



April 16, 2014

Commissioner and Prehearing Officer Brisé  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RE: Docket No. 130200-EI, Duke Energy, Florida, Inc.

Dear Prehearing Officer Brisé:

I write to apprise the Commission of the current status of discovery in the FEECA goal-setting proceeding given Sierra Club's pending motion for an extension of time to submit testimony and for expedited discovery.

Pursuant to the scheduling order currently in effect in this proceeding, Duke Energy Florida, Inc. was required to produce responsive information to Sierra Club's first set of discovery requests on Friday, April 11, 2014. On Monday, April 14, 2014, for the first time, Duke provided Sierra Club with a 7-page confidentiality agreement, including indemnity requirements, attorneys' fees provisions and other terms, that it now requires Sierra Club to execute before it provides Sierra Club with requested documents. The Parties are currently working to resolve these issues. Even independent of the Confidential Business Information, Duke did not provide full responses on Friday, April 11, 2014, and only today provided Sierra Club's experts with access to certain documents that are central to this proceeding.

The deadline for Sierra Club to submit expert testimony is now just over two weeks away—May 5, 2014. As explained more fully in Sierra Club's motion for an extension of time, the current scheduling order prejudices Sierra Club's ability to participate in the FEECA goal-setting proceeding, and to provide the Commission with the benefit of independent expert testimony. This prejudice is worsened by Duke's failure to fully respond to Sierra Club's discovery request in a timely fashion.

Sincerely,

*/s/ Diana A. Csank*

Diana A. Csank  
Qualified Representative for Sierra Club

Cc: Chairman Graham; Commissioners Brown, Balbis, Edgar; Service List