

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Sumter Electric Cooperative and Duke Energy Florida, LLC for approval of a Territorial Agreement in Sumter, Lake, Marion, Levy, and Citrus Counties.

Docket No. 20200106

Submitted for filing:

March 27, 2020

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JOINT PETITION TO APPROVE TERRITORIAL AGREEMENT

Sumter Electric Cooperative, Inc. ("SECO") and Duke Energy Florida, LLC ("DEF") (collectively, the "Joint Petitioners"), pursuant to Section 366.04(2)(d), Fla. Stat., and Rule 25-6.0440, F.A.C., jointly petition the Florida Public Service Commission ("the Commission") for approval of a territorial agreement (the "Agreement") in Sumter, Lake, Marion, Levy, and Citrus counties.

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In support hereof, the Joint Petitioners represent as follows:

1. The Joint Petitioners are electric utilities organized under the laws of Florida and are subject to the regulatory jurisdiction of the Commission pursuant to Section 366.04(2), Fla. Stat. SECO's principal office is located in Sumterville, Florida. DEF's principal office is located in St. Petersburg, Florida.

2. For purposes of this Joint Petition, the contact information of the Joint Petitioners shall be that of their respective undersigned attorneys, and all

pleadings, notices, and other communications in this matter should be served on the Joint Petitioners' undersigned attorneys.

3. To best avoid duplication of services and wasteful expenditures as well as to best protect the public health and safety from potentially hazardous conditions, the Joint Petitioners have negotiated the proposed Agreement delineating their respective service boundaries in Sumter, Lake, Marion, Levy, and Citrus counties. The Agreement is attached hereto as Attachment 1 along with accompanying maps and written descriptions delineating the territorial boundaries to which the Joint Petitioners have agreed. The modified territorial boundaries are depicted in the Territorial Boundary maps attached in Exhibit A and a written description of the territorial boundaries are included in Exhibit B as required by Rule 25-6.0440(1)(a), F.A.C. This proposed Agreement has been negotiated for a term of 20 years. After expiration of the twenty (20) year term provided therein, the Agreement shall remain in effect thereafter unless either Party provides written notice of Termination at least 12 months prior to termination of the Agreement.

4. The Joint Petitioners will work to complete all planned transfers of Temporary Service Customers and related service facilities as sound engineering, customer growth and development, and other economic considerations allow. The Joint Petitioners will provide an annual update to the Commission on the status and progress of customer transfers.

5. In this Agreement, 546 Temporary Service Customers are being

transferred from DEF to SECO (103 commercial, and 443 residential) and 49 customers are being transferred from SECO to DEF (28 commercial, 20 residential and 1 industrial).

6. Prior to the filing of this Joint Petition, in accordance with Rule 25-6.0440(1)(d), F.A.C., the affected customers subject to transfer were sent written notification of this proposed Agreement. Sample copies of the letters providing such notification are attached as Exhibit E. As of the date of this filing, only two SECO customers have indicated that they object to being transferred to DEF; both customers indicated that after this Petition was filed that they would contact the Commission directly regarding their objections. If any other responses are ultimately received, the Joint Petitioners shall inform the Commission by a supplemental filing.

7. The Commission has long recognized that properly constructed territorial agreements between adjacent utilities are in the public interest. The Agreement will avoid duplication of services and wasteful expenditures, as well as protect the public health and safety from potentially hazardous conditions. For these reasons, the Joint Petitioners believe and, therefore, represent that the Commission's approval of the Agreement is in the public interest.

WHEREFORE, SECO and DEF respectfully request that the Commission grant this Joint Petition and approve the Agreement.

Respectfully submitted,

s/Matthew R. Bernier

/s/ Floyd R. Self

Dianne M. Triplett, Esq.
Deputy General Counsel
Duke Energy Florida
Post Office Box 14042
St. Petersburg, Florida 33733-4042
Telephone: 727-820-4692 Facsimile:
727-820-5249
Email: dianne.triplett@duke-energy.com

Floyd R. Self, B.C.S.
Berger Singerman, LLP
313 North Monroe Street
Suite 301
Tallahassee, Florida 32301
Telephone: 850-521-6727
Facsimile: 850-561-3013
Email: fself@bergersingerman.com

Matthew R. Bernier, Esq.
Associate General Counsel
Duke Energy Florida
106 E. College Ave., Suite 800
Tallahassee, Florida 32301
Telephone: 850.521.1428 Facsimile:
850.521.1437
Email: matthew.bernier@duke-energy.com

Scott A. Gerken, Esq.
Stone & Gerken, P.A.
4850 N. Highway 19A
Mount Dora, FL 32757
Telephone: (352) 357-0330
Email: scott@stoneandgerken.com

Attorneys for Duke Energy
Florida, LLC

Attorneys for Sumter Electric
Cooperative, Inc.