, LLC d/b/a Duke Energy shall send to all existing customers with the next billing cycle notice of its change of name. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of September, 2015.


CARLOTTA S. STAUFFER
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

JEV

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.