



Matthew R. Bernier
Senior Counsel

March 9, 2016

VIA ELECTRONIC FILING

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

Re: *Joint Petition of Suwannee Valley Electric Cooperative and Duke Energy Florida, LLC to reopen and extend the term of their existing territorial agreement in Columbia, Lafayette, Madison, and Suwannee Counties; Docket No. _____*

Dear Ms. Stauffer:

Please find enclosed for electronic filing a Joint Petition of Suwannee Valley Electric Cooperative and Duke Energy Florida, LLC to reopen and extend the term of their existing territorial agreement in Columbia, Lafayette, Madison, and Suwannee counties.

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,

/s/ Matthew R. Bernier
Matthew R. Bernier

MRB/mw
Enclosures
cc: Joshua Daniel Crapps

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Suwannee Valley Electric Cooperative and Duke Energy Florida, LLC to reopen and extend the term of their existing territorial agreement in Columbia, Lafayette, Madison and Suwannee Counties.

Submitted for filing:

Docket No. _____

_____, March 9, 2016

JOINT PETITION

Suwannee Valley Electric Cooperative ("SVEC") and Duke Energy Florida, LLC ("DEF") (collectively, "the Joint Petitioners"), pursuant to Section 366.04(2)(d), Fla. Stat., and Rule 25-6.0440, F.A.C., jointly petition the Florida Public Service Commission ("the Commission") for approval to extend the term of their existing territorial agreement in Columbia, Lafayette, Madison, and Suwannee counties, (the "Agreement") through September 14, 2016, which is intended to allow the Joint Petitioners additional time to pursue their negotiations toward a new territorial agreement to replace the Agreement upon its expiration. In support hereof, the Joint Petitioners represent as follows:

1. The Joint Petitioners are electric utilities organized under the laws of Florida and are subject to the regulatory jurisdiction of the Commission pursuant to Section 366.04(2), Fla. Stat. SVEC's principal offices are located in Live Oak, Florida. DEF's principal offices are located in St. Petersburg, Florida.

2. All pleadings, notices and other communications in this matter should be served on the undersigned attorneys for SVEC and DEF.

3. SVEC and DEF are parties to a territorial agreement delineating their respective service territories in Columbia, Lafayette, Madison, and Suwannee counties (the "Agreement"), which was approved by the Commission in Order No. PSC-95-0351-FOF-EU, issued March 14, 1995, in Docket No. 940331-EU. The Agreement had an original twenty-year term through March 14, 2015.

4. On January 27, 2015, the Joint Petitioners submitted a Joint Petition requesting approval of a Stipulation to reopen and extend the term of the Agreement. By Order No. PSC-15-0151-CO-EU, issued April 15, 2015, in Docket No. 150039-EU, the Commission approved the Stipulation, extending the terms of the Agreement through March 14, 2016. (The "First Extension").

4. SVEC and DEF have been conducting discussions regarding a new territorial agreement to replace the Agreement and it has become apparent to the Joint Petitioners that additional time is needed to successfully conclude their negotiations. To provide sufficient time for SVEC and DEF to thoroughly conclude negotiations and seek Commission approval of a new territorial agreement, the Joint Petitioners have entered into a stipulation attached as Exhibit A to this Joint Petition (the "Stipulation") which, upon approval by the Commission, will extend its expiration date through September 14, 2016. This Stipulation should allow the Joint Petitioners enough time to conclude their negotiations.

5. The Commission has long recognized that properly constructed territorial agreements between adjacent utilities are in the public interest. Moreover, the Commission has determined that both the Agreement and the First Extension are in the public interest. The Joint Petitioners believe and therefore represent that the Stipulation, which will provide

them a further opportunity to enter into such a territorial agreement, is similarly in the public interest.

WHEREFORE, SVEC and DEF respectfully request that the Commission grant this Joint Petition and approve the Stipulation contained in Exhibit A hereto.

Respectfully submitted,



Dianne M. Triplett
Associate General Counsel
Duke Energy Florida, LLC
Post Office Box 14042
St. Petersburg, Florida 33733-4042
Telephone: 727-820-4692
Facsimile: 727-820-5249
Email: dianne.triplett@duke-energy.com



Joshua Daniel Crapps
Joshua Daniel Crapps Law Firm, P.A.
4430 Fairway Drive
Jacksonville, FL 32210
Telephone: 386-397-3000
Email: gatorcrapps@yahoo.com

Matthew R. Bernier
Senior Counsel
Duke Energy Florida, LLC
106 E. College Ave., Suite 800
Tallahassee, Florida 32301
Telephone: 850.521.1428
Facsimile: 850.521.1437
Email: matthew.bernier@duke-energy.com

Attorneys for DUKE ENERGY FLORIDA, LLC

EXHIBIT A

STIPULATION REGARDING TERRITORIAL AGREEMENT

BETWEEN

SUWANEE VALLEY ELECTRIC COOPERATIVE

AND

DUKE ENERGY FLORIDA, LLC

STIPULATION REGARDING TERRITORIAL AGREEMENT

Suwannee Valley Electric Cooperative ("SVEC") and Duke Energy Florida, LLC ("DEF") enter into this Stipulation regarding their territorial agreement for Columbia, Lafayette, Madison, and Suwannee counties on this 9th day of March, 2016.

WITNESSETH:

WHEREAS, SVEC and DEF are parties to a territorial agreement delineating their respective service territories in Columbia, Lafayette, Madison, and Suwannee counties (the "Agreement"), approved by the Florida Public Service Commission (the "Commission") in Order No. PSC-95-0351-FOF-EU, issued March 14, 1995, in Docket No. 940331-EU; and

WHEREAS, the term of the Agreement was originally set to expire on March 14, 2015, and was extended through March 14, 2016 by a second amendment approved by Order No. PSC-15-0151-CO-EU, issued April 15, 2015, in Docket No. 150039-EU (the "First Extension"); and

WHEREAS, SVEC and DEF have been and are currently engaged in negotiations for the purpose of reaching a new territorial agreement to replace the Agreement; and

WHEREAS, SVEC and DEF recognize that they will need additional time to successfully conclude their negotiations; and

WHEREAS, SVEC and DEF desire to reopen and extend the term of the Agreement through September 14, 2016, in order to provide sufficient time to pursue the opportunity for a successful conclusion of their negotiations, and to seek Commission approval of the resulting new territorial agreement.

NOW, THEREFORE, SVEC and DEF hereby agree as follows:

1. The Agreement shall be reopened and the term of the Agreement shall be extended through September 14, 2016;
2. Except as modified herein, the terms and conditions of the Agreement shall remain in full force and effect; and
3. This Stipulation to the Agreement will become effective and enforceable only upon the issuance of an Order by the Commission approving the Stipulation to the Agreement in its entirety.

IN WITNESS WHEREOF, SVEC and DEF have caused this Stipulation to be executed by their duly authorized representatives on the day and year first above stated.

SUWANNEE VALLEY ELECTRIC COOPERATIVE

BY: Michael S. McWaters

NAME: Michael S. McWaters

TITLE: EVP / CEO

DUKE ENERGY FLORIDA, LLC

BY: R. Alexander Glenn

NAME: R. ALEXANDER GLENN

TITLE: STATE PRESIDENT -- FLORIDA