

153 FERC ¶ 61,107
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

October 29, 2015

In Reply Refer To:
Duke Energy Progress, LLC
Duke Energy Florida, LLC
Duke Energy Carolinas, LLC
Docket Nos. ER15-2567-000
ER15-2568-000
ER15-2569-000

Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Attention: Ms. Jennifer L. Key, Esq.
Attorney for Duke Energy Corporation

Dear Ms. Key:

1. On August 31, 2015, you filed on behalf of Duke Energy Progress, LLC (Duke Energy Progress), Duke Energy Florida, LLC (Duke Energy Florida) and Duke Energy Carolinas, LLC (Duke Energy Carolinas) (collectively, Duke Energy) a Notice of Succession and tariff amendments.¹ You state that due to a conversion from a corporation to a limited liability company, Duke Energy Progress and Duke Energy Florida each changed their names. You also state that Duke Energy Progress and Duke Energy Florida have already changed their corporate registrations to reflect the new names. You further state that Duke Energy Progress will be succeeding to all of the tariffs, rate schedules and service agreements of Duke Energy Progress, Inc. and Duke Energy Florida will be succeeding to all of the tariffs, rate schedules and service agreements of Duke Energy Florida, Inc. In addition, you state that Duke Energy Carolinas is filing, under section 205 of the Federal Power Act,² revisions to Duke Energy's Joint Open Access Transmission Tariff (OATT) to reflect the above mentioned name changes.

2. In the filings, Duke Energy Progress and Duke Energy Florida request waiver of the Commission's notice of succession requirements, which require them to update the

¹ See Appendix A.

² 16 U.S.C. § 824d (2012).

utility names reflected on Duke Energy Progress' and Duke Energy Florida's existing tariffs, rate schedules, and service agreements on file with the Commission within 30 days of any name changes.³ You state that in the current filing, Duke Energy submitted relevant sections of the Joint OATT, which are contained in the Duke Energy Carolinas' tariff database, to reflect the relevant companies' new names. You also state that, as to the remaining documents, Duke Energy Progress and Duke Energy Florida request an extension until December 31, 2015 to complete the administrative task of changing their names on the remaining documents. You further explain that this delay will not cause confusion because the new names are nearly identical to the old names. In addition, you state that Duke Energy has taken steps through customer outreach to prevent confusion. You note that Duke Energy Progress and Duke Energy Florida expect that they will submit the various filed tariff documents in batches over the next several months.

3. Notices of the filings in Docket Nos. ER15-2567-000, ER15-2568-000 and ER15-2569-000 were published in the *Federal Register*, 80 Fed. Reg. 56,979 (2015), with interventions and protests due on or before September 21, 2015. None was filed.

4. We accept Duke Energy's filings, to become effective November 1, 2015, as requested. For good cause shown, we also grant Duke Energy's request for waiver of the Commission's notice of succession requirements pursuant to section 35.16 of the Commission's regulations until December 31, 2015, as requested.⁴ We note that no parties intervened to oppose the request or to challenge Duke Energy's assertions.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ 18 C.F.R. § 35.16 (2015).

⁴ *Id.*

Appendix A

Duke Energy Progress, LLC, Tariffs, Rate Schedules and Service Agreements

Section Title
<u>Joint OATT, Concurrence for Joint OATT, 3.0.0</u>
<u>Tariff Volume No. 4, Market Based Rates Tariff, MBR, Long Form, 5.0.0</u>
<u>Tariff Volume No. 5, Market Based Rates Tariff, MBR, Short Form, 5.0.0</u>
<u>Tariff Volume No. 6, Cost-Based Rates Tariff, CBR, 2.0.0</u>
<u>Tariff Volume No. 7, Market Based Rates Tariff, MBR, EEI Version, 5.0.0</u>

Duke Energy Florida, LLC, Tariffs, Rate Schedules and Service Agreements

Section Title
<u>Electric Tariff No. 1, All Requirements Resale Service, 5.0.0</u>
<u>Joint OATT, Concurrence for Joint OATT, 3.0.0</u>
<u>Electric Tariff No. 8, Market-Based Rates Tariff, MBR, Long Form, 4.0.0</u>
<u>Electric Tariff No. 9, Cost-Based Rates Tariff, CBR, 3.0.0</u>
<u>Electric Tariff No. 10, Market-Based Rates Tariff, MBR, EEI, 4.0.0</u>

Duke Energy Carolinas, LLC, Tariffs, Rate Schedules and Service Agreements

Section Title
<u>Tariff Volume No. 4, Open Access Transmission Tariff, 7.0.0</u>
<u>1, Definitions, 9.0.0</u>
<u>Attachment A, SA for Firm PTP Transmission Service, 5.0.0</u>
<u>Attachment B, SA for Non-Firm PTP Transmission Service, 5.0.0</u>
<u>Attachment F-1, Service Agreement for NITS (DEP Zone and DEF Zone), 4.0.0</u>
<u>Attachment H.1 to H.3, Formula Rate DEP, 6.0.0</u>
<u>Attachment N-1, Transmission Planning Process (DEP Zone and DEC Zone), 10.0.0</u>
<u>Attachment R, Form of Service Agreement for NCD Transmission Service, 4.0.0</u>