

State of Florida



Public Service Commission

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15 AUG 20 PM 1:41
COMMISSION CLERK

DATE: August 20, 2015
TO: Office of the General Counsel (Villafrate)
FROM: Division of Economics (Rome) *OR* *EJ*
RE: Docket No. 150184-PU, 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

On August 5, 2015, Duke Energy submitted a letter notifying the 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 5 letter, Duke Energy requests the Commission's acknowledgement of the name change (applicable to Company Codes EI801 and GS065). Duke Energy also submitted the 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", staff does not believe that it is necessary for Duke Energy to refile tariff sheets that would be identical to those already on file with the Commission.

Therefore, staff recommends that an administrative order be prepared acknowledging the name change from Duke Energy Florida, Inc. d/b/a Duke Energy to Duke Energy Florida, LLC d/b/a Duke Energy. Staff further recommends that the order be effective as of August 5, 2015.

cc: (Draper, Daniel, Shafer, Crawford, Office of Commission Clerk)