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December 21, 2023

VIA ELECTRONIC FILING

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

Re: Petition for Declaratory Statement by 1150 WHG, LLC; Docket Number 20230128-EI

Dear Mr. Teitzman:

Duke Energy Florida, LLC (“DEF” or the “Company”) has reviewed both the Petition for Declaratory Statement (“Petition”), filed by 1150 WHG, LLC in the above-referenced docket, as well as Tampa Electric Company’s (“Tampa Electric”) Response to Petition. DEF, as an electric utility subject to the jurisdiction of this Commission and the requirements of Chapter 366, Florida Statutes, and the Commission Rules, has an interest in the outcome of this proceeding. Because the Commission’s ruling on this Petition will likely have precedential value for similar circumstances that DEF and its customers may encounter, DEF files this letter to provide its perspective on the issues presented in the Petition.

DEF fully agrees with and supports the arguments raised by Tampa Electric in its Response to Petition. The Commission should not grant 1150 WHG, LLC’s request to master-meter this property. As Tampa Electric’s Response notes, this situation simply does not meet the clear requirements of the grandfathering exception in Rule 25-6.049, F.A.C. The rule was intentionally crafted to limit the ability of customers to qualify for master-metering; the Petition seeks to impermissibly expand the application of this limited exception to a brand-new use case (residential apartment units).

Furthermore, the Petition mentions in passing 1150 WHG, LLC’s intent to install a solar array that operates in parallel with the power grid and will offset the usage of all common areas and each of the individual apartment units, but the Petition does not specifically request any ruling as to the application of the net metering rule (Rule 25-6.065, F.A.C.) or, a waiver to any other required standard generator interconnection application. DEF echoes the concerns Tampa Electric notes in its Response to Petition on this issue. The Commission should recognize what appears to

be 1150 WHG, LLC's end game, which is to improperly interconnect a distributed generator without the utility being able to screen for standards and safety, and size a solar array to offset the combined usage of several different end-users thereby violating the commission's net metering rule. This is yet another reason to deny the request to master-meter the new apartment building.

DEF appreciates the opportunity to provide this letter in support of Tampa Electric's Response to Petition and urges the Commission to deny the Petition.

Thank you for your assistance in this matter and if you have any questions, please feel free to contact me at (850) 521-1428.

Respectfully,

s/Matthew R. Bernier

Matthew R. Bernier

MRB/vr

CERTIFICATE OF SERVICE
Docket No. 20230128-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by electronic mail this 21st day of December 2023, to all parties of record as indicated below.

/s/ Matthew R. Bernier

Attorney

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