

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

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DOCKET NO. 20170272-EI

FILED: March 29, 2019

**DUKE ENERGY FLORIDA'S MOTION TO ABATE**

Duke Energy Florida, LLC (“DEF” or “the company”), pursuant to Rule 28-106.204, Florida Administrative Code, hereby moves the Commission to abate the remaining scheduled items in this docket, with the exception of the prehearing conference and hearing, and in support of this Motion states:

1. DEF, Office of Public Counsel (“OPC” or “Citizens”), the Florida Industrial Power Users Group (“FIPUG”), the Florida Retail Federation (“FRF”), and PCS Phosphate d/b/a White Springs Agricultural Chemicals, Inc. (“White Springs”), collectively referred to herein as “the Parties”, have reached an agreement in principle on a Storm Cost Settlement Agreement to resolve all issues in this proceeding and establish for Commission approval an amount of storm costs to be netted against DEF’s annual federal income tax savings as contemplated in the Amended Implementation Stipulation approved in this docket,<sup>1</sup> as well as to establish Storm Process Improvements the Company will implement going forward, with full implementation intended by the 2020 Hurricane Season (“the Agreement in Principle”). The Parties are working to finalize the Agreement in Principle into a Final Storm Cost Settlement Agreement for filing with the Commission.

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<sup>1</sup> Order No. PSC-2018-0103-PCO-EI issued February 26, 2018.

2. Pursuant to the Commission's Fourth Order Modifying Order Establishing Procedure,<sup>2</sup> the Commission established modified filing dates for: Intervenors' testimony and exhibits, Staff's testimony and exhibits, rebuttal testimony and exhibits, prehearing statements, and the discovery deadline. The Order did not alter the dates for the Prehearing Conference, Hearing, or filing of briefs.

3. As the Parties have an Agreement in Principle that is being worked in to a Storm Cost Settlement Agreement for filing with the Commission, the Parties believe the filings outlined above are unnecessary and therefore request the Commission Abate the remaining filing dates as modified by the Order. The Parties request the Commission maintain the Prehearing Conference and Hearing dates for consideration of the Storm Cost Settlement Agreement.

4. DEF is authorized to represent OPC and FRF support this Motion and FIPUG and PCS Phosphate take no position.

WHEREFORE, DEF respectfully moves the Commission to abate the schedule for the filing of further testimony in this proceeding for the reasons set forth above.

DATED this 29<sup>th</sup> day of March 2019.

Respectfully submitted,

*s/Matthew R. Bernier*

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<sup>2</sup> Order No. PSC-2019-0116-PCO-EI issued March 26, 2019.

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**CERTIFICATE OF SERVICE (Dkt. No. 20170272-EI)**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by electronic mail this 29<sup>th</sup> day of March, 2019, to all parties of record as indicated below.

*s/ Matthew R. Bernier*

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Attorney

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