

Dianne M. Triplett ASSOCIATE GENERAL COUNSEL

March 22, 2017

## VIA ELECTRONIC FILING

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

> Re: Docket Number 150171-EI; Petition for Issuance of Nuclear Asset-Recovery Financing Order by Duke Energy Florida

Dear Ms. Stauffer:

Pursuant to the Nuclear Asset-Recovery Property Servicing Agreement entered into in connection with the above-referenced docket, attached for filing is Duke Energy Florida, LLC's Form 10-D that was filed with the Securities and Exchange Commission on March 15, 2017.

Thank you for your assistance in this matter. Please feel free to call me at (727) 820-4692 should you have any questions concerning this filing.

Respectfully,

/s/ Dianne M. Triplett

Dianne M. Triplett Associate General Counsel

DMT/db Attachment

cc: Parties of Record



### **UNITED STATES** SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

## **FORM 10-D**

#### ASSET-BACKED ISSUER DISTRIBUTION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 For the semi-annual distribution period from Issuance to February 28, 2017

| Commission<br>File Number | Registrant; State of Incorporation; Address; an | d Telephone Nu | mber          | IRS Employer<br>Identification<br>No. |  |  |
|---------------------------|---|----------------|---------------|---------------------------------------|--|--|
| 333-209196-01             | DUKE ENERGY FLORIDA PROJECT FINANCE, LLC        |                |               |                                       |  |  |
|                           | (Delaware)                                      |                |               |                                       |  |  |
|                           | 299 First Avenue North, St. Petersburg,         | Florida 33701  |               |                                       |  |  |
|                           | 704-382-3853                                    |                |               |                                       |  |  |
| 1-03274                   | DUKE ENERGY FLORIDA,                            | LLC            |               | 59-0247770                            |  |  |
|                           | (Depositor and Sponsor)                         |                |               |                                       |  |  |
|                           | (Florida)                                       |                |               |                                       |  |  |
|                           | 299 First Avenue North, St. Petersburg,         | Florida 33701  |               |                                       |  |  |
|                           | 704-382-3853                                    |                |               |                                       |  |  |
|                           | Registered/reporting pursuant to (che           | eck one)       |               |                                       |  |  |
|                           |   |                |               | Name of exchange                      |  |  |
| Title of class            | Section 12(b)                                   | Section 12(g)  | Section 15(d) | (If Section 12(b))                    |  |  |

|                                    | . , | <br>( )      | · · · |  |
|------------------------------------|-----|--------------|-------|--|
| Series A 2018 Senior Secured Bonds |     | $\checkmark$ |       |  |
| Series A 2021 Senior Secured Bonds |     | $\checkmark$ |       |  |
| Series A 2026 Senior Secured Bonds |     | $\checkmark$ |       |  |
| Series A 2032 Senior Secured Bonds |     | $\checkmark$ |       |  |
| Series A 2035 Senior Secured Bonds |     | $\checkmark$ |       |  |
|                                    |     |              |       |  |

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

Yes 🗹 No 🗖

## PART I – DISTRIBUTION INFORMATION

#### Item 1. Distribution and Pool Performance Information.

The response to Item 1 is set forth in part herein and in part in Exhibit 99.1.

The record date for distributions described in Exhibit 99.1 is February 28, 2017.

Introductory and explanatory information regarding the material terms, parties, and distributions described in Exhibit 99.1 is included in the Prospectus dated June 15, 2016, of Duke Energy Florida Project Finance, LLC (Issuing Entity) relating to the Series A Senior Secured Bonds (Bonds) filed with the Securities and Exchange Commission pursuant to Rule 424(b)(1) of the Securities Act of 1933 on June 17, 2016.

As indicated in Exhibit 99.1, all required interest and scheduled principal payments on the Bonds have been made with respect to the March 1, 2017, distribution date.

#### The following Items have been omitted pursuant to General Instruction C of Form 10-D:

- Item 1A. Asset-Level Information.
- Item 1B. Asset Representations Reviewer and Investor Communication.

## PART II – OTHER INFORMATION

#### Item 2. Legal Proceedings.

On February 22, 2016, a lawsuit was filed in the U.S. District Court for the Southern District of Florida on behalf of a putative class of Duke Energy Florida's and Florida Power & Light Company's (FP&L) customers in Florida. The suit alleges the State of Florida's nuclear power plant cost recovery statutes (NCRS) are unconstitutional and pre-empted by federal law. Plaintiffs claim they are entitled to repayment of all money paid by customers of Duke Energy Florida and FP&L as a result of the NCRS, as well as an injunction against any future charges under those statutes. The constitutionality of the NCRS has been challenged unsuccessfully in a number of prior cases on alternative grounds. Duke Energy Florida and FP&L filed motions to dismiss the complaint on May 5, 2016. On September 21, 2016, the Court granted the motions to dismiss with prejudice. Plaintiffs filed a motion for reconsideration, which was denied. On January 4, 2017, plaintiffs filed a notice of appeal. Duke Energy Florida cannot predict the outcome of this appeal. Even if all of the plaintiffs' requests for relief in this lawsuit are granted, there would be no impact on nuclear asset-recovery charges imposed by Duke Energy Florida or on the bonds.

#### Item 3. Sale of Securities and Use of Proceeds.

None.

#### The following Items have been omitted pursuant to General Instruction C of Form 10-D:

- Item 4. Defaults Upon Senior Securities.
- Item 5. Submission of Matters to a Vote of Security Holders.
- · Item 6. Significant Obligors of Pool Assets.
- Item 7. Change in Sponsor Interest in the Securities.
- Item 8. Significant Enhancement Provider Information.

#### Item 9. Other Information.

None.

#### Item 10. Exhibits.

(a) and (b) See Exhibit Index included as the last part of this report, which is incorporated herein by reference.

## SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Date: March 15, 2017

Ву:

# DUKE ENERGY FLORIDA PROJECT FINANCE, LLC (Issuing Entity)

By: Duke Energy Florida, LLC, as Servicer

/s/ William E. Currens Jr.

William E. Currens Jr. Senior Vice President, Chief Accounting Officer and Controller

## EXHIBIT INDEX

Exhibits filed herewithin are designated by an asterisk (\*). All exhibits not so designated are incorporated by reference to a prior filing, as indicated.

| Exhibit No. | Description  |
|-------------|--|
| 3.1         | Certificate of Formation of Duke Energy Florida Project Finance, LLC (filed with the Registration Statement on Form SF-1 of Duke Energy Florida, LLC (File No. 333-209196) on January 29, 2016)                                    |
| 3.2         | Amended and Restated Limited Liability Company Agreement of Duke Energy Project Finance, LLC dated<br>and effective as of June 10, 2016 (Form 8-K filed June 17, 2016)   |
| 4.1         | Indenture, dated as of June 22, 2016, by and between Duke Energy Florida Project Finance, LLC and The Bank of New York Mellon Trust Company, N.A., as Indenture Trustee and Securities Intermediary (Form 8-K filed June 17, 2016) |
| 10.1        | Nuclear Asset-Recovery Property Servicing Agreement, dated as of June 22, 2016, by and between Duke<br>Energy Florida Project Finance, LLC and Duke Energy Florida, LLC (Form 8-K filed June 22, 2016)                             |
| 10.2        | Nuclear Asset-Recovery Property Purchase and Sale Agreement, dated as of June 22, 2016, by and<br>between Duke Energy Florida Project Finance, LLC and Duke Energy Florida, LLC (Form 8-K filed June 22, 2016)                     |
| 10.3        | Administration Agreement, dated as of June 22, 2016, by and between Duke Energy Florida Project Finance, LLC and Duke Energy Florida, LLC (Form 8-K filed June 22, 2016)   |
| *99.1       | Semi-annual Servicer's Certificate relating to the Bonds, dated February 21, 2017  |

## SEMI-ANNUAL SERVICER'S CERTIFICATE

Pursuant to Section 4.01(c)(ii) of the Nuclear Asset-Recovery Property Servicing Agreement, dated as of June 22, 2016 (Servicing Agreement), by and between **DUKE ENERGY FLORIDA**, **LLC**, as servicer (Servicer), and **Duke Energy Florida Project Finance**, **LLC**, the Servicer does hereby certify, for the March 1, 2017, Payment Date (Current Payment Date), as follows:

Capitalized terms used but not defined herein have their respective meanings as set forth in the Servicing Agreement. References herein to certain sections and subsections are references to the respective sections of the Servicing Agreement or the Indenture, as the context indicates.

Collection Periods: Issuance to February 28, 2017

#### Payment Date: March 1, 2017

1. Collections Allocable and Aggregate Amounts Available for the Current Payment Date:

| i.    | Remittances for the                                     | July 2016         | Collection Period      | \$<br>1,897,418  |
|-------|---|-------------------|------------------------|------------------|
| ii.   | Remittances for the                                     | August 2016       | Collection Period      | 10,102,941       |
| iii.  | Remittances for the                                     | September 2016    | Collection Period      | 10,349,761       |
| iv    | Remittances for the                                     | October 2016      | Collection Period      | 8,243,612        |
| ٧.    | Remittances for the                                     | November 2016     | Collection Period      | 9,792,938        |
| vi.   | Remittances for the                                     | December 2016     | Collection Period      | 5,798,933        |
| vii.  | Remittances for the                                     | January 2017      | Collection Period      | 6,675,298        |
| viii. | Remittances for the                                     | February 2017     | Collection Period      | 6,633,092        |
| ix.   | Investment Earnings                                     | on Capital Subace | count                  | 8,457            |
| х.    | Investment Earnings                                     | on Excess Funds   | Subaccount             | —                |
| xi.   | Investment Earnings                                     | on General Subac  | count                  | 49,505           |
| xii.  | General Subaccour                                       | nt Balance (sum o | f i through xi above)  | \$<br>59,551,955 |
| xiii. | Excess Funds Subac                                      | ccount Balance as | of prior Payment Date  | —                |
| xiv.  | iv. Capital Subaccount Balance as of prior Payment Date |                   |                        | 6,471,450        |
| xv.   | <b>Collection Account</b>                               | Balance (sum of   | xii through xiv above) | \$<br>66,023,405 |

2. Outstanding Amounts of as of prior Payment Date:

| i.   | Series A | 2018          | Outstanding Amount           | \$<br>183,000,000   |
|------|----------|---------------|------------------------------|---------------------|
| ii.  | Series A | 2021          | Outstanding Amount           | 150,000,000         |
| iii. | Series A | 2026          | Outstanding Amount           | 436,000,000         |
| iv.  | Series A | 2032          | Outstanding Amount           | 250,000,000         |
| v.   | Series A | 2035          | Outstanding Amount           | 275,290,000         |
| vi.  | Aggregat | e Outstanding | Amount of all Series A Bonds | \$<br>1,294,290,000 |

3. Required Funding/Payments as of Current Payment Date:

|      | Principal          | Prin | Principal D |  |
|------|--------------------|------|-------------|--|
| i.   | Series A 2018      | \$   | 35,7        |  |
| ii.  | Series A 2021      |      |             |  |
| iii. | Series A 2026      |      |             |  |
| iv.  | Series A 2032      |      |             |  |
| v.   | Series A 2035      |      |             |  |
| vi.  | All Series A Bonds | \$   | 35,7        |  |

Interest

|       | Interest                      |                   |                      |           |              |                       |       |        |            |
|-------|-------------------------------|-------------------|----------------------|-----------|--------------|-----------------------|-------|--------|------------|
|       | WAL                           | Interest<br>Rate  | Days in Interest F   | Period    | Princip      | al Balance            |       | Intere | est Due    |
| ٧.    | Series A 2018                 | 1.196%            |                      | 249       | \$           | 183,000,000           | \$    |        | 1,513,837  |
| vi.   | Series A 2021                 | 1.731%            |                      | 249       |              | 150,000,000           |       |        | 1,795,913  |
| vii.  | Series A 2026                 | 2.538%            |                      | 249       | 4            | 436,000,000           |       |        | 7,653,762  |
| viii. | Series A 2032                 | 2.858%            |                      | 249       | 2            | 250,000,000           |       |        | 4,941,958  |
| ix.   | Series A 2035                 | 3.112%            |                      | 249       | 2            | 275,290,000           |       |        | 5,925,525  |
| х.    | All Series A Bonds            |                   |                      |           |              |                       | \$    |        | 21,830,995 |
|       |                               |                   |                      |           | Requi        | red Level             | Fu    | Inding | Required   |
| xi.   | Capital Account               |                   |                      |           | \$6          | ,471,450.00           | \$    | -      | -          |
| 4.    | Allocation of Remittances     | as of Current P   | ayment Date Pursu    | ant to 8. | 02(e) of Inc | lenture:              |       |        |            |
| i.    | Trustee Fees and Expenses;    | Indemnity Amo     | ounts                |           |              |                       |       | \$     | —          |
| ii.   | Servicing Fee                 |                   |                      |           |              |                       |       |        | 447,609    |
| iii.  | Administration Fee            |                   |                      |           |              |                       |       |        | 34,583     |
| iv.   | Operating Expenses            |                   |                      |           |              |                       |       |        | 40,958     |
|       |                               |                   |                      |           |              | Per \$1,00            | 0 of  |        |            |
| Seri  | es A Bonds                    |                   |                      | Aac       | gregate      | Original Pri<br>Amour |       |        |            |
| v.    | Semi-Annual Interest (includi | ng any past-du    | e for prior periods) | / 95      | Jiegute      | 7 (1100)              |       | \$     | 21,830,995 |
| 1.    | Series A 2018                 | .g any paor aa    | e .e. pe. pee.e)     | \$        | 1,513,837    | \$                    | 8.27  | Ŧ      | _ ,,,      |
| 2.    | Series A 2021                 |                   |                      | Ŧ         | 1,795,913    | Ŧ                     | 11.97 |        |            |
| 3.    | Series A 2026                 |                   |                      |           | 7,653,762    |                       | 17.55 |        |            |
| 4.    | Series A 2032                 |                   |                      |           | 4,941,958    |                       | 19.77 |        |            |
| 5.    | Series A 2035                 |                   |                      |           | 5,925,525    |                       | 21.52 |        |            |
|       |                               |                   |                      |           | -,,          |                       |       |        |            |
| vi.   | Principal Due and Payable as  | a Result of an    | Event of Default or  | on Fina   | I Maturity D | Date                  |       | \$     | _          |
| 1.    | Series A 2018                 |                   |                      | \$        | _            | \$                    | _     |        |            |
| 2.    | Series A 2021                 |                   |                      |           | _            |                       | _     |        |            |
| 3.    | Series A 2026                 |                   |                      |           | _            |                       | _     |        |            |
| 4.    | Series A 2032                 |                   |                      |           | _            |                       | _     |        |            |
| 5.    | Series A 2035                 |                   |                      |           | —            |                       | —     |        |            |
|       |                               |                   |                      |           |              |                       |       |        |            |
| vii.  | Semi-Annual Principal         |                   |                      |           |              |                       |       | \$     | 35,700,000 |
| 1.    | Series A 2018                 |                   |                      | \$3       | 5,700,000    | \$1                   | 95.08 |        |            |
| 2.    | Series A 2021                 |                   |                      |           | _            |                       |       |        |            |
| 3.    | Series A 2026                 |                   |                      |           | _            |                       |       |        |            |
| 4.    | Series A 2032                 |                   |                      |           | _            |                       |       |        |            |
| 5.    | Series A 2035                 |                   |                      |           | —            |                       |       |        |            |
|       |                               |                   |                      |           |              |                       |       |        |            |
| viii. | Other unpaid Operating Expe   | nses              |                      |           |              |                       |       | \$     | _          |
| ix.   | Funding of Capital Subaccou   | nt (to required l | evel)                |           |              |                       |       |        | _          |
| х.    | Capital Subaccount Return to  | Duke Energy       | Florida              |           |              |                       |       |        | 139,296    |
| xi.   | Deposit to Excess Funds Sub   | account           |                      |           |              |                       |       |        | 1,358,514  |
| xii.  | Released to Issuer upon Reti  | rement of all Se  | eries Bonds          |           |              |                       |       |        | _          |
| xiii. | Aggregate Remittances as      | of Current Pay    | vment Date           |           |              |                       |       | \$     | 59,551,955 |
|       |                               |                   |                      |           |              |                       |       |        |            |

5. Outstanding Amount and Collection Account Balance as of Current Payment Date (after giving effect to payments to be made on such Payment Date):

| i.    | Series A 2018                                      | \$<br>147,300,000   |
|-------|--|---------------------|
| ii.   | Series A 2021                                      | 150,000,000         |
| iii.  | Series A 2026                                      | 436,000,000         |
| iv.   | Series A 2032                                      | 250,000,000         |
| ٧.    | Series A 2035                                      | 275,290,000         |
| vi.   | Aggregate Outstanding Amount of all Series A Bonds | \$<br>1,258,590,000 |
| vii.  | Excess Funds Subaccount Balance                    | 1,358,513           |
| viii. | Capital Subaccount Balances                        | 6,471,450           |
| ix.   | Aggregate Collection Account Balance               | \$<br>7,829,963     |

6. Subaccount Withdrawals as of Current Payment Date (if applicable, pursuant to Section 8.02(e) of Indenture):

| i.<br>ii.         | Excess Funds Subaccount<br>Capital Subaccount                                   | \$ | _ |
|-------------------|---|----|---|
| ".<br><b>iii.</b> | Total Withdrawals   | \$ | _ |
| 7.                | Shortfalls in Interest and Principal Payments as of Current Payment Date:       | ·  |   |
| i.                | Semi-annual Interest  |    |   |
| 1.                | Series A 2018   | \$ |   |
|                   | Series A 2021   | φ  | _ |
|                   | Series A 2021   |    |   |
|                   | Series A 2020   |    |   |
|                   | Series A 2002   |    |   |
|                   | Total   | \$ |   |
| ii.               | Semi-annual Principal   | ¥  |   |
|                   | Series A 2018   | \$ |   |
|                   | Series A 2021   | Ŷ  | _ |
|                   | Series A 2026   |    | _ |
|                   | Series A 2032   |    | _ |
|                   | Series A 2035   |    | _ |
|                   | Total   | \$ | _ |
| 8.                | Shortfalls in Payment of Return on Invested Capital as of Current Payment Date: |    |   |
| i.                | Return on Invested Capital  | \$ | _ |
| 9.                | Shortfalls in Required Subaccount Levels as of Current Payment Date:            |    |   |
| i.                | Capital Subaccount  | \$ | _ |
|                   |   |    |   |

IN WITNESS WHEREOF, the undersigned has duly executed and delivered this Semi-Annual Servicer's Certificate.

Date: February 21, 2017

DUKE ENERGY FLORIDA, LLC, as Servicer

Ву:

/s/ David Doss

David Doss Director, Electric Utilities and Infrastructure