



December 12, 2013

Matthew R. Bernier
ASSOCIATE GENERAL COUNSEL II
Duke Energy Florida, Inc.

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Joint petition for approval of territorial agreement in Orange County by the City of Winter Park and Duke Energy Florida, Inc. Docket No. 130267-EU

Dear Ms. Stauffer:

Please find enclosed for filing on behalf of Duke Energy Florida, Inc. ("DEF"), DEF's Amended Response to Staff's First Data Request. The Amended Response corrects an error in Attachment 1A; specifically, the description of DEF's territorial area in Section 29-Township 21-Range 30. No other changes were made to the original Response or the Attachments.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing.

Respectfully,

A handwritten signature in blue ink, appearing to read "Matthew R. Bernier".

Matthew R. Bernier

Associate General Counsel II

Matthew.Bernier@duke-energy.com

**DUKE ENERGY FLORIDA, INC.'S AMENDED RESPONSE TO STAFF'S FIRST DATA
REQUEST**

DOCKET No. 130267-EU

GENERAL QUESTIONS

Q1. Please refer to Attachment 1 of the petition filed with the Commission on November 6, 2013, in Docket 130267-EU (hereinafter "petition"). Attachment 1 of the petition contains maps delineating the respective territorial areas of Winter Park and DEF. The petition and the Territorial Agreement (pages 2 and 3 of Attachment 1) identify the Winter Park and DEF territorial areas by referencing the maps. The petition does not contain "a written description of the area" as required pursuant to Rule 25-6.0440(1)(a), F.A.C. Please provide a written description of the areas to be served by each utility. Please note that the requested description need not be in the precise "legal description" format.

Response: See Attachment 1A and 1B.

Q2. Please refer to Attachment 2 of the petition, which includes one sample notification letter that is indicative of the transfer notifications sent by DEF to the 11 affected customers who would become permanent Winter Park customers upon approval of the agreement. The letter contains information that would be relevant for a residential customer. However, as stated in the petition, 9 of the 11 customers to be transferred from DEF to

Winter Park are commercial customers. Please provide a sample copy of the notification letter that was sent to the 9 commercial customers that includes an explanation of the difference in rates.

Response: See Attachment 2A.

Amended Description of Duke Energy Service Territory

- **Section 29-Township 21-Range 30:**
 - From Derbyshire Road on the north to Howell Branch Road on the southwest side of Cove Trail, and from the undeveloped area north of Lake Waumpi Drive on the southeast side back up to Derbyshire Road on the north.
- **Section 36-Township 21-Range 29:**
 - Duke Energy serves the entire section/township/range
- **Section 31-Township 21-Range 30:**
 - All areas north of Columbia Drive on the south East Adams Drive/Howell Branch Road on the north and east to Northwind Road.
- **Section 32-Township 21-Range 30:**
 - From Madeline Avenue on the west to Lakemont Avenue North on the east to Howell Branch Road on the north to the Glen Haven Cemetery on the south.
- **Section 01-Township 22-Range 29:**
 - Duke Energy serves part of the area from Monroe Avenue on the north to Lake Killarney on the south and from Interstate 4/ Turner Road on the west to Albert Lee Parkway.
 - Select parcels on Lee Road.
 - From Elvin Avenue on the south to Monroe Avenue on the north and west to Bennett Avenue.
- **Section 06-Township 22-Range 30:**
 - No areas served by Duke Energy
- **Section 05-Township 22-Range 30:**
 - No areas served by Duke Energy
- **Section 04-Township 22-Range 30:**
 - From Eastham Road on the north to Scarlett Road on the south and from Balfour Drive on the east to North Ranger Boulevard on the west.
- **Section 12-Township 22-Range 29:**
 - From Killarney Drive on the north to Interstate 4 to on the west to Westminster Street on the south.

- **Section 07-Township 22-Range 30:**
 - No areas served by Duke Energy
- **Section 08-Township 22-Range 30:**
 - No areas served by Duke Energy
- **Section 09-Township 22-Range 30:**
 - From Scarlett Road on the north to Sandwell Drive on the south and from South Lakemont Avenue on the west to Ranger Boulevard South on the east.
- **Section 10-Township 22-Range 30:**
 - From Scarlett Road on the north to Whisper Lake on the south and from Ranger Boulevard South on the west to Forsyth Road on the east.
- **Section 18-Township 22-Range 30:**
 - From Lake Sue Avenue on the north to Corrine Drive on the south and from SR 17/92 on the west to Eastend Avenue on the east.
- **Section 17-Township 22-Range 30:**
 - From Glenridge Way on the north to Corrine Drive on the south and from Eastend Avenue on the west to Lake Baldwin on the east.
- **Section 16-Township 22-Range 30:**
 - From Nash Street on the north to Corrine Drive on the south and from Lake Baldwin on the west to Truman Road on the east.

Description of WPE Service Territory

Begin @ the SW corner of 1801 Lee Rd proceed north to the NW corner of 718 Margaret Square proceed east to the NW corner of 1315 Loren Ave. go south to the SW corner of 1315 Loren Avenue go east to the SE corner of 304 Monroe Avenue turn south to the NW corner of the intersection of Elvin Avenue and Lewis Drive go east to the NE corner of 1941 S. Orlando Avenue (corner of Elvin Ave and South Orlando Avenue) go north to the SW corner of Monroe Ave and South Orlando Avenue go directly east running along the north property line of 2185 N. Park Avenue, 2200 North Park Ave, 1421 Ridgewood Avenue 1454 Ridgewood Avenue, 1453 Lyndale Blvd. to the NE corner of 1435 Sunnyside Drive turn directly north to the NW corner of 870 Juanita Rael proceed northerly across the ROW of Juanita Rael to the SW corner of 1801 Gipson Green Lane go directly north to the NW corner of 1831 Gipson Green Lane (south shore of Lake Maitland) proceed east to the NE corner of 2001 Brett Mar Lane turn south to the NW corner of 1931 Legion Drive run along the north property lines of 1950 Legion Drive to the NE corner of 1951 Summerland Avenue go directly eastward to the NE corner of 1930 Summerland Avenue turning south along the southerly shoreline of Lake Maitland, follow the shore line south past Gaines Way, Summer Way , Green

Cove Road, continue to follow the shore line along Twelve Oaks continue to follow the shore line east along Palmer Ave, Anchorage Court, McKean Circle, Kraft Azalea Gardens eastward along Alabama Drive continue to follow the shoreline in a northeasterly direction along Via Tuscany continue to follow the shore line in a northwesterly direction along Via Lugano and the Isle of Sicily, the shore line will turn south to the bridge at the Isle of Sicily turning north along Pinetree Road, Winter Park Racquet Club, continue to follow the shoreline to the SW corner of 2000 Venetian Way turning north along the canal follow the eastern edge of the canal north to the NW corner of 2600 Venetian Way (corner of Venetian Way and Howell Branch Road) go northwesterly across the ROW of Howell Branch Road to the NW corner of 1121 Howell Branch Road (Retention Pond) turn directly east along the north property line of the retention pond to the SW corner of 1205 Howell Branch Road (Howell Branch Preserve Park) turn directly North to the SE corner of 2994 Temple Trail following the westerly property line of 2994 Temple Trail (JBC Land LLC 2/3 INT Banks E G 1/3 INT) to the NE corner of 3064 Temple Trail go north along the westerly ROW of Temple Trail to the NW corner of 3100 Temple Trail (WP Police Firing Range) turn east to the shores of Lake Waumpi to Orange County/Seminole County line turning directly south following the county line to the SE corner

of 2524 Sweetwater Trail go south to the NE corner of 2675 N Lakemont Avenue go west to the NW corner of 1752 Howell Branch Road (corner of Howell Branch Road and Madeline Avenue) go directly south to the SE corner of 2406 Tioga Trail turning east to county line turning south @ county line (along eastern edge of Glen Haven Memorial Park) continue to run south along county line turning east at county line to the NW corner of 2653 Eastham Road going directly south following the eastern edge of the Interlachen County Club Golf Course to the SE corner of 2527 Aloma Avenue (CVS Pharmacy) go south across Aloma Avenue to the NW corner of 2546 Aloma Avenue turning east to the NE corner of 2550 Aloma Avenue turn south along the eastern ROW of Balfour Drive turn east at the NE corner of 315 Balfour to the NE corner of 2612 Amsden Rd turn south along the eastern edge of Merrie Oaks Village (240 Balfour Drive) southerly to the north eastern edge of Cady Way Park continue south to the SE corner of 2525 Cady Way (Cady Way pool area) continue south to the NW corner of 2601 Summerfield Road turning east to the NW corner of 2845 Summerfield Road turning north to the NW corner of 753 Ranger Blvd. turn east to the NE corner of 753 Ranger Blvd turning south to the NW corner of 2900 Sandwell Drive going east to the NE corner of 2906 Sandwell Drive turning south to the SE corner of 2906 Sandwell Drive turn east to the NE corner

of 904 Fairway Drive turn south to the SE corner of 1054 Fairway Drive go west to the SW corner of 1053 Fairway Drive continuing to the NE corner of 1680 Cypress Point Lane following the easterly property line of 1680 Cypress Point Lane to the ROW of Cypress Point Lane turning south to the SE corner of 1625 Golfside Drive turning west following northern edge of Winter Park Pines Golf Course to the Cady Way Trail turning north to the NW corner of 1121 Golfside Drive turning west to the SE corner of 2352 Woodcrest Drive turning north to the northeast corner of 2351 Woodcrest Drive turn west to the northeast corner of 1935 Woodcrest Drive (Hope and Help Center) turn south to the southeast corner of 1940 Woodcrest Drive turn west to the north east corner of 1927 Lanier Court turning south to the south east corner of 1927 Lanier Court turn west to the south west corner of 1927 Lanier Court go south to the south east corner of 1550 South Lakemont Avenue (First Christian Church of Winter Park) turning eastward to the north east corner of 2001 Glenridge Way turning south to the Glenridge Way ROW crossing Glenridge Way to the eastern edge of Fleet Peoples Park follow the edge of Lake Baldwin to City of Winter park/City of Orlando city limits turn west to South Lakemont Ave turning north on South Lakemont Avenue to Glenridge Way following city limits to General Reese Avenue turning south on General Reese Avenue to the southeast corner

of 674 Randy Lane west to the northeast corner of 2228 Howard Blvd. turning south Mulbry Drive ROW turn west to westerly ROW of Howard Drive following it south to Wright Ave turning west to Winter Park Road turning south to the south east corner of 2411 Winter Park Road going west along the rear property lines of 220 Spring Lane, 150 Spring Lane, 120 Spring Lane, 98 Spring Lane, 2389 Forrest Road, 2379 Forrest Road, 2389 Forrest Road and side property line of 2365 Forrest Road turning north along the shores of Lake Sue to City of Winter Park/City of Orlando city limits (1741 Barcelona Way) turning north to south east corner of Mead Gardens turning west along the southerly edge of Mead Gardens to South Denning Drive ROW turn west along the rear property lines of 906 Grover Ave, 910 Grover Avenue, 914 Grover Avenue, 918 Grover Avenue, 924 Grover Avenue, 920 Grover Avenue, 936 Grover Avenue, 942 Grover Avenue and 946 Grover Avenue continuing west along the southern property line of 1600 South Orlando Avenue (St. John Lutheran Church) continuing directly west to the southwest corner of 1315 Westchester Avenue turning north to the northern ROW of North Orange Avenue to Westchester Avenue continuing to follow to northern ROW line of Westchester Ave to Clay Street going north to Harmon Avenue turning east on Harmon Avenue to Wisconsin Avenue turning north to the south east corner of 1235 Wisconsin Avenue

turning west to the south west corner of 1235 Wisconsin
turning north to the north west corner of 1600 Indiana Ave turn
east to the north east corner of 1600 Indiana Ave turning north
on Wisconsin Avenue to Miller Avenue continuing north along
the west side of 1416 Miller Avenue, 1440 Michigan Avenue
crossing the Michigan Avenue ROW continuing north the
westerly property line of 1441 Michigan Avenue and 1470
Minnesota Avenue continuing north to the southwest corner of
1501 Minnesota Avenue going north to the northwest corner of
1501 Minnesota Avenue turning east to the westerly property
line of 807 South Orlando Ave continuing north to the southerly
property line of 712 Nicolet Ave (Evergreen Park Apartments)
continuing north to the south west corner of 666 Nicolet
Avenue go west to the southeast corner of 666 Nicolet Avenue
turning north crossing Gene Street ROW along the western
property line of 1479 Gene Street, 1480 West Fairbanks Avenue
going north across Fairbanks Avenue along the western
property lines of 1477 West Fairbanks Avenue, 525 Lakeview
Avenue, 501 Lakeview Avenue, 475 Lakeview Avenue, 449
Lakeview Avenue, 439 Lakeview Avenue and 429 Lakeview
Avenue continuing north across Lake Killarney to the south
west property corner of Chateaux Du Lac Condo's continuing
north adjacent to the western ROW of Executive Drive
continuing north to the southeast property corner of 1500 Lee

Road turn west to southwest property corner of 1500 Lee Road
turn north to the southern ROW of Lee Road continue north
across Lee Road to Bennett Road continuing north 635 feet
along the eastern ROW of Bennett Avenue turn west running
along the southern edge of the Park Green Subdivision to the
northwest corner of 991 Bennett Avenue south to the north
west corner of 1675 Lee Road continue east following easterly
property line to the north west corner of 1607 Lee Road go east
to the northeast corner of 1607 Lee Road go south to Lee Road
ROW turning west to the southwest corner of 1801 Lee Road
(point of beginning)



October 28, 2013

Lin Ha Corporation
1451 Lee Road
Winter Park, FL 32789

RE: Duke Energy Account No. 0402187455

Dear Customer:

To ensure that electric utilities in Florida, such as Duke Energy (Duke), are able to provide reliable and economical electric service to their customers, utilities enter into territorial agreements with one another establishing the geographical areas in which each utility is the exclusive provider of electric service in an effort to avoid the unnecessary and uneconomic construction of duplicate electrical distribution lines and other facilities to serve their customers. In an effort to efficiently serve the customers in your area, we will soon enter into a territorial agreement with Winter Park that will revise some of the service area boundaries between the utilities and enable each utility to serve its customers more reliably and economically.

The new agreement must be approved by the Florida Public Service Commission (FPSC) before it can become effective and you will have the opportunity prior to that approval to provide your comments to the Commission. If you wish, we will provide the pertinent contact information for the FPSC when the territorial agreement has been filed and docketed.

If approved by the FPSC, the terms of the territorial agreement call on Winter Park to provide electric service in your area and your account would be transferred to Winter Park at a date to be determined in the future. You will not need to do anything to initiate this transfer as Duke and Winter Park will handle all of the arrangements on your behalf. If you have a deposit with Duke, your deposit will be applied to your last electric bill and any surplus will be refunded directly to you. You should not experience any disruption of service during the transfer and you will be notified in the unlikely event that a minimal interruption of service is required.

To provide you a rate comparison, in October 2013, the general service non-demand rate of Duke for 1,500 Kilowatt - Hours (KWH) was \$182.97. For the same month, the general service non-demand rate of Winter Park for 1,500 KWH was \$180.36. The rates of both utilities are subject to periodic change and may be raised or lowered in the future.

While we regret losing the opportunity to serve you and your neighbors in the future, Winter Park is an excellent utility and we are confident you will find their service to be satisfactory.

Please contact Customer Service if you have any questions or concerns about the proposed transfer of your service to Winter Park, or if you would like information about contacting the FPSC. You can reach us by phone at 1-800-700-8744.

Sincerely,

Customer Service
Duke Energy