

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, Inc.,
to Modify Scope of Existing Environmental
Compliance Program.

Docket No. 130301-EI
Dated: February 10, 2014

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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 contained in DEF's Crystal River South (Units 1 and 2) Environmental Compliance Study ("Compliance Study"). In support of this Request, DEF states:

1. The Compliance Study contains "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 an unredacted copy of the Compliance Study for which DEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The

COM	_____
AFD	1
APA	1
ECO	1
ENG	3
GCL	1
IDM	_____
TEL	_____
CLK	_____

specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(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 nature of 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 Compliance Report contains information that relates to sensitive business information, such as internal budget amounts for specific portions of the Crystal River South Environmental Compliance Plan for which the Company has yet to enter contracts. Public disclosure of this information would impair the Company’s efforts to negotiate contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Jeffrey R. Swartz at ¶ 5. Furthermore, the information at issue relates to the competitive interests of DEF, the disclosure of which would impair DEF’s competitive business. *See* § 366.093(3)(e), F.S.; Affidavit of Jeffrey R. Swartz at ¶ 6. 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 Jeffrey R. Swartz at ¶ 7. The confidential information contained in the Compliance Study has not been disclosed to the public, and the

Company has treated and continues to treat the information at issue as confidential. See Affidavit of Jeffrey R. Swartz at ¶ 7.

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 10th day of February, 2014.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 10th day of February, 2014.



Attorney

<p>Charles Murphy, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us</p>	<p>Gary V. Perko Hopping Green & Sams P.O. Box 6526 Tallahassee, FL 32314 gperko@hgslaw.com</p>
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Exhibit A

(Compliance Study)

“CONFIDENTIAL”

This page does not
include confidential
information. Exh A
(the actual confidential
materials) were filed
separately. 2/10/14
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Exhibit B

(Compliance Study)

REDACTED

COM _____

AFD _____

APA _____

ECO _____

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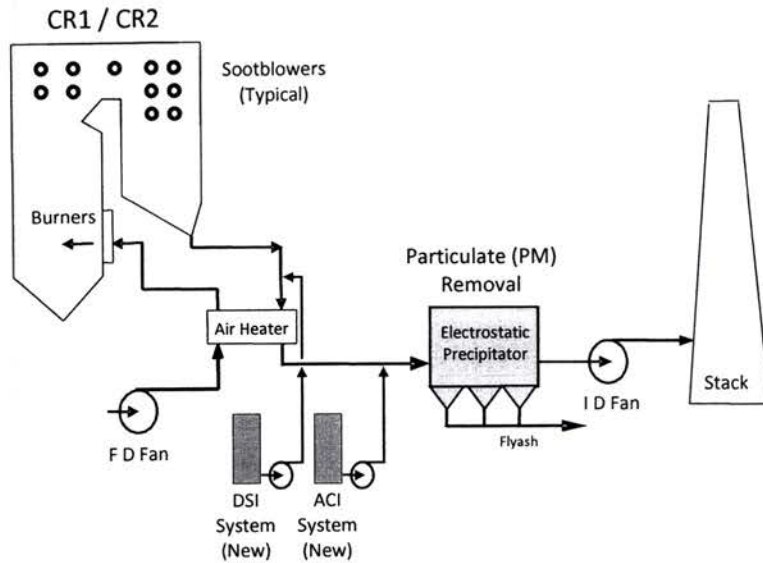
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Figure 5-1. Proposed Boiler and Emission Control Systems Configuration



Plant Systems: Additional plant systems projects have been incorporated in the compliance plan to ensure that performance of the fuel handling systems, boiler systems, related combustion systems and plant controls support the operating configurations required for compliance. The projected costs for the planned projects is included below in Table 5.1, and a current list of these planned projects is included in Appendix B. The project planning process and additional performance analysis and testing may also reveal additional projects or adjustments to the current planned projects that are required to ensure compliance.

Table 5-1. CR South Compliance Projects Summary

CR South Compliance Projects Summary

- Reagent Systems
- ESP Projects
- Plant Systems Compliance Projects
- CR South Testing and Regulatory Support

Total

Total Project Costs (\$ Million)	
\$	REDACTED
\$	REDACTED
\$	REDACTED
\$	REDACTED
\$	28.0

REDACTED

PROJECT TIMELINES

Implementation schedules are being developed for each of the projects, based on planned unit outages and material procurement. The implementation schedules will also accommodate additional operational testing and system tuning to ensure that plant performance meets the new compliance limits.

B CR South Compliance Projects Summary

The following list summarizes the CR South compliance projects and preliminary cost estimates for the limited continued period of operations. The specific projects and cost estimates have been updated since the original planning analysis was performed, so there are some differences, but the overall project costs and performance estimates are similar and are still reasonable for planning purposes. Project cost estimates will be updated as the projects develop and are subject to change as scope and timing are refined.

		Total Project Costs (\$ Million)
Reagent Systems		
Dry Sorbent Injection (DSI) Systems Projects		
Activated Carbon Injection (ACI) Systems Projects		
ESP Projects		
Flue Gas Redistribution		
High Frequency Power Supplies		
Hopper High Level Indicators & Hopper Vibrators		
High Voltage Rapper Connections Project		
Rapper Testing, Adjustments and Optimization		
Additional Flow Baffles		
Recommission Last 3 Fields of CR2 Old A/B ESP		
Precipitator Ash Conditioning (Secondary)		
Plant Systems Compliance Projects		
CO Monitors		
Economizer Soot Cleaning (Secondary)		
Combustion Optimization Project		
ID Fan Flue Gas Flow Bias Project		
Plant Controls for ESP Data Acquisition		
Appendix K Sorbent Trap Systems		
PM CEMS for Particulate Monitoring		
Unspecified Plant Projects		
Fuel & Ash Handling Systems		
CR South Testing and Regulatory Support		
MATS Related Plant Testing (ECRC)		
MATS Compliance Procedure & CEMS Software		
MATS Work Practice Standards		

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CR South Compliance Projects Summary

Reagent Systems
 ESP Projects
 Plant Systems Compliance Projects
 CR South Testing and Regulatory Support

		Total Project Costs (\$ Million)
	\$	
	\$	
	\$	
	\$	
Total	\$	28.0

**DUKE ENERGY FLORIDA
Confidentiality Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>DEF's Crystal River South (Units 1 and 2) Environmental Compliance Study</p>	<p>Page 18: breakdown of the Total Project Costs into component parts (confidential portion) of the Compliance Projects Summary.</p> <p>Page 21: Itemized breakdown of component parts of total project cost estimates (confidential portion).</p>	<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

**AFFIDAVIT OF
JEFFREY R. SWARTZ**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, Inc.
to Modify Scope of Existing
Environmental Compliance Program

Docket No. 130301-EI

Dated: February 10, 2014

**AFFIDAVIT OF JEFFREY R. SWARTZ IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Jeffrey R. Swartz. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, Inc. (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 facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President of Power Generation Operations Florida within the Power Generation Operations Department. This department is responsible for operating and maintaining DEF's non-nuclear generation fleet.

3. As the Vice President of Power Generation Operations Florida, I am responsible, along with the other members of the section, for developing and implementing strategic and tactical plans to operate and maintain DEF's non-nuclear

generation fleet; recommending projects and additions to the generation fleet; major maintenance programs; outage and project management; recommending retirement of generation facilities; asset allocation; workforce planning and staffing; organizational alignment and design; continuous business improvements; retention and inclusion; succession planning; overseeing hundreds of employees and hundreds of millions of dollars in assets and capital and operating budgets.

4. DEF is seeking confidential classification for portions of its Responses to Staff's First Data Request (Nos. 1-33), specifically, for project cost information contained in DEF's Crystal River South (Units 1 and 2) Environmental Compliance Study ("Compliance Study"). A detailed description of the confidential information at issue is contained in confidential Revised Exhibit A to DEF's Request for Confidential Classification and is outlined in DEF's Justification Matrix that is attached to DEF's Request for Confidential Classification as Exhibit C. DEF is requesting confidential classification of this information because it contains competitive confidential business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms.

5. DEF negotiates with potential suppliers to obtain competitive contracts for goods and services that provide economic value and system reliability to DEF and its customers. In order to obtain such contracts, however, DEF must be able to keep confidential DEF's projected budget information. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed the confidential budget information. Absent such measures, suppliers, vendors, and other

parties with whom DEF would seek to contract would be able to adjust their bids to artificially comport with the Company's budget.

6. Thus, the disclosure of the confidential information in DEF's Compliance Study could adversely impact DEF's competitive business interests by negatively impacting DEF's ability to secure contracts on favorable terms to the detriment of the Company and its customers.

7. Upon receipt of confidential information, and with its own 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 or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 7th day of February, 2014.

Jeffrey R. Swartz
Jeffrey R. Swartz
Vice President-Power Generation Operations FL
Duke Energy Florida
299 1st Avenue North
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 7th day of February, 2014 by Jeffrey R. Swartz. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(AFFIX NOTARIAL SEAL)

Rene T. Meade
(Signature)
Rene T. Meade
(Printed Name)
NOTARY PUBLIC, STATE OF FLORIDA
OCT. 22, 2017
(Commission Expiration Date)
FF 030607
(Serial Number, If Any)