



Matthew R. Bernier
ASSOCIATE GENERAL COUNSEL
Duke Energy Florida, LLC

May 15, 2019

VIA ELECTRONIC FILING

Mr. Adam J. Teitzman, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: *Petition by Duke Energy Florida, LLC, for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate*
Docket No. 20170272-EI

Dear Mr. Teitzman:

Please find enclosed for filing, Duke Energy Florida, LLC's ("DEF") Motion to Approve Amended Storm Cost Settlement Agreement.

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.

Sincerely,

/s/ Matthew R. Bernier

Matthew R. Bernier

MRB/mw
Enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate by Duke Energy Florida, LLC

Docket No. 20170272-EI

Dated: May 15, 2019

**DUKE ENERGY FLORIDA LLC'S MOTION
TO APPROVE AMENDED STORM COST SETTLEMENT AGREEMENT**

Duke Energy Florida, LLC (“DEF” or “the Company”), pursuant to Rule 28-106.204, F.A.C., hereby requests that the Commission approve DEF’s Corrected Storm Cost Settlement filed on April 18, 2019 as modified by the Amendment to Storm Cost Settlement Agreement included with this Motion as Attachment “A” and made a part hereof, and states:

1. DEF filed its Unopposed Motion to Approve Storm Cost Settlement Agreement on April 9, 2019 (“Initial Motion”). The motion included as Attachment “A” the Storm Cost Settlement Agreement; on April 18, 2019 DEF filed the Corrected Storm Cost Settlement (“Settlement Agreement”) between the company and other parties in this docket that will resolve this docket in its entirety if approved by the Commission.

2. As a result of the informal meeting convened by the staff on April 23, 2019 and certain inquiries in Staff’s First Data Request, dated April 25, 2019, the Parties to the Storm Cost Settlement Agreement believe it is appropriate to amend the Settlement Agreement in one limited aspect and have executed the Amendment included with this Amended Motion as Attachment “A.”

3. The Company incorporates by reference the contents of its Initial Motion, reasserts the arguments and grounds for approval reflected therein and requests that the

Commission approve DEF's Storm Cost Settlement Agreement as filed on April 9, 2019, Corrected Settlement Agreement dated April 18, 2019, and as amended by the document included with this Motion as Attachment "A."

4. Pursuant to Rule 28-106.204(3), F.A.C., DEF has conferred with the other Parties in Dockets Nos. 20170272-EI and represent that they support this Motion.

WHEREFORE, DEF respectfully requests that the Commission grant this Motion and approve DEF's Storm Cost Settlement Agreement as filed on April 18, 2019 and as amended by the document included with this Motion as Attachment "A."

Respectfully submitted this 15th day of May, 2019.

s/Matthew R. Bernier

DIANNE M. TRIPLETT
Deputy General Counsel
Duke Energy Florida, LLC
299 First Avenue North
St. Petersburg, FL 33701
T: 727.820.4692
F: 727.820.5041
E: Dianne.Triplett@duke-energy.com

MATTHEW R. BERNIER
Associate General Counsel
Duke Energy Florida, LLC
106 East College Avenue Suite 800
Tallahassee, Florida 32301
T: 850.521.1428
F: 727.820.5041
E: Matthew.Bernier@duke-energy.com

CERTIFICATE OF SERVICE
20170272-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by electronic mail this 15th day of May, 2019, to all parties of record as indicated below.

s/ Matthew R. Bernier

Attorney

<p>Rachel Dziechciarz / Ashley Weisenfeld Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 RDziehc@psc.state.fl.us awaisenf@psc.state.fl.us</p> <p>J. R. Kelly / C. Rehwinkel / T. David Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us david.tad@leg.state.fl.us</p> <p>Jon C. Moyle, Jr. / Karen A. Putnal Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com</p>	<p>James Brew / Laura Wynn Stone Law Firm 1025 Thomas Jefferson St., N.W. Suite 800 West Washington, DC 20007 jbrew@smxblaw.com law@smxblaw.com</p> <p>Robert Scheffel Wright / John T. LaVia, III c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p>
---	---

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate by Duke Energy Florida, LLC

Docket No. 20170272-EI

Dated: May 15, 2019

**AMENDMENT TO DUKE ENERGY FLORIDA, LLC'S
STORM COST SETTLEMENT AGREEMENT**

THIS AMENDMENT is dated as of this 14th day of May, 2019 and amends Duke Energy Florida, LLC's Storm Cost Corrected Settlement Agreement ("Settlement Agreement") filed with the Florida Public Service Commission ("FPSC" of Commission") on April 18, 2019.¹ This Amendment complies with paragraph 7 of the Settlement Agreement, because it is executed by each of the parties to the Settlement Agreement, namely: Duke Energy Florida, LLC ("DEF" or the "Company"), the Office of Public Counsel ("OPC" or "Citizens"), the Florida Industrial Power Users Group ("FIPUG"), PCS White Springs ("PCS"), the Southern Alliance for Clean Energy ("SACE"), and the Florida Retail Federation ("FRF"). This document shall be referred to as the "Settlement Agreement Amendment" or the "Amendment."

Terms

1. The first unnumbered paragraph in the "Capitalized Costs" bullet on page 15 of the Settlement Agreement (in the Incremental Cost Methodology Addendum in Exhibit One) is amended with changes shown in legislative format [additions underlined ~~deletions struck through~~] to read as follows:

¹ DEF's Original Storm Cost Settlement Agreement as filed on April 9, 2019 contained a scrivener's error that was corrected in the version filed on April 18, 2019.

Use a combined simple average of hourly internal company foreign and native contractor costs that are the type normally incurred in the absence of a storm to determine amounts to capitalize to plant, property and equipment along with the materials and other cost of equipment.

2. All other provisions of the Settlement Agreement shall remain in full force and effect as originally stated therein.

IN WITNESS WHEREOF, the Parties evidence their acceptance and agreement with the provisions of this Amendment to the Duke Energy Florida, LLC's Storm Cost Recovery Agreement by their signature(s):

Duke Energy Florida, LLC
299 1ST Avenue North
St. Petersburg, FL 33701

By 
Catherine Stempien
Duke Energy Florida, State President

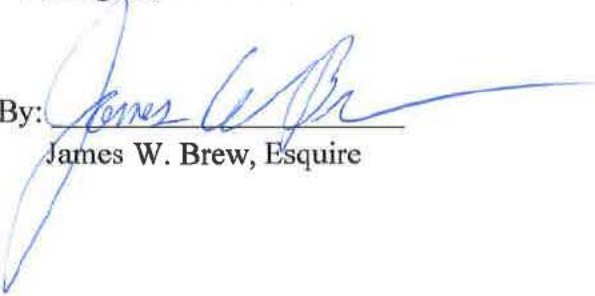
Signature Page to Amendment to Duke Energy Florida, LLC's Storm Cost Settlement Agreement

Office of Public Counsel
J. R. Kelly, Esquire
Public Counsel
Charles Rehwinkel, Esquire
Deputy Public Counsel
Thomas A. David
Associate Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

By:  _____
J.R. Kelly

Signature Page to Amendment to Duke Energy Florida, LLC's Storm Cost Settlement Agreement

White Springs Agricultural Chemicals, Inc.
James W. Brew, Esquire
Stone Mattheis Xenopoulos & Brew
1025 Thomas Jefferson Street, N.W.
Eighth Floor, West Tower
Washington, DC 20007

By: 
James W. Brew, Esquire

Signature Page to Amendment to Duke Energy Florida, LLC's Storm Cost Settlement Agreement

The Florida Industrial Power Users Group
Jon C. Moyle, Jr., Esquire
Moyle Law Firm
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

By:

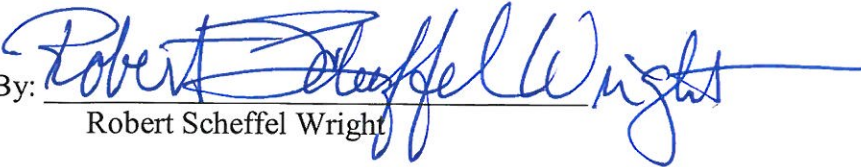


Jon C. Moyle, Jr.

May 15, 2019

Signature Page to Amendment to Duke Energy Florida, LLC's Storm Cost Settlement Agreement

Florida Retail Federation
Robert Scheffel Wright
Gardner, Bist, Bowden, Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308

By: 
Robert Scheffel Wright