

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Duke Energy Florida, LLC's request for confidential treatment of certain information contained in report entitled review of physical security protection of utility substations and control centers.

DOCKET NO. 20140235-EI  
ORDER NO. PSC-2019-0184-CFO-EI  
ISSUED: May 23, 2019

ORDER GRANTING DUKE ENERGY FLORIDA LLC'S  
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
(DOCUMENT NO. 06533-2014)

On February 14, 2019, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Duke Energy Florida LLC (DEF) filed its Request for Extension of Confidential Classification (Request) for information contained in the Florida Public Service Commission (Commission) Staff's Review of Physical Security Protection of Utility Substations and Control Centers Audit Report No. PA14-05-003 and Commission Staff Auditor's Workpapers in Docket No. 20140235-EI. Specifically, DEF seeks extended confidential classification of certain information in Document No. 06533-2014.

Request for Confidential Classification

DEF's original request for confidential treatment of information was granted by Order No. PSC-2015-0105-CFO-EI, issued on February 16, 2015. DEF asserts that of the information that was subject of Order No. PSC-2015-0105-CFO-EI warrants continued treatment as proprietary and confidential business information.

DEF contends that Document No. 06533-2014 contains physical security information that continues to constitute "proprietary and confidential business information" entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. DEF states that this information is intended to be and is treated by DEF as private and has not been publicly disclosed.

Ruling

Section 366.093(1), F.S., provides that records the Commission has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. Section 366.093(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

- (c) Security measures, systems, or procedures

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 366.093(3), F.S., for classification as proprietary confidential business information. The information described above and in DEF's Request appears to contain information concerning security measures, systems, or procedures. Thus, the information identified in Document No. 06533-2014 shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order.

Based on the foregoing, it is hereby

ORDERED by Commissioner Julie I. Brown, as Prehearing Officer, that Duke Energy Florida LLC's Request for Extension Confidential Classification of Document No. 06533-2014 is granted. It is further

ORDERED that the information in Document No. 06533-2014, for which confidential classification has been granted, shall remain protected from disclosure for a period of up to 18 months from the date of issuance of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein. It is further

ORDERED that this docket shall be closed.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 23rd day of May, 2019.



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JULIE I. BROWN  
Commissioner and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.