

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination)
of Cost Effective Generation Alternative) DOCKET NO. 140111-EI
to Meet Need Prior to 2018 for Duke) Submitted for filing: June 18, 2014
Energy Florida, Inc.)
_____)

**DUKE ENERGY FLORIDA, INC.’S RESPONSE TO THE PETITION TO INTERVENE
OF NRG FLORIDA, LP**

Duke Energy Florida, Inc. (“DEF” or the “Company”) hereby responds to the Petition to Intervene of NRG Florida, LP (“NRG”) and states as follows:

1. On July 31, 2013, DEF and the Intervener Parties¹ entered into the 2013 Revised and Restated Stipulation and Settlement Agreement (the “2013 Settlement Agreement”). The 2013 Settlement Agreement was thereafter approved by the Florida Public Service Commission (“PSC” or the “Commission”) on November 12, 2013 in Order No. PSC-13-0598-FOF-EI in Docket No. 130208-EI.

2. The 2013 Settlement Agreement, in relevant part, established the process for Commission review of DEF’s need and its determination of the cost effective means to satisfy its need for generation capacity prior to 2018 through its Integrated Resource Planning (“IRP”) methodology before Commission approval of the revenue requirements for the generation base rate adjustment (“GBRA”) associated with that generation capacity. See 2013 Settlement Agreement, ¶ 16(a). Pursuant to this provision of the 2013 Settlement Agreement, on May 27, 2014, DEF filed its Petition for Determination of the Cost Effective Generation Alternative to Meet Need Prior to 2018. In its Petition, DEF demonstrates that DEF has determined through its IRP methodology that the Suwannee Simple Cycle and Hines Chillers Power Uprate Projects are the most cost effective generation alternatives to meet the Company’s need for generation

¹ The Office of Public Counsel, the Florida Retail Federation, the Florida Industrial Power Users Group, and White Springs Agricultural Chemicals, Inc. d/b/a PSC Phosphate.

capacity prior to 2018.

3. On June 11, 2014 NRG filed its Petition to Intervene. NRG alleges that it is a retail customer of DEF and DEF has no issues with NRG's intervention on this basis. However, as noted in NRG's Petition to Intervene, NRG was one of several companies that responded to DEF's request for proposals for generation alternatives to meet DEF's need for power prior to 2018. This action alone normally does not establish a substantial interest that will be affected in a GBRA proceeding. Nevertheless, because of the unique circumstances of the Commission review process for DEF's Petition established by paragraph 16.a. of the 2013 Settlement Agreement, DEF takes no position on NRG's petition to intervene in this matter. By taking no position on NRG's petition to intervene, however, DEF does not agree with or concede any of the allegations in NRG's petition to intervene. DEF disputes that NRG's additional, proposed issues are appropriate issues in this proceeding.

Respectfully submitted this 18th day of June, 2014.

John T. Burnett
Deputy General Counsel
Dianne M. Triplett
Associate General Counsel
DUKE ENERGY FLORIDA, INC.
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5587
Facsimile: (727) 820-5519

/s/ James Michael Walls
James Michael Walls
Florida Bar No. 0706242
Blaise N. Gamba
Florida Bar No. 0027942
CARLTON FIELDS JORDEN BURT, P.A.
Post Office Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel of record as indicated below via electronic mail this 18th day of June, 2014.

/s/ James Michael Walls
Attorney

Michael Lawson
Florida Public Service Commission Staff
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Phone: (850) 413-6199
Facsimile: (850) 413-6184
Email: mlawson@psc.state.fl.us

Charles Rehwinkel
Deputy Public Counsel
Erik Sayler
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
Email: rehwinkel.charles@leg.state.fl.us
Sayler.erik@leg.state.fl.us

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: (850) 681-8788
Email: jmoyle@moylelaw.com
kputnal@moylelaw.com

James W. Brew
F. Alvin Taylor
Brickfield Burchette Ritts & Stone, PC
1025 Thomas Jefferson St NW
8th FL West Tower
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807
Email: jbrew@bbrslaw.com
ataylor@bbrslaw.com

Robert Scheffel Wright
John T. LaVia, III
Gardner Law Firm
1300 Thomaswood Drive
Tallahassee, FL 32308
Phone: (850) 385-0070
Email: Schef@gbwlegal.com
Jlavia@gbwlegal.com

Marsha E. Rule
Rutledge Ecenia, P.A.
119 South Monroe St., Ste. 202
Tallahassee, FL 32301
Phone: (850) 681-6788
Fax: (850) 681-6515
Email: marsha@rutledge-ecenia.com

Gordon D. Polozola
General Counsel – South Central Region
NRG Energy, Inc.
112 Telly Street
New Roads, LA 70760
Phone: (225) 618-4084
Email: Gordon.Polozola@nrgenergy.com

Richard A. Zambo
Richard A. Zambo, P.A.
2336 S.E. Ocean Blvd., #309
Stuart, FL 34966
Phone: (772) 225-5400
Email: richzambo@aol.com