



Paul R. Kinny
Deputy General Counsel

Duke Energy Corporation
550 South Tryon Street
Charlotte, NC 28202

Mailing Address:
DEC45A / P.O. Box 1321
Charlotte, NC 28201

o: 980-373-6609
f: 980.373.8534

Paul.Kinny@duke-energy.com

May 15, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Regarding: Duke Energy Florida, Inc.;
Informational Filing with the 2015 Annual Update for the OATT Formula
Transmission Rate;
Docket No. ER09-1166-000

Dear Secretary Bose:

Duke Energy Florida, Inc. ("DEF")¹, hereby submits this informational filing with the Commission for DEF's 2015 Annual Update for its formula transmission rate under its Open Access Transmission tariff ("OATT").

Consistent with DEF's OATT Schedule 10-A.1 Formula Rate Implementation Protocols accepted by this Commission, **this informational filing should not be publicly noticed by the Commission in a notice of filing and the Commission does not need to accept or approve this informational filing.**² This filing is submitted to the Commission strictly for informational purposes only.

DEF commits to inform the Commission when the 2015 Annual Update procedures have concluded with its customers and the Commission may terminate the docket in this proceeding.

1. BACKGROUND

DEF, a wholly-owned subsidiary of Duke Energy Corporation, is an investor-owned utility engaged in the generation, transmission, distribution and sale of electric power to retail and wholesale customers in the State of Florida. DEF provides open access transmission

¹ DEF filed a Notice of Succession in Docket No. ER13-1358-000 notifying the Commission that it would be succeeding to all of the tariffs, rate schedules and service agreements of Florida Power Corporation effective April 29, 2013.

² See page 2 of this filing letter for a complete explanation as to why this informational filing should not be publicly noticed by the Commission in a notice of filing and the Commission does not need to accept or approve this informational filing.

services pursuant to a Joint OATT with Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, Inc. (“DEP”).³

On October 29, 2007 in Docket No. ER08-105-000, DEF submitted to the Commission an OATT formula transmission rate filing and settlement agreement with certain DEF customers that provided for a comprehensive and complete resolution of all issues in DEF’s OATT formula transmission rate filing. By letter order dated December 17, 2007, the Commission accepted the OATT formula transmission rate filing and settlement agreement for filing and granted the requested effective date of January 1, 2008.

The settlement agreement included OATT Schedule 10.1 (currently Schedule 10-A.1) Formula Rate Implementation Protocols (the “Protocols”) which describe the Annual Update procedures for DEF’s OATT formula transmission rate. According to these Protocols, by May 15th of each year (or if May 15th is not a business day, on the next business day after May 15th), DEF will calculate updated OATT formula transmission rates with the latest FERC Form No. 1 information, post the completed formula and updated rate on its OASIS, and file the information at the Commission as an informational filing (the “Annual Update”).⁴

Consistent with DEF’s Protocols, DEF’s informational filings for the Annual Update of the DEF OATT formula rate should not be noticed for filing and will not require action or an order by the Commission.⁵ In fact, Section 1(b)(ii) of the Protocols provides that if the Commission issues a notice of filing in response to the informational filing, the parties shall advise the Commission of the challenge process in the Protocols and seek an abeyance of the Commission proceeding to permit that challenge process to proceed. The Commission also has publicly recognized that the parties to this process have decided that the Annual Update should not be publicly noticed for filing.⁶

The Protocols include detailed procedures for customer review, data requests and dispute resolution concerning DEF’s Annual Updates.

2. THE INSTANT INFORMATIONAL FILING

In this 2015 Annual Update, DEF calculates the DEF OATT formula rates based on DEF’s latest FERC Form No. 1 data that reflect 2014 actual costs. These rates establish amounts

³ As a result of the merger of Duke Energy Corporation and Progress Energy, Inc. (“Progress Energy”), DEC, DEP, and DEF have a Joint OATT. The Joint OATT was submitted for filing in Docket No. ER12-1343-000. DEC is the designated filer of the Joint OATT. In Docket Nos. ER12-1345-002 and ER12-1346-002, Progress Energy filed certificates of concurrence for DEP and DEF to the Joint OATT.

⁴ See Section 1(b) of the Protocols.

⁵ Id.

⁶ See July 8, 2008 Letter Order in Florida Power Corporation, Docket No. ER08-959-000, at fn. 1 (“We note that this information filing was not published in the Federal Register, as the parties to the agreement decided that the annual update should not be noticed for filing. See Exhibit D, Section 1b (ii) of Schedule 10.1 of the Settlement Agreement.”).

that will be billed to customers for the period June 1, 2015 through May 31, 2016.⁷ These rates also are the basis for a true up of amounts billed to customers during the calendar year 2014 as follows. The amounts that were billed to customers during the calendar year 2014 will be compared to the rates calculated in this 2015 Annual Update based on 2014 actual costs; and the difference will be refunded to or charged to customers, as appropriate, with interest.⁸

Attachment 1 of this filing includes DEF's OATT formula rate template populated with the latest DEF FERC Form No. 1 data that reflects 2014 actual costs.

3. LIST OF PERSONS ON WHOM THIS FILING IS BEING SERVED

Pursuant to 18 C.F.R. § 385.2010(f)(i) of the Commission's Regulations, a copy of this filing is being served by electronic means to the Florida Public Service Commission ("FPSC"), the North Carolina Utilities Commission ("NCUC"), the Public Service Commission of South Carolina ("SCPSC"), and DEF's, DEP's and DEC's OATT transmission customers.⁹ Specifically, on the date of this filing, DEF will submit an e-mail that notifies the FPSC, the NCUC, the SCPSC, and DEF's, DEP's and DEC's OATT transmission customers that its informational filing (in pdf format) and a fully functioning Excel file of the 2015 Annual Update for the DEF OATT formula transmission rate is available on DEF's OASIS site at <http://www.oasis.oati.com/FPC/>.

4. MISCELLANEOUS

There are no costs included in this informational filing that have been alleged or adjudged in any administrative or judicial proceeding to be illegal, duplicative, or unnecessary costs, nor has any expense or cost been demonstrated to be the product of discriminatory employment practices.

⁷ See Section 1(a)(ii) of the Protocols.

⁸ See Section 1(a)(iii) of the Protocols.

⁹ Although this informational filing concerns the DEF OATT rate, DEF maintains a joint OATT with its affiliates DEP and DEC, and therefore it is required to serve this informational filing on DEF's OATT customers, DEC's OATT customers, and DEP's OATT customers.

5. COMMUNICATIONS

The following persons should receive communications regarding this filing:

Paul R. Kinny
Deputy General Counsel
Duke Energy Corporation
550 S. Tyron Street, Mail Code DEC45A
Charlotte, North Carolina 28202
Telephone: 980-373-6609
Facsimile: 980-373-8534
E-Mail: Paul.Kinny@duke-energy.com

Please direct any questions to the undersigned.

Very truly yours,

/s/

Paul R. Kinny
Deputy General Counsel
Counsel for Duke Energy Florida, Inc.