

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval to include in base rates the revenue requirement for the CR3 regulatory asset, by Duke Energy Florida, Inc.

DOCKET NO. 150148-EI

In re: Petition for issuance of nuclear asset-recovery financing order, by Duke Energy Florida, Inc. d/b/a Duke Energy.

DOCKET NO. 150171-EI

FILED : September 21, 2015

**THE FLORIDA RETAIL FEDERATION'S
PREHEARING STATEMENT**

The Florida Retail Federation (“FRF” or “Federation”), pursuant to the Order Establishing Procedure in these dockets, Order No. PSC-15-0238-PCO-EI, issued June 5, 2015 and Order No. PSC-15-0340-PCO-EI, issued August 21, 2015, hereby submit the Federation’s Prehearing Statement.

APPEARANCES:

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On behalf of the Florida Retail Federation.

1. **WITNESSES:**

The Florida Retail Federation does not intend to call any witnesses for direct examination, but reserves its rights to cross-examine all witnesses and to rely upon the prefiled testimony of witnesses in this docket, as well as testimony on their cross-examination.

2. EXHIBITS:

The Florida Retail Federation will not introduce any exhibits on direct examination, but reserves its rights to introduce exhibits through cross-examination of other parties' witnesses.

3. STATEMENT OF BASIC POSITION

The FRF has stipulated to the amount of the CR3 Regulatory Asset and related issues in the Docket No. 150148-EI portion of this consolidated case, which stipulations were approved by the Commission on September 15, 2015.

For the securitization portion of the consolidated case, the FRF, like other parties, is awaiting the filing and opportunity for review of rebuttal testimony by Duke and any ensuing discovery before formulating any final positions (if any) on the remaining issues. Generally, the FRF will likely take the position that the modifications proposed by staff witnesses in the interests of the ratepayers should be adopted absent very compelling evidence that they would not have the intended effect of producing the lowest overall costs to the customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

The securitization of the CR3 Regulatory Asset should be addressed in a Financing Order issued by the Commission that is structured primarily to serve and protect the interests of Duke's customers. This Financing Order should then be executed by the appropriately structured Bond Team in the interest of customers in a manner that delivers the lowest overall cost consistent with the intent and provisions of the RRSSA.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

The FRF has stated its positions on the issues set forth in the list distributed by the Commission Staff on September 16, 2015.

CR3 Regulatory Asset Issues

The following Issues 1 through 13 were addressed by stipulations at the Commission's agenda conference on September 15, 2015.

Issue 1: Has DEF provided adequate internal controls and management oversight of its CR3 investment recovery procedure and plan?

FRF: No position.

Issue 2: Did DEF minimize the current and future costs of the CR3 Regulatory Asset and use reasonable and prudent efforts to curtail avoidable costs or to sell or otherwise salvage assets that would otherwise be included in the CR3 Regulatory Asset, as required by the Revised and Restated Stipulation and Settlement Agreement (RRSSA)?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 3: Should DEF be required to collect the 2016 CR3 Regulatory Asset carrying cost of \$1.50/MWh through the fuel clause as provided in the RRSSA and to reduce the CR3 Regulatory Asset by the projected amount to be recovered?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 4: Has DEF properly categorized and recorded costs associated with the CR3 Regulatory Asset as contemplated by the RRSSA?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 5: Did DEF appropriately apply the accelerated recovery of the carrying charge collected through the Fuel Adjustment Clause to the CR3 Regulatory Asset?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 6: What is the appropriate projected amount of the CR3 Regulatory Asset at December 31, 2015?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 7: Has DEF calculated the annual revenue requirement for the CR3 Regulatory Asset consistent with the requirements of the RRSSA?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 8: What is the appropriate amortization period and annual revenue requirement to amortize the CR3 Regulatory Asset?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 9: Should the Commission approve DEF's proposed treatment to account for nuclear fuel proceeds, that will not be received until the future, through the capacity cost recovery clause?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 10: Has DEF calculated the base rate increase consistent with the requirements of the RRSSA?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 11: If the Commission does not issue a financing order pursuant to DEF's Petition, should the projected amounts included in the CR3 Regulatory Asset be true-up? If so, how should the true-up be accomplished?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 12: If the Commission does not issue a financing order pursuant to DEF's Petition, what is the proposed uniform percentage rate increase to the demand and energy charges by customer rate schedule?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Issue 13: If the Commission does not issue a financing order pursuant to DEF's Petition, what should be the effective date of the requested base rate increase for billing purposes?

FRF: See position in Exhibit 1 to the Stipulation attached to the August 31, 2015 Motion for Approval of Stipulation, approved by the Commission on September 15, 2015.

Financing Order Issues

Issue 14: Do the cost amounts contained in DEF's CR3 Regulatory Asset meet the definition of "nuclear asset-recovery costs" pursuant to Section 366.95(1)(k), Florida Statutes?

FRF: Yes.

Issue 15: Do the ongoing financing costs identified in DEF's Petition qualify as "financing costs" pursuant to Section 366.95(1)(e), Florida Statutes?

FRF: Tentatively, Yes, but the FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 16: Has DEF demonstrated that securitization has a significant likelihood of resulting in lower overall costs or would avoid or significantly mitigate rate impacts compared to the traditional method of cost recovery pursuant to Section 366.95(2)(a)6., Florida Statutes?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 17: What amount, if any, should the Commission authorize DEF to recover through securitization?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. The amounts authorized must be consistent with the criteria and provisions of Section 366.95, Florida Statutes. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 18: What is the appropriate treatment of the deferred tax liability consistent with paragraph 5(j) of the RRSSA?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. The treatment of deferred tax liability (and other aspects of the securitized amounts) must be consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 19: Should DEF indemnify customers to the extent customers incur losses associated with higher servicing fees payable to a substitute servicer, or with higher administration fees payable to a substitute administrator, as a result of DEF's termination for cause?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 20: What should be the up-front and ongoing fee for the role of servicer throughout the term of the nuclear asset-recovery bonds?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 21: What amount, if any, of DEF's periodic servicing fee in this transaction should DEF be required to credit back to customers through an adjustment to other rates and charges?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 22: What should be the ongoing fee for the role of the administrator throughout the term of the nuclear asset-recovery bonds?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 23: What amount, if any, of DEF's periodic administration fee in this transaction should DEF be required to credit back to customers through an adjustment to other rates and charges?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 24: How frequently should DEF in its role as servicer be required to remit funds collected from customers to the SPE?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 25: If remittances are not daily, should DEF be required periodically to remit actual earnings on collections pending remittance?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall

costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 26: Is DEF's proposed process for determining whether the upfront bond issuance costs satisfy the statutory standard of Section 366.95(2)(c)5., Florida Statutes, reasonable and should it be approved?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 27: THIS ISSUE IS TO BE DROPPED.

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 28: What additional conditions, if any, should be made in the financing order that are authorized by Section 366.95(2)(c)2.i.?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 29: Should all legal opinions be subject to review by the Bond Team?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 30: Should all transaction documents and subsequent amendments be filed with the Commission before becoming operative?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 31: Is DEF's proposed pre-issuance review process reasonable and should it be approved?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 32: Should the Financing Documents be approved in substantially the form proposed by DEF, subject to modifications as addressed in the draft form of the financing order?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 33: Is DEF's proposed Issuance Advice Letter process reasonable and consistent with the statutory financing cost objective contained in Section 366.95(2)(c)2.b., Florida Statutes?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 34: Should the Standard True-up Letter be approved in substantially the form proposed by DEF?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by

staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 35: Is DEF's proposed process for determining whether the structure, plan of marketing, expected pricing and financing costs of the nuclear asset-recovery bonds have a significant likelihood of resulting in lower overall costs or would avoid or significantly mitigate rate impacts to customers as compared with the traditional method of financing and recovering nuclear asset-recovery costs reasonable and should it be approved?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 36: Is the degree of flexibility afforded to DEF in establishing the terms and conditions of the nuclear asset-recovery bonds as described in the proposed form of financing order, reasonable and consistent with Section 366.95(2)(c)2.f., Florida Statutes?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 37: What persons or entities should be represented on the Bond Team?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 38: Based on resolution of the preceding issues, should a financing order in substantially the form proposed by DEF be approved, including the findings of fact and conclusions of law as proposed?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by

staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 39: If the Commission votes to issue a financing order, what post-financing order regulatory oversight is appropriate and how should that oversight be implemented?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 40: Are the energy sales forecasts used to develop the bond amortization schedules and the recovery mechanism appropriate?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery.

Issue 41: If the Commission approves recovery of any nuclear asset-recovery related costs through securitization, how should the recovery of these costs be allocated to the rate classes consistent with Section 366.95(2)(c)2.g., Florida Statutes?

FRF: No position.

Issue 42: If the Commission approves recovery of any nuclear asset-recovery related costs through securitization, what is the appropriate recovery period for the Nuclear Asset-Recovery Charge?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 43: THIS ISSUE IS TO BE DROPPED.

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall

costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 44: What should be the scheduled final maturity and the legal final maturity of the nuclear asset-recovery bonds?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. The maturity dates should be consistent with the RRSSA and with the Financing Order and Section 366.95, Florida Statutes. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 45: Is DEF's proposed Nuclear Asset-Recovery Charge True-Up Mechanism appropriate and consistent with Section 366.95, Florida Statutes, and should it be approved?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 46: How frequently should the Nuclear Asset-Recovery Charge True-up Mechanism be conducted?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 47: If the Commission approves an amount to be securitized, on what date should the Nuclear Asset-Recovery Charge become effective?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery.

Issue 48: THIS ISSUE IS TO BE DROPPED.

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 49: If the Commission denies DEF's request for a financing order, or if the nuclear asset-recovery bonds are not issued for any reason after the Commission issues a financing order, should the Commission approve DEF's alternative request for a base rate increase pursuant to the RRSSA, to be implemented beginning six months after the final order rejecting DEF's request (in the event the financing order is not issued) or the date upon which DEF notifies the Commission that the bonds will not be issued (in the event the financing order is issued), with carrying costs on the nuclear asset-recovery costs collected from January 1, 2016, through the Capacity Cost Recovery Clause, until such time as the base rate increase goes into effect?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 50: Should the form of tariff sheets to be filed under DEF's tariff, as provided in Exhibit __ (MO-6A) of Witness Olivier's testimony, be approved?

FRF: Yes.

Issue 51: In accordance with Section 366.95(2)(c)2.h., Florida Statutes, if the Commission does not issue a stop order by 5:00 p.m. on the third business day after pricing, should the nuclear asset-recovery charges become final and effective without further action from the Commission?

FRF: The FRF does not take a final position at this time pending review of rebuttal testimony and discovery. Generally, the FRF agrees with OPC that the modifications proposed by staff witnesses in the interests of Duke's customers should be adopted absent compelling evidence that they would not have the intended effect of producing the lowest overall costs to Duke's customers consistent with the provisions of the RRSSA and Section 366.95, Florida Statutes.

Issue 52: Should this docket be closed?

FRF: No.

5. STIPULATED ISSUES:

The Commission approved stipulations of the CR3 Regulatory Asset issues at its agenda conference on September 15, 2015. The FRF is not aware of other stipulated issues at this time.

6. PENDING MOTIONS:

None other than motions for confidential protective orders.

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

The FRF has no pending requests or claims for confidentiality.

8. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

The FRF does not expect to challenge the qualifications of any witness to testify, although the FRF reserves all rights to question witnesses as their qualifications as related to the credibility and weight to be accorded their testimony.

9. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Florida Retail Federation cannot comply.

Dated and respectfully submitted this 21st day of September, 2015.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery this 21st day of September, 2015, to the following:

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