

143 FERC ¶ 61,270
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 25, 2013

In Reply Refer To:
Duke Energy Progress, Inc.
Duke Energy Florida, Inc.
Docket Nos. ER13-1357-000
ER13-1358-000

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

Attention: Ms. Jennifer L. Key
Attorney for Duke Energy Progress, Inc. and Duke Energy Florida, Inc.

Dear Ms. Key:

1. On April 29, 2013, you filed on behalf of Duke Energy Progress, Inc. (DEP) and Duke Energy Florida, Inc. (DEF) (collectively, Duke Energy), Notices of Succession to reflect Carolina Power & Light Company's (CP&L) succession to DEP and Florida Power Corp.'s (FPC) succession to DEF. You state that these successions are a result of the merger of Duke Energy Corporation into Progress Energy, Inc., which closed July 2, 2012.¹
2. You also filed baseline electronic tariff filings to establish new eTariff databases for DEP² and DEF.³ You state that these filings establish tariff identifiers for DEP's and DEF's future electronic filings.

¹ The Commission conditionally approved the merger in an order dated September 30, 2011. *See Duke Energy Corp. and Progress Energy, Inc.*, 136 FERC ¶ 61,245, *order on compliance*, 137 FERC ¶ 61,210 (2011), *order on further compliance* 139 FERC ¶ 61,194 (2012).

² Duke Energy Progress, Inc., FERC FPA Electric Tariff, Tariffs, Rate Schedules and Service Agreements [Folder 1, Tariffs, 0.0.0](#), [Folder 2, Rate Schedules, 0.0.0](#), and [Folder 3, Service Agreements, 0.0.0](#).

³ Duke Energy Florida, Inc., FERC FPA Electric Tariff, Tariffs, Rate Schedules and Service Agreements, [Tariffs, Folder 1, 0.0.0](#), [Rate Schedules, Folder 2, 0.0.0](#), and [Service Agreements, Folder 3, 0.0.0](#).

3. In the filings, you request waiver of the Commission's notice of succession requirements which require updates to the utility name reflected on Duke Energy's existing tariffs, rate schedules, and service agreements on file with the Commission within thirty days of the name changes.⁴ You explain that DEP and DEF must update a large number of tariffs, rate schedules, and nonconforming service agreements that are on file with the Commission and will do so by submitting the various filed tariff documents in batches over the next several months. You request that Duke Energy be allowed until October 29, 2013 to submit these documents to reflect the name changes of CP&L and FPC to DEP and DEF, respectively, and state that the extension is needed because of the complexity and burden of the task. You also explain that as a result of the change in Company Registration, both DEP and DEF will each open a single new Tariff database to replace CP&L's four Tariff databases and FPC's four Tariff databases.

4. Notices of the filings in Docket Nos. ER13-1357-000 and ER13-1358-000 were published in the *Federal Register*, 78 Fed. Reg. 26,348 (2013), with interventions and protests due on or before May 20, 2013. No interventions or protests were filed.

5. We accept Duke Energy's filings, effective April 29, 2013, as requested. 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 October 29, 2013, as requested.⁵ We find that Duke Energy has shown good cause for its request. We note that no parties intervened to oppose the request or to challenge Duke Energy's assertions.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁴ 18 C.F.R. § 35.16 (2012).

⁵ *Id.*