



Matthew R. Bernier  
Sr. Counsel  
Duke Energy Florida, Inc.

June 2, 2014

VIA OVERNIGHT MAIL

Ms. Carlotta Stauffer, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

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14 JUN -2 AM 10:05  
COMMISSION  
CLERK

**REDACTED**

Re: Commission Review of Numeric Conservation Goals (Duke Energy Florida, Inc.);  
Docket No. 130200-EI

Dear Ms. Stauffer:

Please find enclosed for filing on behalf of Duke Energy Florida, Inc. ("DEF"), an original and <sup>0 copies - cec</sup> (7) copies of DEF's Request for Confidential Classification in connection with DEF's Response to Staff's Second Set of Interrogatories (Nos. 29-72), specifically 2-32. The original includes Attachments A, B, C and D.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing.

Respectfully,

*Matthew R. Bernier /cc*  
Matthew R. Bernier

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG Redacted Ex.B
- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

MRB/at  
Enclosures

cc: Certificate of Service

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission review of numeric

DOCKET NO. 130200-EI

Conservation goals (Duke Energy Florida, Inc.)

Filed: June 2, 2014

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

Duke Energy Florida ("DEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006, Florida Administrative Code, submits this Request for Confidential Classification for certain information contained in DEF's Response to Staff's Second Set of Interrogatories (Nos. 29-72). Specifically, portions of the documents responsive to Interrogatory 2-32 contain confidential business information relating to DEF's revenue and rate projections for future years. In support of this Request, DEF states:

1. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unredacted copy of documents responsive to Staff's Second Set of Interrogatories (Nos. 29-72) 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 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, portions of the documents responsive to Staff’s Request No. 32 contain sensitive business information such as analyses of revenues and basis point impacts, the disclosure of which would adversely impact DEF’s competitive business interests. *See* § 366.093(3)(e), F.S.; Affidavit of Timothy J. Duff at ¶ 5. 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 Timothy J. Duff at ¶ 6. The information contained in portions of the documents responsive to Staff’s 2nd Set of Interrogatories (Nos. 29-72), specifically relating to DEF’s revenues and rate projections, 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 Timothy J. Duff at ¶ 6.

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 2nd day of June, 2014.



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Attorneys for Duke Energy Florida, Inc.

**CERTIFICATE OF SERVICE**

Docket No.: 130200-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on the following via electronic mail this 2nd day of June, 2014.

  
Attorney

<p>Lee Eng Tan Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:ltan@psc.state.fl.us">ltan@psc.state.fl.us</a> <a href="mailto:cmurphy@psc.state.fl.us">cmurphy@psc.state.fl.us</a> <a href="mailto:shopkins@psc.state.fl.us">shopkins@psc.state.fl.us</a></p> <p>Alisa Coe/David Guest Earthjustice 111 S. Martin Luther King Jr. Blvd. Tallahassee, FL 32301 <a href="mailto:acoe@earthjustice.org">acoe@earthjustice.org</a> <a href="mailto:dguest@earthjustice.org">dguest@earthjustice.org</a> <a href="mailto:bbeard@earthjustice.org">bbeard@earthjustice.org</a></p> <p>Steven L. Hall, Senior Attorney Office of General Counsel 407 South Calhoun Street, Suite 520 Tallahassee, FL 32399 <a href="mailto:steven.hall@FreshFromFlorida.com">steven.hall@FreshFromFlorida.com</a></p> <p>Jon C. Moyle, Jr. / Karen Putnal Moyle Law Firm, P.A. 118 N. Gadsden Street Tallahassee, FL 32301 <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a> <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p> <p>Robert Scheffel Wright/John T. LaVia Gardner, Bist, Wiener, Wadsworth, Bodwden, Bush, Dee, LaVia &amp; Wright, P.A. 1300 Thomaswood Drive Tallahassee, FL 32308 <a href="mailto:schef@gbwlegal.com">schef@gbwlegal.com</a></p>	<p><u>George Cavros</u> <u>Southern Alliance for Clean Energy</u> <u>120 E. Oakland Park Blvd., Suite 105</u> <u>Ft. Lauderdale, FL 33334</u> <u><a href="mailto:george@cavros-law.com">george@cavros-law.com</a></u></p> <p>John Butler/Jessica Cano 700 Universe Blvd Juno Beach, FL 33408 <a href="mailto:john.butler@FPL.com">john.butler@FPL.com</a> <a href="mailto:jessica.cano@FPL.com">jessica.cano@FPL.com</a></p> <p>J. Beasley/J. Wahlen/A. Daniels Ausley McMullen Post Office Box 391 Tallahassee, FL 32302 <a href="mailto:jbeasley@ausley.com">jbeasley@ausley.com</a> <a href="mailto:jwahlen@ausley.com">jwahlen@ausley.com</a> <a href="mailto:adaniels@ausley.com">adaniels@ausley.com</a></p> <p>Jeffrey A. Stone/ Russell A. Badders Steven R. Griffin Beggs &amp; Lane Gulf Power P.O. Box 12950 Pensacola, FL 32591 <a href="mailto:srg@beggslane.com">srg@beggslane.com</a> <a href="mailto:jas@beggslane.com">jas@beggslane.com</a> <a href="mailto:rab@beggslane.com">rab@beggslane.com</a></p> <p>Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, FL 32520 <a href="mailto:rlmcgee@southernco.com">rlmcgee@southernco.com</a></p>
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# **Exhibit A**

**“CONFIDENTIAL”**

**REDACTED**

## **Exhibit B**

**REDACTED**



**Staff ROG 2-32**

Basis Point Impact on Retail ROE

TRC Achievable Potential		
Year	Lost Revenues <sup>(1)</sup> (\$)	Basis Point Impact <sup>(2)</sup>
2015		
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		

**REDACTED**

(1): Total Lost Revenue for each year is a function of the cumulative energy savings over the course of the planning period and does not contemplate a rate case during this period.

(2): Basis Point Impact based on Adjusted Retail Common Equity in Earnings Surveillance Report for the 12 months ended February 28, 2014.

**Staff ROG 2-32**

Basis Point Impact on Retail ROE

TRC Achievable Potential		
Year	Lost Revenues <sup>(1)</sup> (\$)	Basis Point Impact <sup>(2)</sup>
2015		
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		

**REDACTED**

(1): Total Lost Revenue for each year is a function of the cumulative energy savings over the course of the planning period and does not contemplate a rate case during this period.

(2): Basis Point Impact based on Adjusted Retail Common Equity in Earnings Surveillance Report for the 12 months ended February 28, 2014.

**Exhibit C**

**DUKE ENERGY FLORIDA  
Confidentiality Justification Matrix**

<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<b>DEF's Response to Staff's 2<sup>nd</sup> Set of Interrogatories (Nos. 29-72)</b>	<b>DEF-DSM-04930: Itemized breakdown of lost revenues and associated basis point impact for the TRC Achievable Potential for the years 2015 through 2024 (confidential portion).</b>  <b>DEF-DSM-04931: Itemized breakdown of lost revenues and associated basis point impact for the RIM Achievable Potential for the years 2015 through 2024 (confidential portion).</b>	<b>§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.</b>

# **Exhibit D**

## **AFFIDAVIT OF TIMOTHY J. DUFF**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Commission review of numeric

DOCKET NO. 130200-EI

Conservation goals (Duke Energy Florida, Inc.)

Filed: June 2, 2014

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**AFFIDAVIT OF TIMOTHY J. DUFF 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 Timothy J. Duff, who being first duly sworn, on oath deposes and says that:

1. My name is Timothy J. Duff. 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 General Manager of Customer Regulatory Strategy & Analytics within the Customer Planning & Analytics Department. This department is responsible for regulatory planning, support and compliance of the Company's Demand-Side Management (DSM) programs.

3. As the General Manager of Customer Regulatory Strategy & Analytics, I am responsible, along with the other members of the section, for the support for development, implementation, training, and budgeting related to the Demand-Side Management Programs.

4. DEF is seeking confidential classification for portions of its Response to Staff's Second Set of Interrogatories (Nos. 29-72). A detailed description of the confidential information at issue is contained and outlined in DEF's Justification Matrix that is attached to DEF's Request for Confidential Classification as Exhibit C.

5. DEF is requesting confidential classification of portions of documents responsive to question 2-32 because it contains sensitive business information such as analysis surrounding projected lost revenues and basis point impacts that have not been disclosed to the public. The disclosure of such sensitive business information would impair DEF's competitive business interests. For example, if DEF's suppliers or competitors were made aware of DEF's internal analysis of projected revenues and potential basis point impacts under this analysis, they may adjust their behavior in the market place with respect to activity such as pricing and the provision of goods, materials, and services. Additionally, competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to DEF.

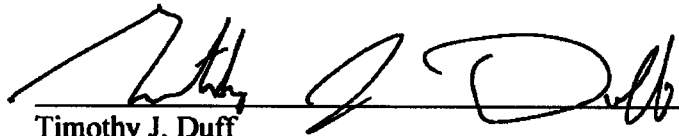
6. Strict procedures are established and followed to maintain the confidentiality of the terms of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company. At no time has the Company publicly disclosed the confidential

information or documents at issue. The Company has treated and continues to treat the information and documents at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.


Dated the 30 day of May, 2014.

A handwritten signature in black ink, appearing to read 'Timothy J. Duff', written over a horizontal line.

Timothy J. Duff  
General Manager Customer Regulatory  
Strategy & Analytics  
Duke Energy  
400 S. Tryon Street  
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 30 day of May, 2014 by Timothy J. Duff. He is personally known to me, or has produced his driver's license driver's license, or her \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
Timothy J. Duff

  
\_\_\_\_\_  
(Signature)  
Jimmie O. Stroud  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF FLORIDA  
October 31, 2018  
\_\_\_\_\_  
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



\_\_\_\_\_  
(Serial Number, If Any)