



Matthew R. Bernier  
Senior Counsel

September 26, 2016

**VIA ELECTRONIC FILING**

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

Re: *Joint Petition For Approval of Amendment to Territorial Agreement in Alachua County  
by City of Alachua and Duke Energy Florida, LLC; Docket No. 160194-EU*

Dear Ms. Stauffer:

Please find enclosed for electronic filing the City of Alachua and Duke Energy Florida, LLC's Joint Response to Staff's First Data Request.

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: Wesley Taylor ([wtaylor@psc.state.fl.us](mailto:wtaylor@psc.state.fl.us))  
Nathan Whitechurch ([nwhitechu@psc.state.fl.us](mailto:nwhitechu@psc.state.fl.us))  
Marian B. Rush, City of Alachua ([marian@robertarushpa.com](mailto:marian@robertarushpa.com))  
Traci L. Gresham, City of Alachua ([tcain@cityofalachua.com](mailto:tcain@cityofalachua.com))

**CITY OF ALACHUA AND DUKE ENERGY FLORIDA, LLC’S JOINT RESPONSE TO  
STAFF’S FIRST DATA REQUEST REGARDING THE  
JOINT PETITION FOR APPROVAL OF AMENDMENT TO TERRITORIAL  
AGREEMENT IN ALACHUA COUNTY BY CITY OF ALACHUA AND DUKE  
ENERGY FLORIDA, LLC  
DOCKET NO. 160194-EU**

1. Please list any differences between the prior agreement, which expired on August 29, 2016, and the proposed agreement.

**Response:**

The territorial boundaries in the proposed Agreement have been modified in comparison to those as set forth in the prior City of Alachua and Duke Energy Florida (“DEF”)<sup>1</sup> territorial agreement approved by the Commission on August 29, 1996, by Order No. PSC-96-1102-FOF-EU in Docket No. 960542-EU. The territorial boundary maps were modified in two areas, as shown on Attachment 1. During the mapping geospatial analysis process, DEF discovered that select parcels were divided by the prior territorial boundary lines. The territorial boundaries were modified to eliminate the split parcels. No customer transfers resulted from the modification of these territorial boundary lines.

Additionally, the territorial boundary maps in the proposed Agreement have been updated to a GIS format and demonstrate the territorial boundary lines in much greater detail. A written description is included in the proposed agreement as required pursuant to Rule 25-6.0440(1)(a), F.A.C.

Like the prior agreement, the proposed Agreement has been negotiated for a term of 20 years; however, after the expiration of the 20-year term, the proposed Agreement shall remain in effect until and unless either Party provides written notice of termination at least 12 months prior to termination.

2. Paragraph four of the joint petition states that “the modified territorial boundaries are depicted in the Territorial Boundary maps attached in Exhibit A”. Please provide a single map clearly depicting the old territorial boundaries and the modified territorial boundaries.

**Response:**

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<sup>1</sup> The Joint Petition approved by Order No. PSC-96-1102-FOF-EU was between the City of Alachua and Florida Power Corporation, DEF’s predecessor.

A map showing the territorial boundaries in the prior territorial agreement and the proposed modified territorial boundaries is attached as Attachment 1.

3. Please provide a single map that displays the two extra-territorial customers before and after the transfer.

**Response:**

A map showing the two extra-territorial customers before and after the transfer is attached as Attachment 2.

4. Are the parties abiding by the terms of the prior agreement for the period of time between its expiration and the Commission's consideration of the new agreement? If not, please explain.

**Response:**

Yes, the Parties have been abiding by the terms of the prior agreement and have worked together collaboratively to construct the proposed Agreement.

5. In reference to Section 3.2 (Transfer of Extra-Territorial Customers) of the proposed agreement, please explain why certain customers (i.e., extra-territorial) are located within the service territory of the other party.

**Response:**

The two extra-territorial customers being transferred from DEF to the City of Alachua were identified during the field due diligence process and found to be served inadvertently by DEF in the service territory of the City of Alachua.

6. Please provide a discussion as to why the agreement includes the transfer of two customers from DEF to City of Alachua.

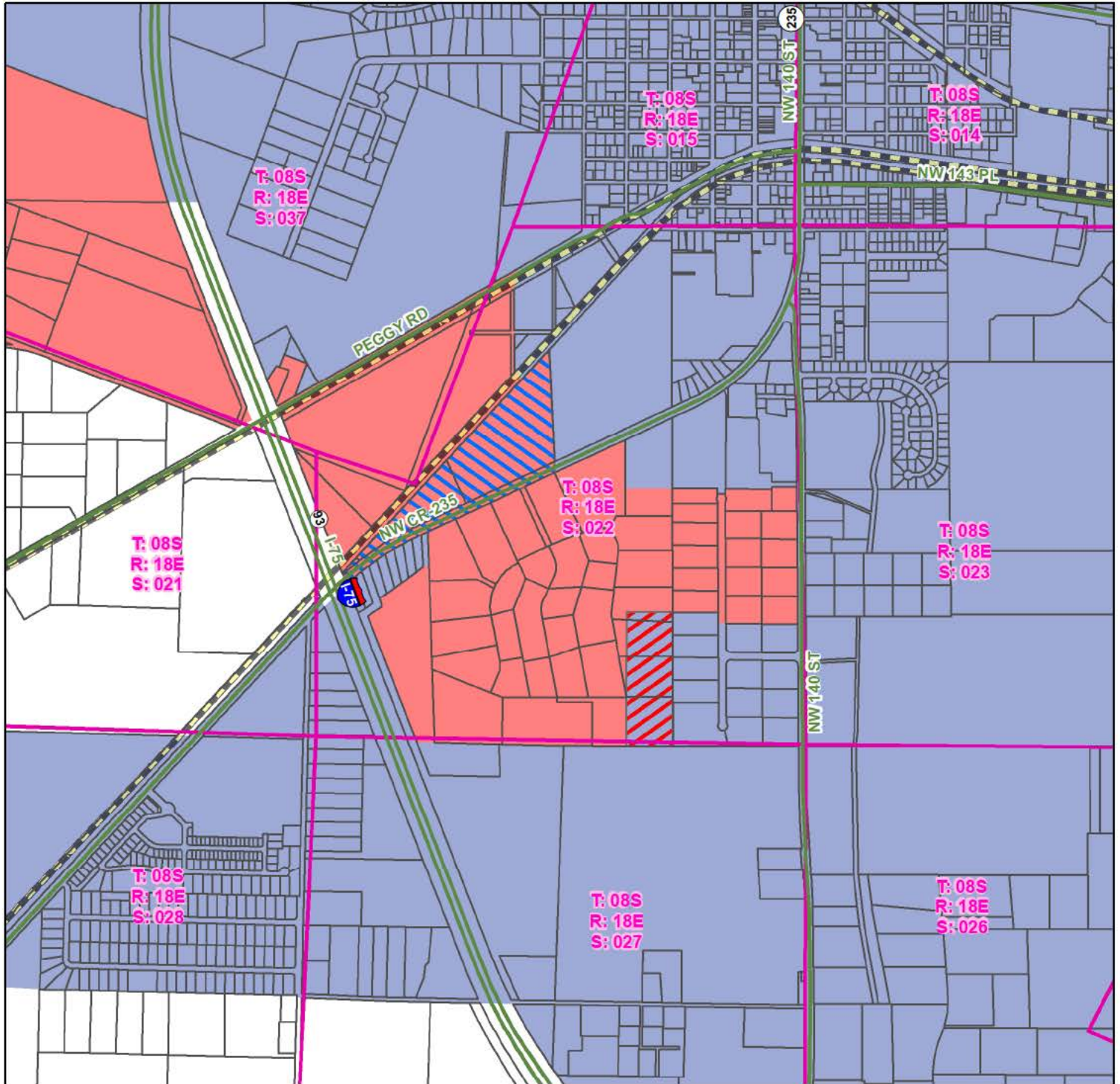
**Response:**

The two extra-territorial customers subject to transfer under this proposed Agreement are within the service territory of the City of Alachua but are currently being served by DEF. The City of Alachua will serve the customers that are in the City of Alachua's service territory under the proposed Agreement.

7. Is it the intent of DEF and City of Alachua to exchange and/or purchase any facilities pursuant to Section 3.3 (Compensation for Transferred Customers) of the proposed agreement? If so, please identify the facilities and provide an estimate of the exchange and/or purchase price.

**Response:**

Should the proposed Agreement be approved, the City of Alachua does not intend to purchase any facilities from DEF in order to serve the two extra-territorial customers under the proposed agreement. DEF must retain these facilities in order to continue serving the DEF customers in these areas. The City of Alachua has facilities very close to these locations that will enable the City of Alachua to economically and safely serve these customers.

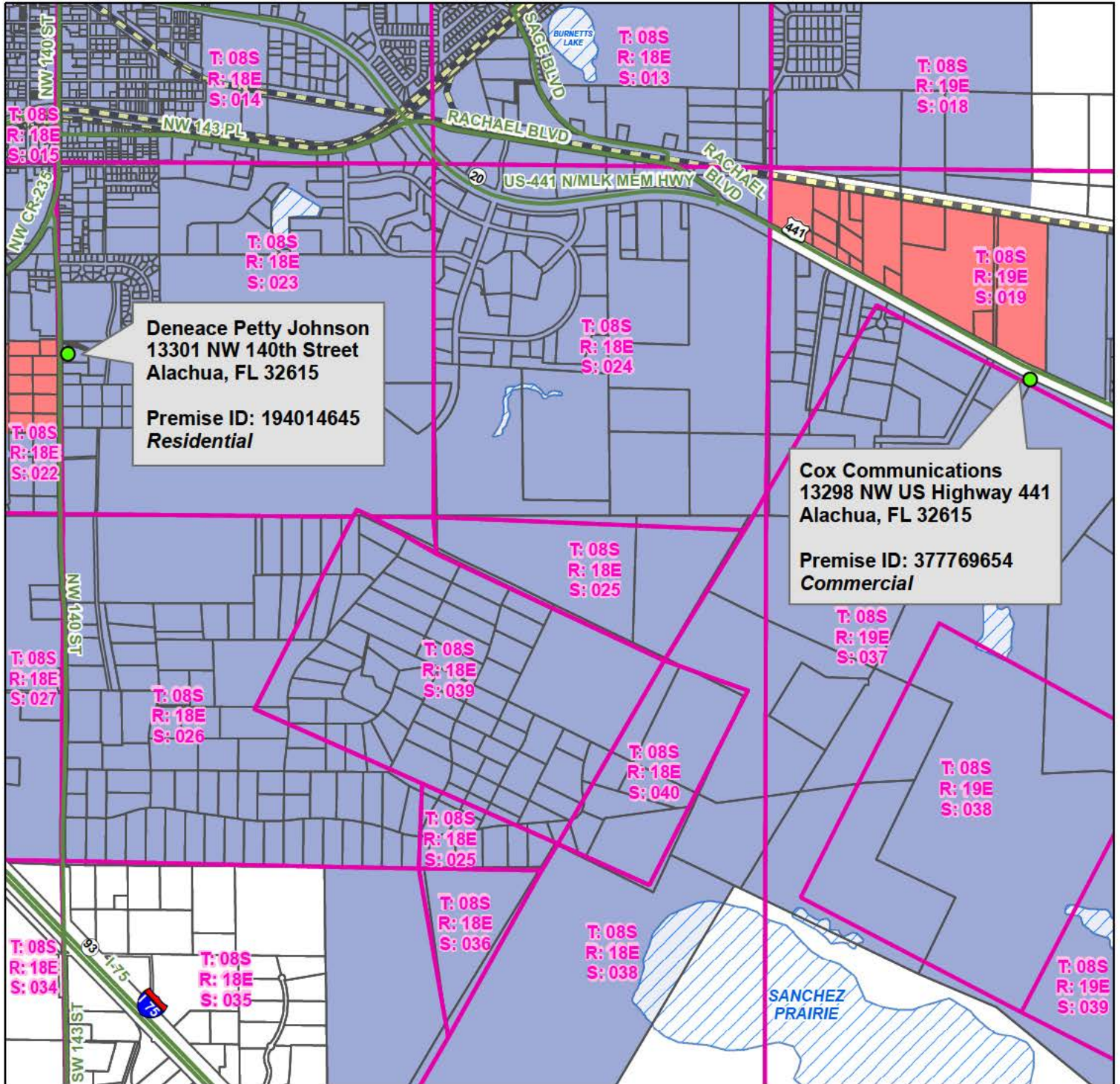


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|-----------------|-------------|------------------------------------|------------------------------------|----------------|--------|-------|-----------------------------|----------------------|
| City of Alachua | Duke Energy | Alachua Territory Proposed to Duke | Duke Territory Proposed to Alachua | Major Roadways | County | S-T-R | Parcel                      | City and Place Names |
|                 |             |                                    |                                    | Railroads      |        | Water | Extra-Territorial Customers |                      |

**Township:** 8S  
**Range:** 18E  
**County:** ALACHUA COUNTY, FL



**DUKE ENERGY - CITY OF ALACHUA, EXTRA-TERRITORIAL CUSTOMERS  
TERRITORIAL AGREEMENT  
ALACHUA COUNTY, FL**



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|-----------------|-------------|------------------------------------|----------------|-----------------------------|----------------------|
| City of Alachua | Duke Energy | Duke Territory Proposed to Alachua | Major Roadways | S-T-R                       | County               |
| Water           | Water       | Water                              | Railroads      | Parcel                      | City and Place Names |
|                 |             |                                    |                | Extra-Territorial Customers |                      |

**Township: 8S**  
**Range: 18E & 19E**  
**County: ALACHUA COUNTY, FL**

