

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor

Docket No. 130001-EI

Dated: October 1, 2013

COMMISSION
CLERK

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**DUKE ENERGY FLORIDA INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. ("DEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in response to White Springs Agricultural Chemicals, Inc., d/b/a PCS Phosphate's ("White Springs") First Request for Production of Documents (No. 1) propounded on DEF. In support of this Request, DEF states:

1. In response to White Springs' First Request for Production of Documents (No. 1), DEF has provided responses containing information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all the documents for which DEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the confidential information is highlighted by yellow marker.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

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(c) Exhibit C is a table which identifies by page and line the information for which DEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

(d) Exhibit D is an affidavit attesting to the confidential information identified in this request.

3. As indicated in Exhibit C, the information for which DEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to DEF’s projected load information and projected marginal fuel costs at various load levels. *See* § 366.093(3)(d), F.S.; Affidavit of Matthew J. Jones at ¶ 4. Furthermore, the information at issue relates to the competitive interests of DEF and its fuel suppliers, the disclosure of which would impair their competitive businesses. If such information was disclosed to DEF’s competitors or to other counterparties, DEF’s ability to obtain competitive purchase/sale agreements that provide economic value to both DEF and its ratepayers could be compromised by DEF’s competitors and contracting partners changing their selling or purchasing behavior within the relevant markets. *See* § 366.093(3)(e); Affidavit of Matthew J. Jones at ¶ 4. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

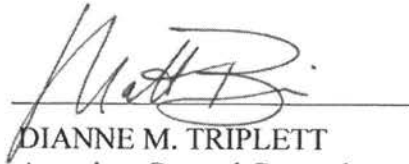
4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Matthew J. Jones at ¶ 5. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See id.*

5. DEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S.,

that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this Request for Confidential Classification be granted.

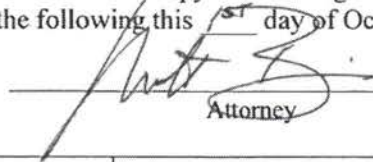
RESPECTFULLY SUBMITTED this 1st day of October, 2013.



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DUKE ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail (* via hand delivery) to the following this 5th day of October, 2013.



Attorney

<p>Martha Barrera, Esq. * Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 mbarrera@psc.state.fl.us</p> <p>James D. Beasley, Esq. Jeffry Wahlen, Esq. Ausley & McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com</p> <p>John T. Butler, Esq. Florida Power & Light Co. 700 Universe Boulevard Juno Beach, FL 33408 John.butler@fpl.com</p> <p>Ken Hoffman Florida Power & Light 215 S. Monroe Street, Ste. 810 Tallahassee, FL 32301-1859 Ken.hoffman@fpl.com</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs & Lane Law Firm P.O. Box 12950 Pensacola, FL 32591 jas@beggslane.com rab@beggslane.com srg@beggslane.com</p> <p>Ms. Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p> <p>Mr. Robert L. McGee Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com</p>	<p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 S. Monroe St., Ste 618 Tallahassee, FL 32301 bkeating@gunster.com</p> <p>J.R.Kelly/Charles Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399 Kelly.jr@leg.state.fl.us Rehwinkel.charles@leg.state.fl.us</p> <p>Curtis Young/Cheryl Martin Florida Public Utilities Company P.O. Box 3395 West Palm Beach, FL 33402-3395 cyoung@fpuc.com</p> <p>James W. Brew, Esq. c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW 8th Floor, West Tower Washington, DC 20007 jbrew@bbrslaw.com</p> <p>Moyle Law Firm Jon C. Moyle, Jr. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com</p> <p>Florida Retail Federation Robert Scheffel Wright/John T. LaVia, c/o Gardner, Bist, Wiener Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com</p>
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Exhibit A

“CONFIDENTIAL”

Exhibit B

REDACTED

130001 E1
DEF's Exhibit B in
Response to Pcs 151 Pcs

Filed October 1, 2013

130001 E1
DEF's Exhibit B in
Response to Pcs 151 Pcs

Filed October 1, 2013

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
DEF Response to White Springs' First Request for Production of Documents (No. 1)	Bates Nos. Exhibit A-2 (hourly marginal cost) PEF13FL000063 thru PEF13FL001027 and Exhibit A-3 (hour load factors) PEF13FL001028 thru PEF13FL001921.	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair DEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor

Docket No. 130001-EI

Dated: October 2, 2013

**AFFIDAVIT OF MATTHEW J. JONES IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Matthew J. Jones who being first duly sworn, on oath deposes and says that:

1. My name is Matthew J. Jones. I am over the age of 18 years old and I have been authorized by Duke Energy Florida (hereinafter "DEF" or the "Company") to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's Request for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am employed by Duke Energy as Director of Analytics for Fuels and Systems Optimization. As Director of Analytics for Fuels and Systems Optimization, I oversee the analysis and modeling of energy portfolios for DEF, as well as Duke Energy Progress, Inc., Duke Energy Carolinas, Inc., Duke Energy Indiana, Inc., and Duke Energy Kentucky, Inc. These responsibilities include oversight of planning and coordination associated with economic system operations, including production cost modeling, outage

coordination, dispatch pricing, fuel burn forecasting, position analysis, and commodities analytics.

3. DEF is seeking confidential classification for portions of the information provided in response to White Springs Agricultural Chemicals, Inc., d/b/a PCS Phosphate's ("White Springs") First Request for Production. A detailed description of the confidential information at issue is contained in confidential Exhibit A to DEF's Request and is outlined in DEF's Justification Matrix that is attached to DEF's Request as Exhibit C. DEF is requesting confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms.

4. The confidential information at issue includes DEF's projected load information and projected marginal fuel costs at various load levels. DEF negotiates with third parties to perform long-term, short-term, and real-time power purchases/sales that provide economic value to DEF and its ratepayers. The disclosure of the confidential information at issue could adversely impact DEF's competitive business interests and ability to negotiate favorable contracts. If such information was disclosed to DEF's competitors or to other counterparties, DEF's ability to obtain competitive purchase/sale agreements that provide economic value to both DEF and its ratepayers could be compromised by DEF's competitors and contracting partners changing their selling or purchasing behavior within the relevant markets.

5. Upon receipt of confidential information strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the

information to assist the Company, and restricting the number of, and access to the information and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information and contracts at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this 25th day of September, 2013.



(Signature)

Matthew J. Jones
Director of Analytics
Fuels and Systems Optimization Department
Duke Energy
526 South Church Street
Charlotte, NC. 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 25 day of Sept, 2013 by Matthew J. Jones. He is personally known to me, or has produced his N/A driver's license, or his N/A as identification.



(Signature)

Rita G. Kale

(Printed Name)

NOTARY PUBLIC, STATE OF NC

6/17/2017

(Commission Expiration Date)

(Serial Number, If Any)