

Dianne M. Triplett
ASSOCIATE GENERAL COUNSEL

July 18, 2016

VIA ELECTRONIC FILING

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

Re: Petition for Approval to Include in Base Rates the Revenue Requirement for the Hines Chillers Uprate Project by Duke Energy, LLC: Docket Number 160128-EI

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Confidential Classification for certain information contained in its Response to Staff's Third Data Request filed on July 18, 2016. This filing includes:

- DEF's Request for Confidential Classification
- Slipsheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit of Vann K. Stephenson)

DEF's confidential Exhibit A that accompanies the above-referenced filing has been submitted under separate cover.

Thank you for your assistance in this matter. Please feel free to call me at (727) 820-4692 should you have any questions concerning this filing.

Respectfully,

s/Dianne M. Triplett

Dianne M. Triplett

DMT/mw Enclosures

cc: Danijela Janjic, FPSC, djanjic@psc.state.fl.us

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, LLC for Limited Proceeding for Approval to Include in Base Rates the Revenue Requirement for the Hines Chillers Uprate Project.

Docket No. 160128-EI

Dated: July 18, 2016

DUKE ENERGY FLORIDA LLC'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Duke Energy Florida, LLC ("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 Staff's Third Data Request (Nos. 1-3). In support of this Request, DEF states:

- 1. DEF's response to Staff's Third Data Request, specifically question 1 contains "proprietary confidential 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 unreduced copy 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 unreduced version, the information asserted to be confidential is highlighted in yellow.
- (b) Composite Exhibit B consists of 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, the information at issue relates to competitively negotiated costs and pricing data, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Vann K. Stephenson at ¶¶ 5-6. If DEF cannot assure contracting parties that it can maintain the confidentiality of contractual terms, those parties and other similarly situated parties may forego entering contracts with DEF, which would adversely impact DEF's competitive business interests. *See* § 366.093(3)(e), F.S.; Affidavit of Vann K. Stephenson at ¶ 7. 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 Vann K. Stephenson at ¶ 8. The information 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 Vann K. Stephenson at ¶ 8.
- 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 18th day of July, 2016.

s/Dianne M. Triplett

DIANNE M. TRIPLETT Associate General Counsel Duke Energy Florida, LLC. 299 First Avenue North St. Petersburg, FL 33701

T: 727.820.4692 F: 727.820.5041

E: Dianne.Triplett@duke-energy.com

MATTHEW R. BERNIER Senior Counsel Duke Energy Florida, LLC 106 East College Avenue Suite 800 Tallahassee, Florida 32301

T: 850.521.1428 F: 727.820.5041

E: Matthew.Bernier@duke-energy.com

Duke Energy Florida, LLCDocket No.: 160128

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 18th day of July, 2016 to all parties of record as indicated below.

s/Dianne M. Triplett
Attorney

Danijela Janjic Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 djanjic@psc.state.fl.us

Exhibit A

"CONFIDENTIAL"

(submitted under separate cover)

Exhibit B (1st copy) REDACTED

ENGINEERING, PROCUREMENT AND CONSTRUCTION AGREEMENT NO. 780889

between

DUKE ENERGY FLORIDA, INC., as Owner

and

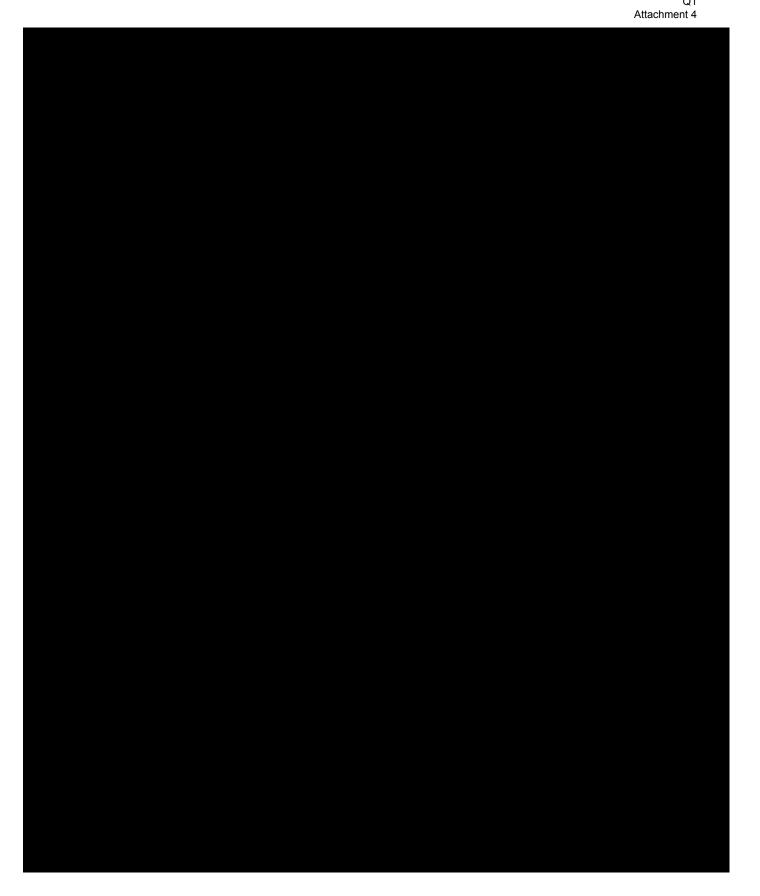
AMEC FOSTER WHEELER KAMTECH, INC., as Contractor

for the

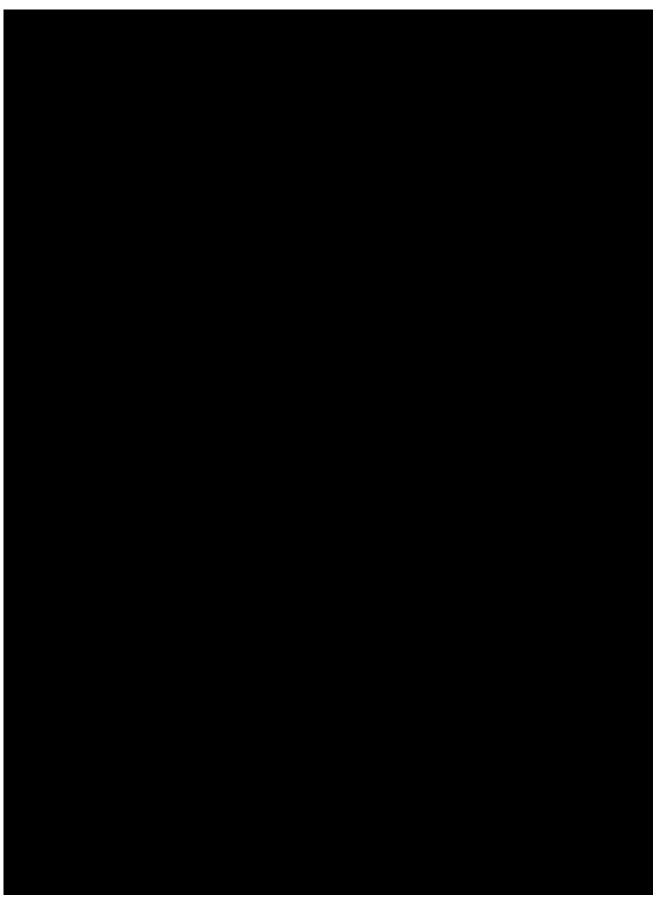
ENGINEERING, PROCUREMENT, AND CONSTRUCTION OF CHILLER SYSTEMS FOR POWER BLOCKS 1 TO 4

AT THE HINES ENERGY COMPLEX
IN POLK COUNTY, FLORIDA

Dated March 23, 2015



Attachment 4



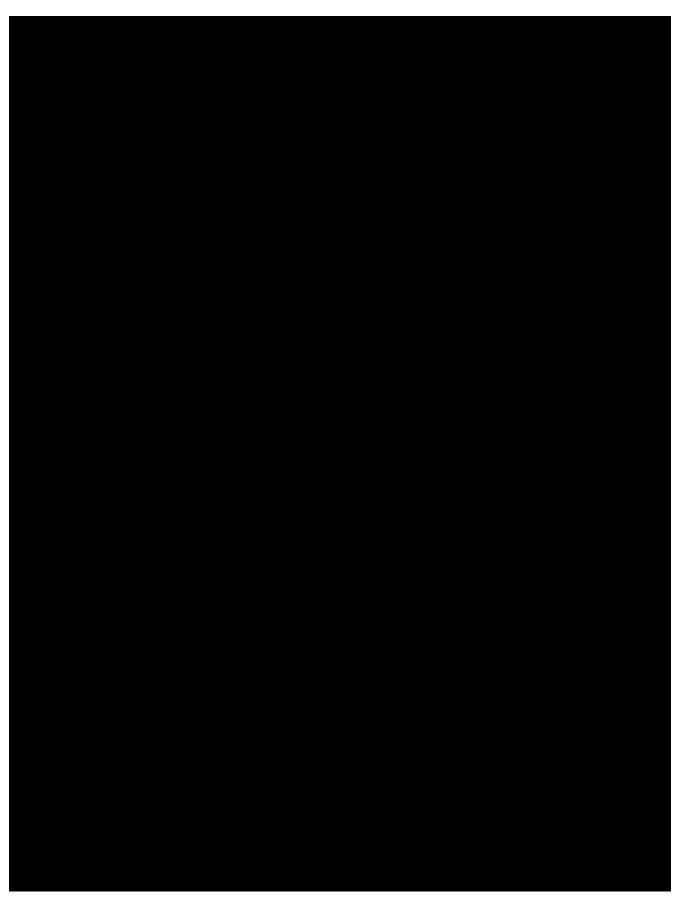


Duke Energy Florida Response to Staff's 3rd Data Request Q1

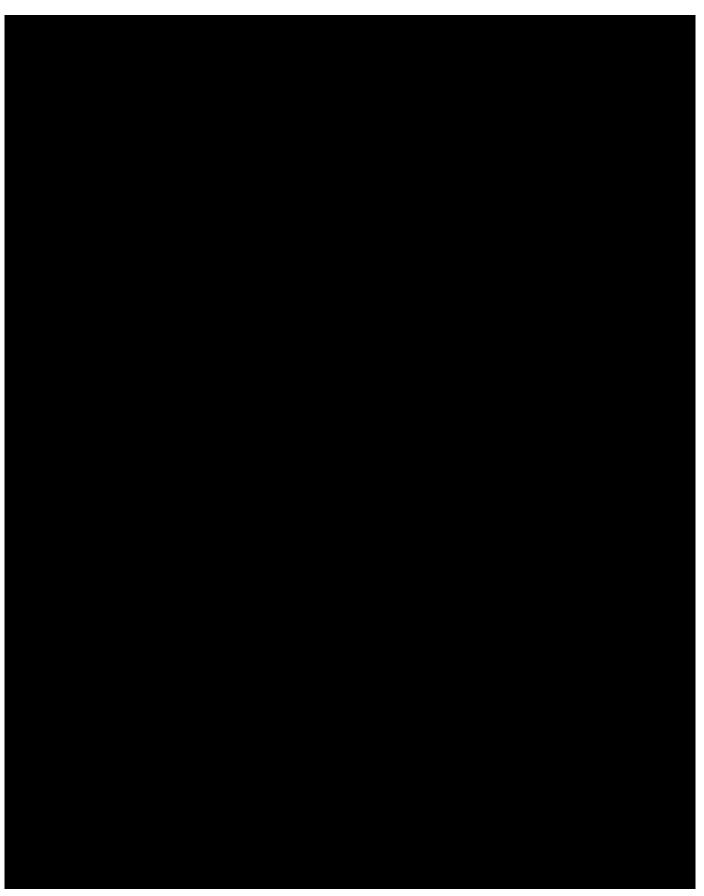
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Attachment 4



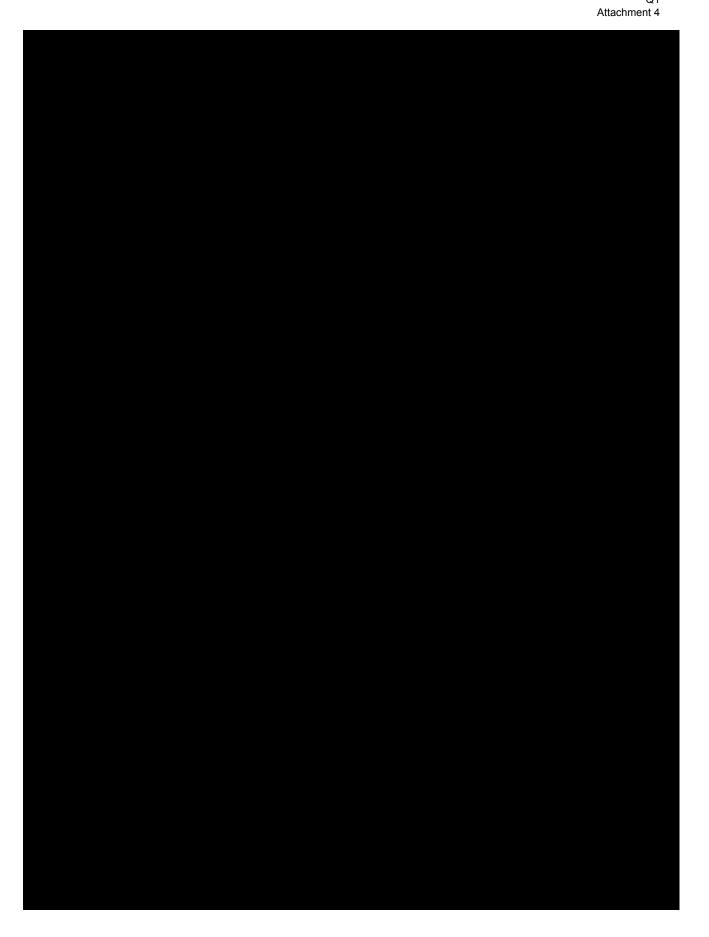
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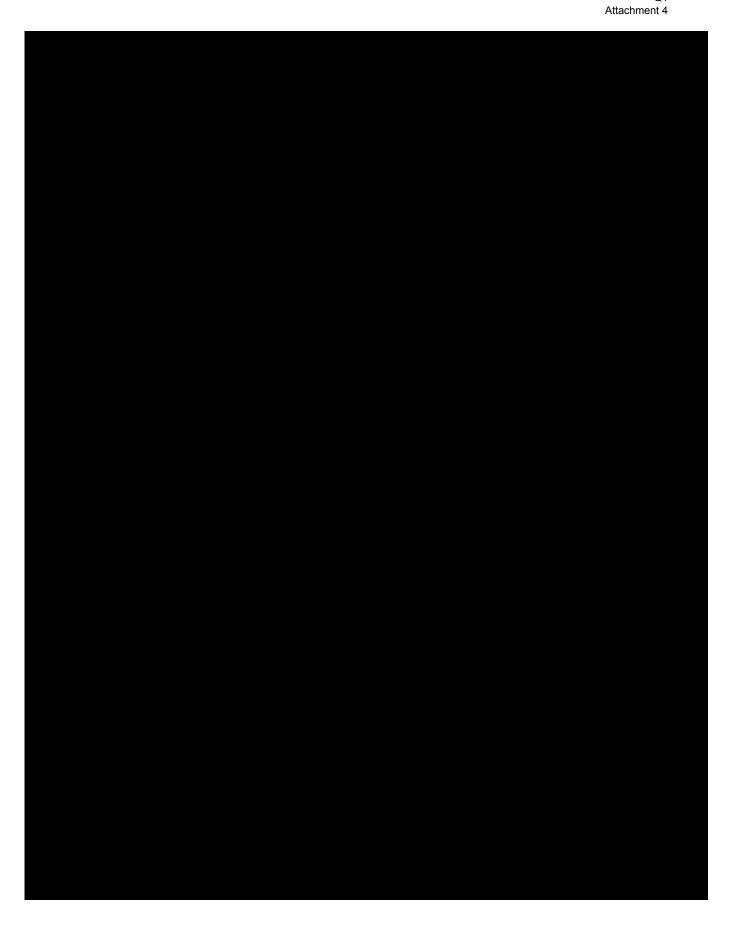


Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

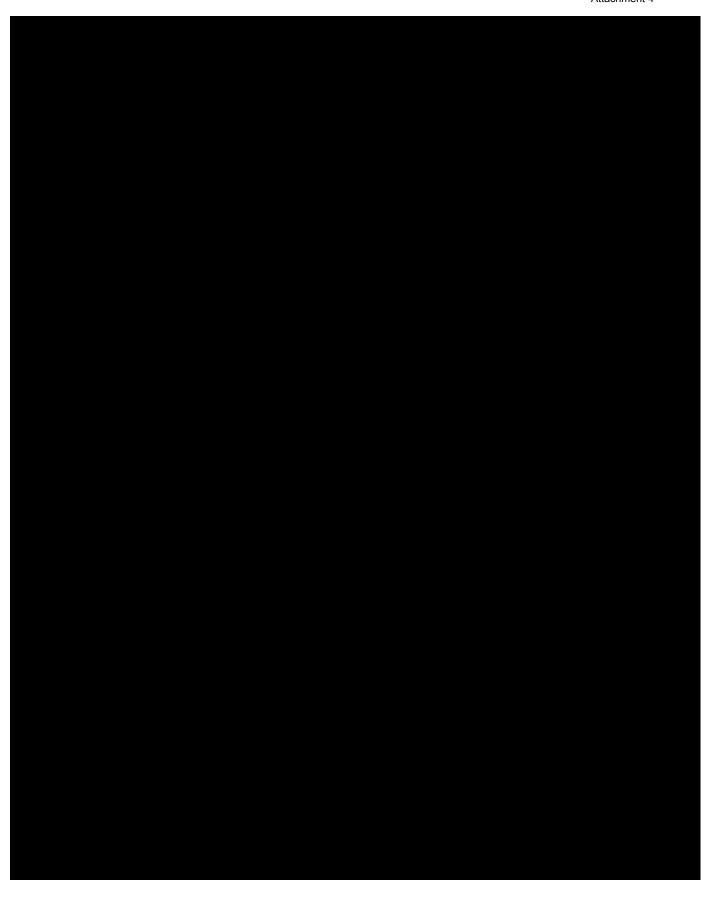






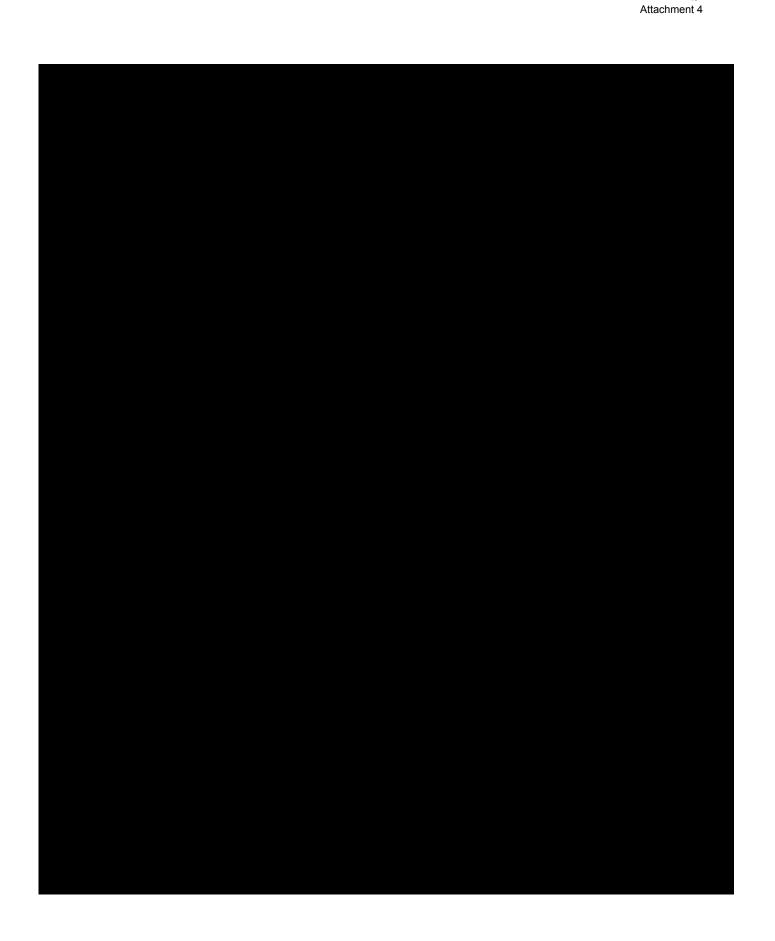


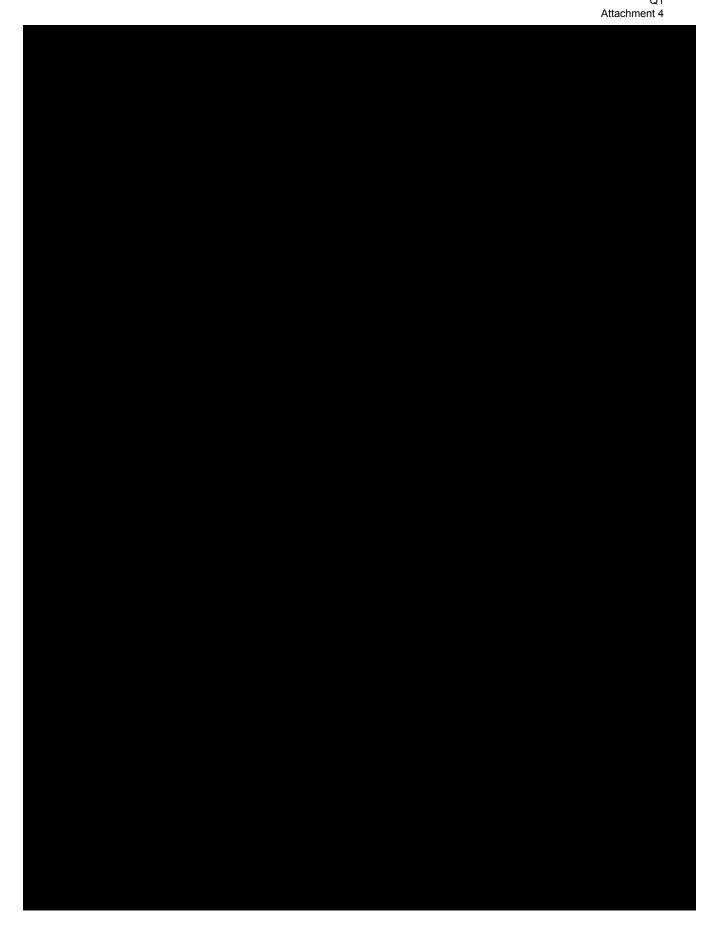
Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4







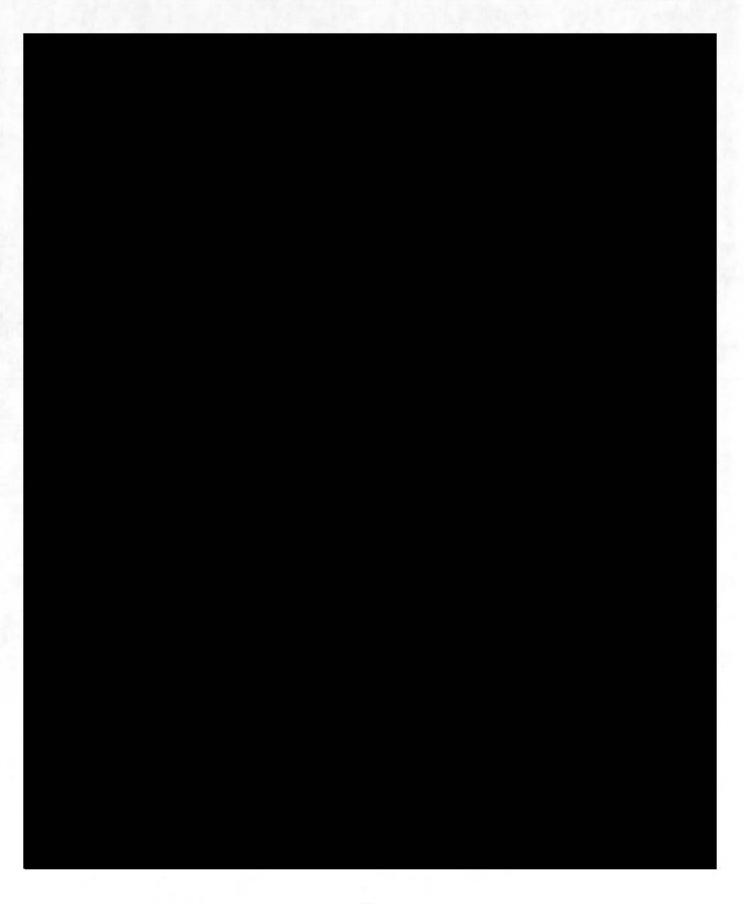


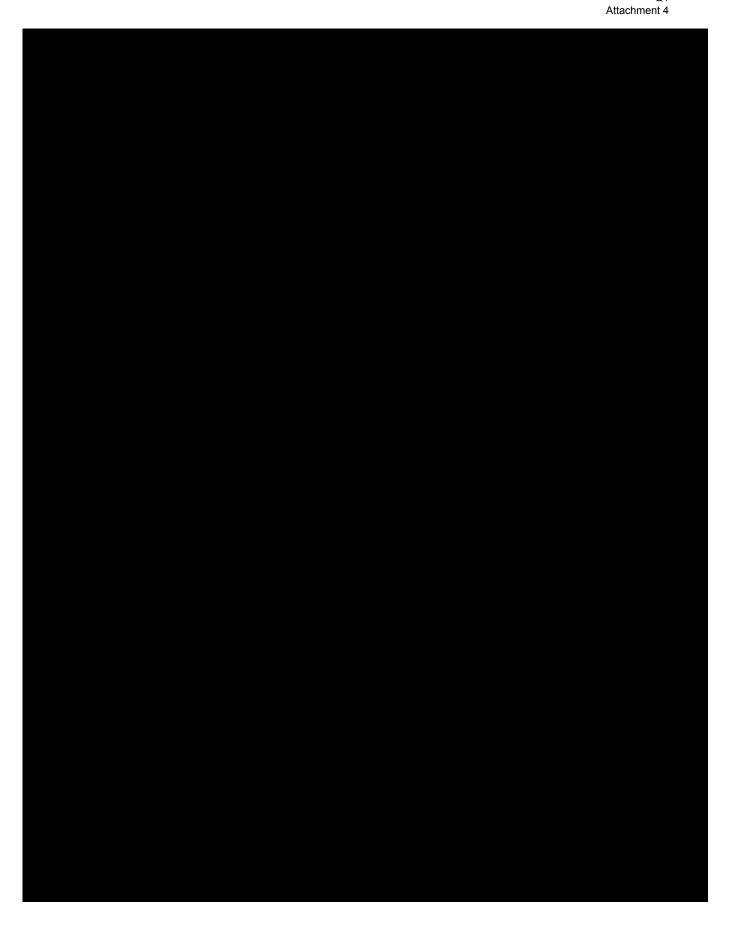


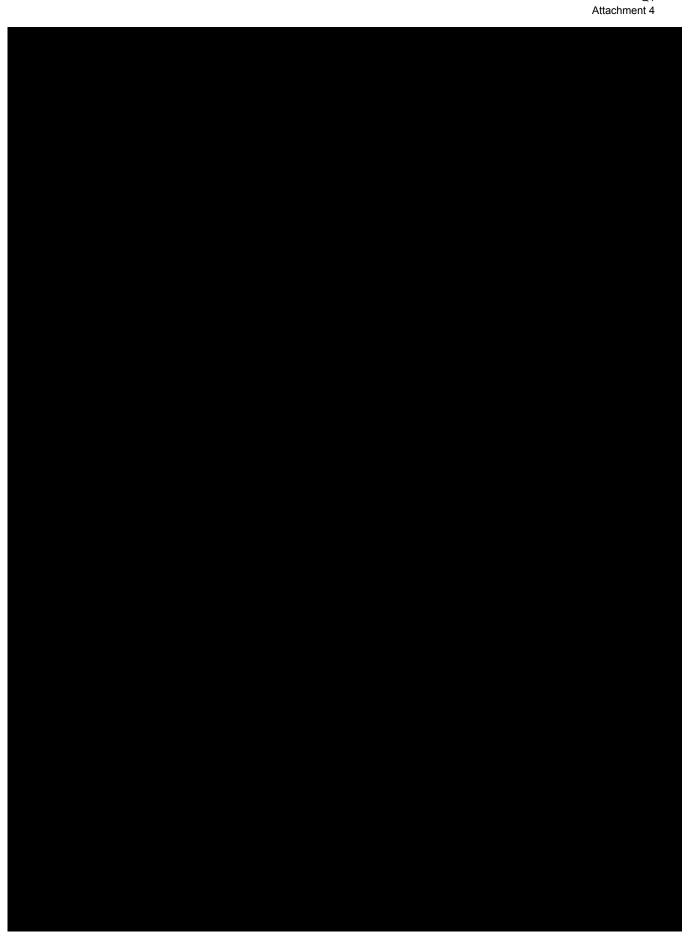


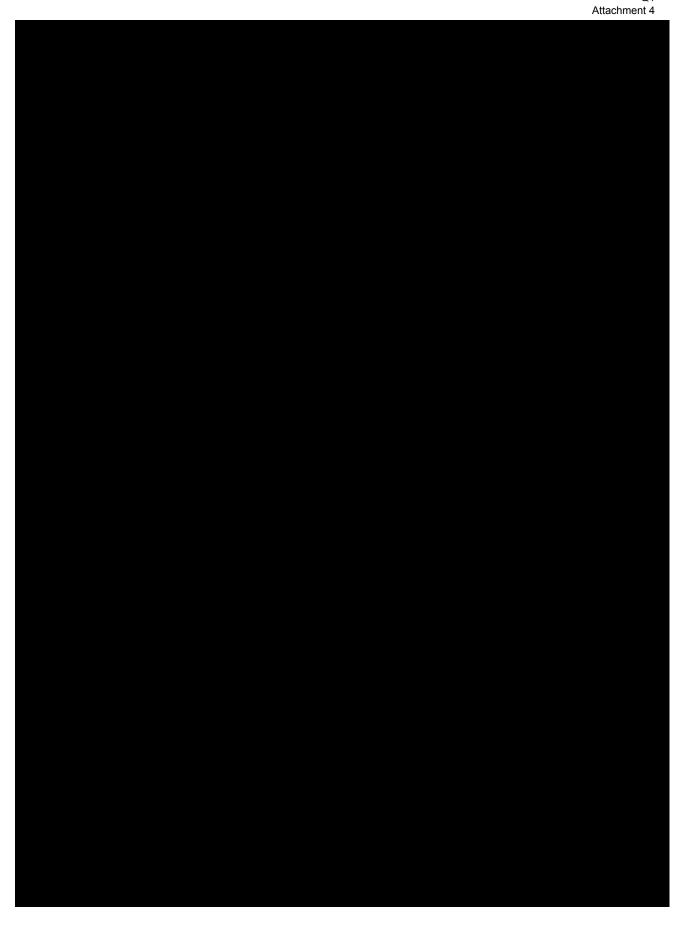


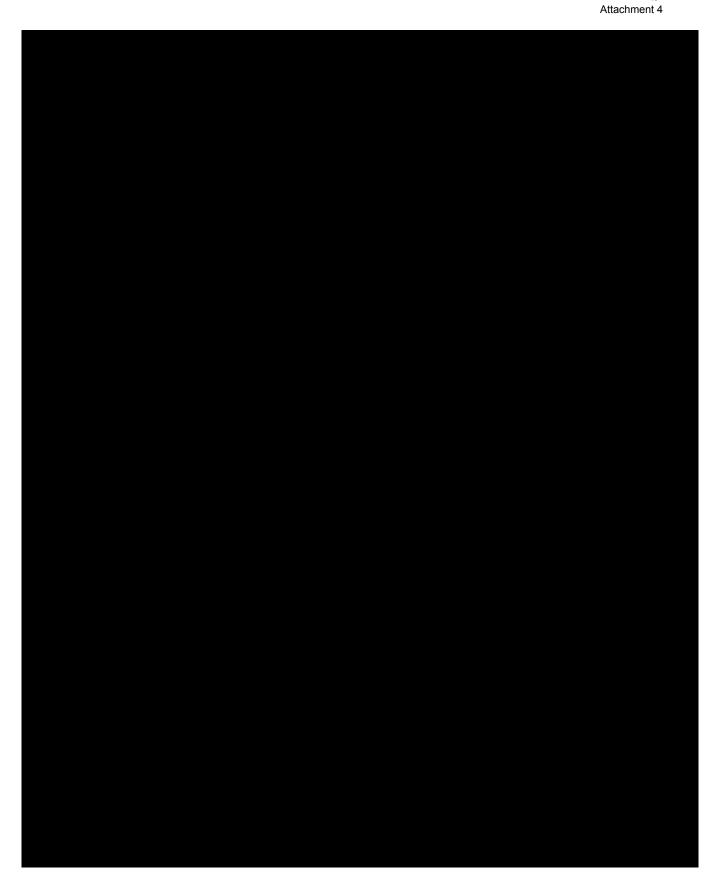


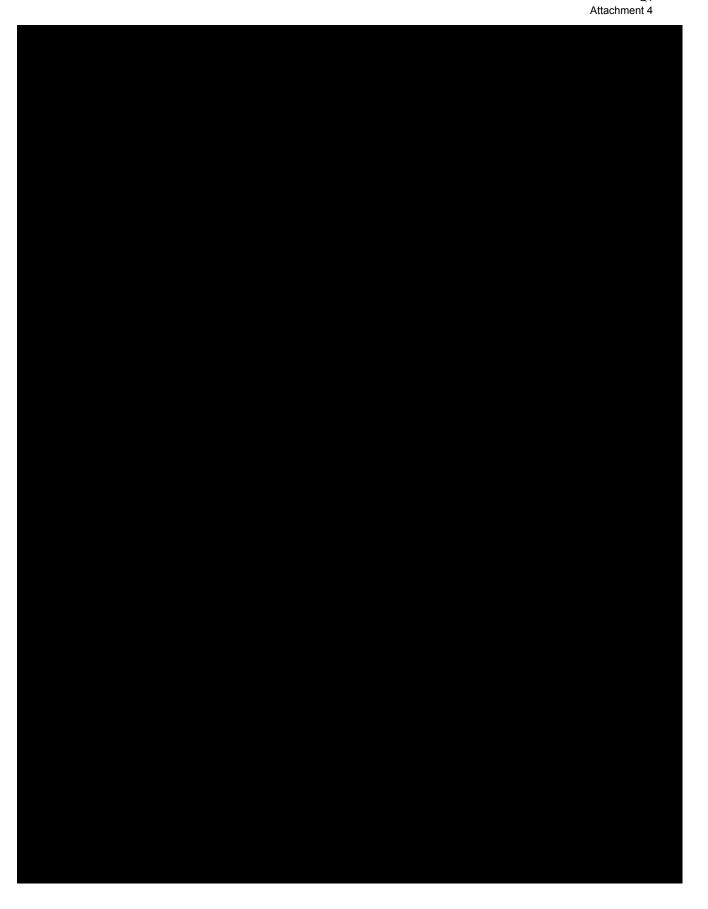


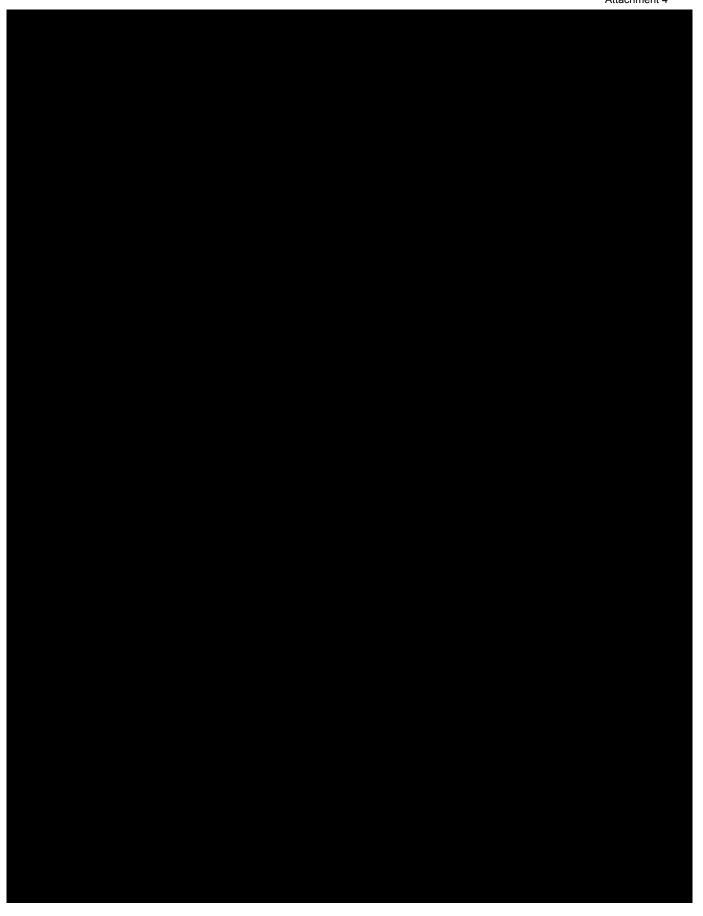








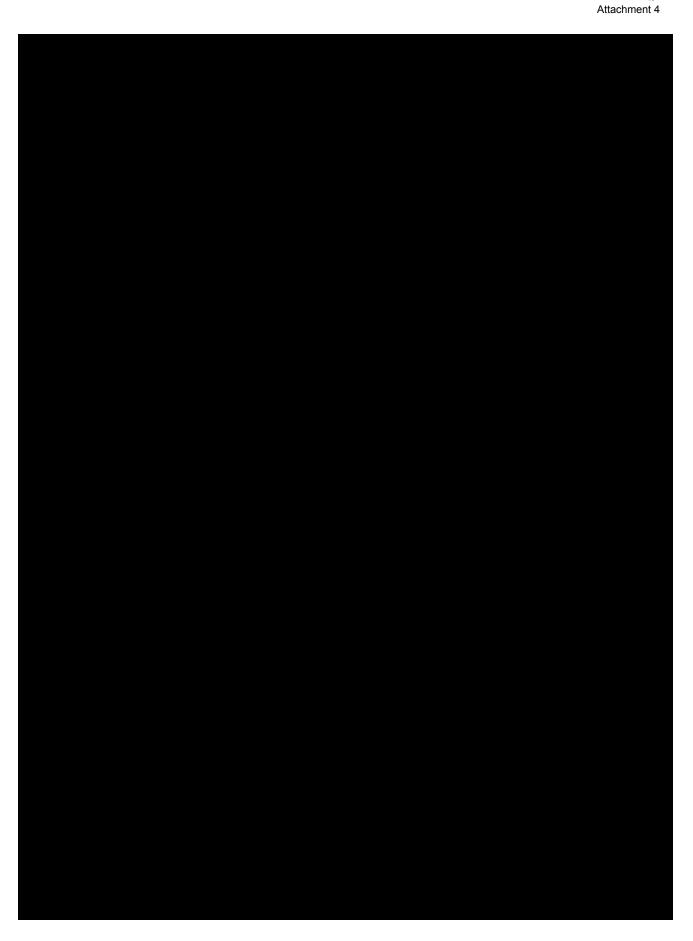


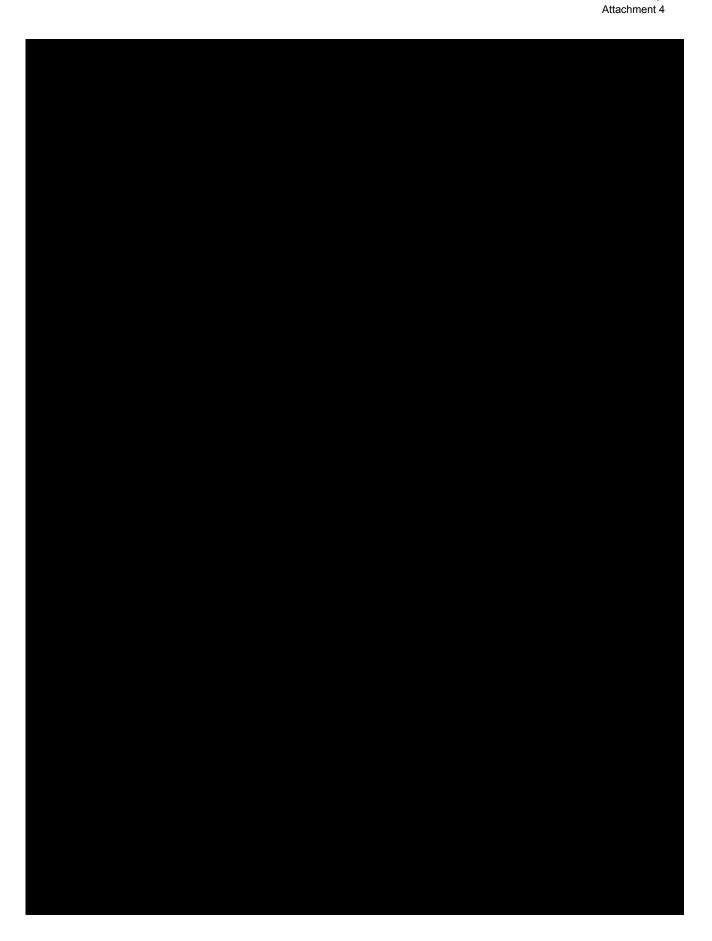


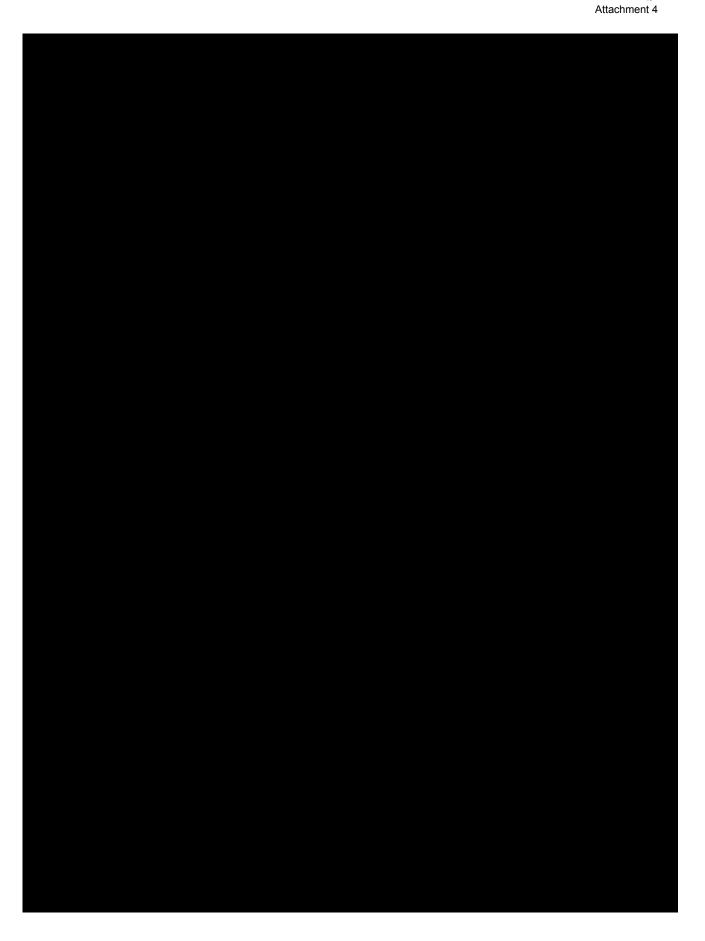


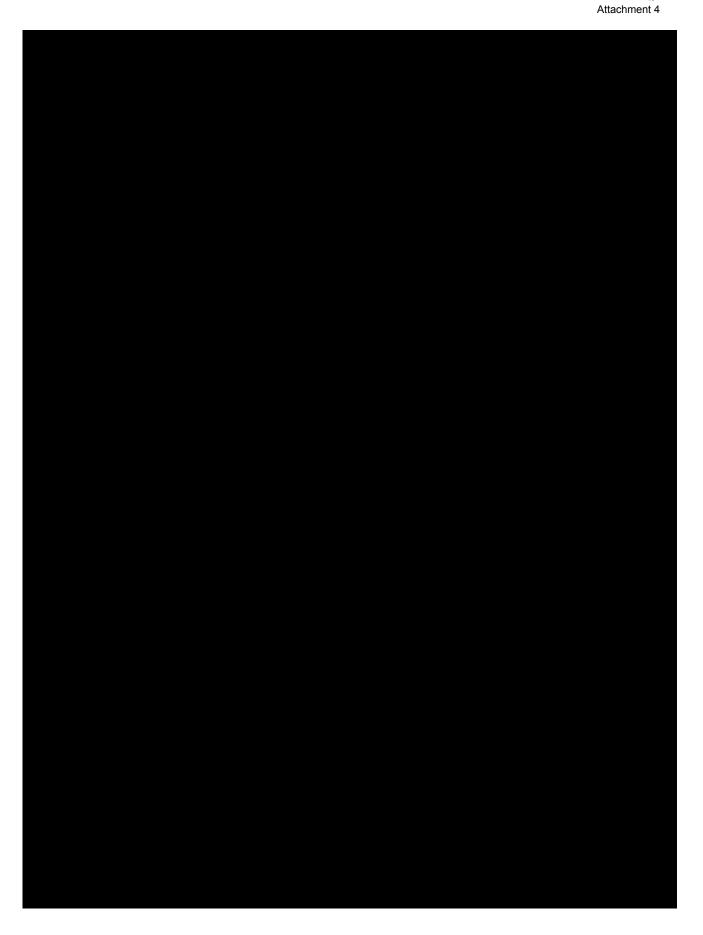


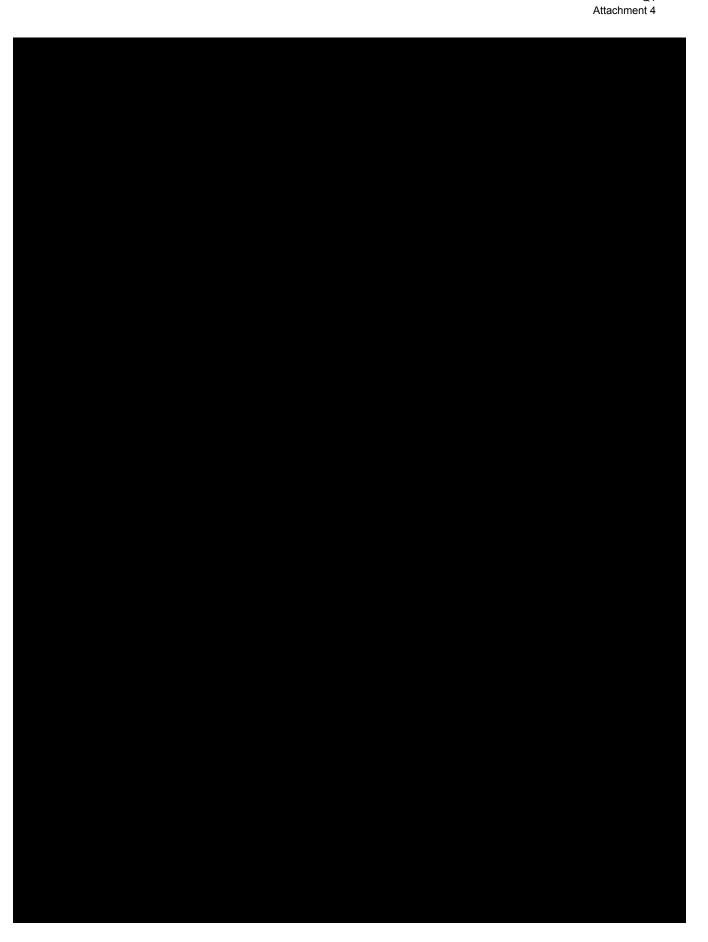




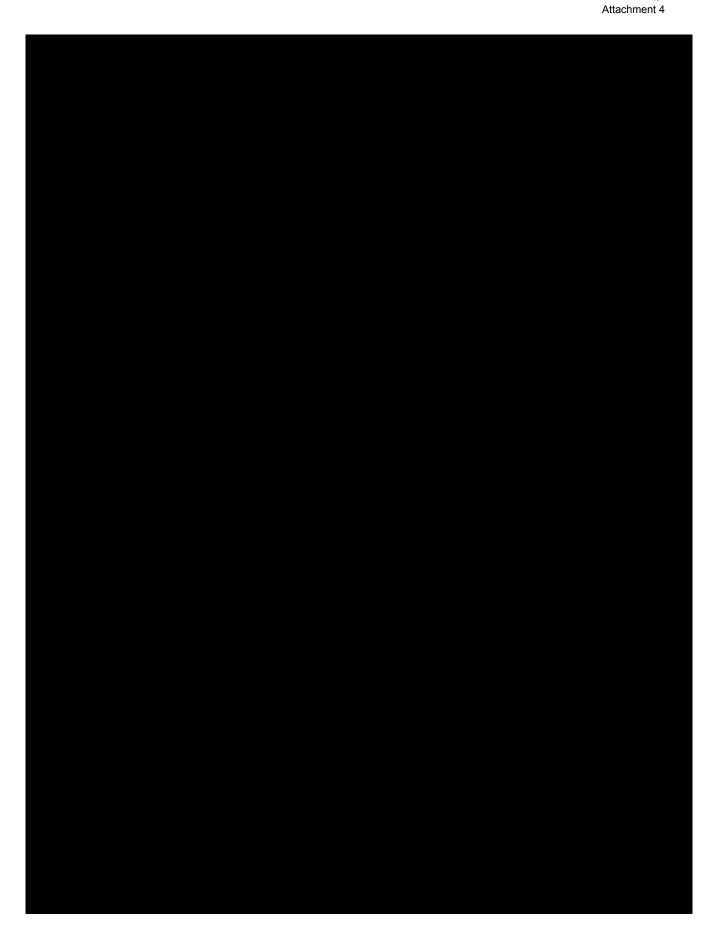


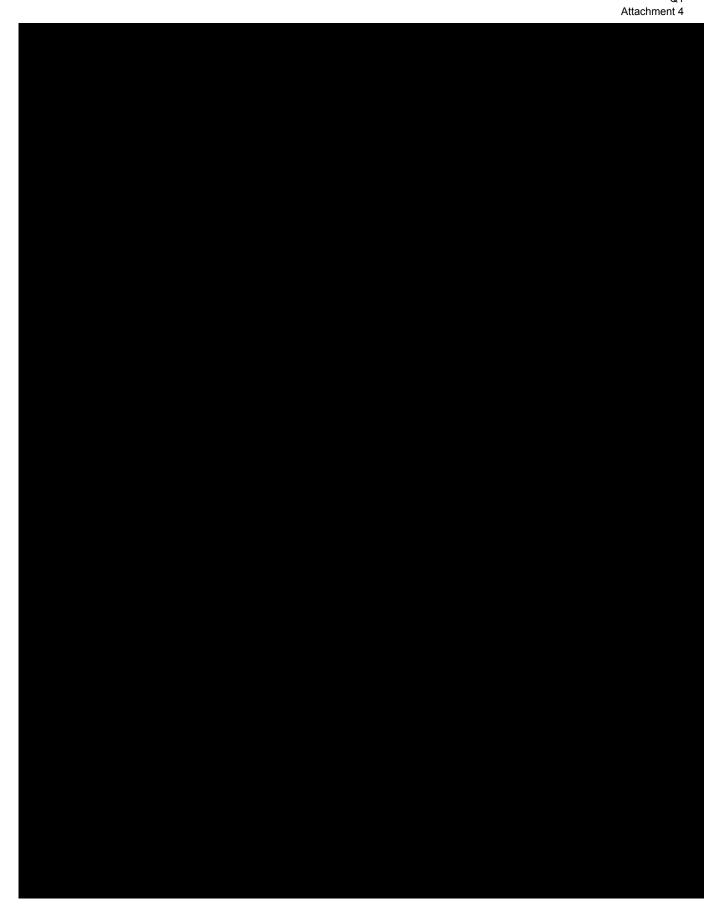


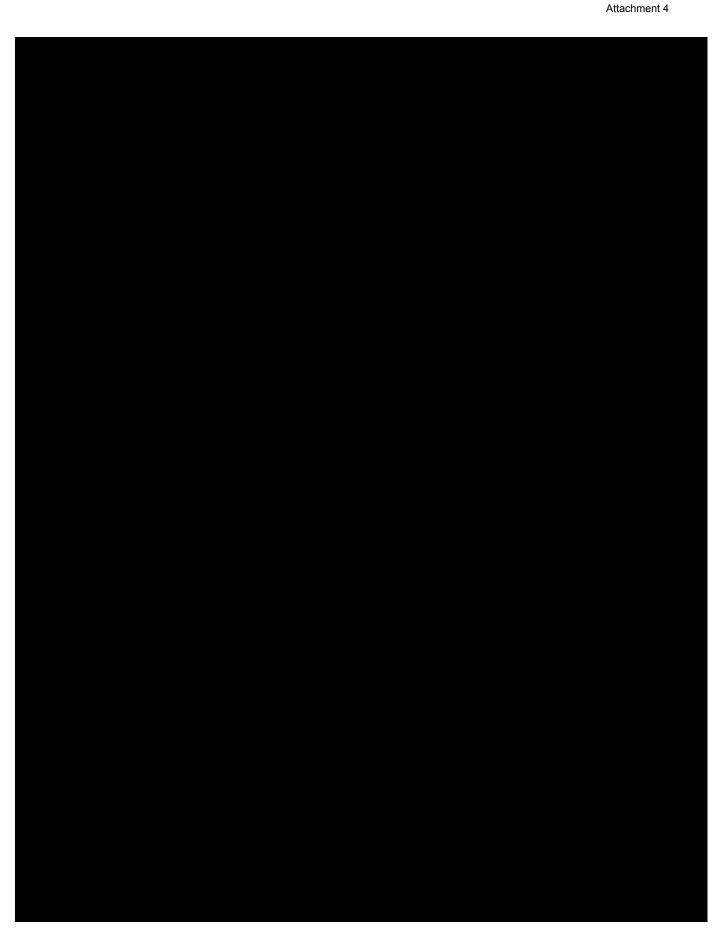






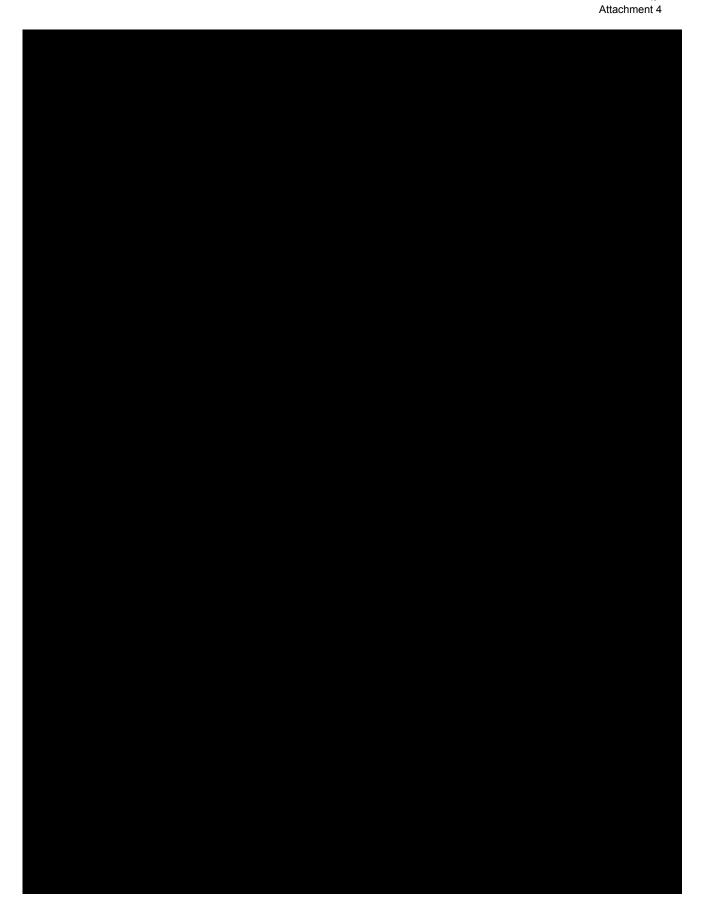




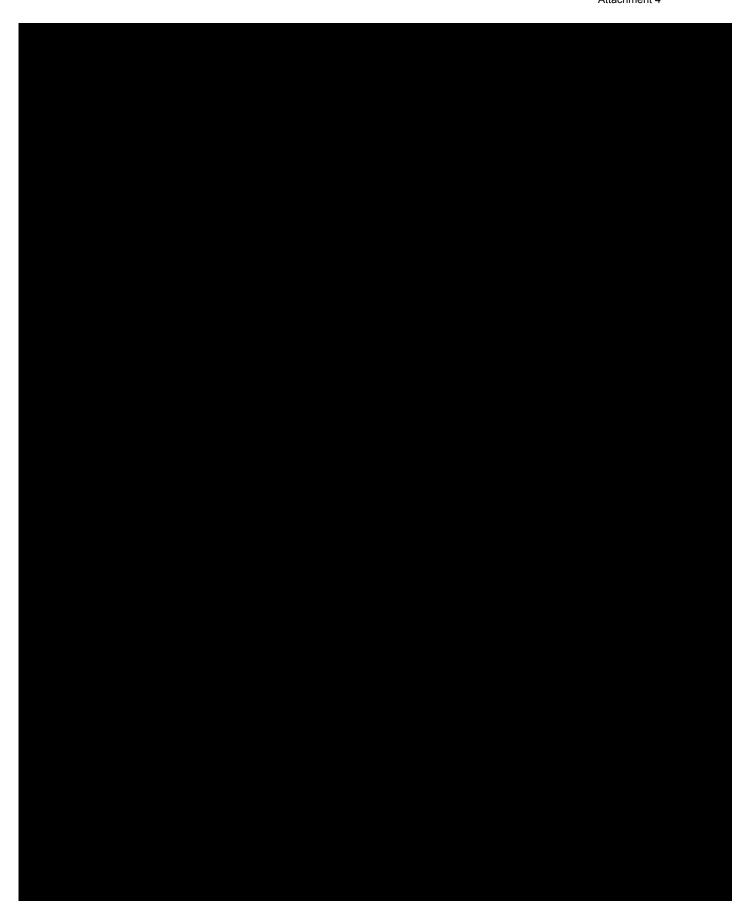




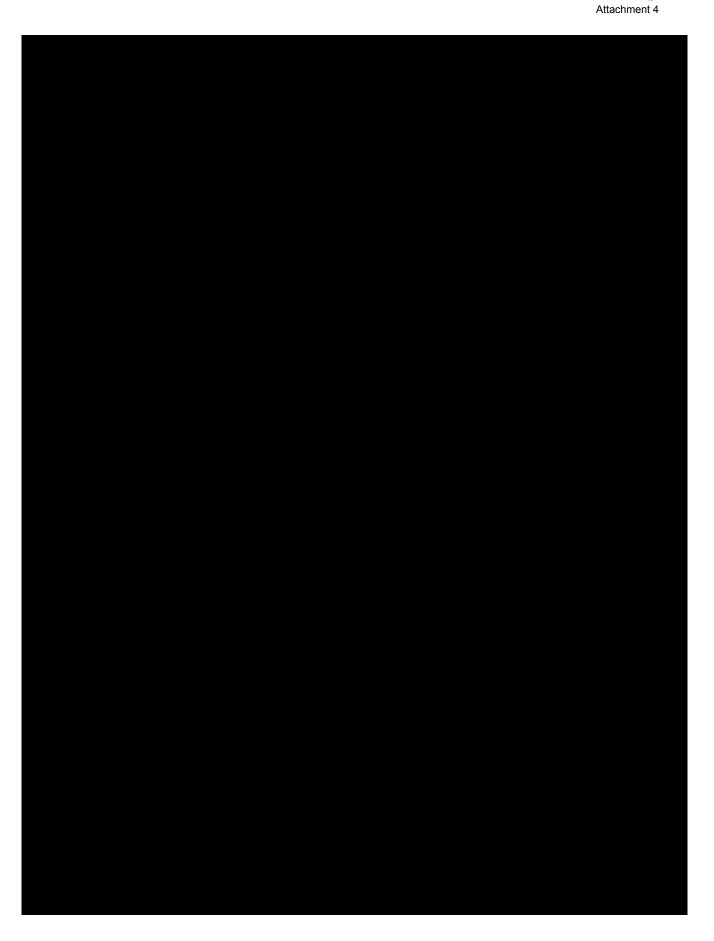


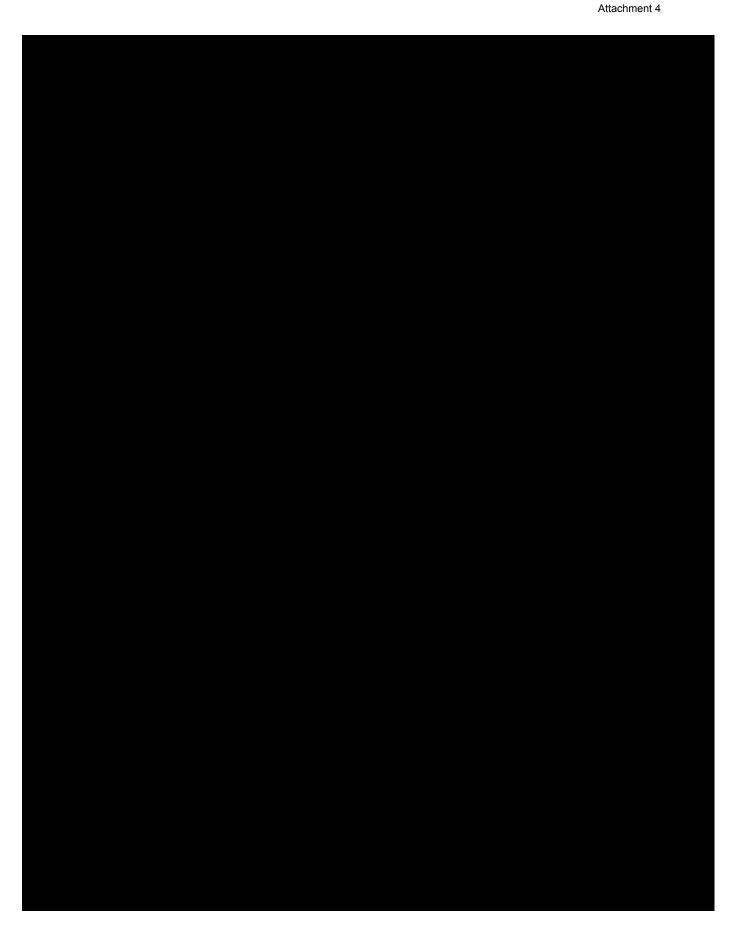


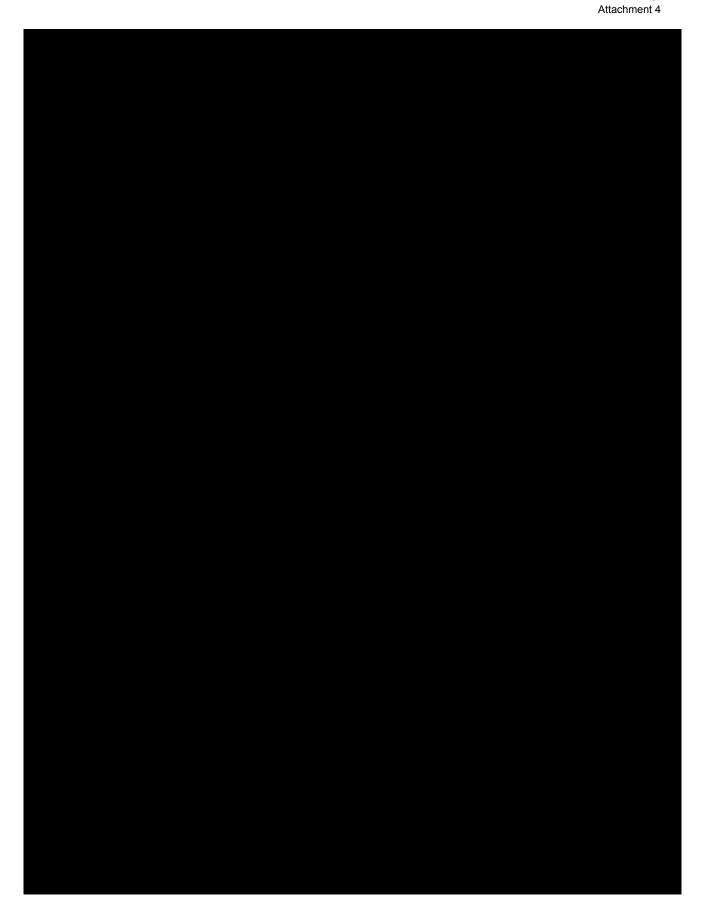
Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

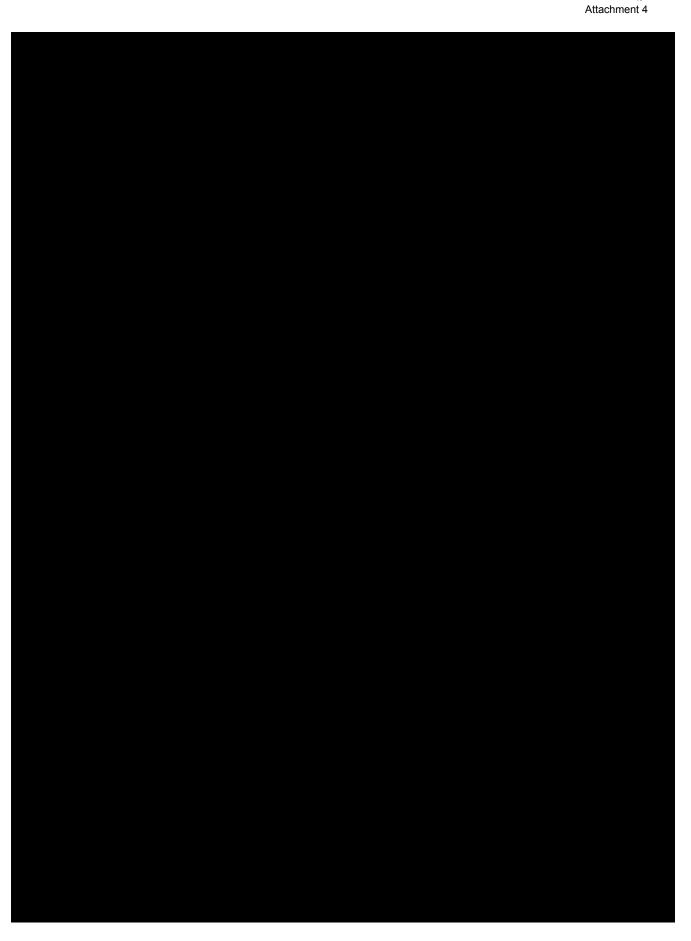


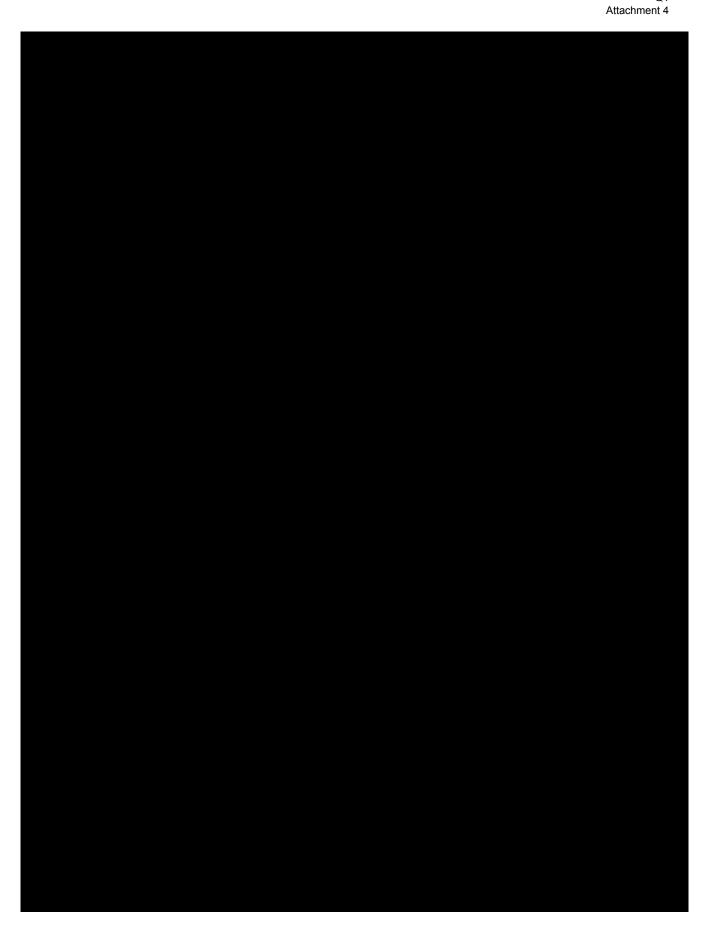




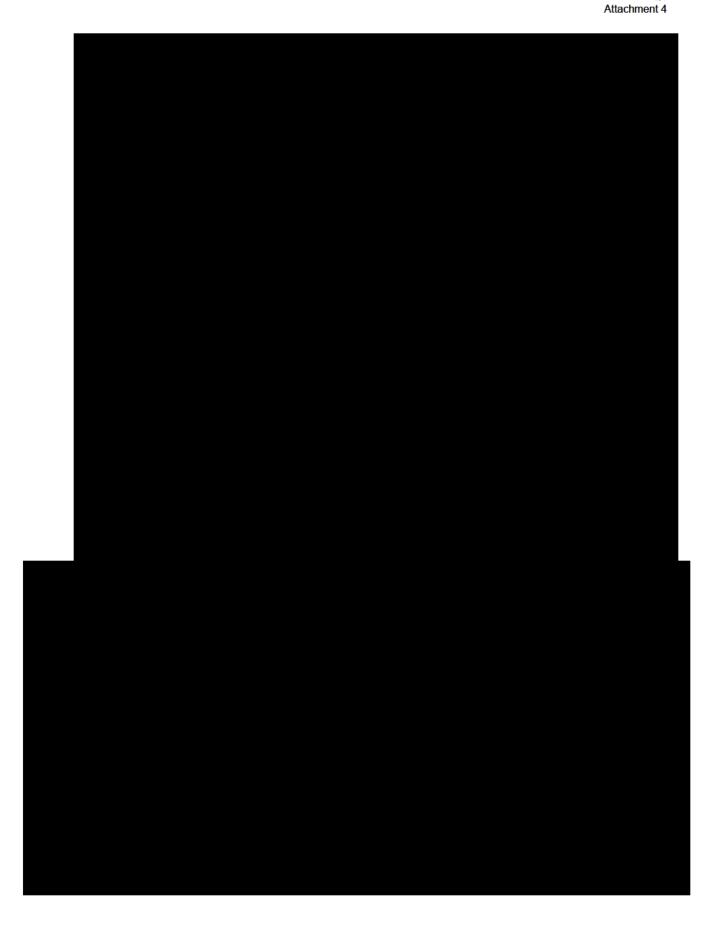


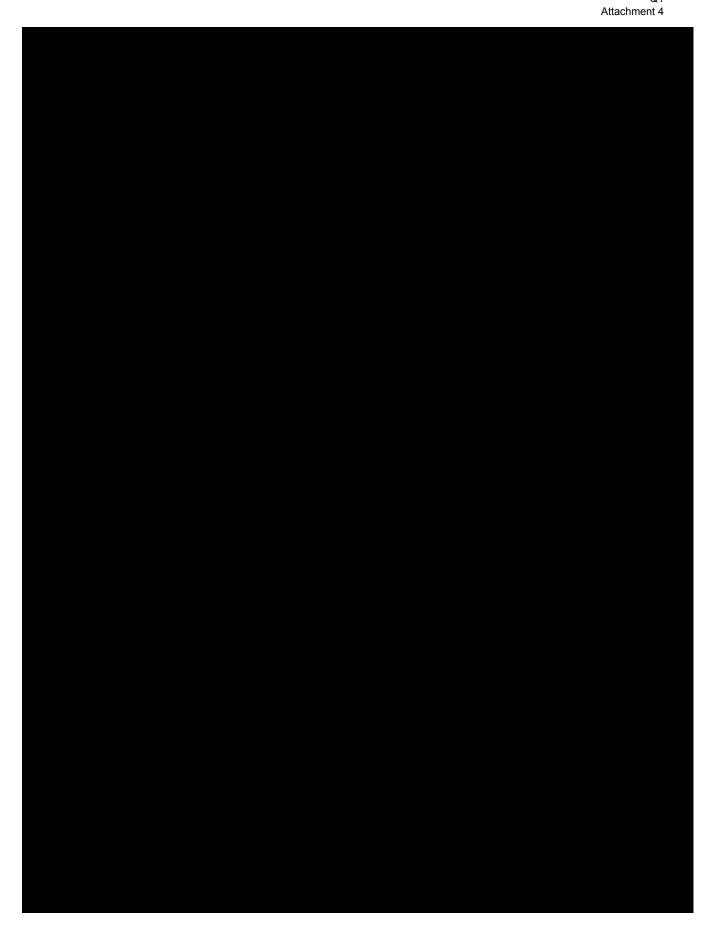




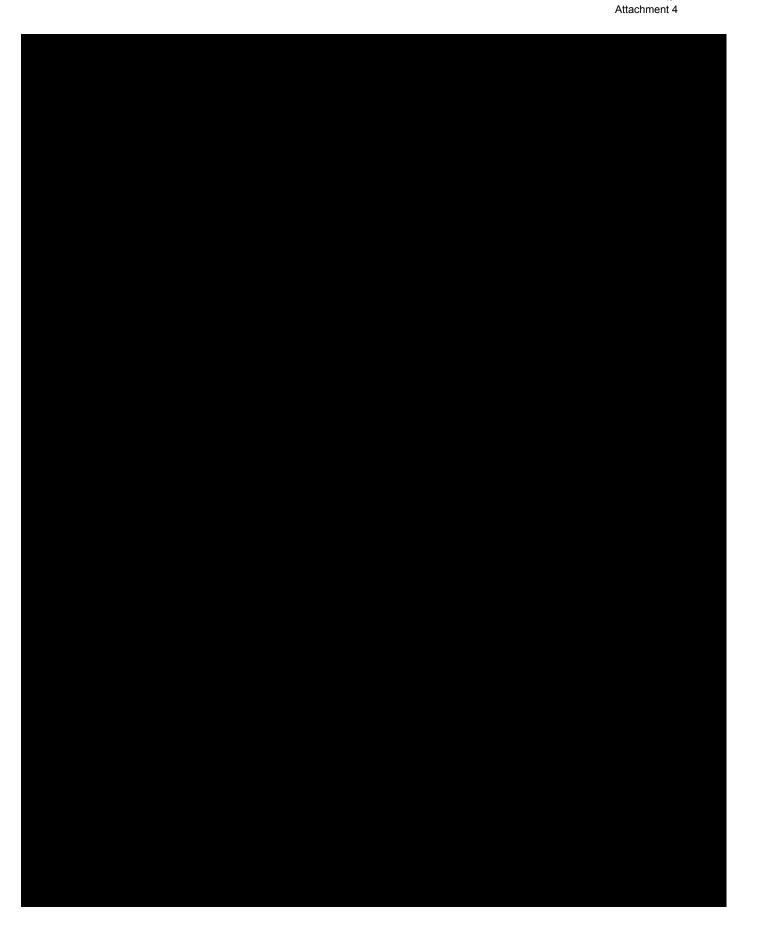


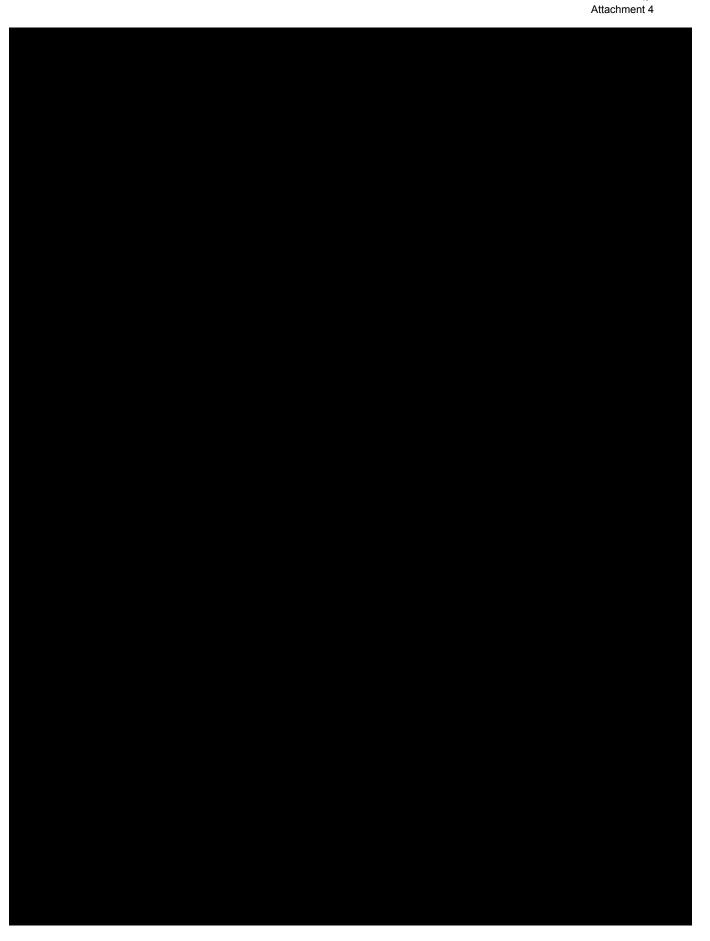


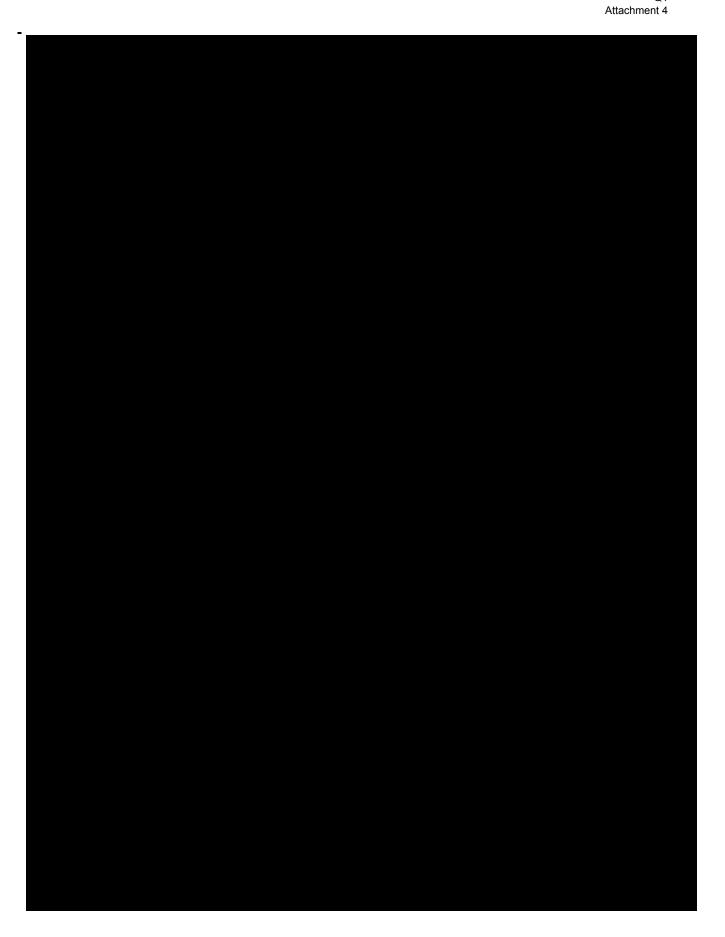


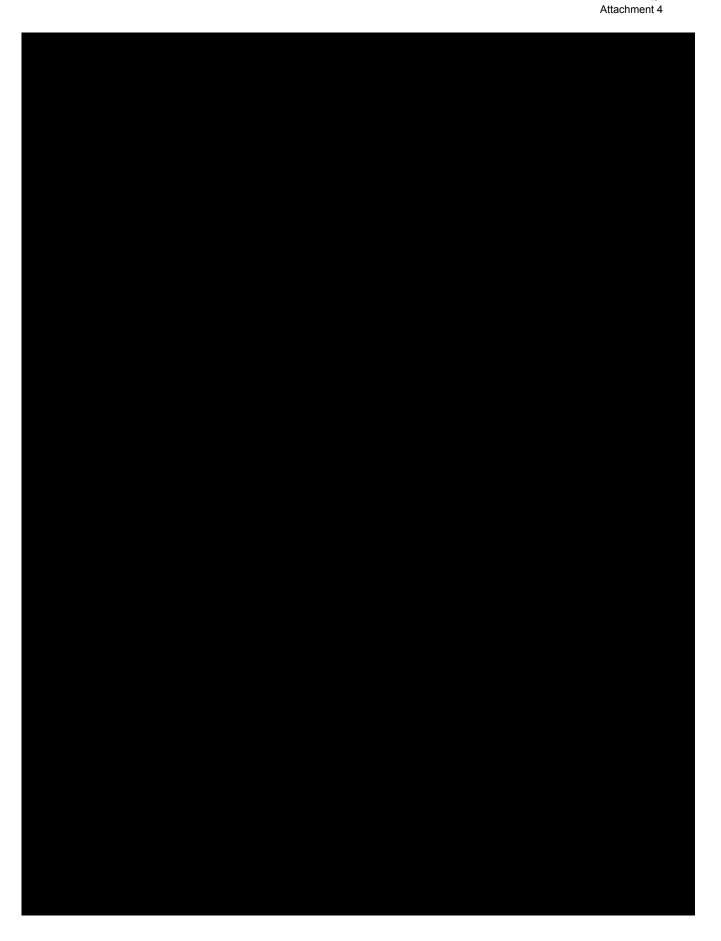




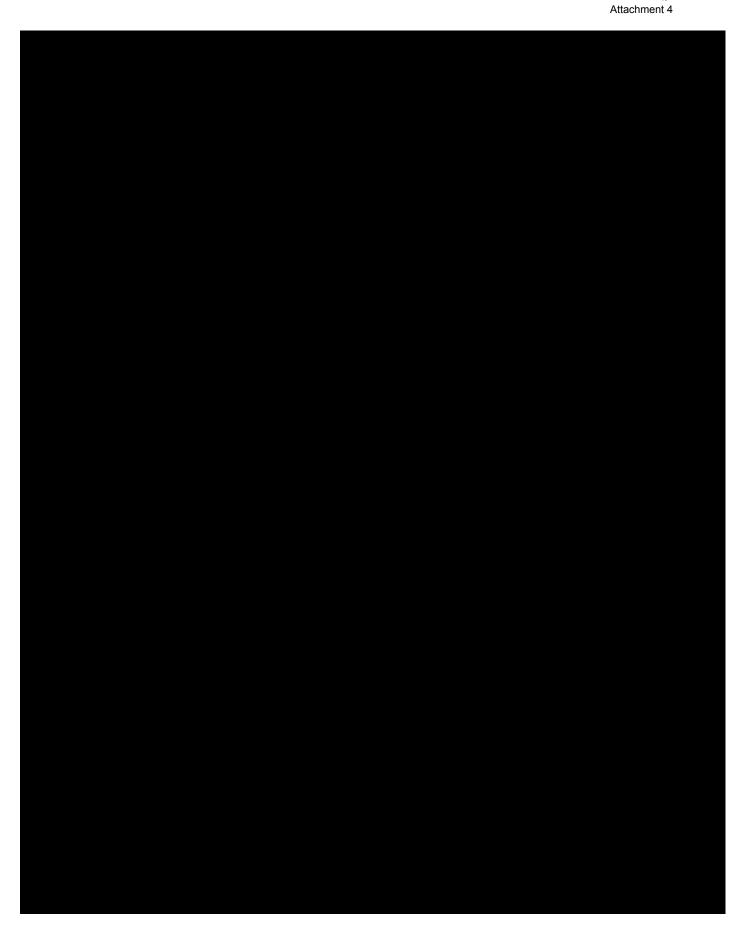






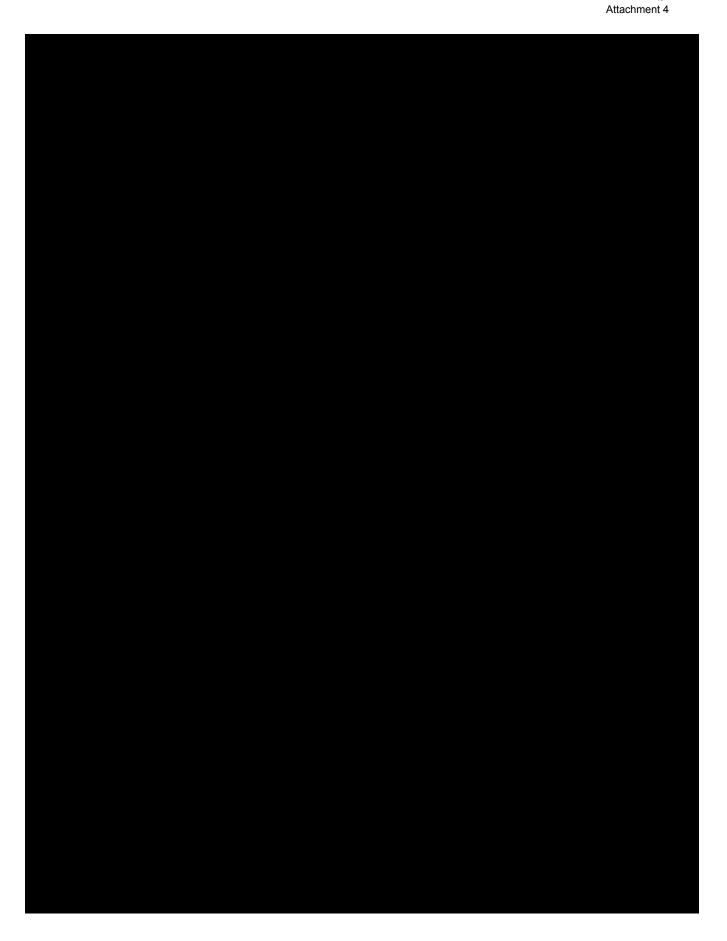


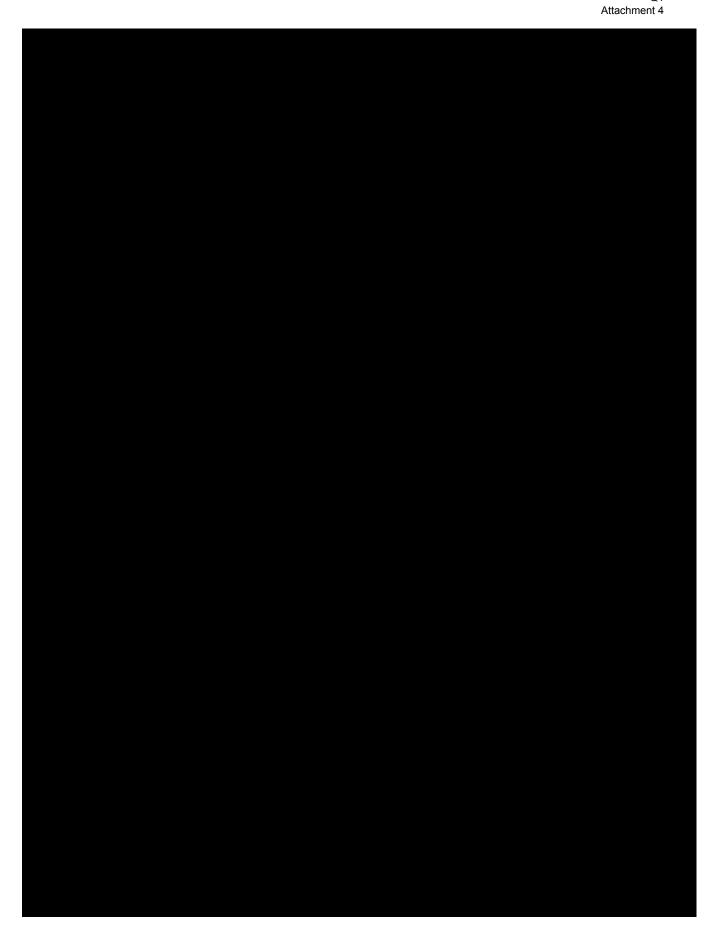






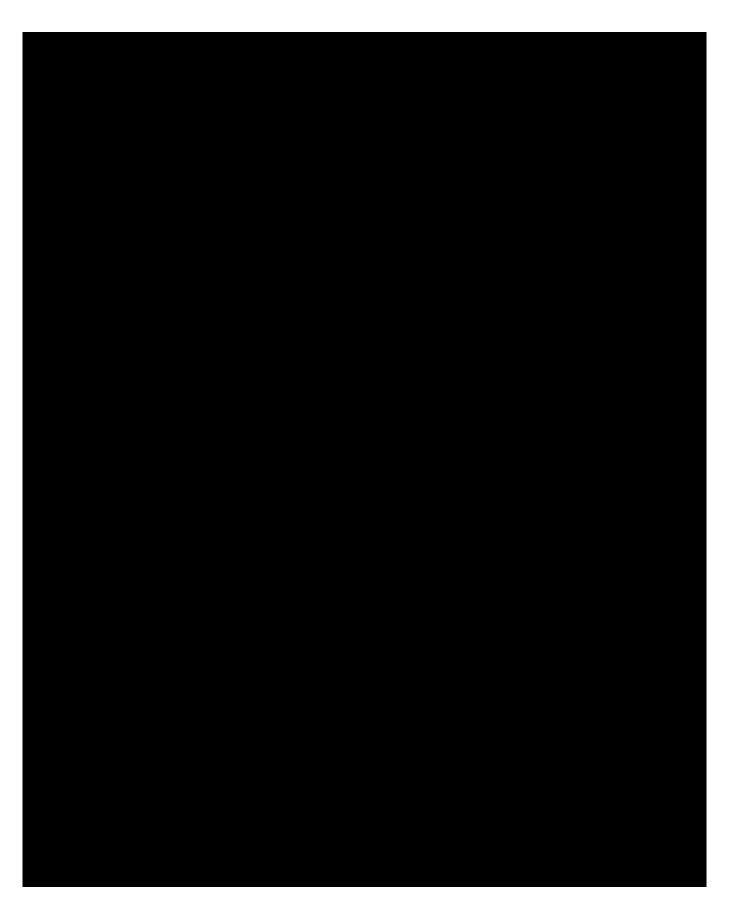






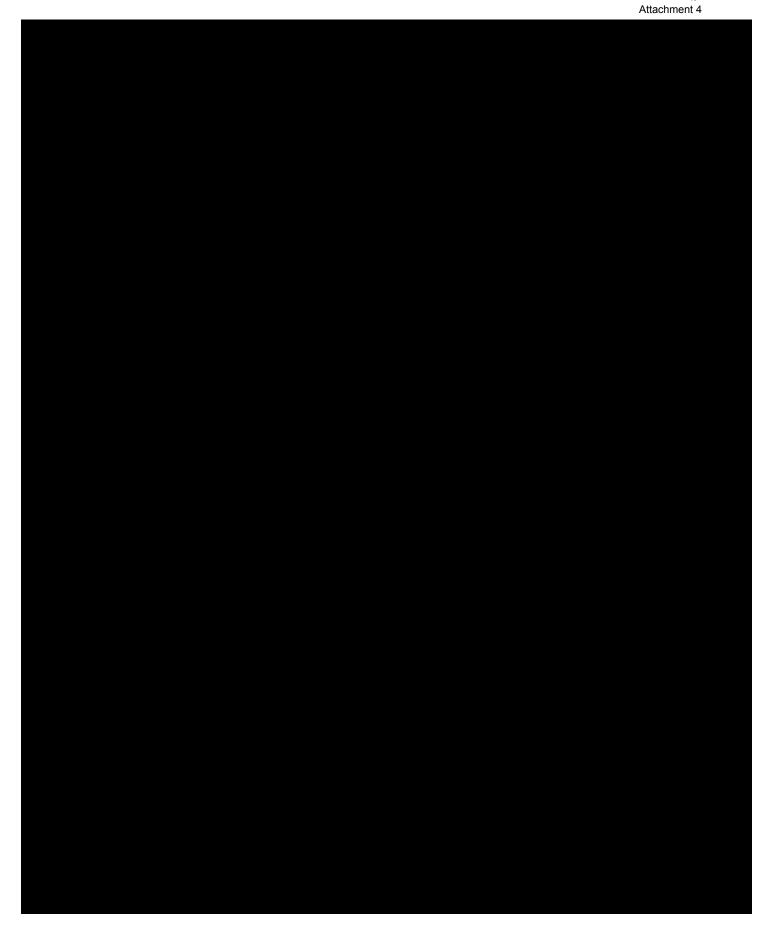


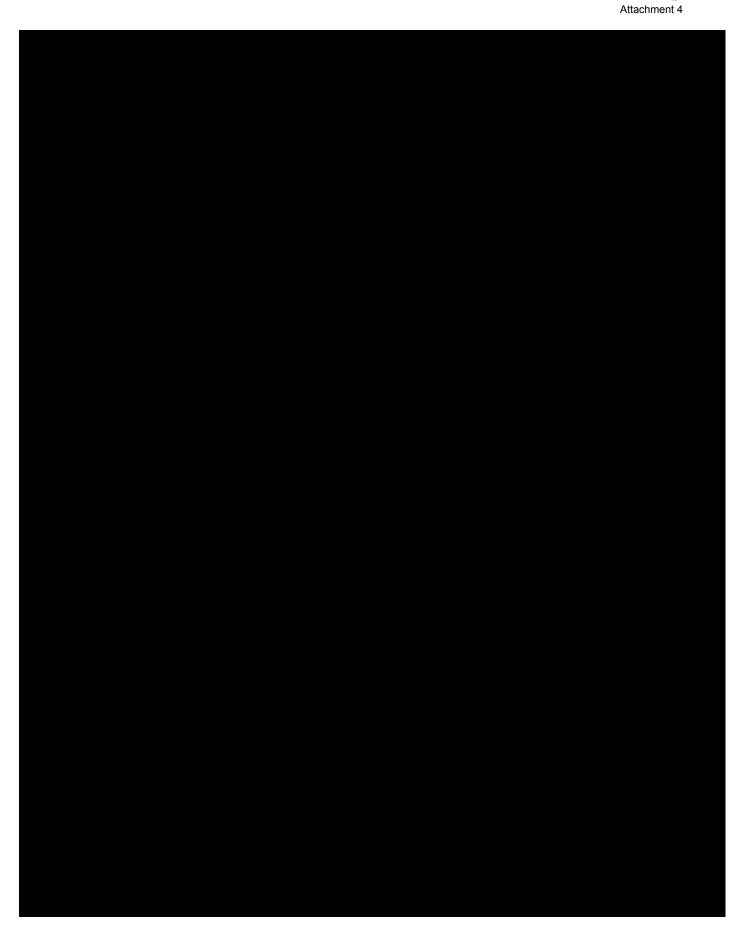


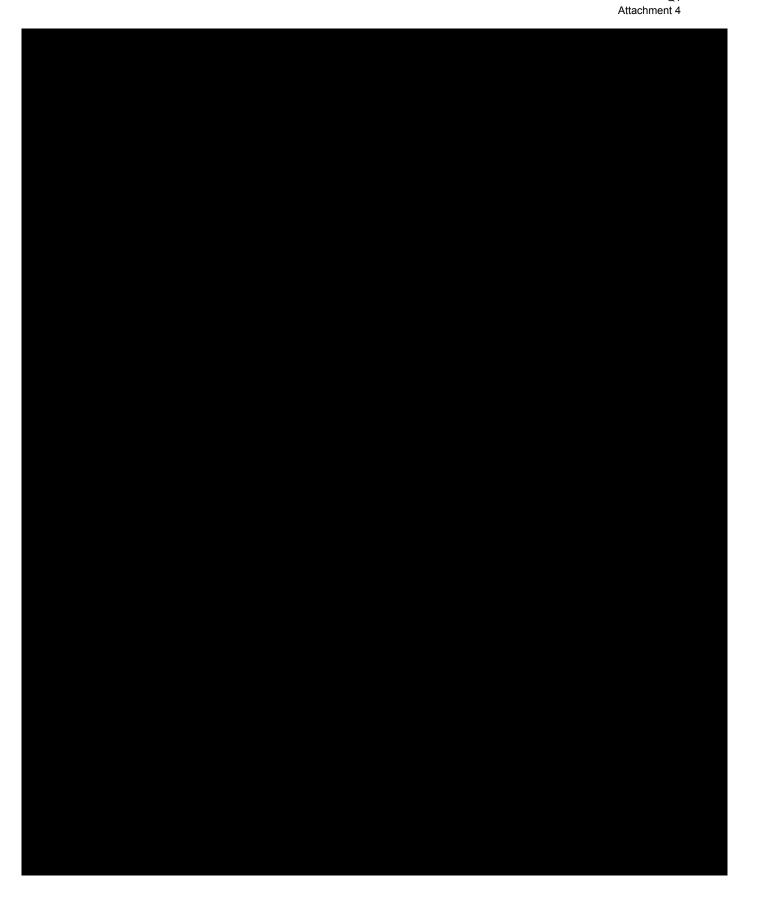


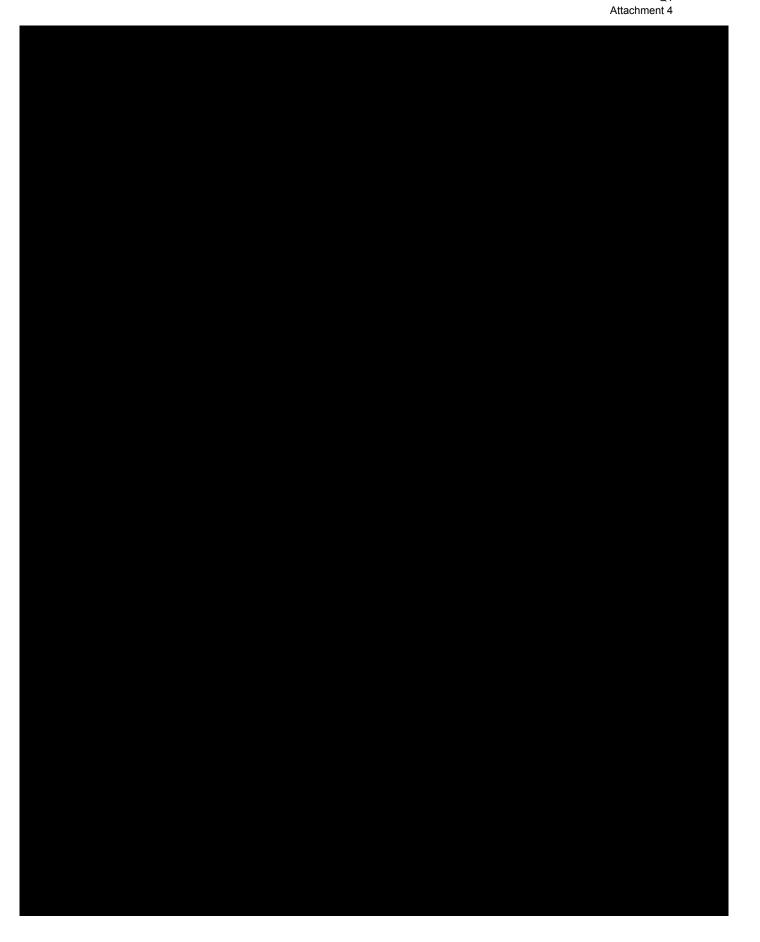


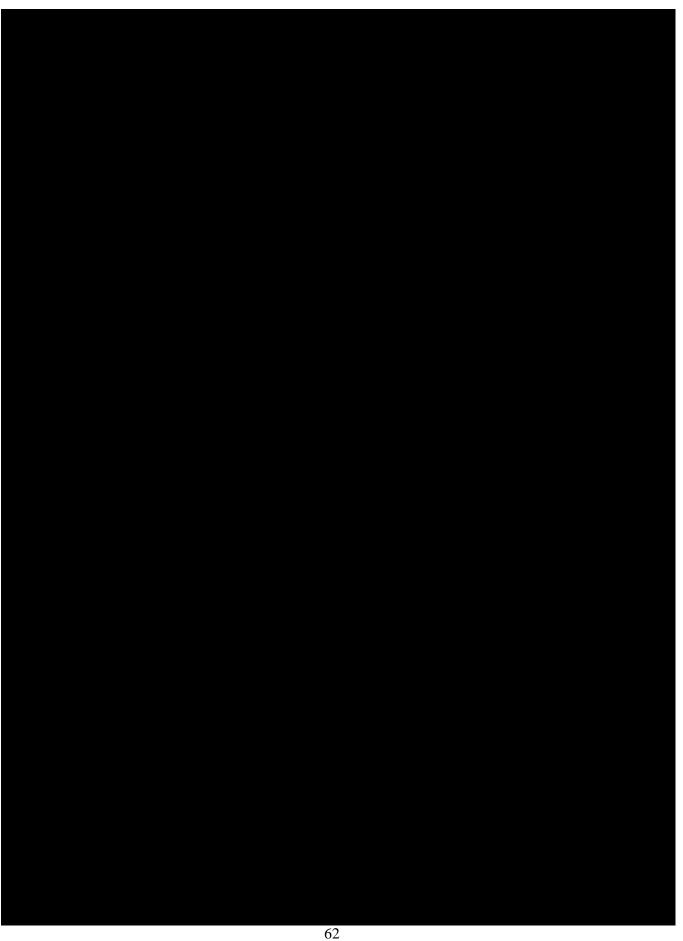
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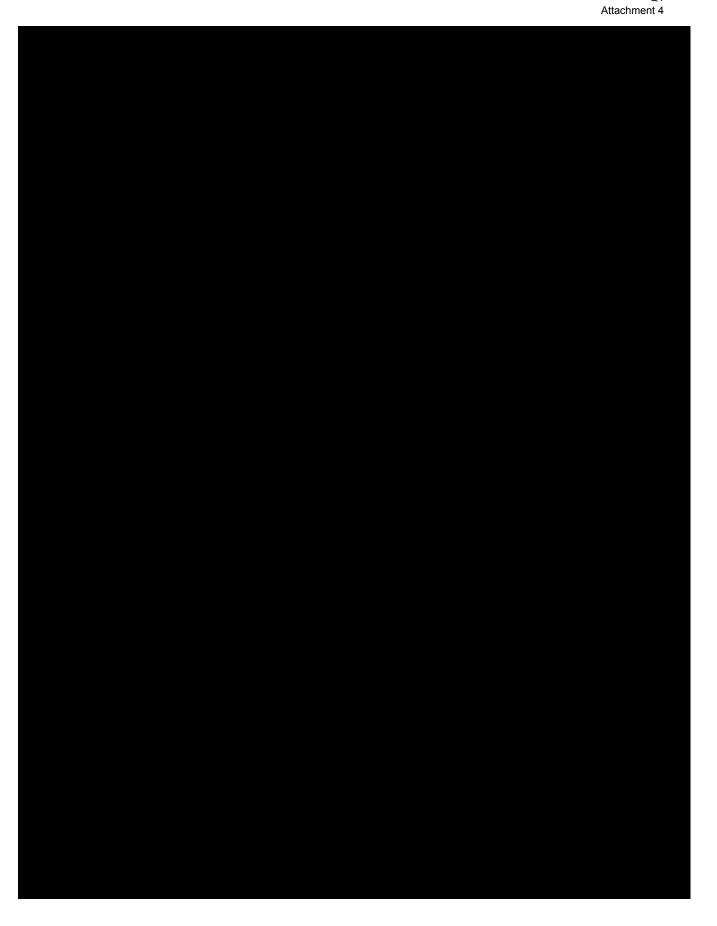


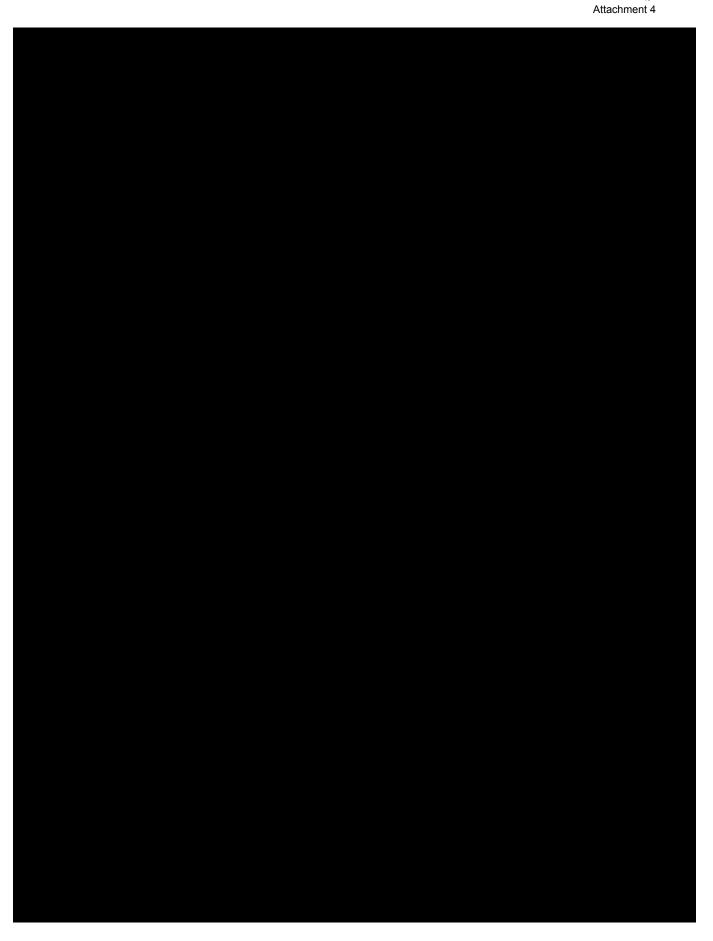




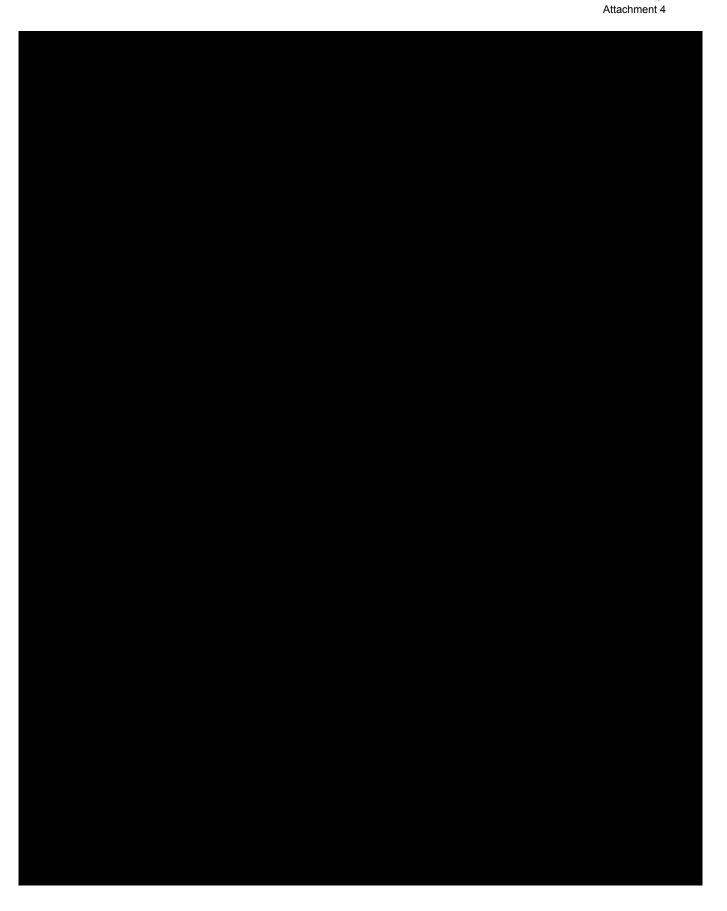






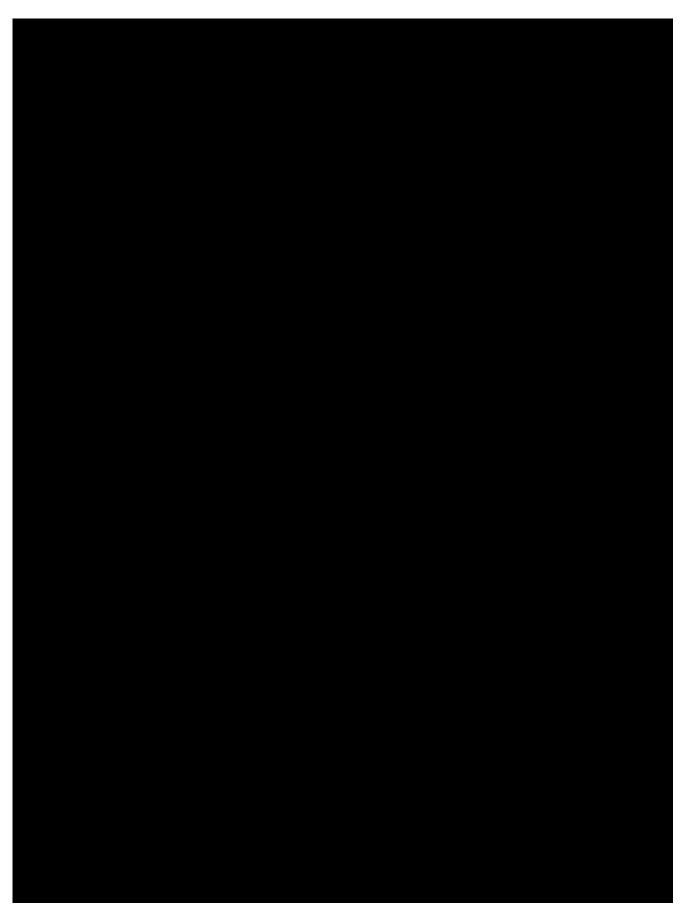








Attachment 4







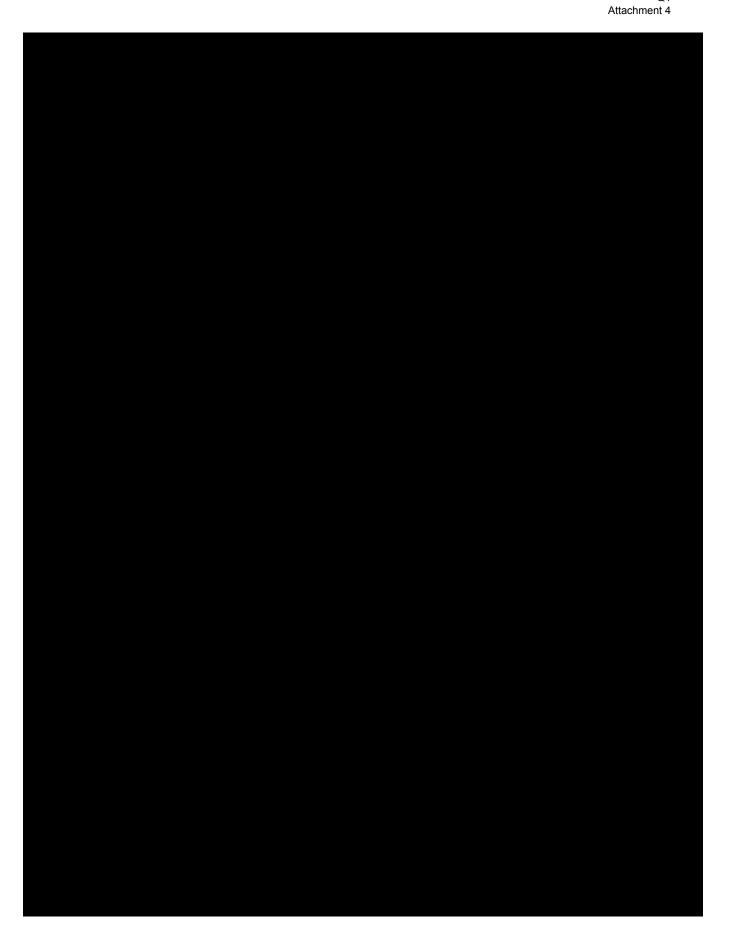




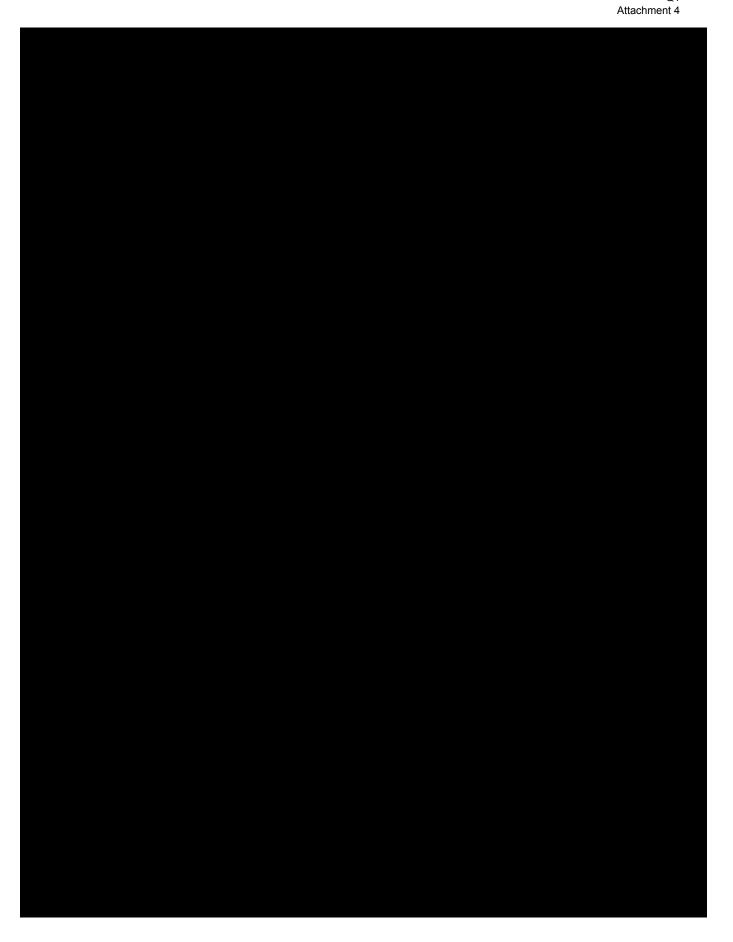


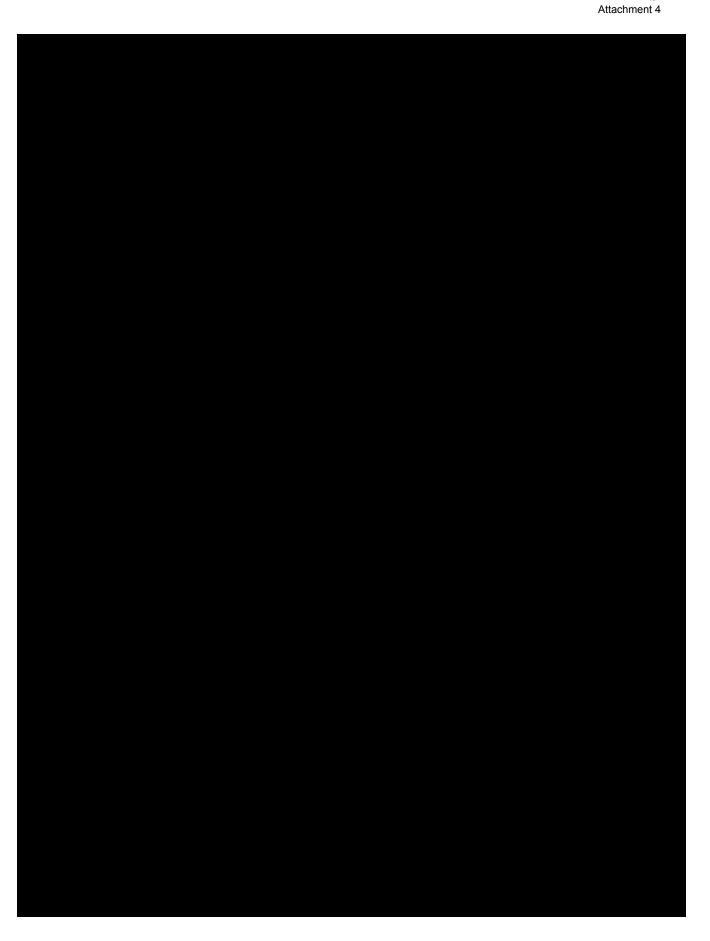


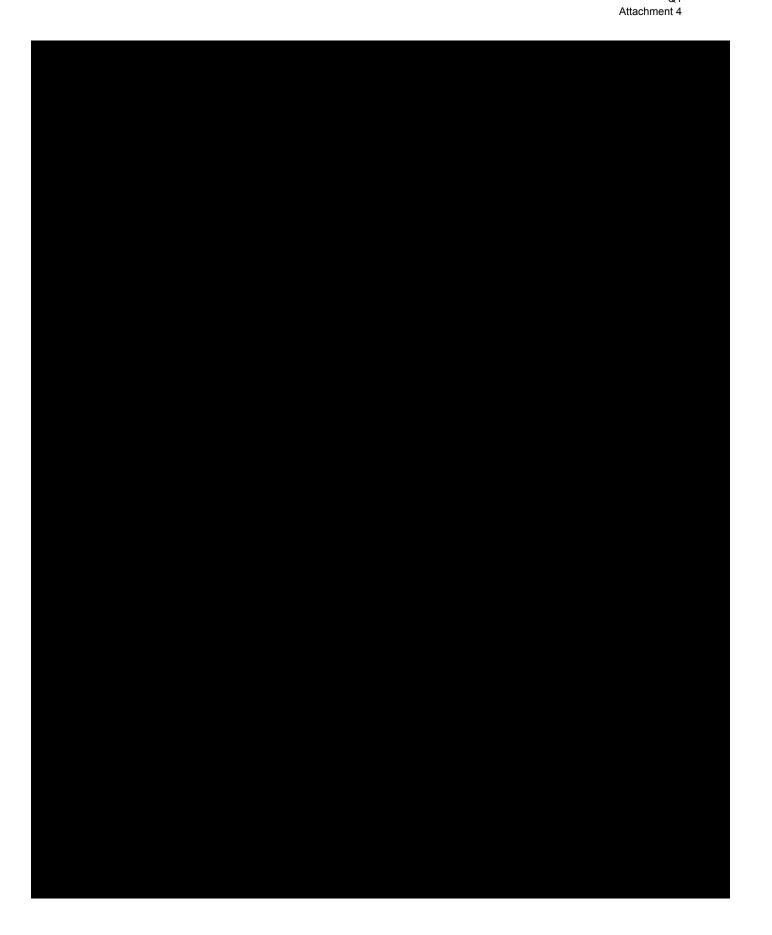


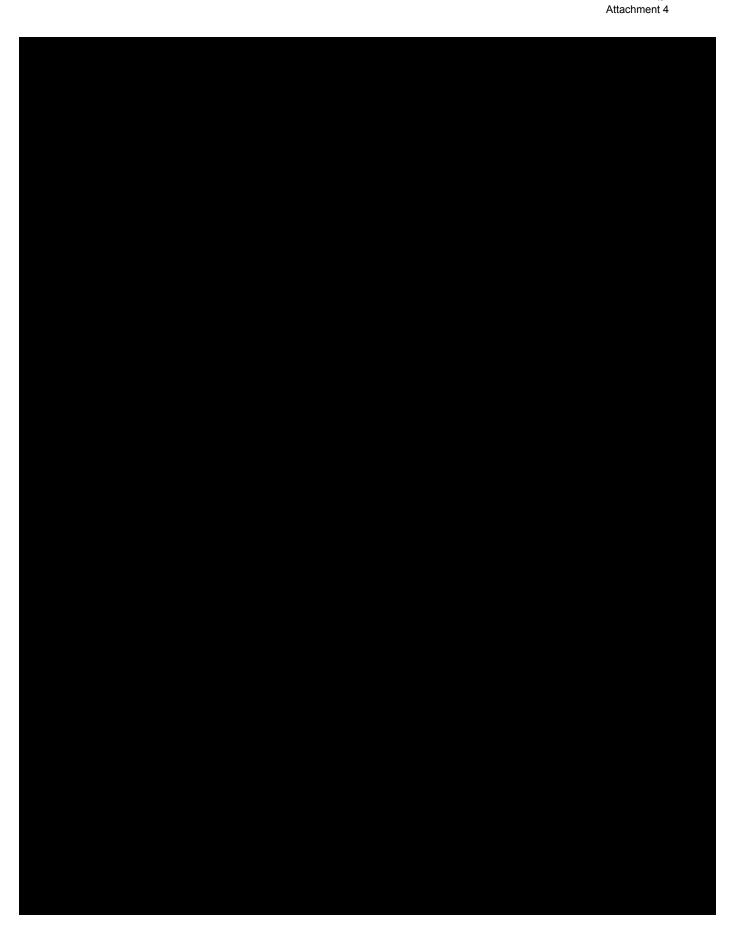


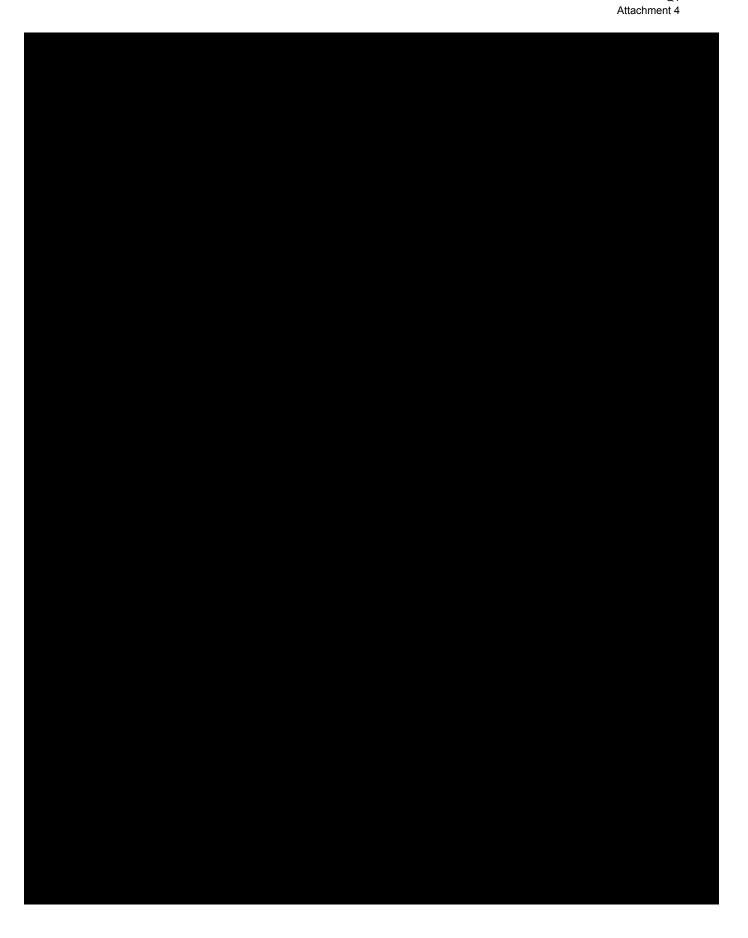


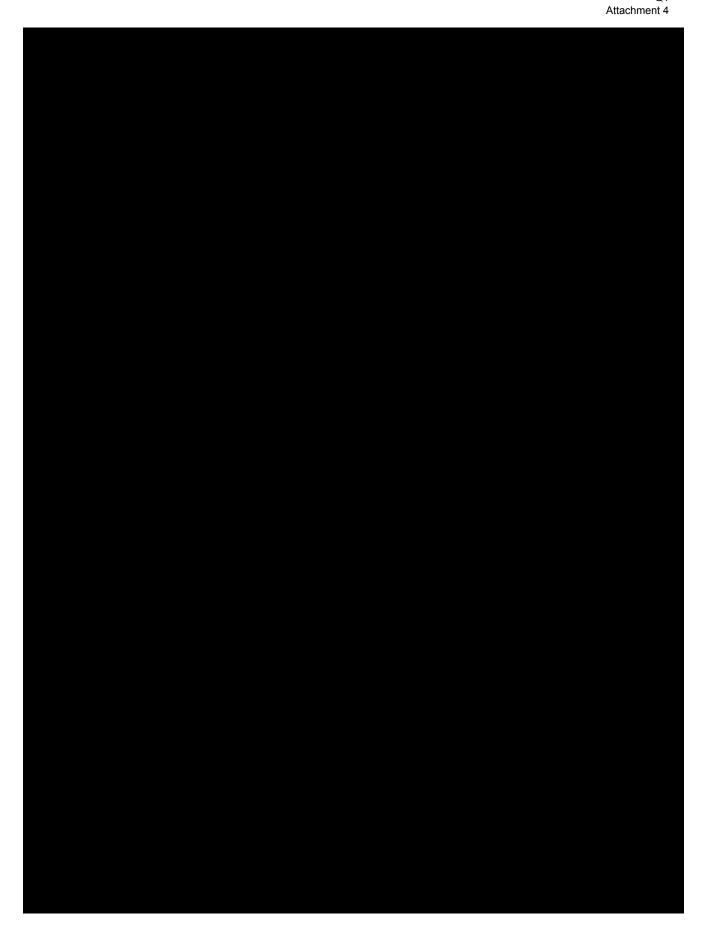


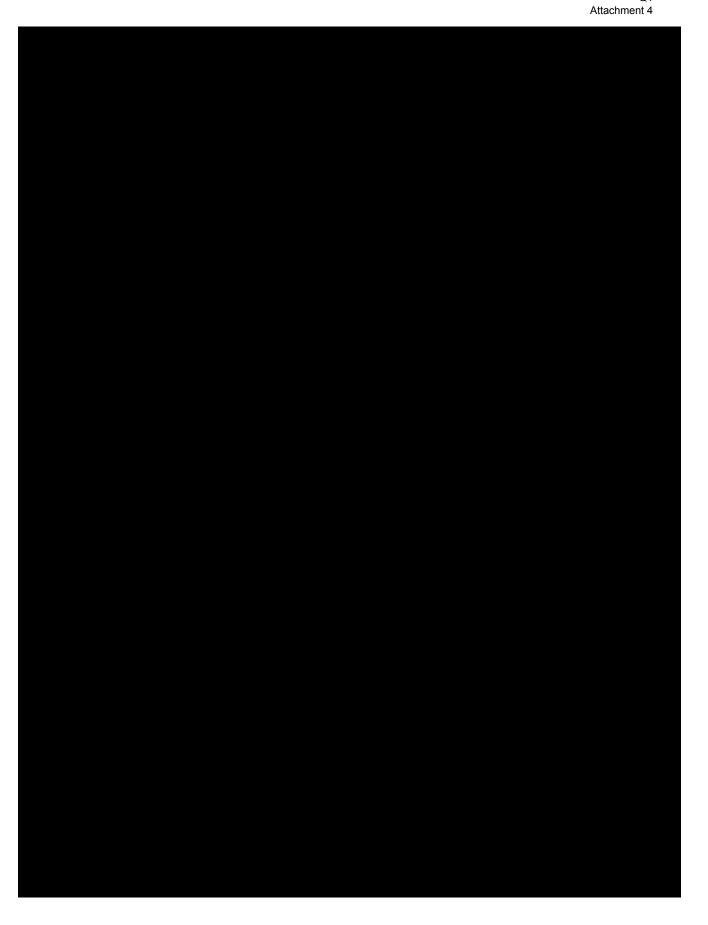


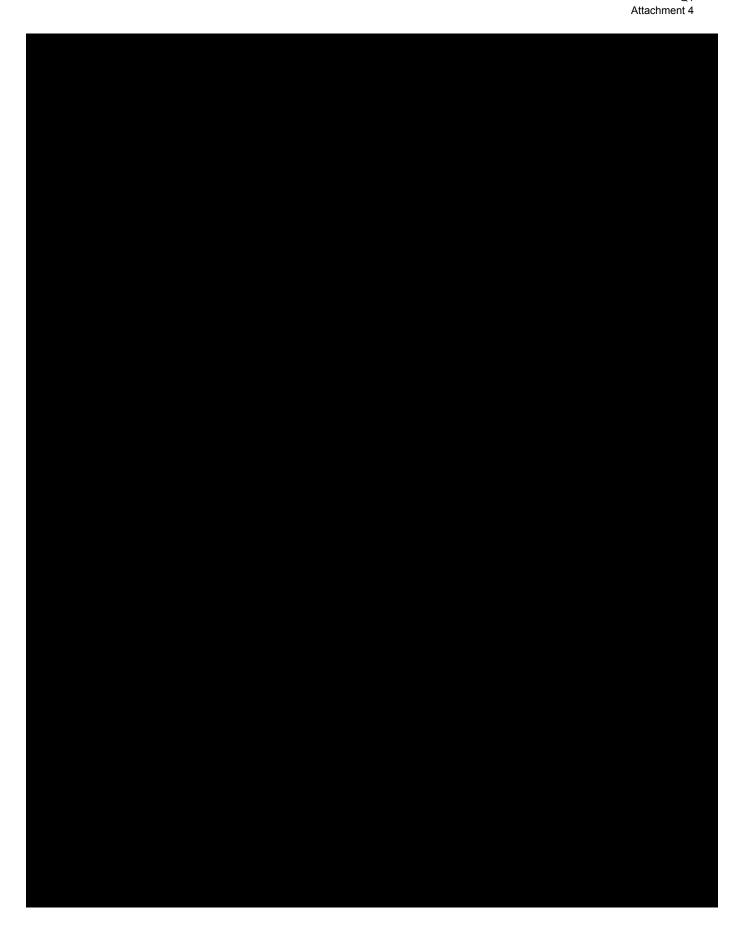


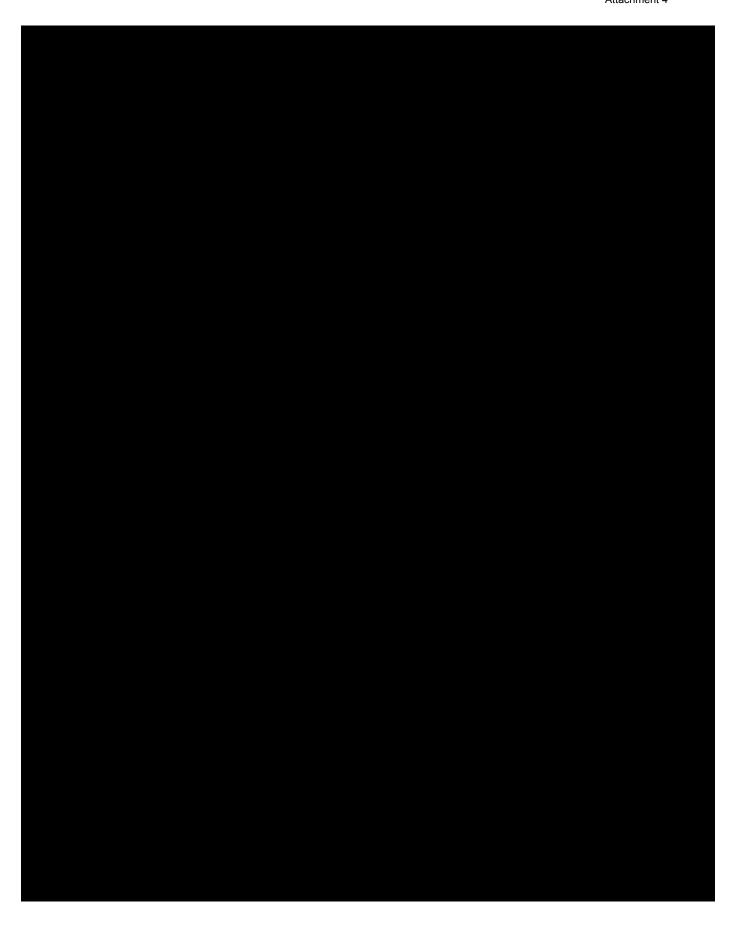


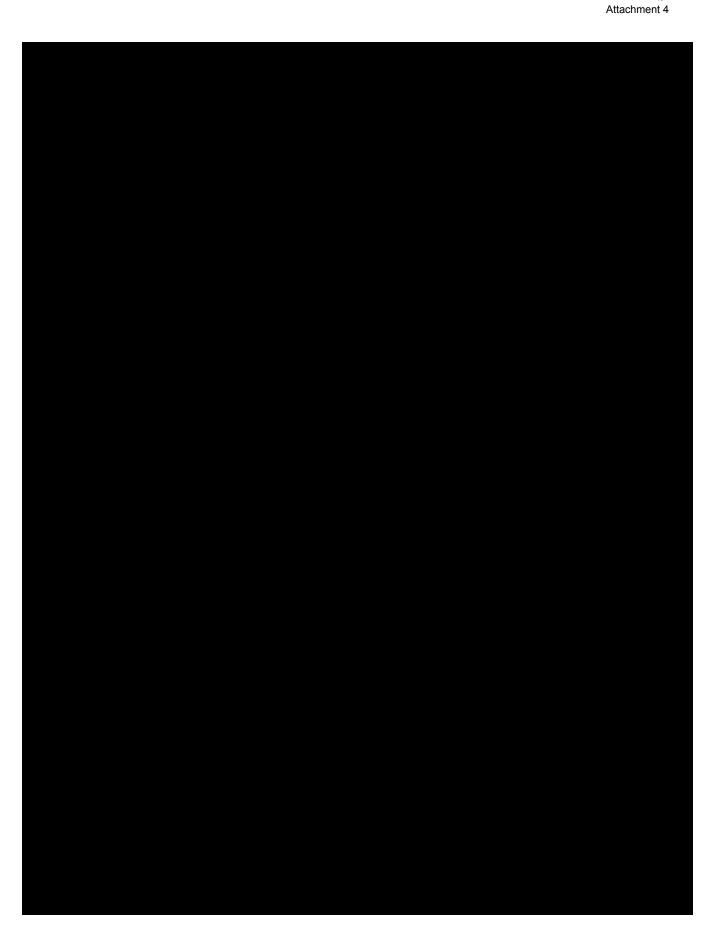


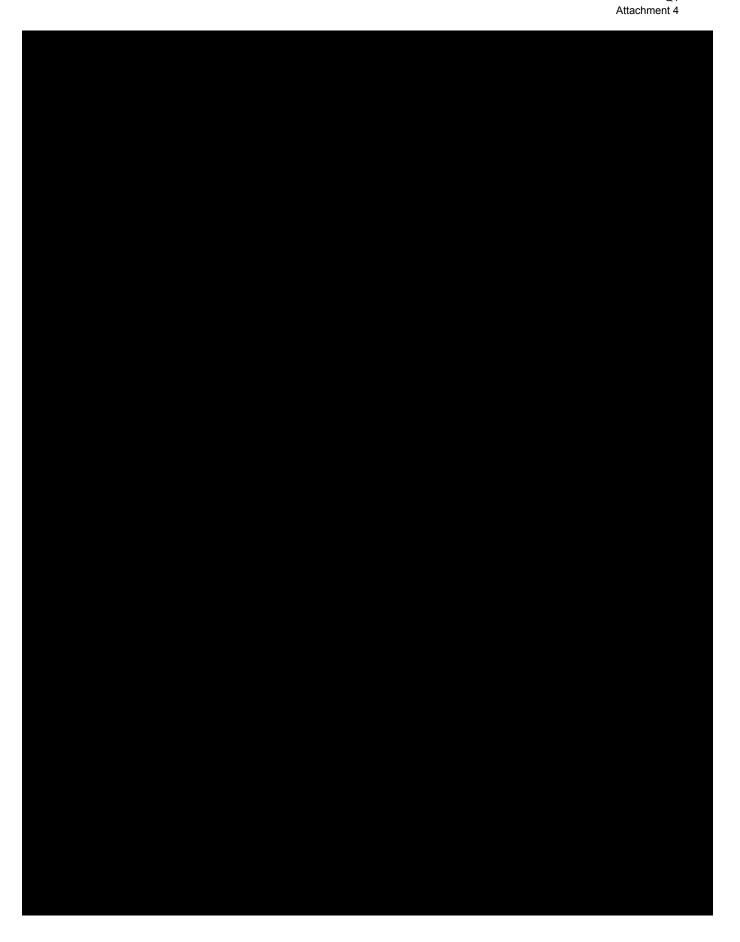


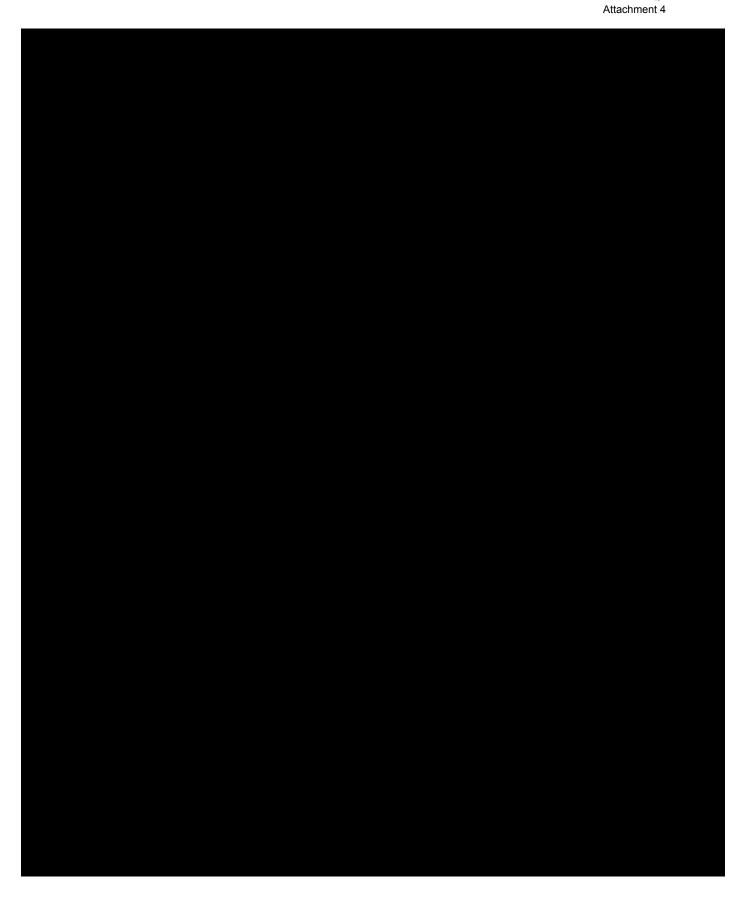


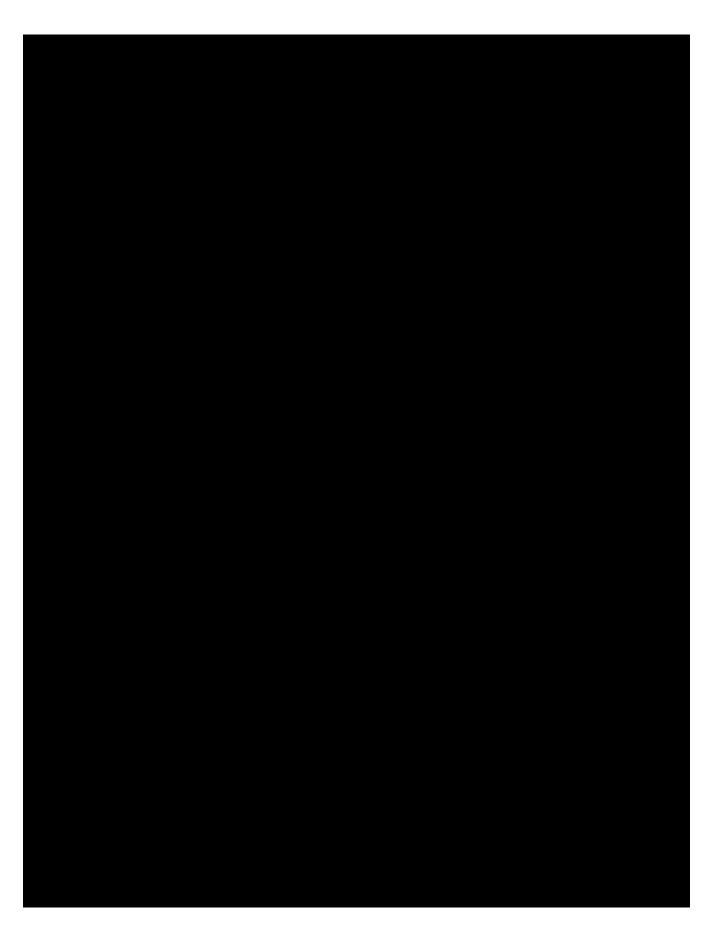


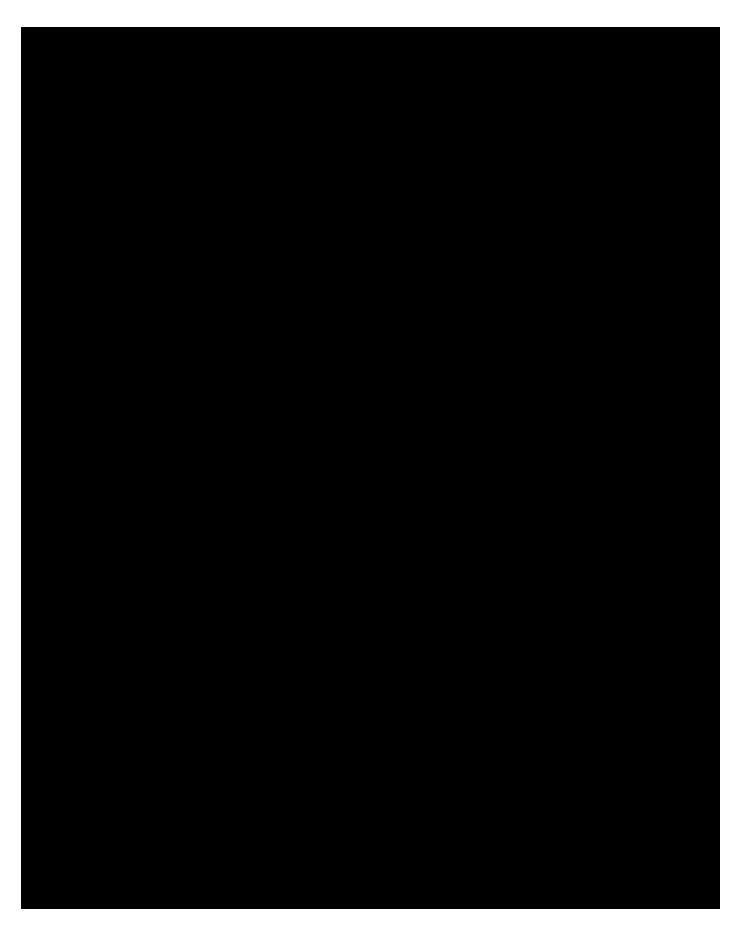


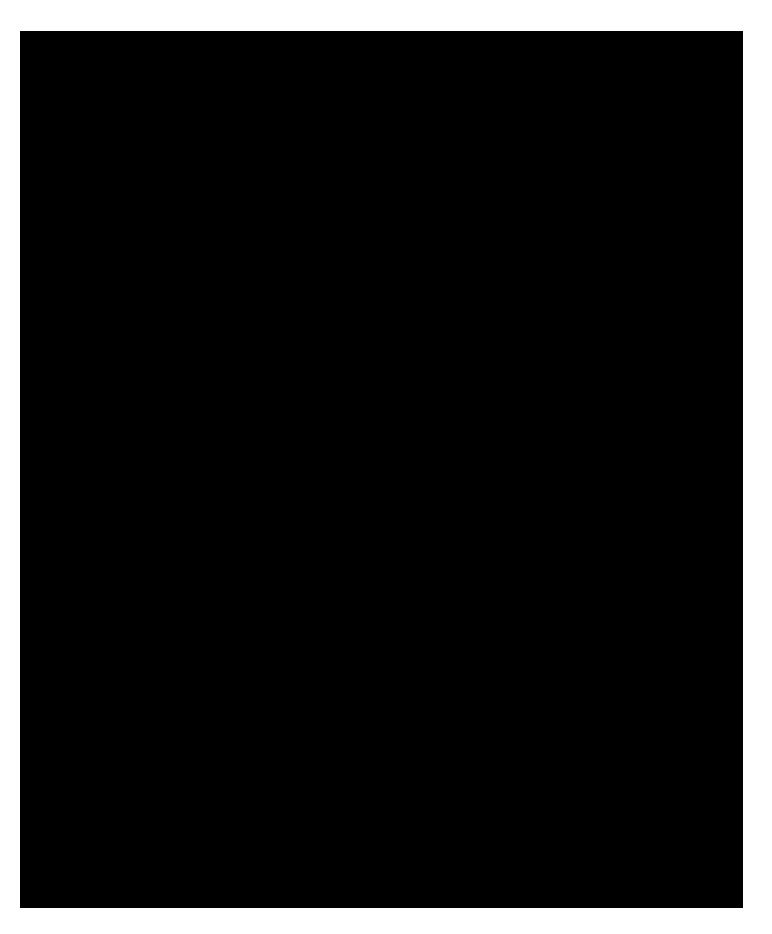


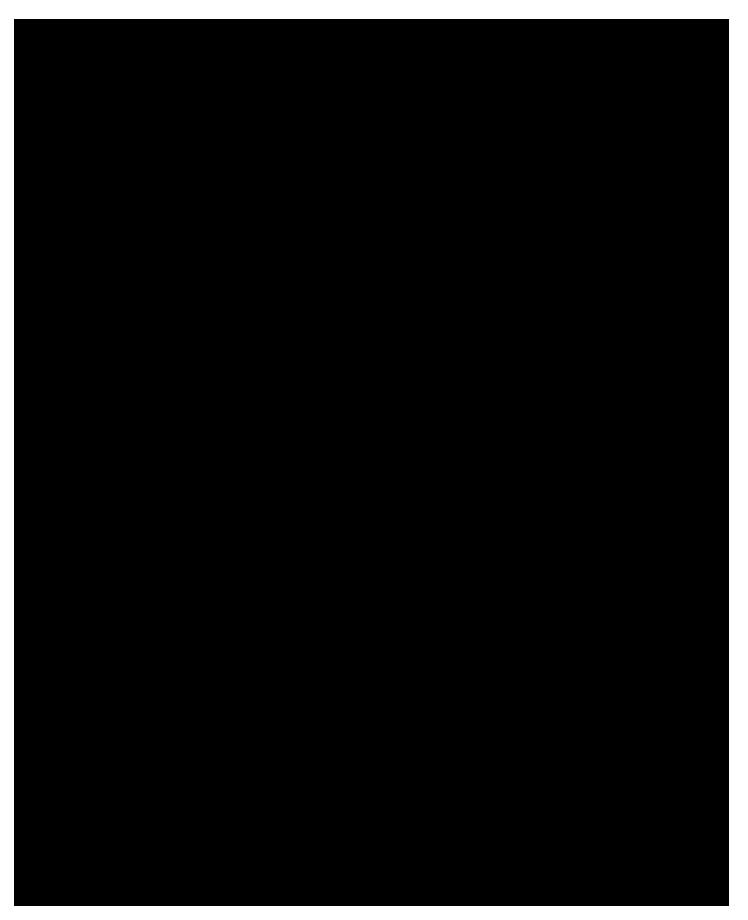
















1 of 3

March 18, 2015 Confidential

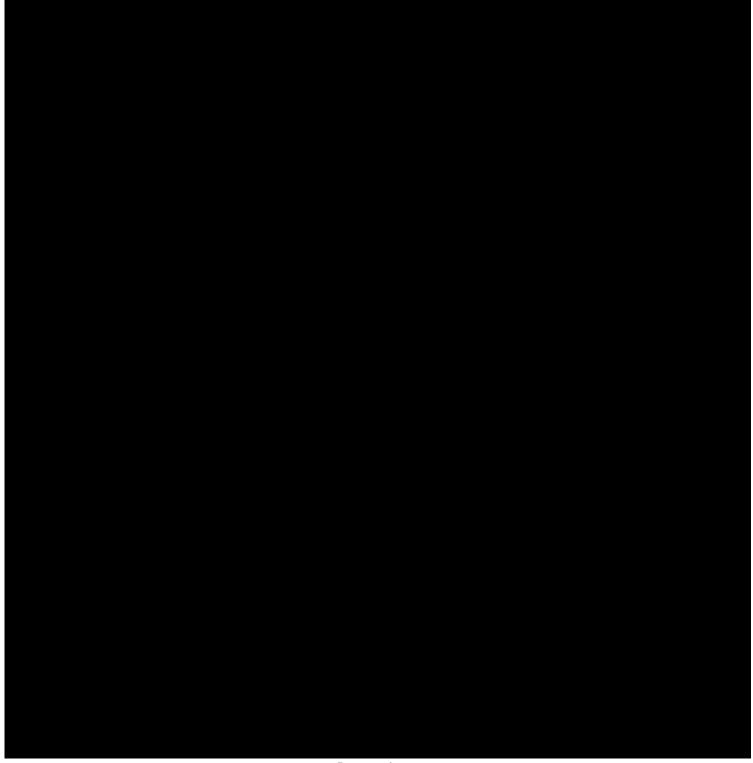
2 of 3

Hines Chillers EPC

Contract # 780889

Revised 3/23/2015 EXHIBIT B-3

HINES CHILLERS -- EPC CONTRACT SCHEDULE (KEY MILESTONE DATES)



Page 1 of 1

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

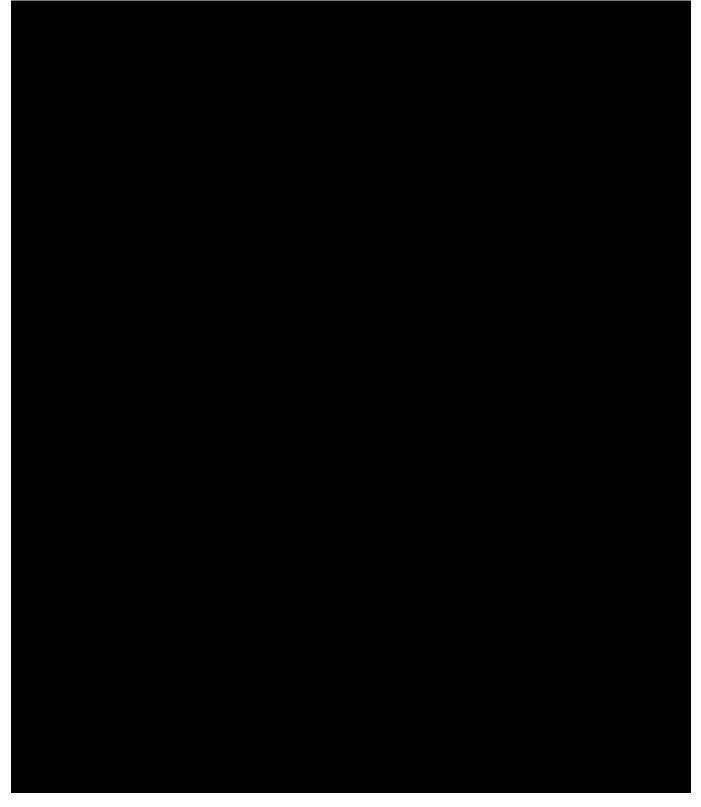
Exhibit C

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

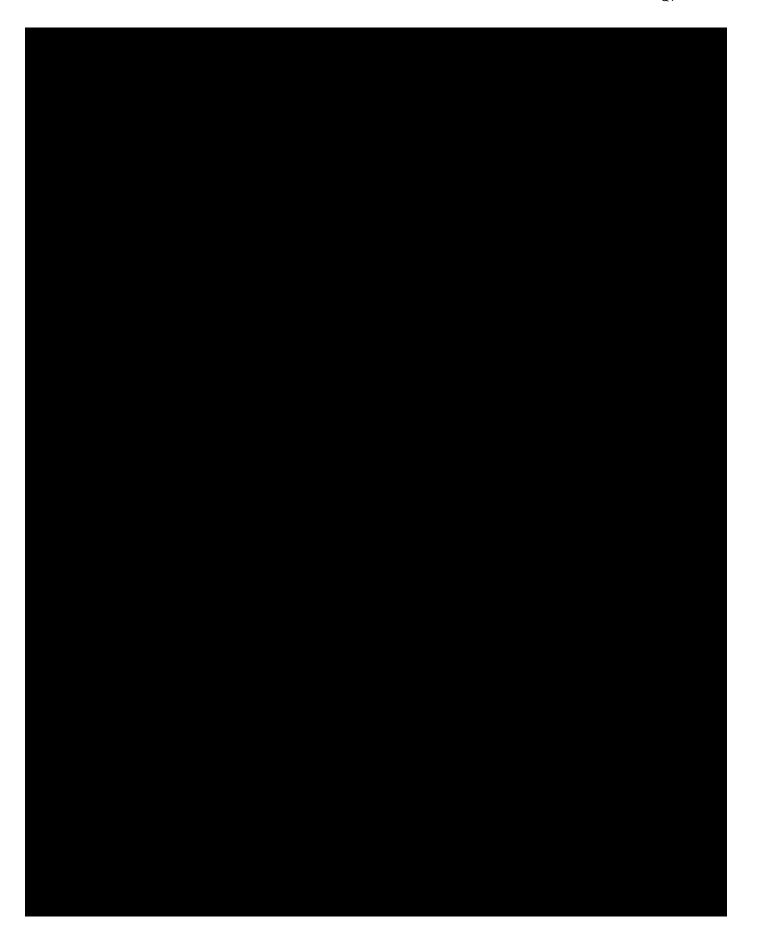
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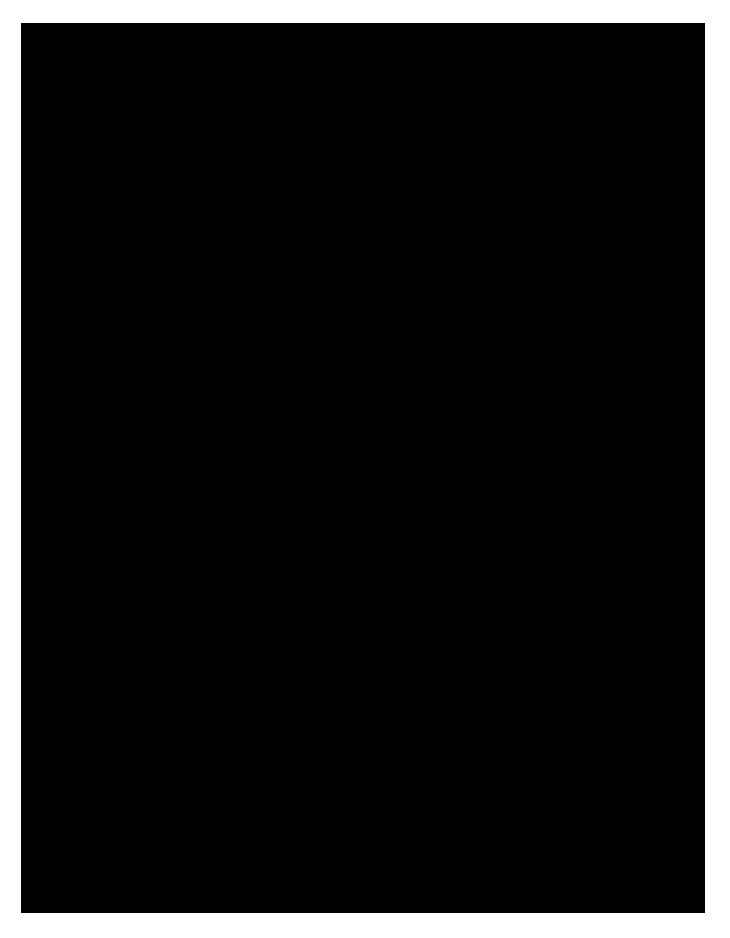
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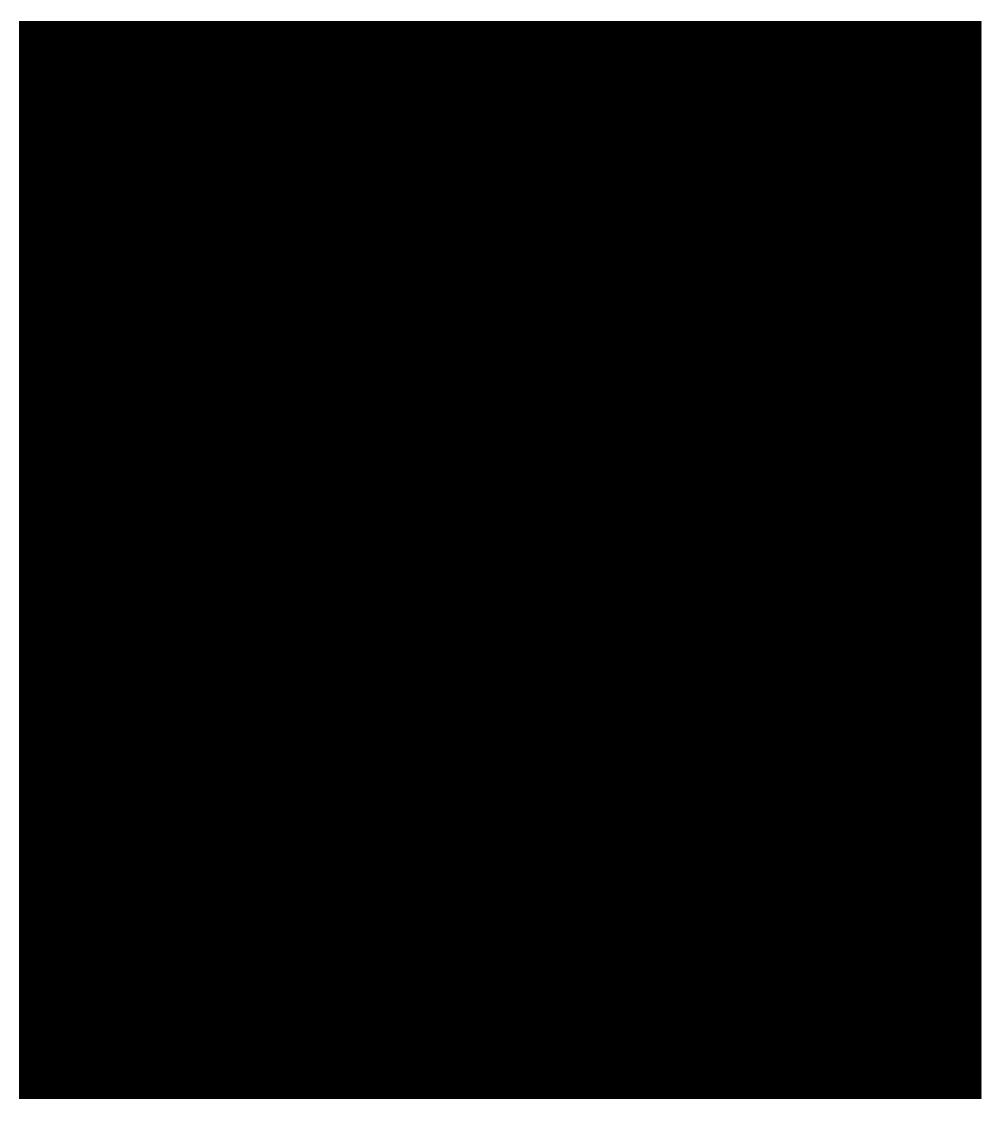












Attachment 3 - Report Matrix

Hines Chillers EPC Payment Schedule



Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

Hines Chillers
EPC Contract
Payment Schedule



Revised 3/23/2015

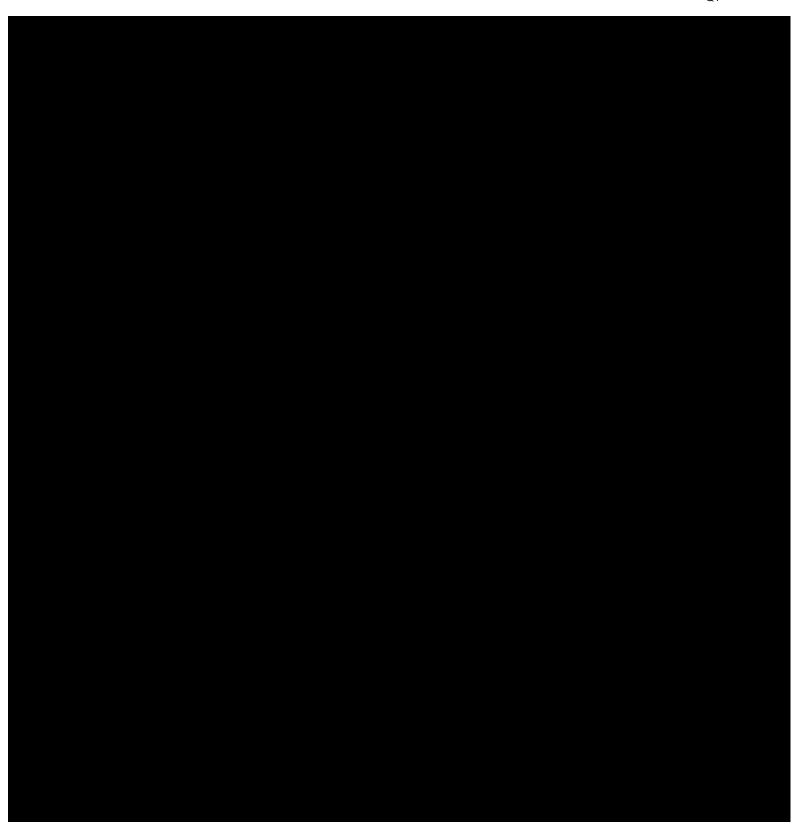
HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

Exhibit C

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

Exhibit C



Revised 3/23/2015 EXHIBIT B-1

HINES CHILLERS -- EPC CONTRACT CASH FLOW PLAN

$Exhibit B \\ (2^{nd} copy)$ REDACTED

ENGINEERING, PROCUREMENT AND CONSTRUCTION AGREEMENT NO. 780889

between

DUKE ENERGY FLORIDA, INC., as Owner

and

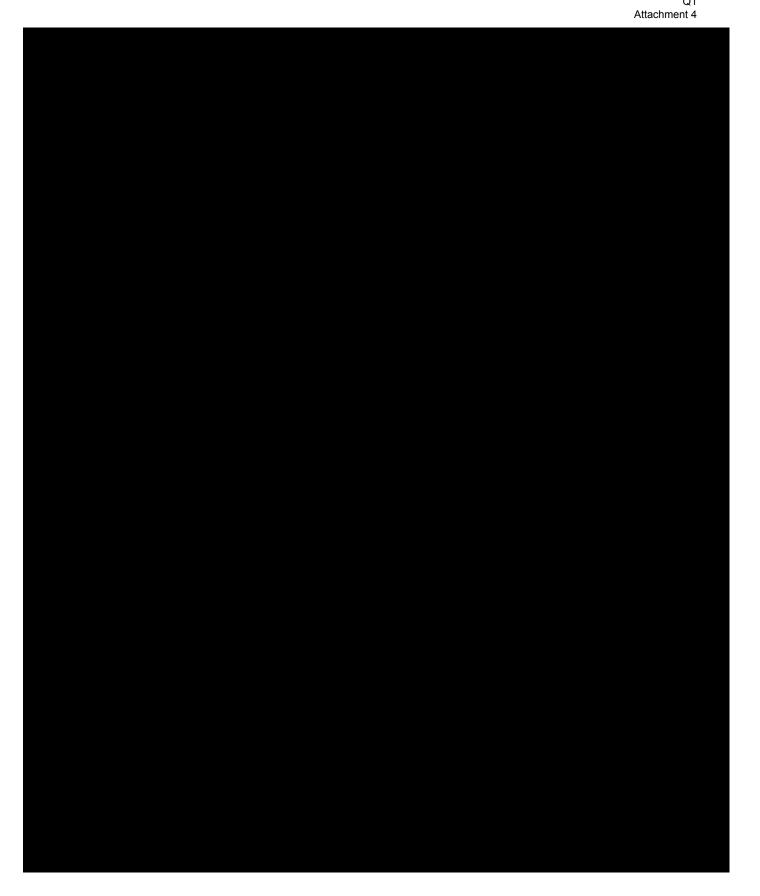
AMEC FOSTER WHEELER KAMTECH, INC., as Contractor

for the

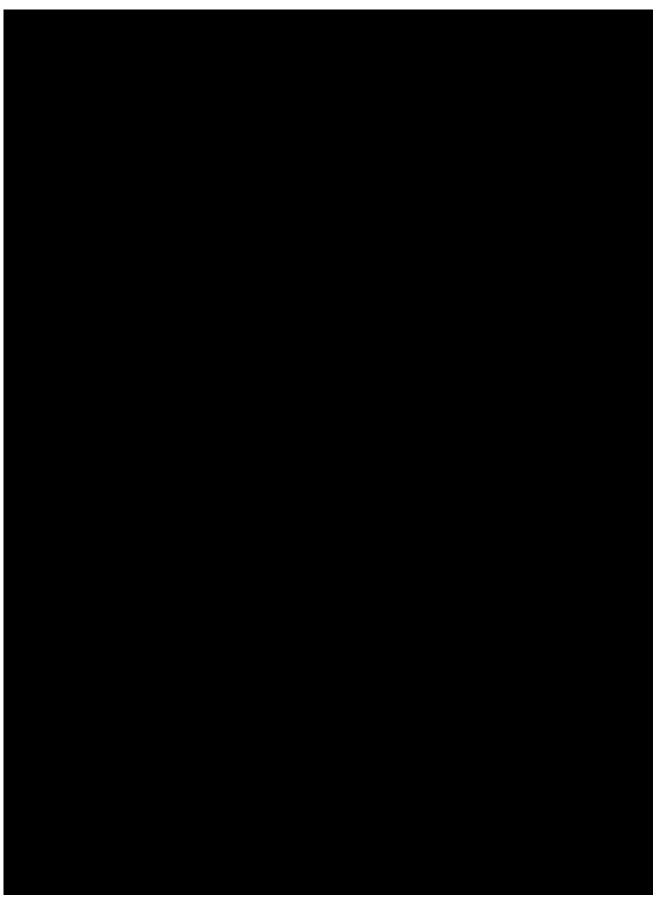
ENGINEERING, PROCUREMENT, AND CONSTRUCTION OF <u>CHILLER SYSTEMS FOR</u> <u>POWER BLOCKS 1 TO 4</u>

AT THE HINES ENERGY COMPLEX
IN POLK COUNTY, FLORIDA

Dated March 23, 2015



Attachment 4



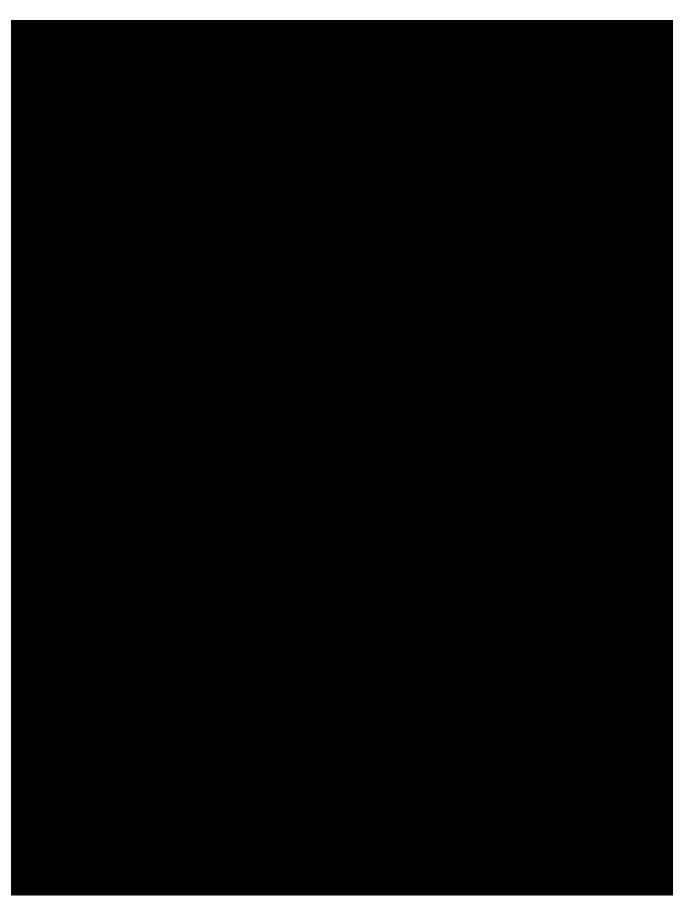


Duke Energy Florida Response to Staff's 3rd Data Request Q1

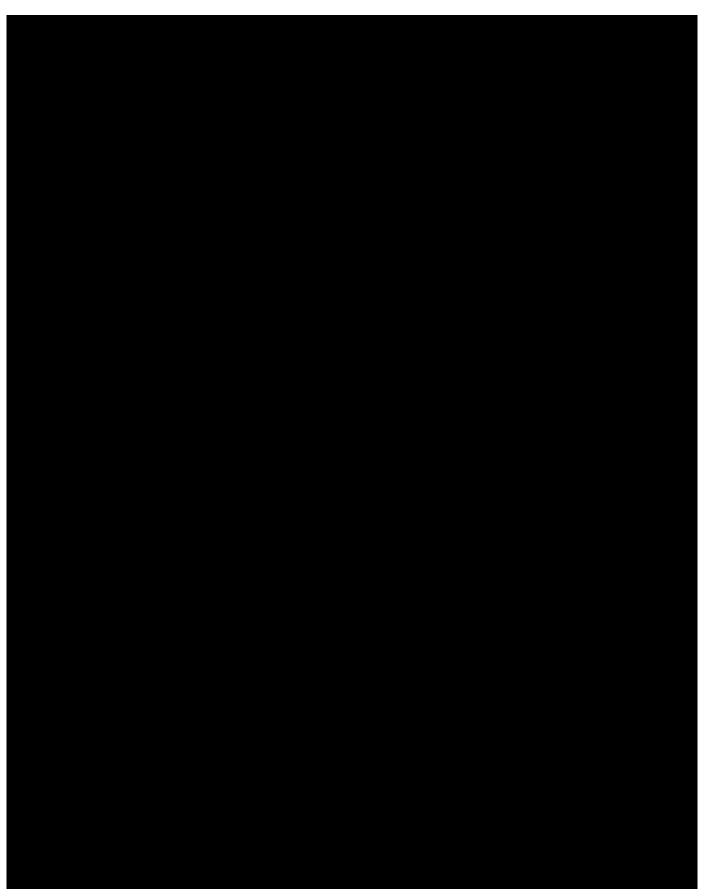
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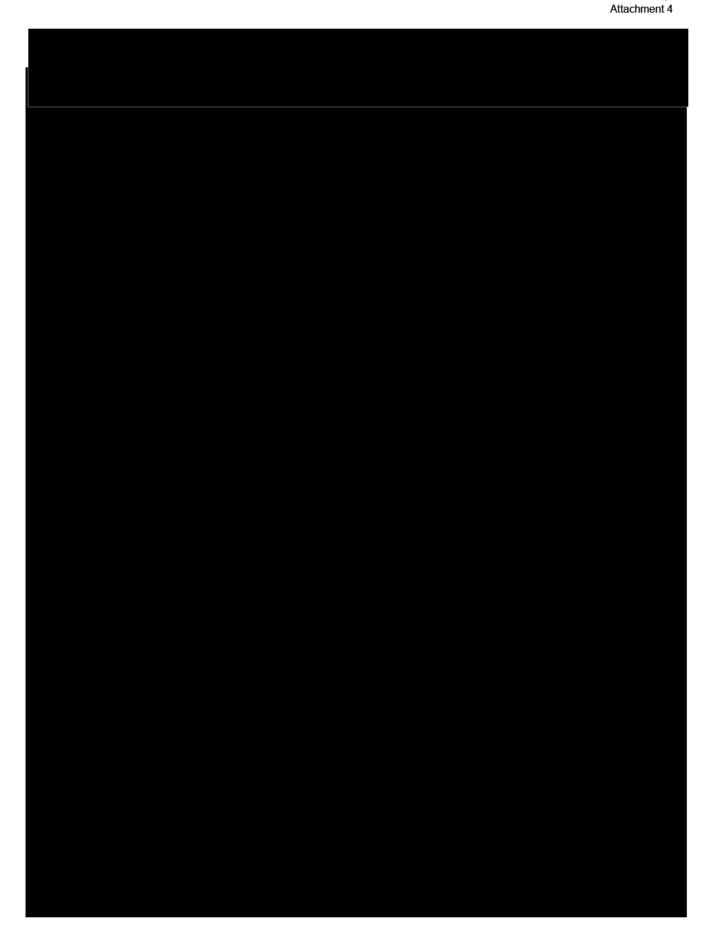


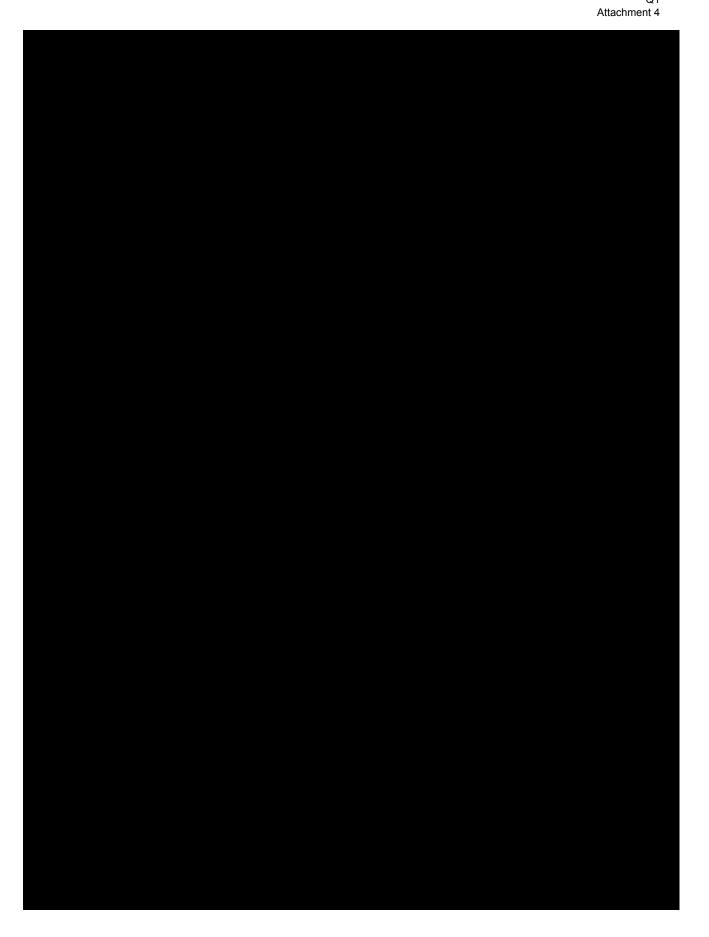
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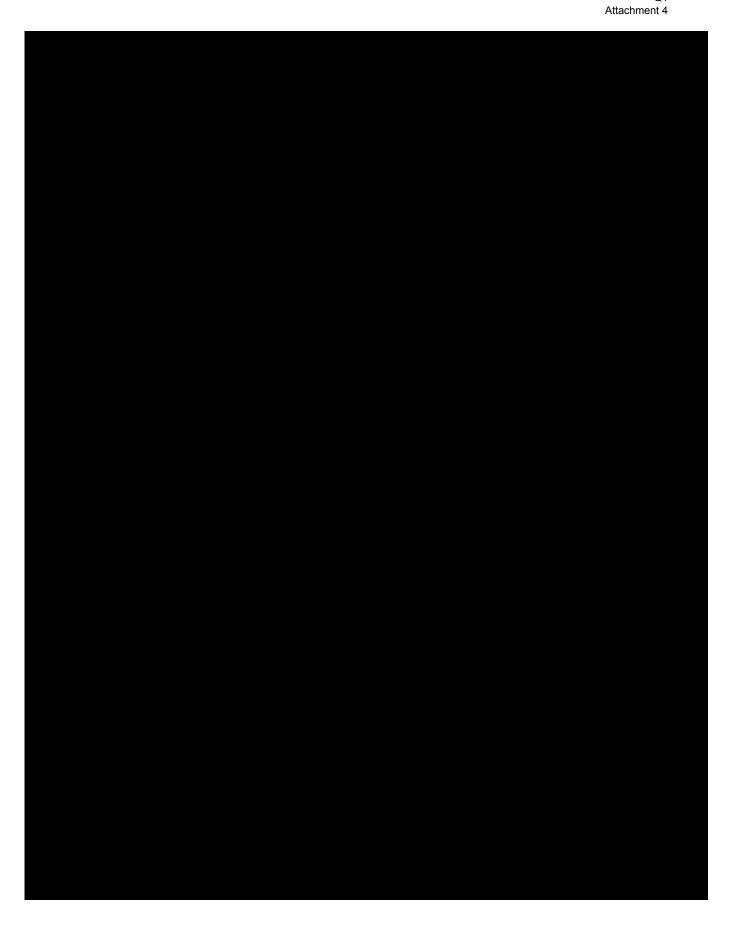


Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

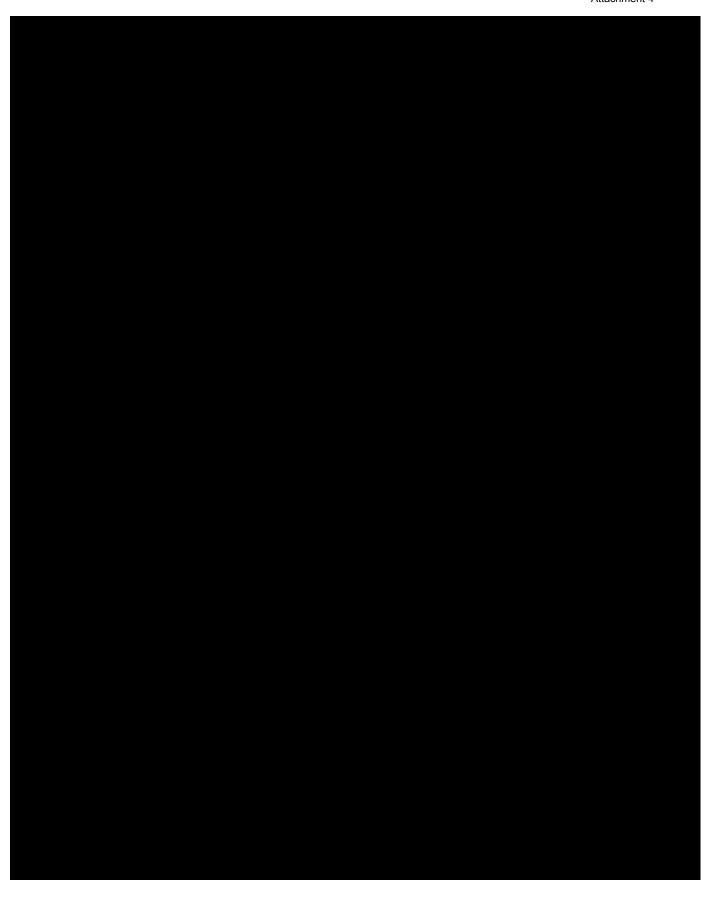






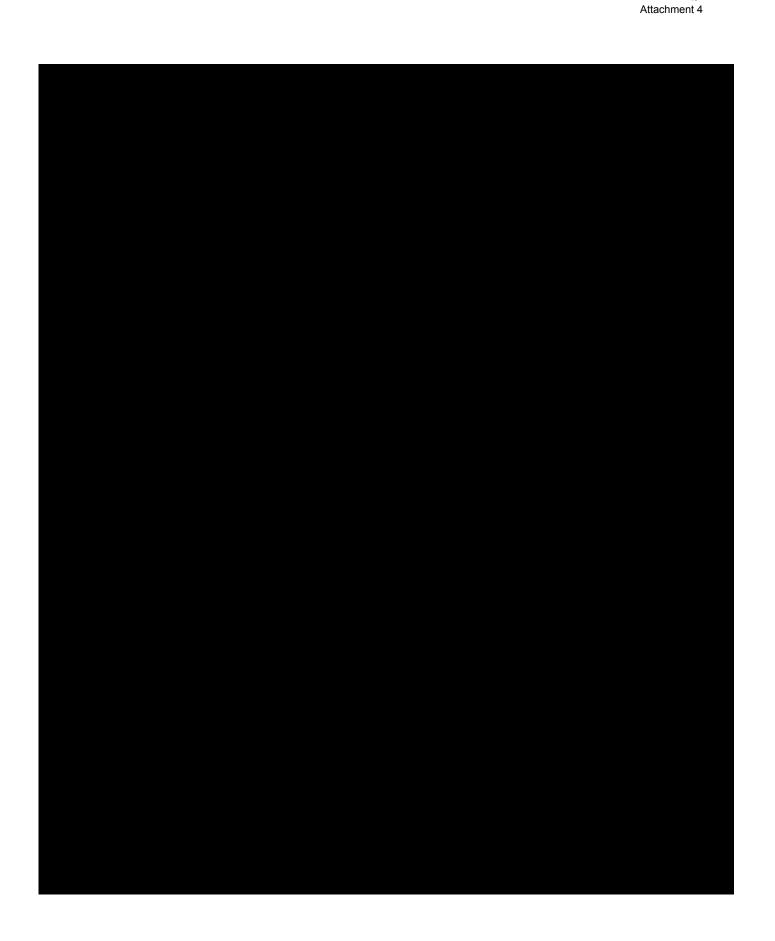


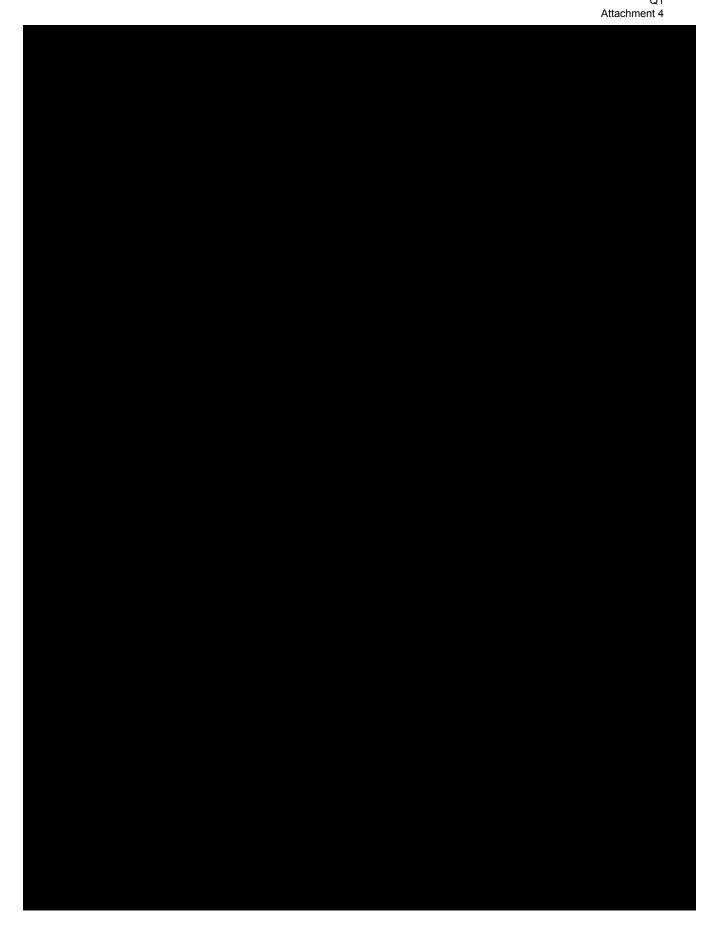
Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4







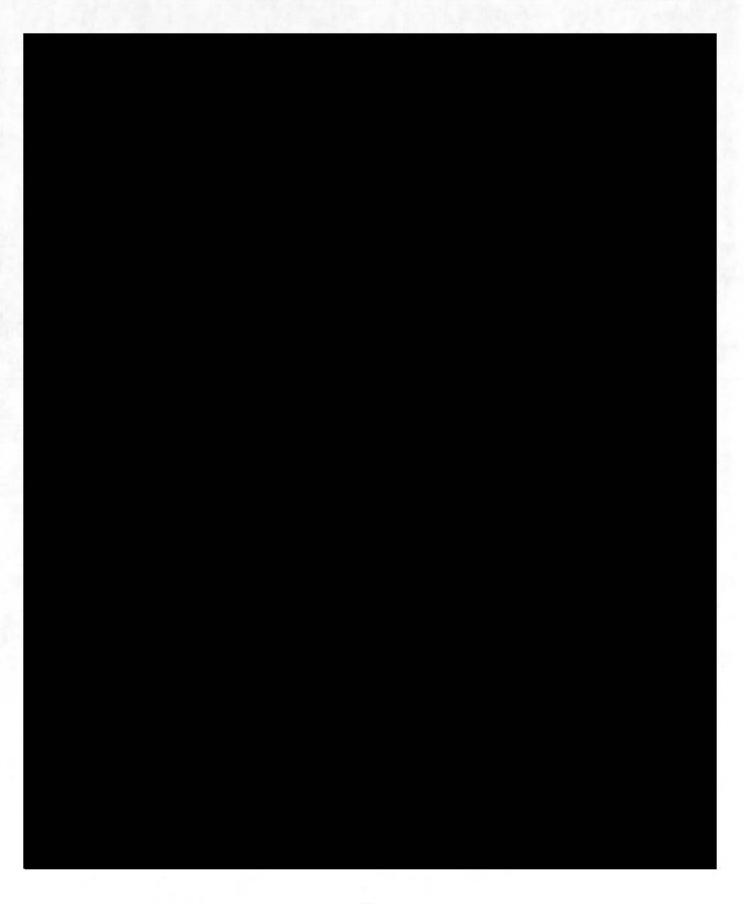




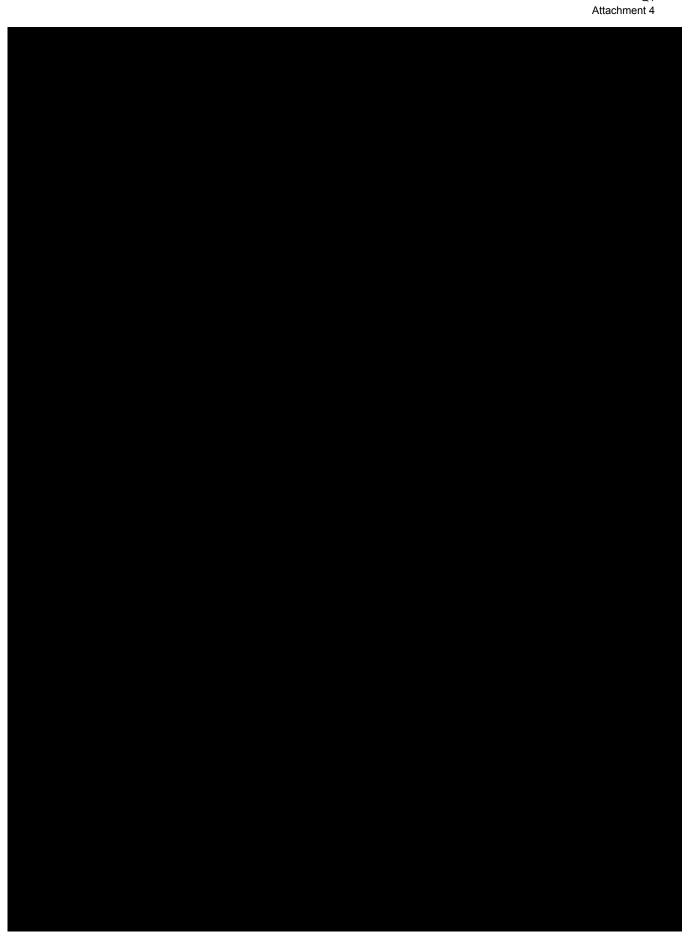


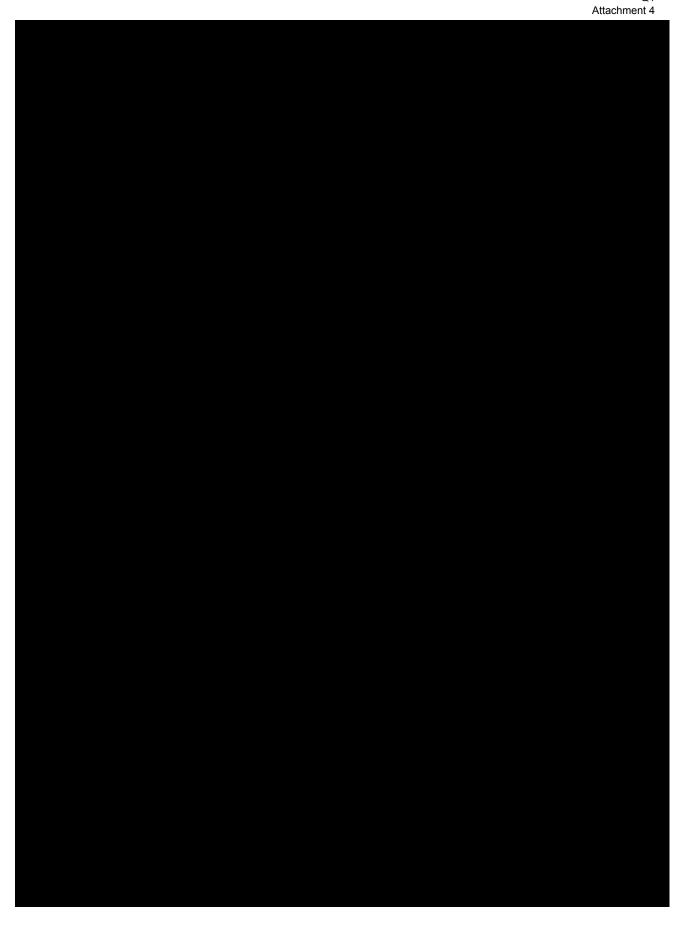


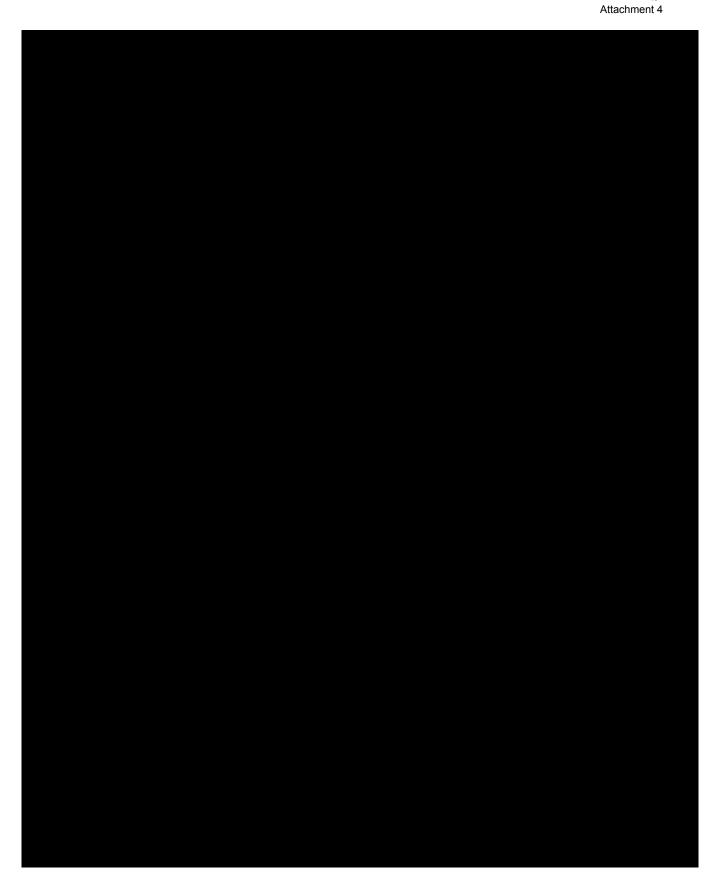


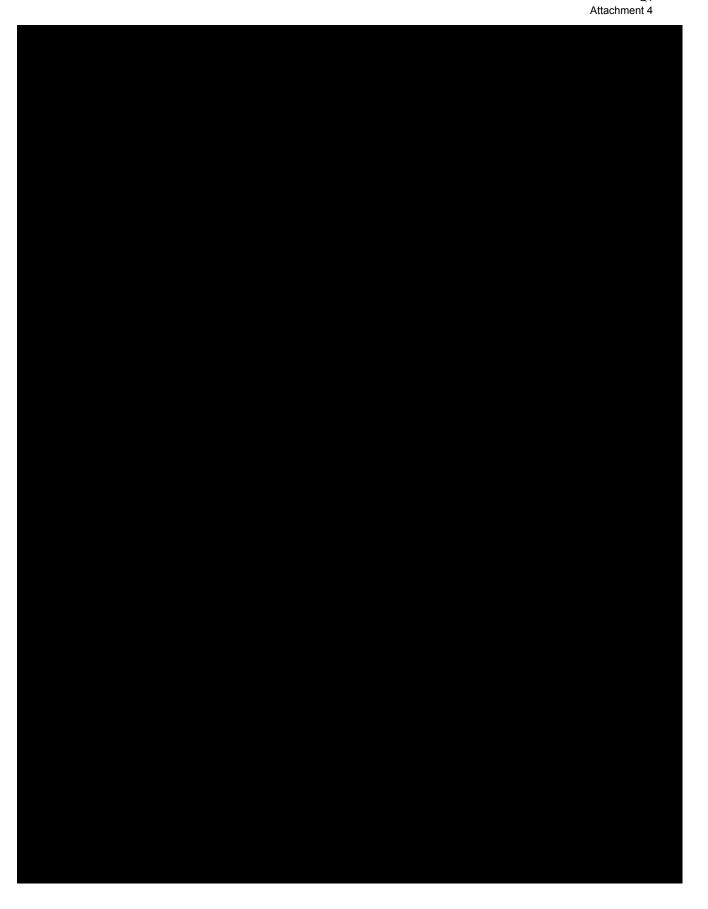


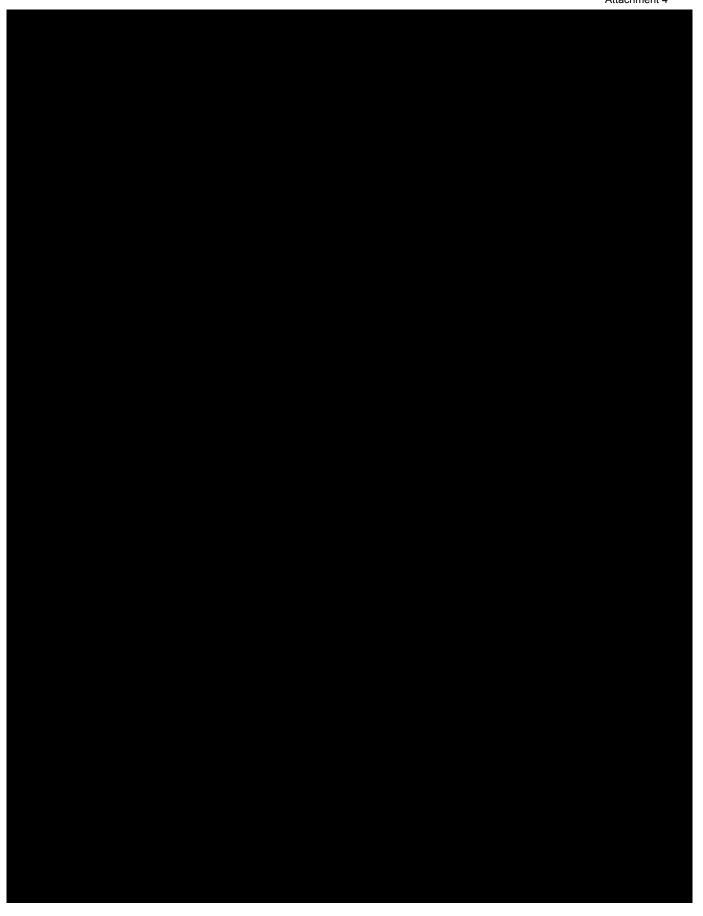








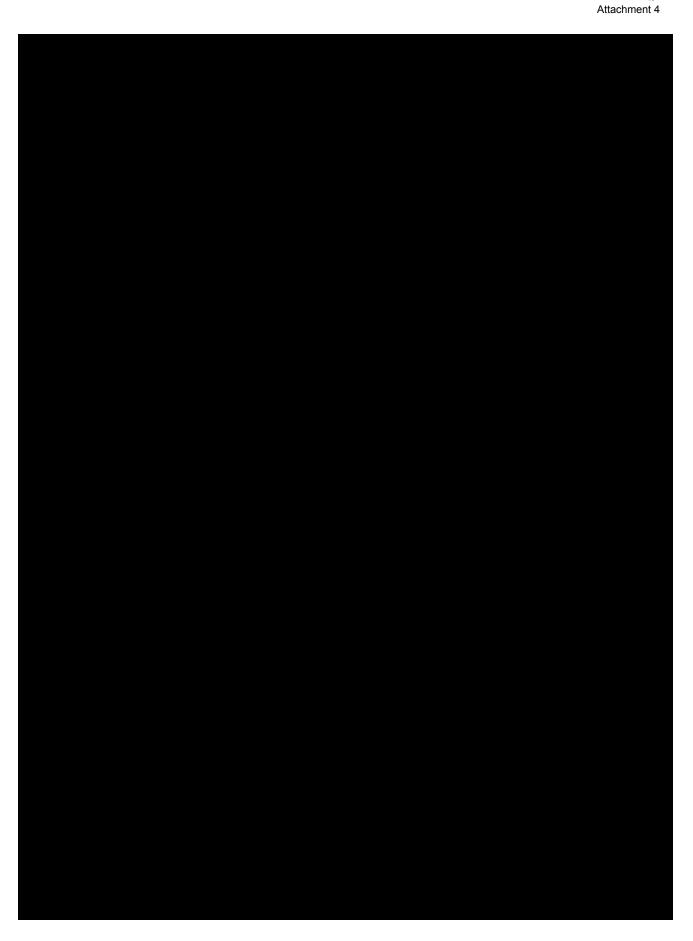


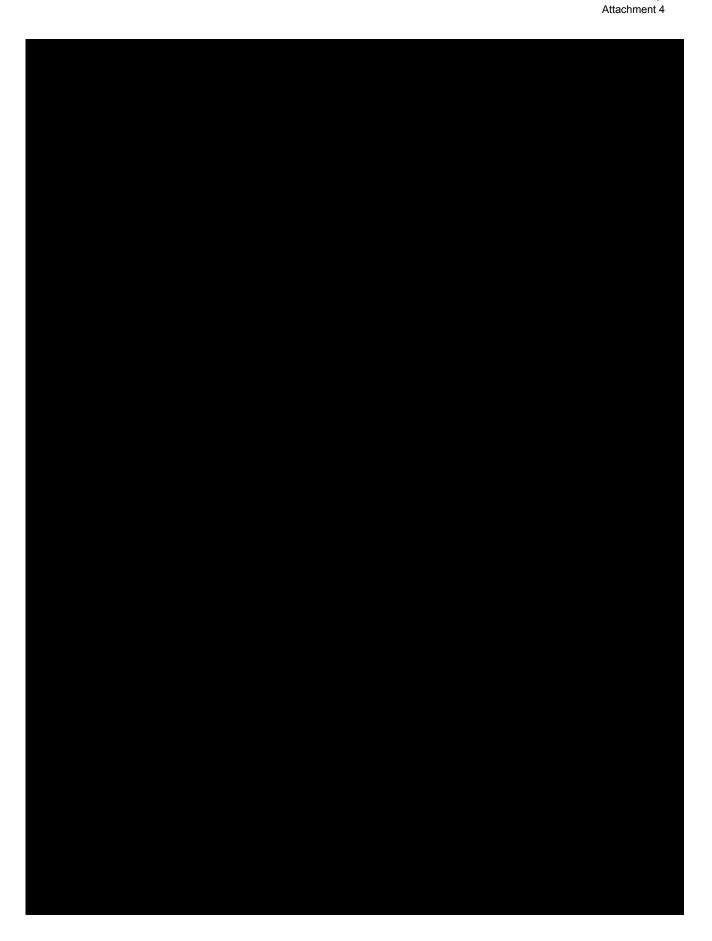


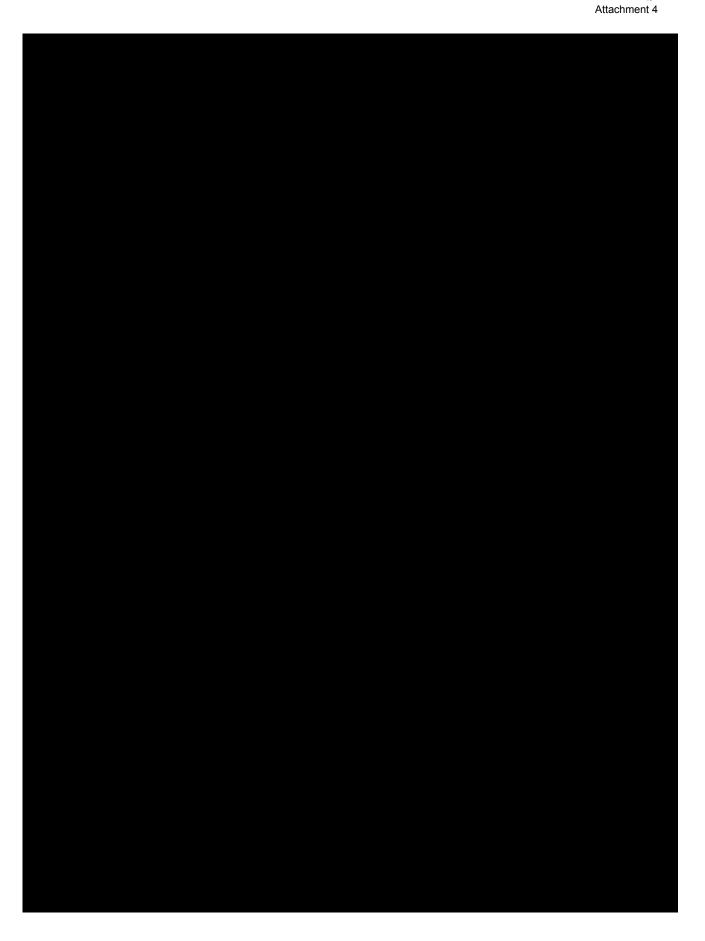


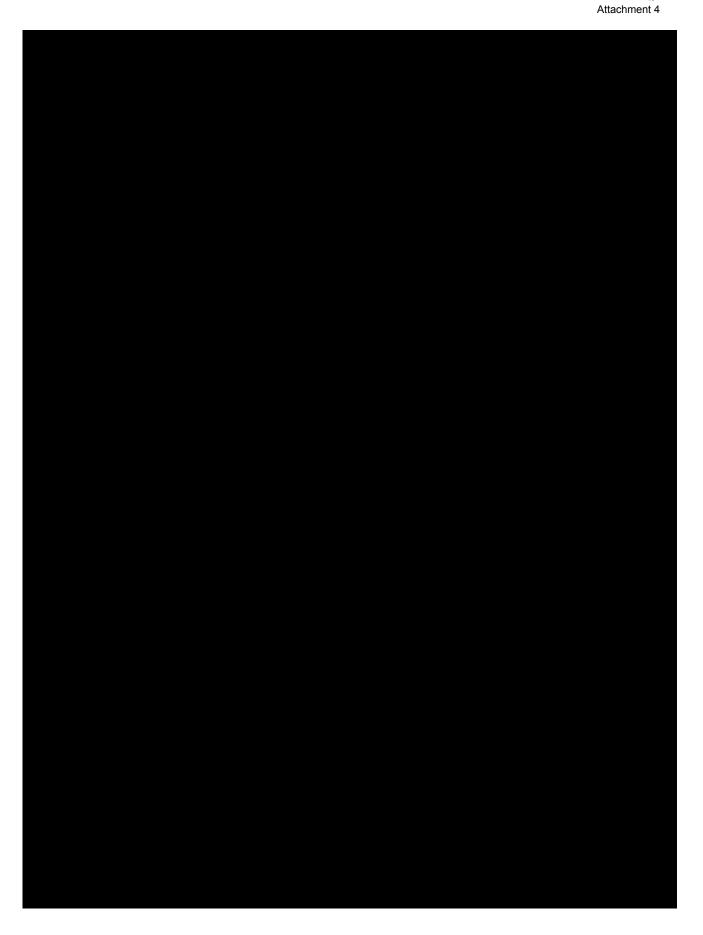


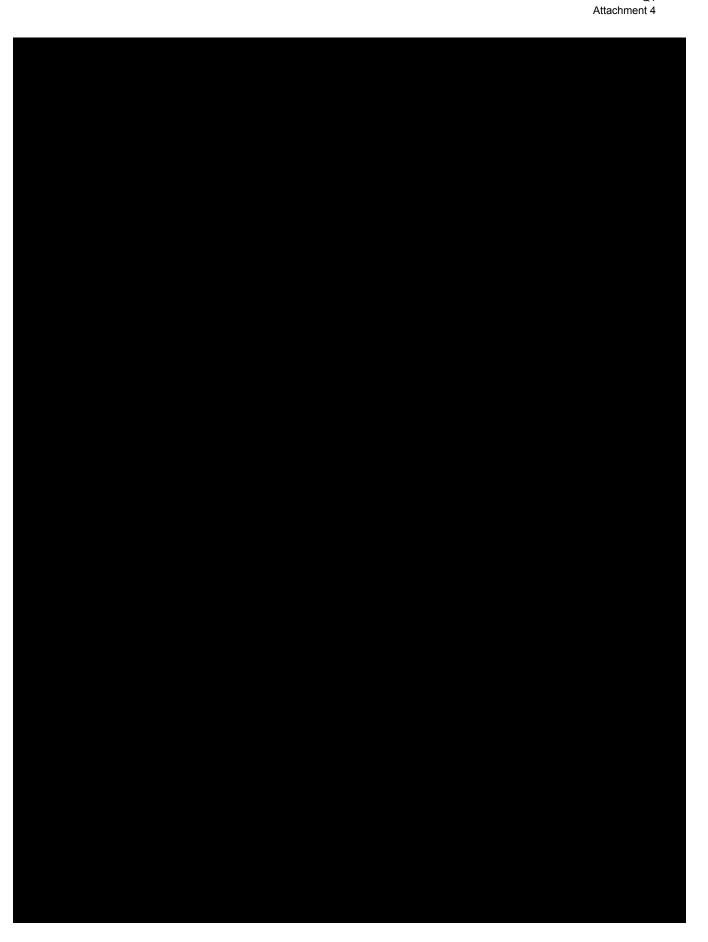




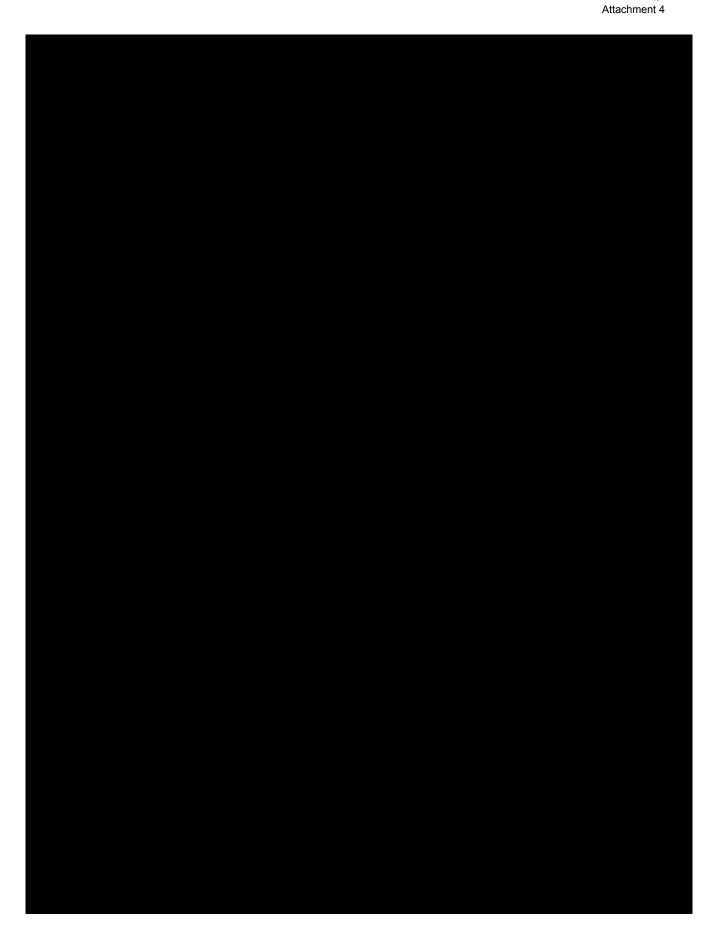


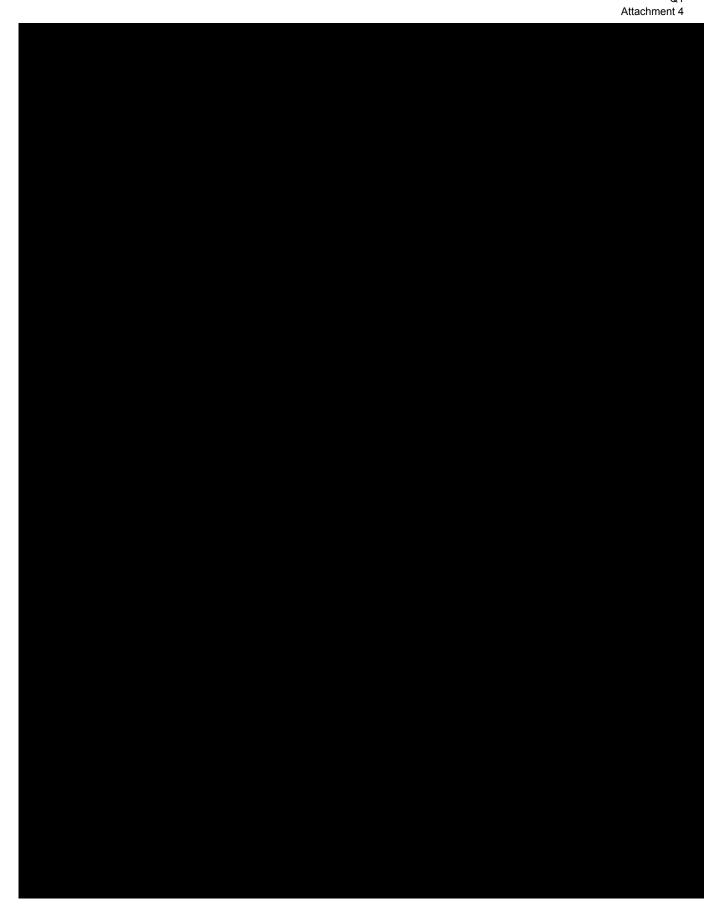


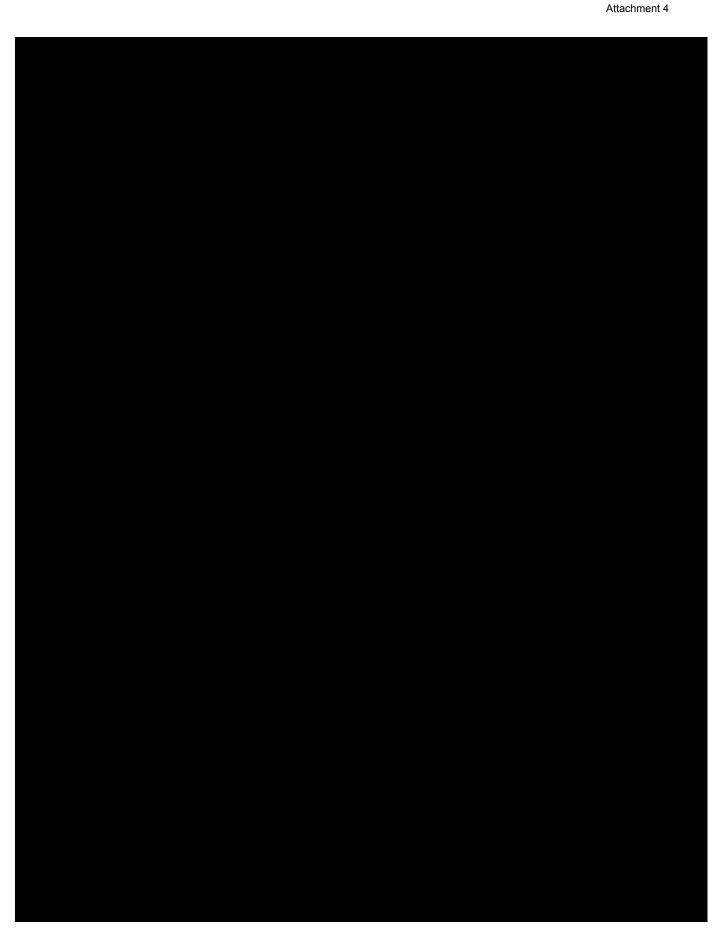






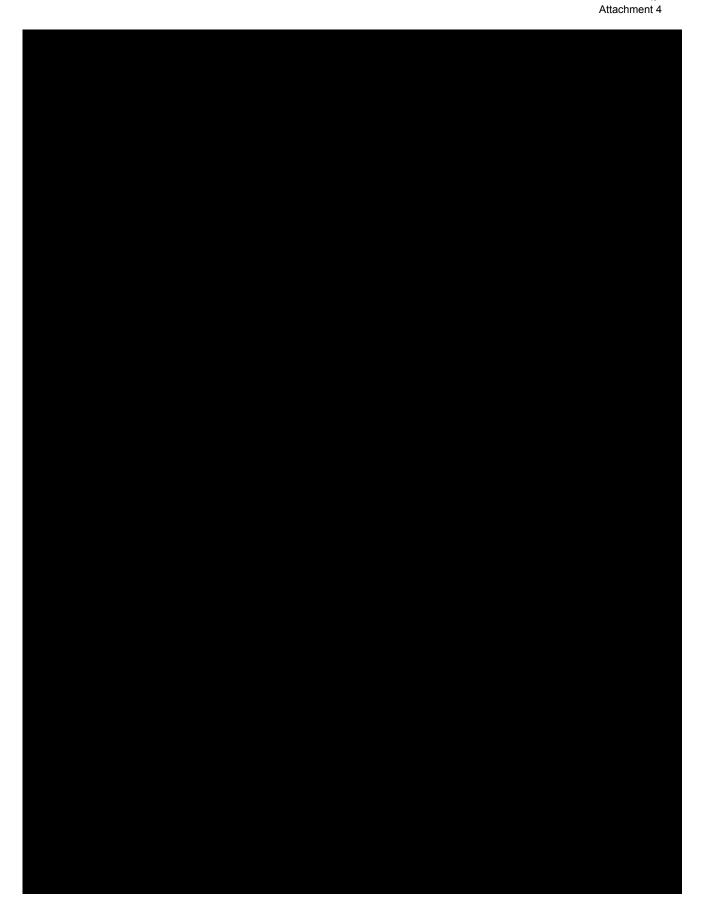




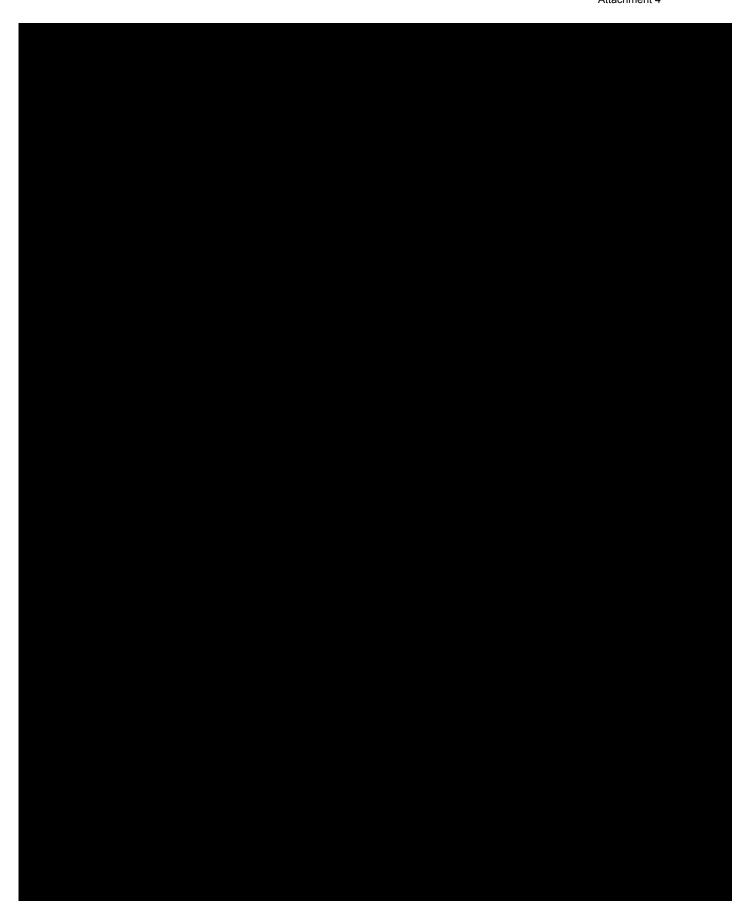




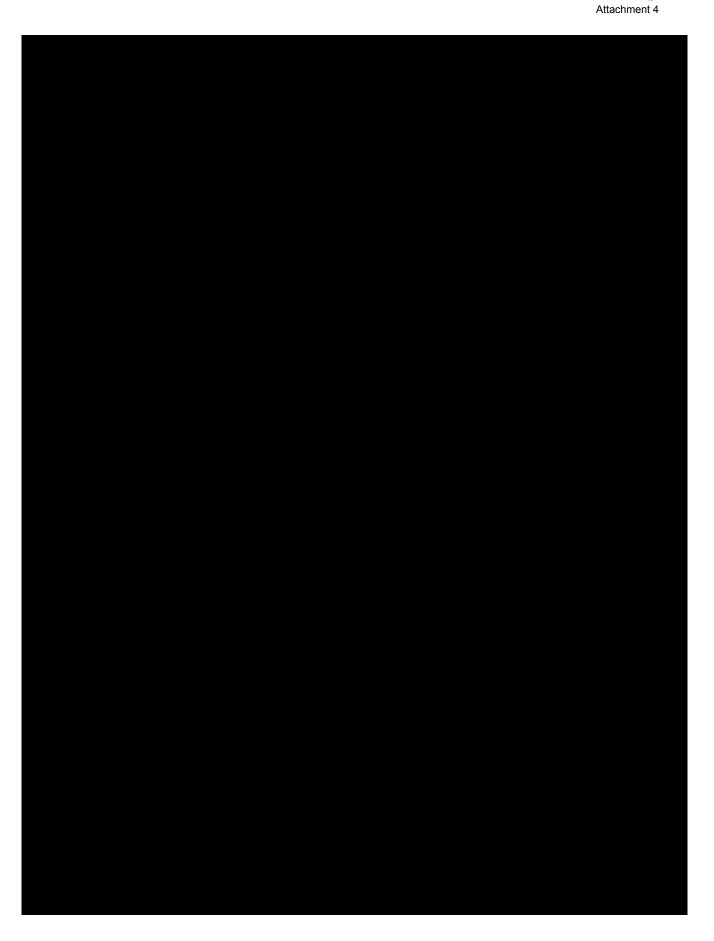


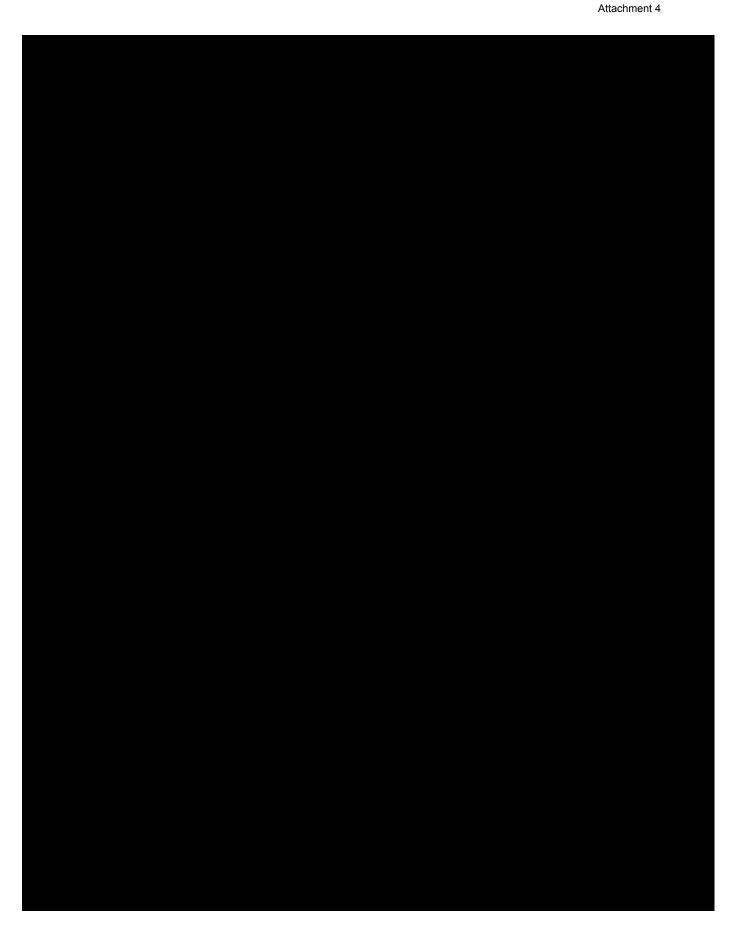


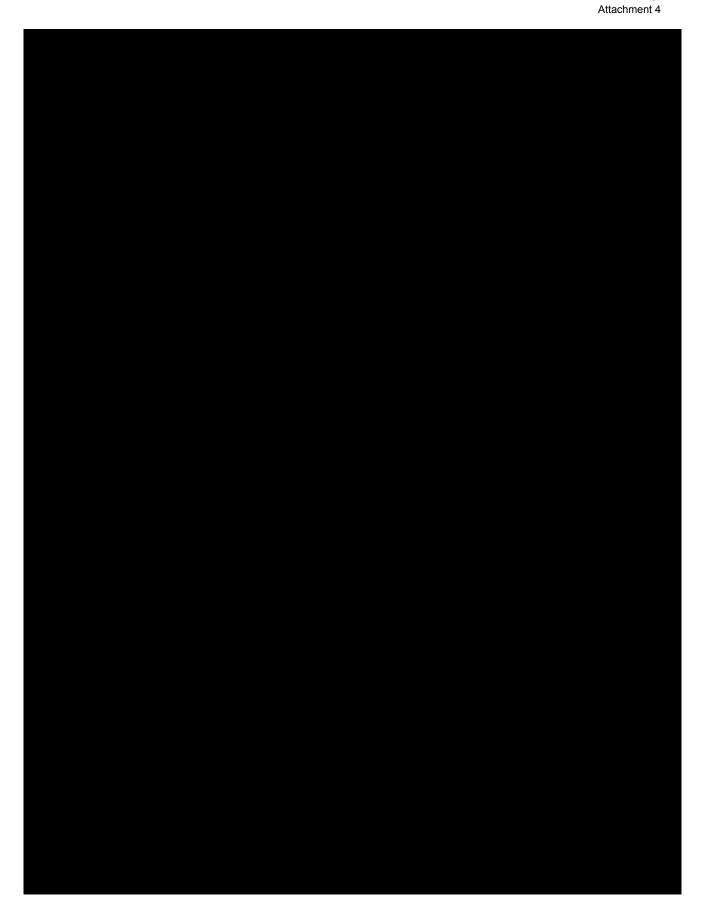
Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

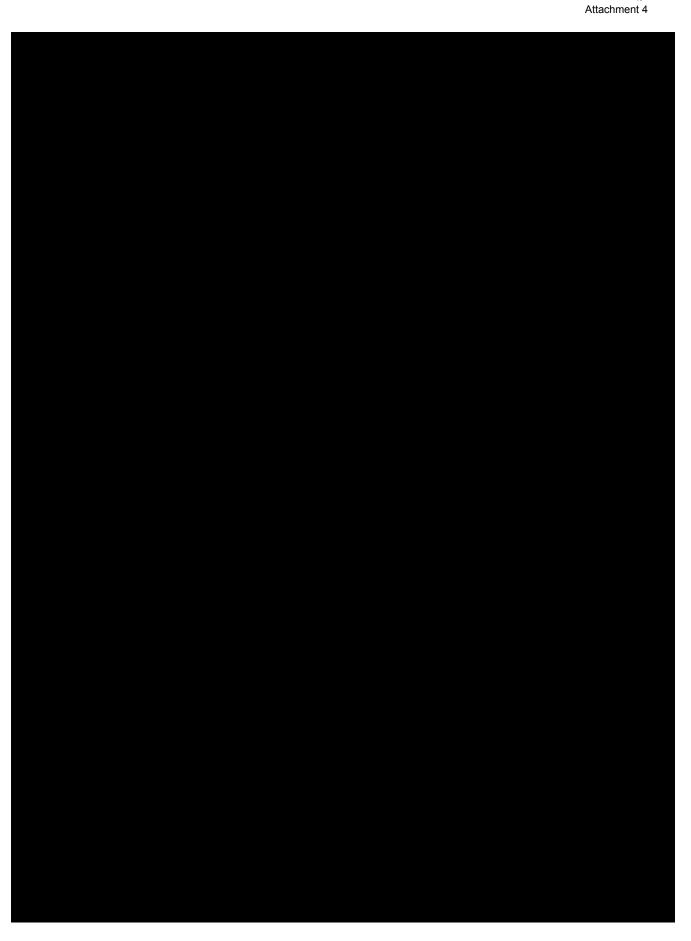


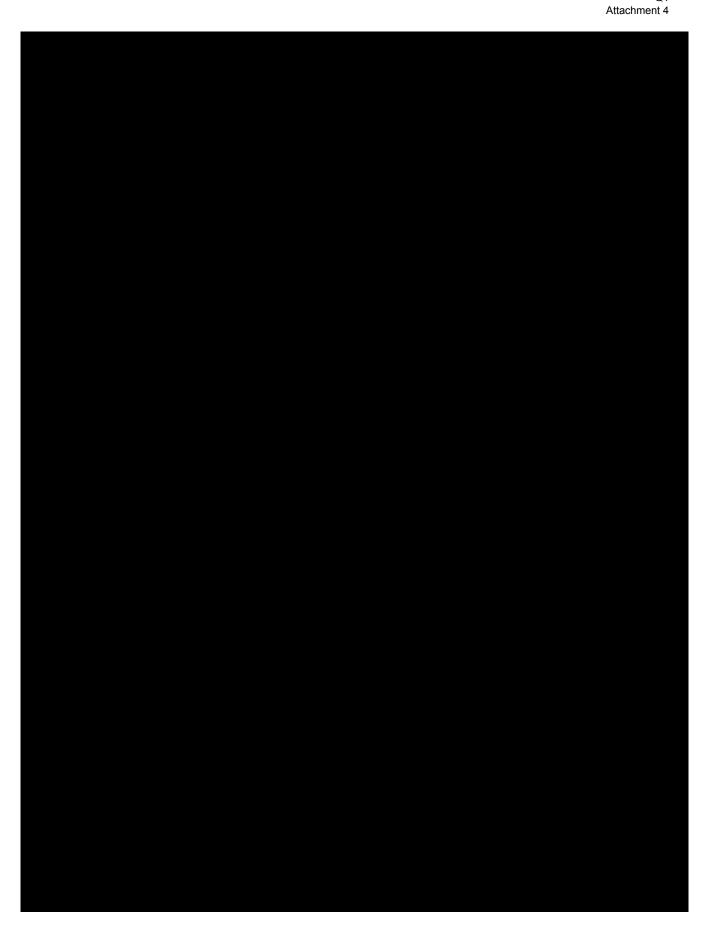




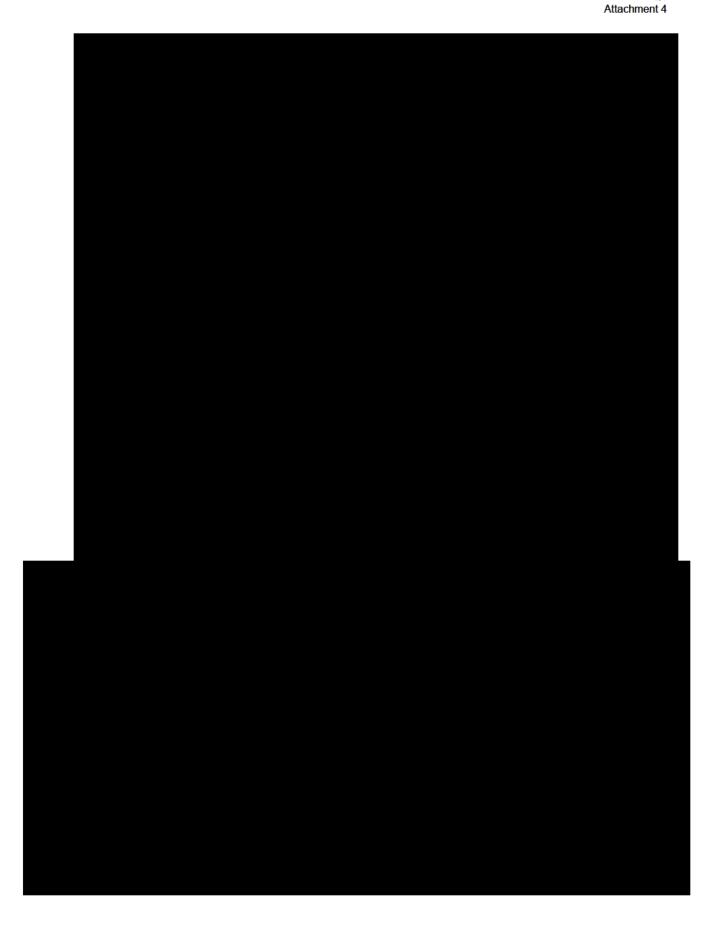


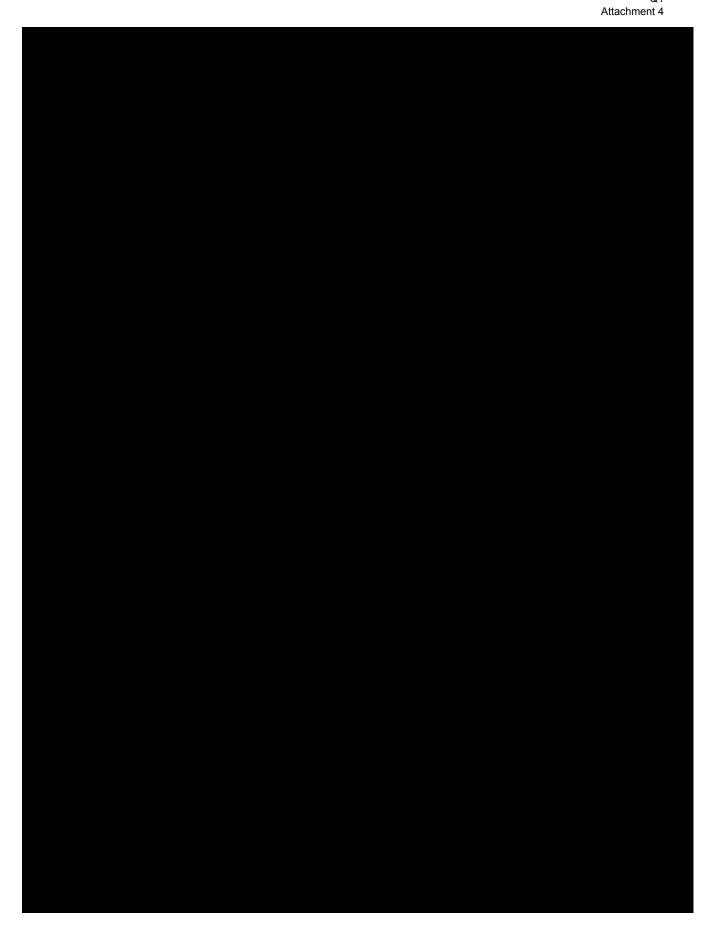




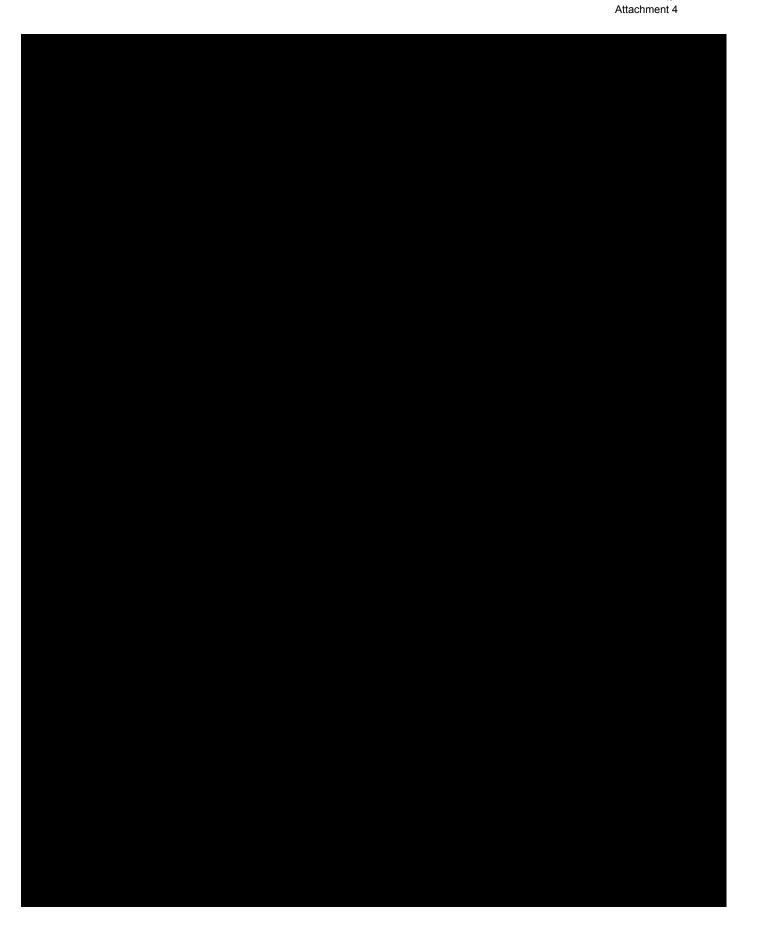


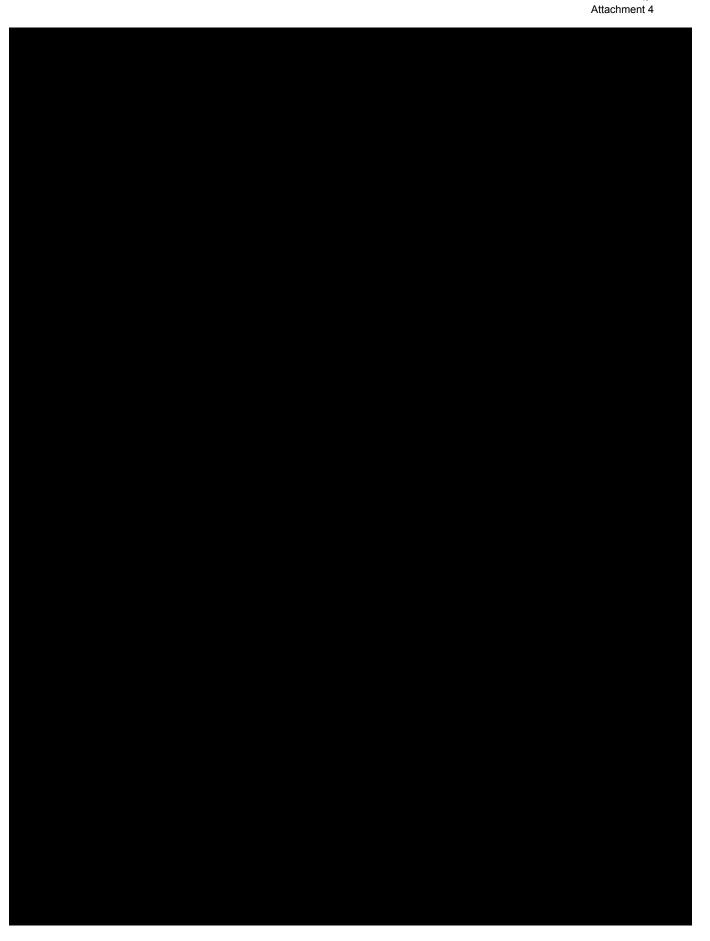


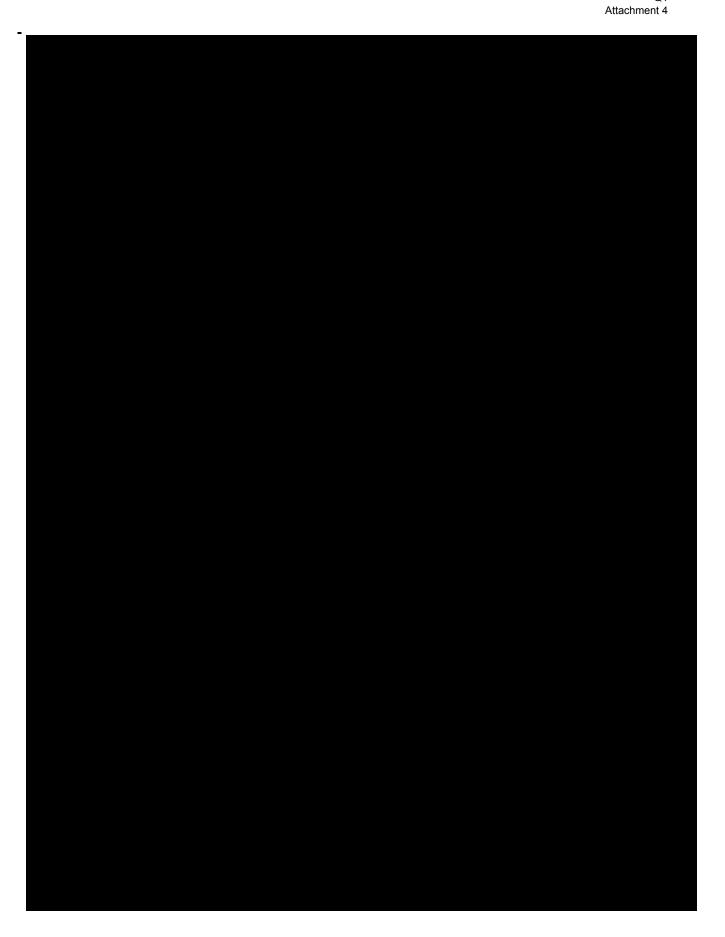


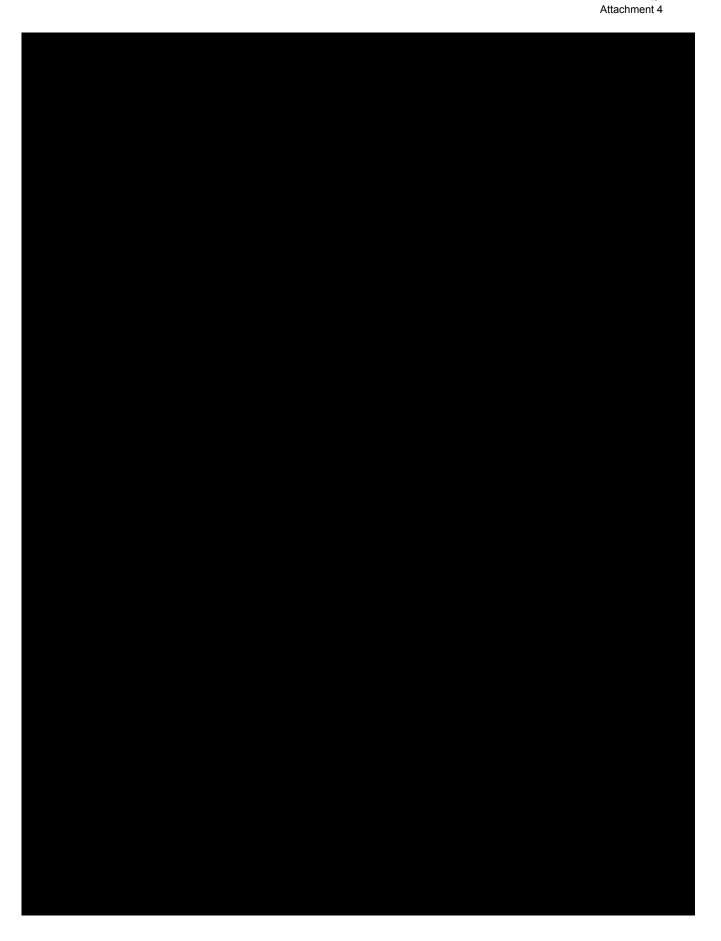




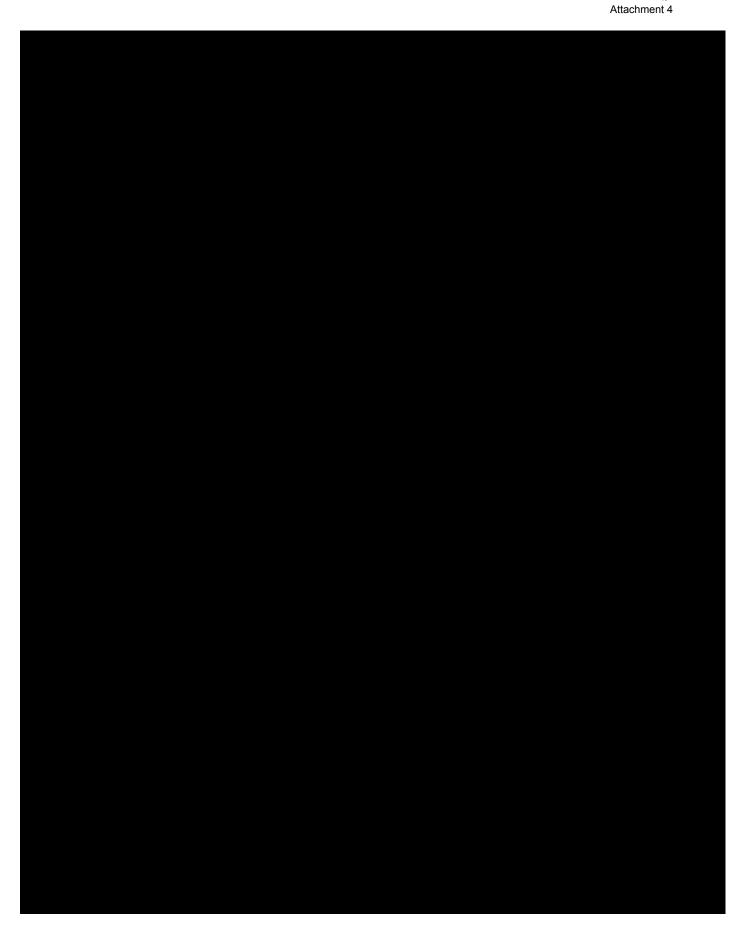






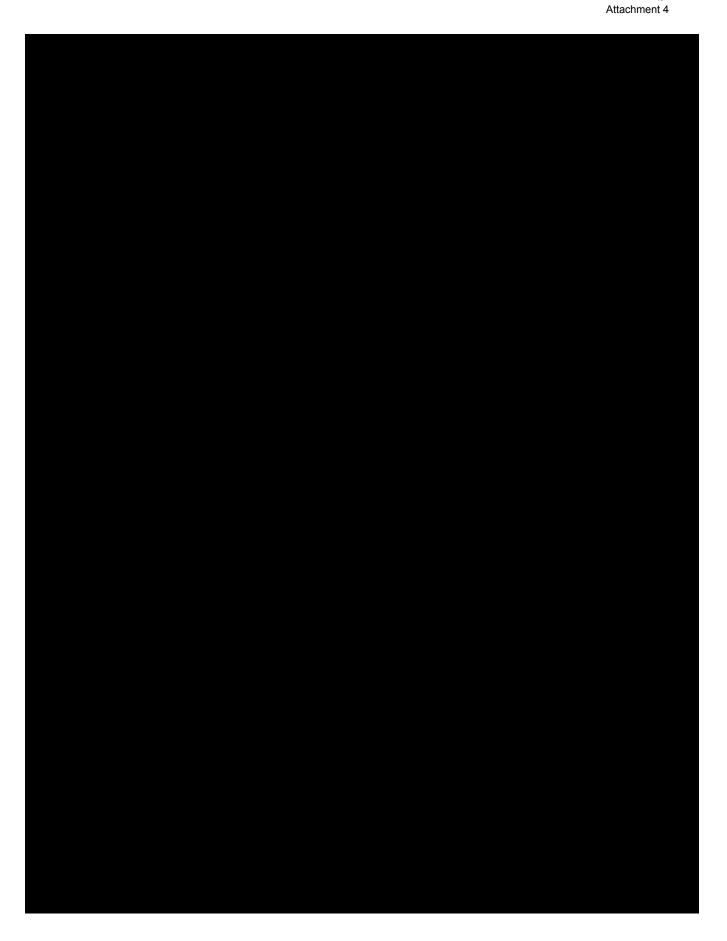


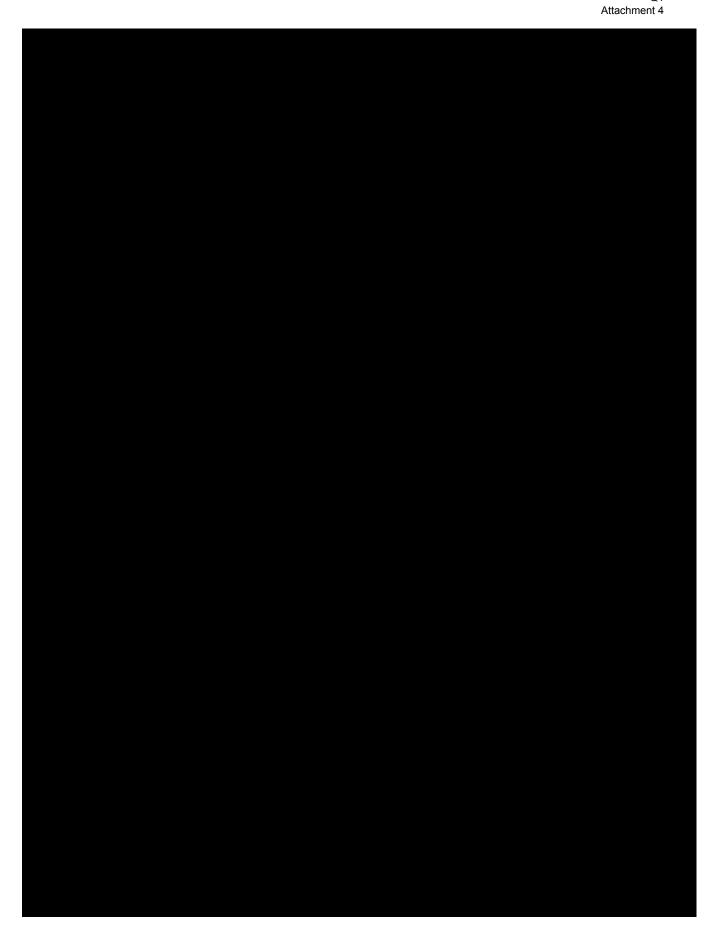






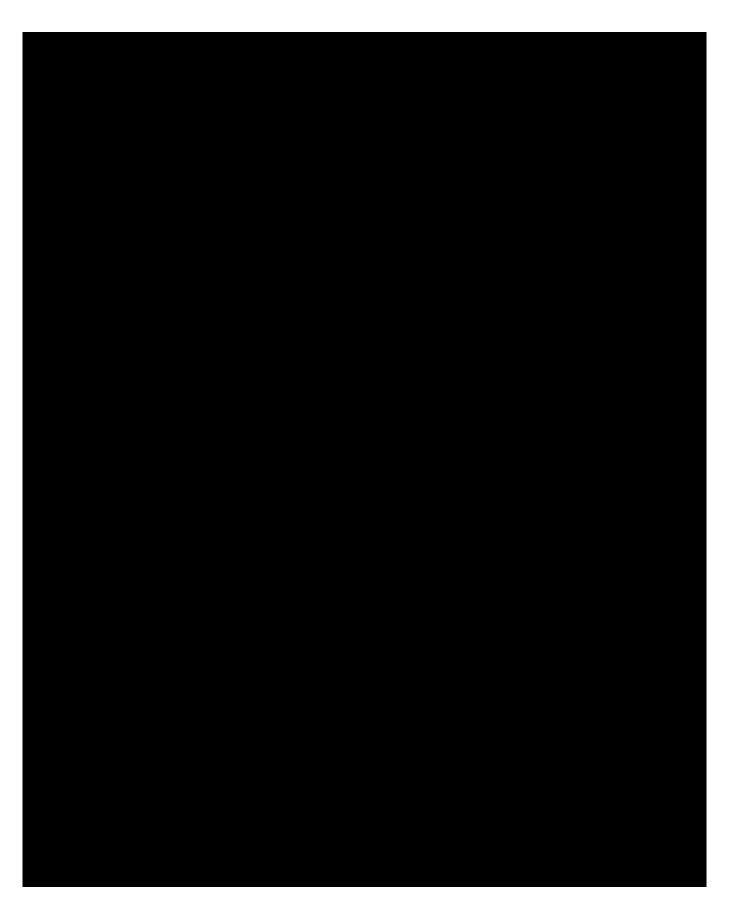






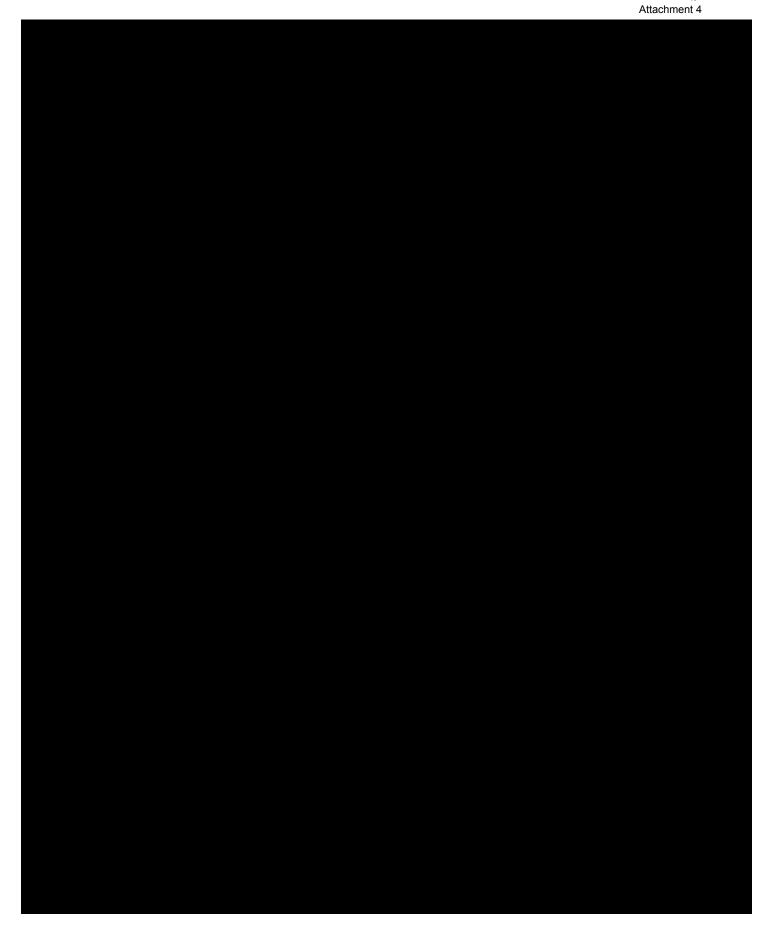


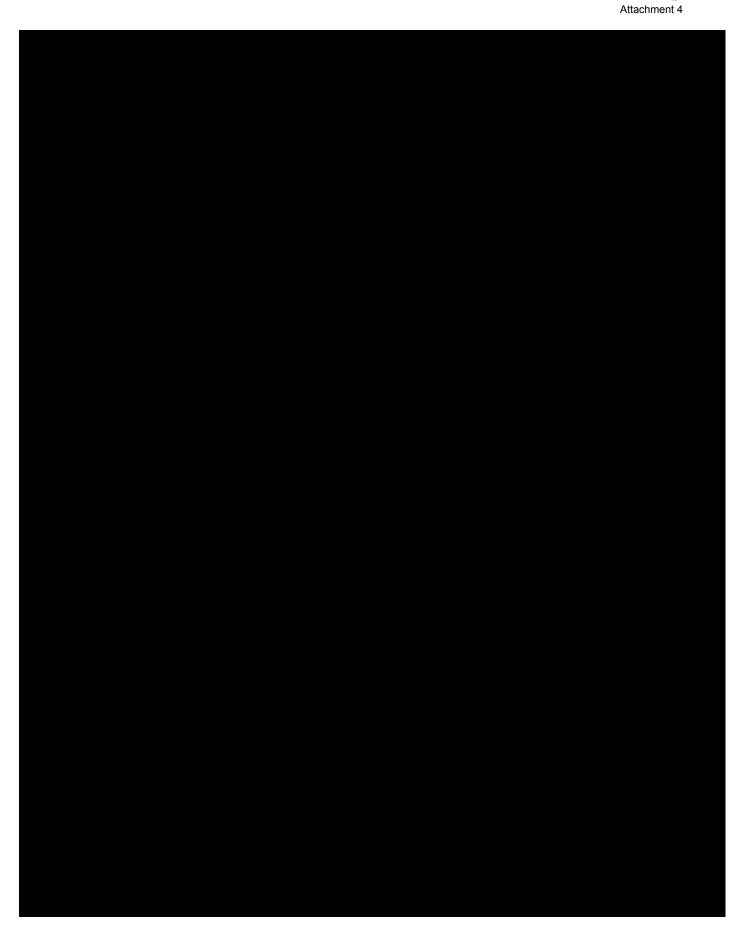


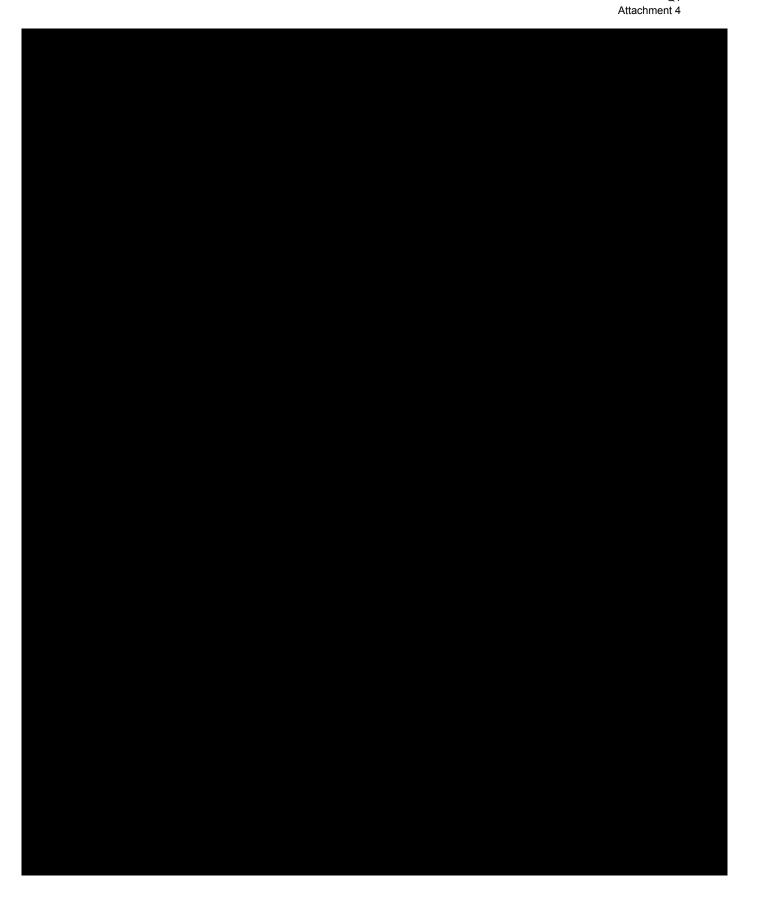


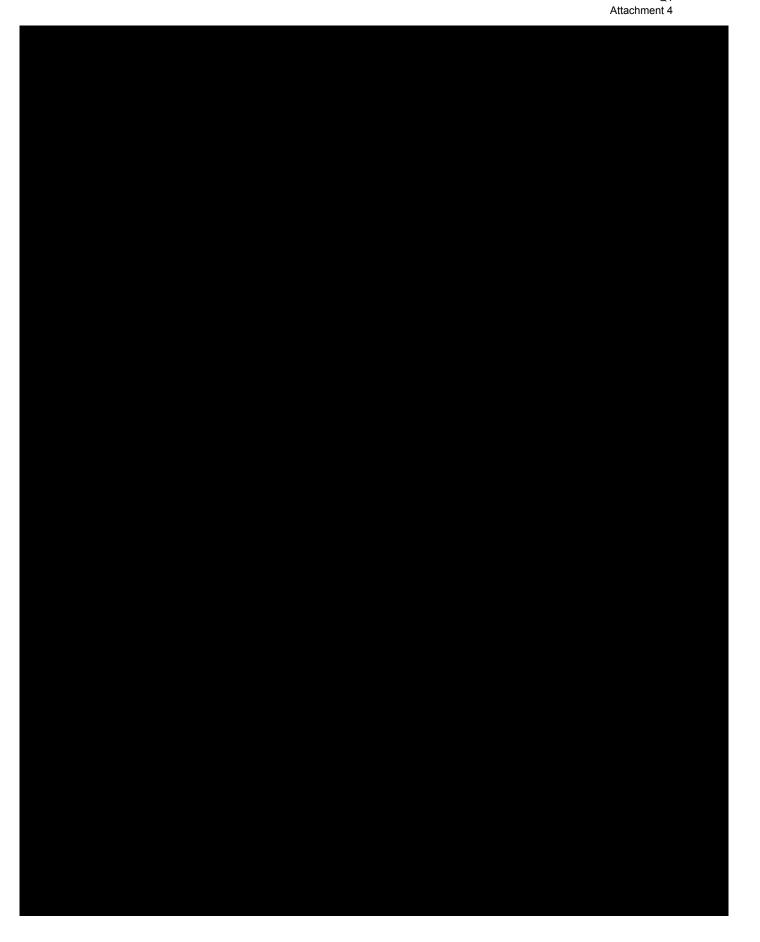


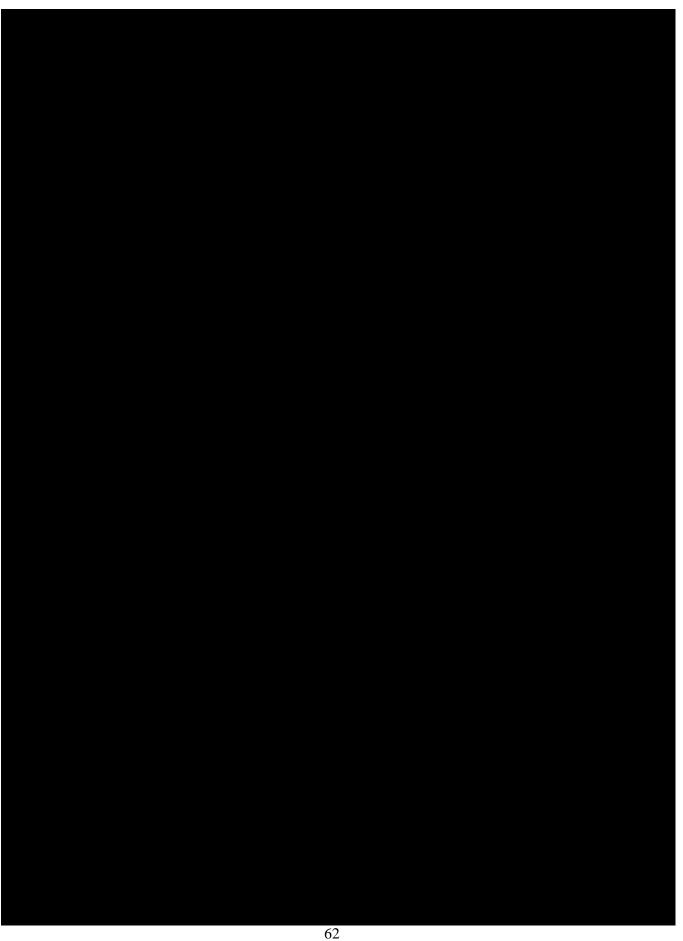
Duke Energy Florida Response to Staff's 3rd Data Request Q1



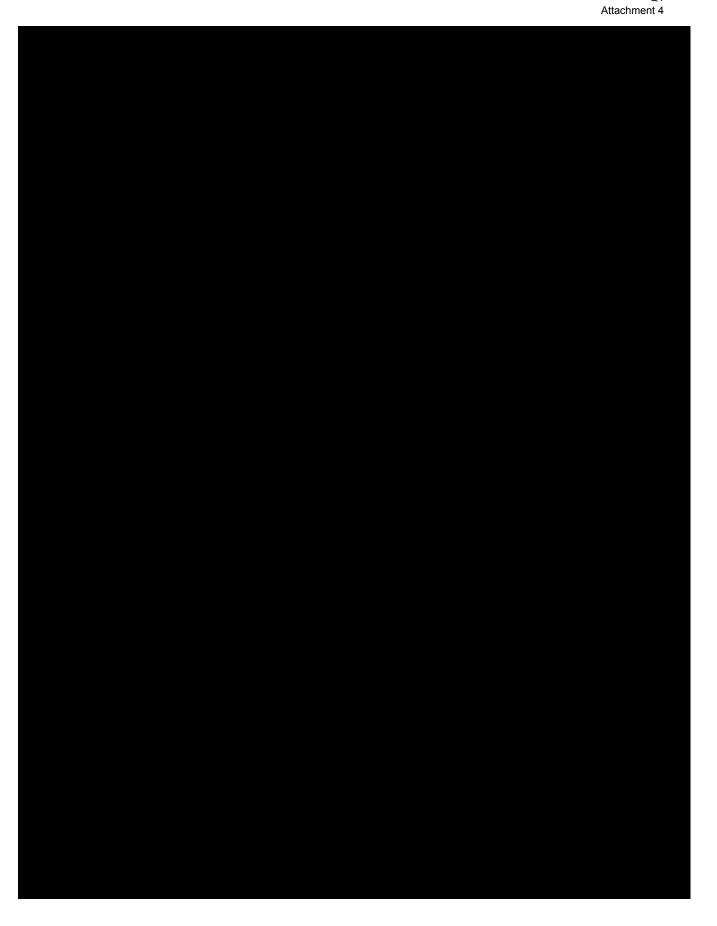


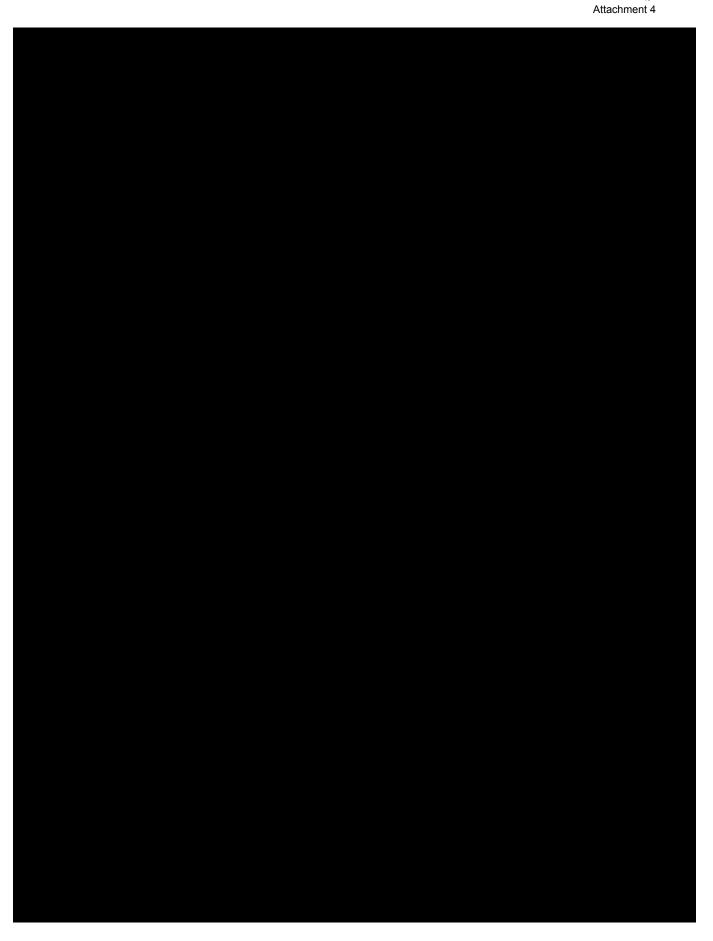




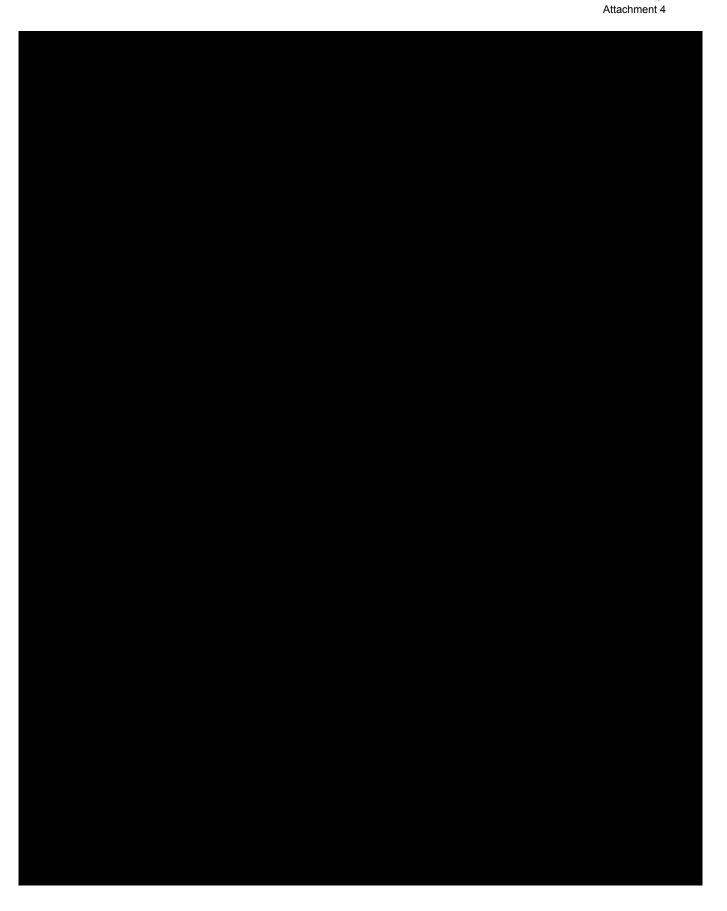






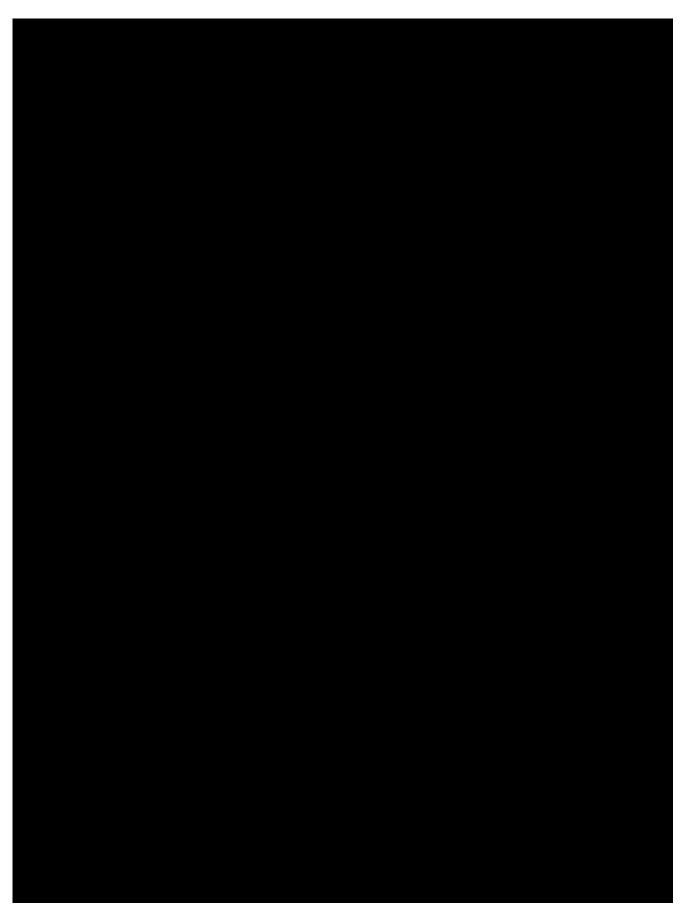








Attachment 4











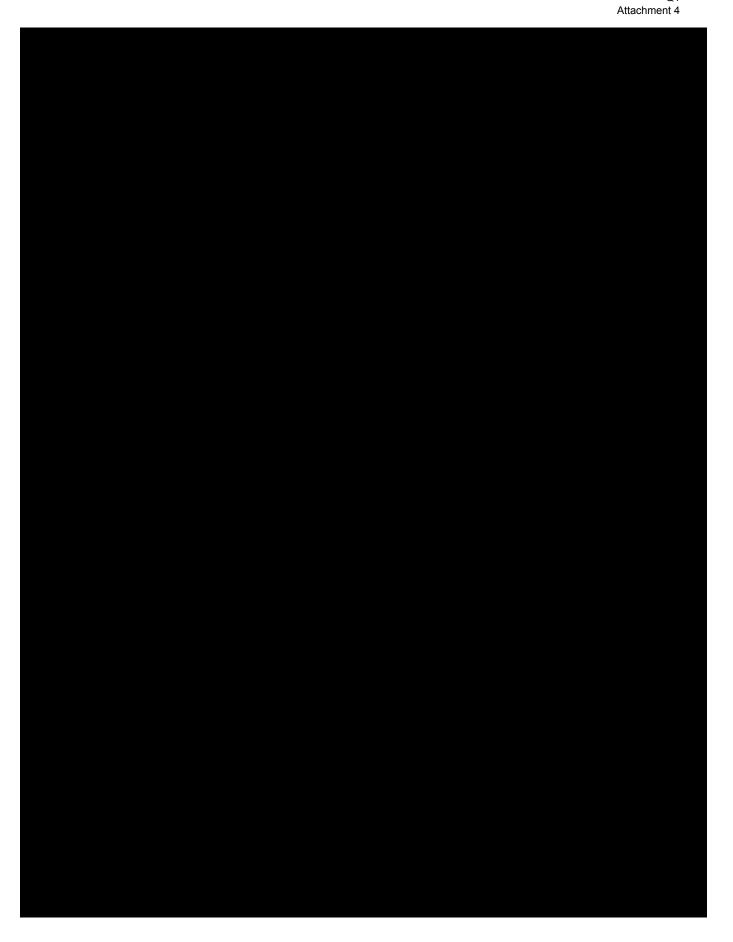




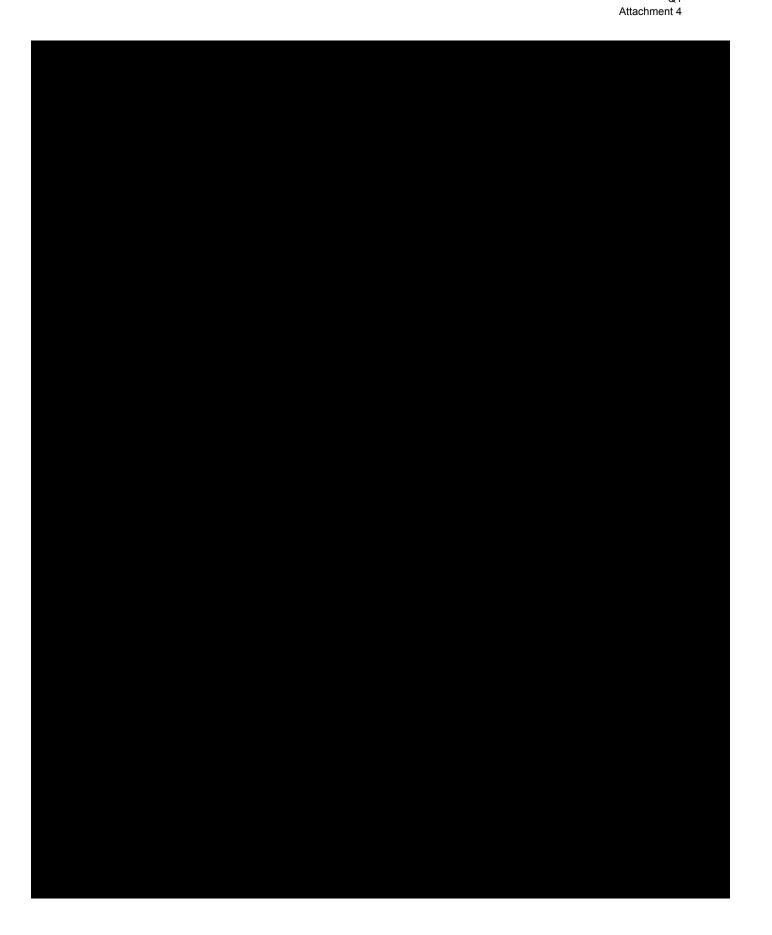


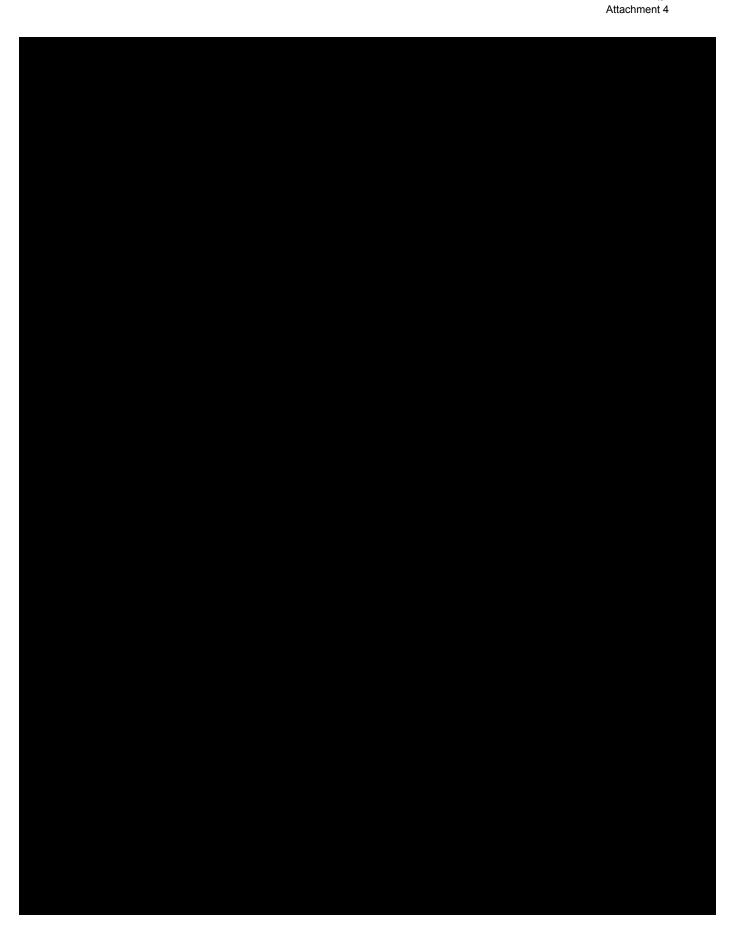


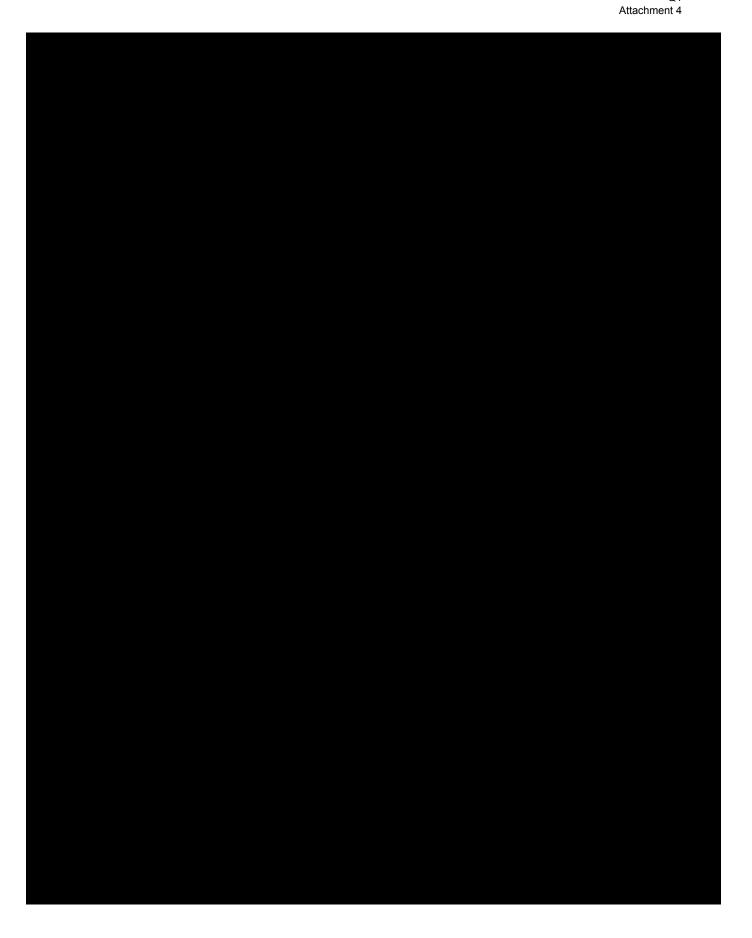


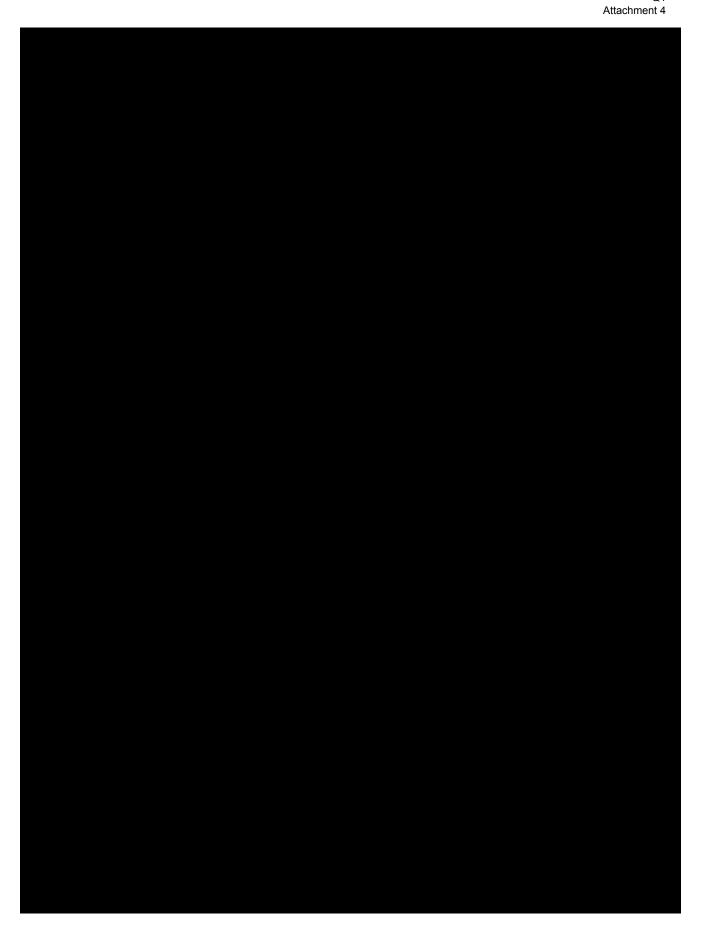


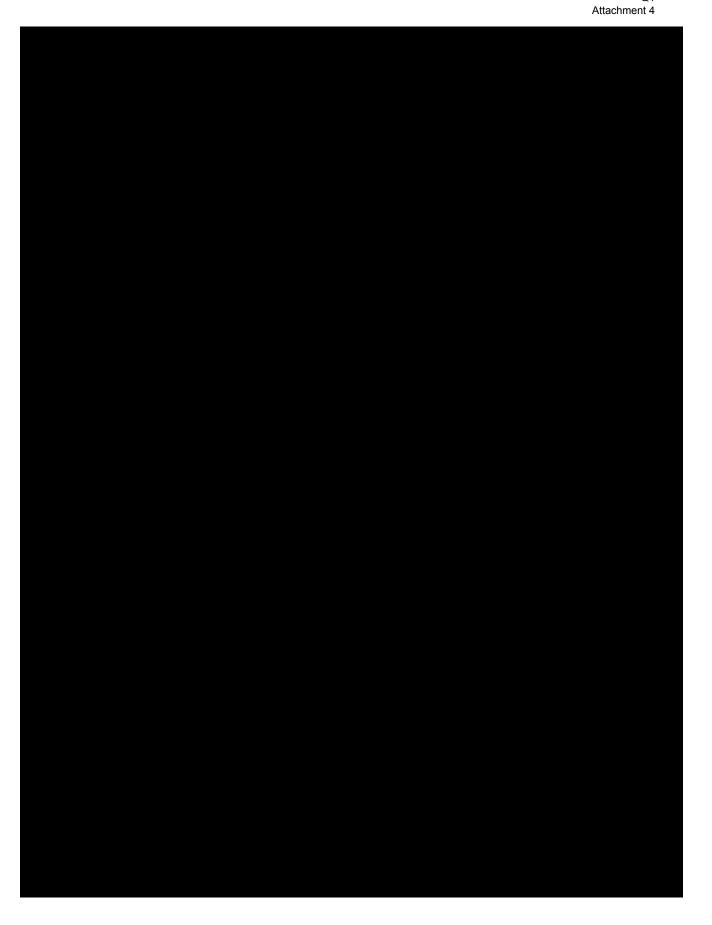


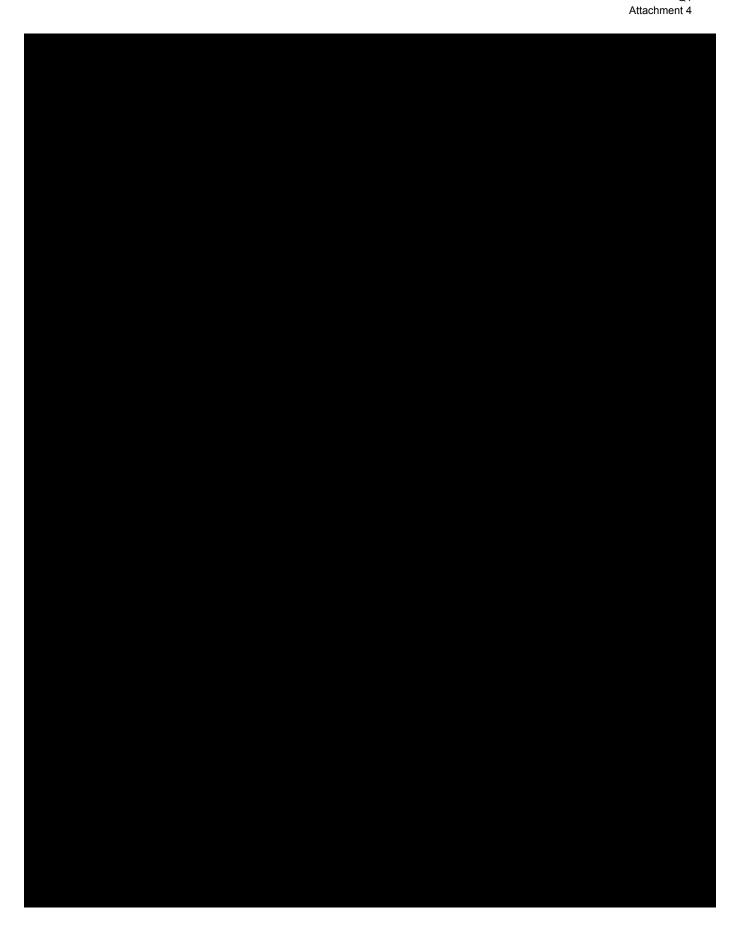


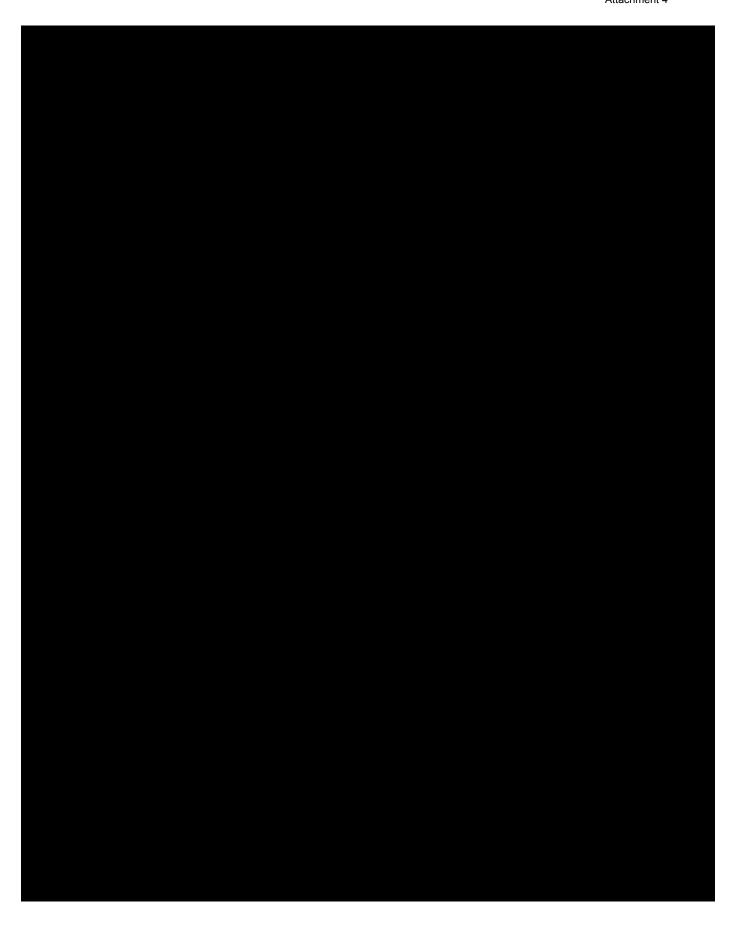


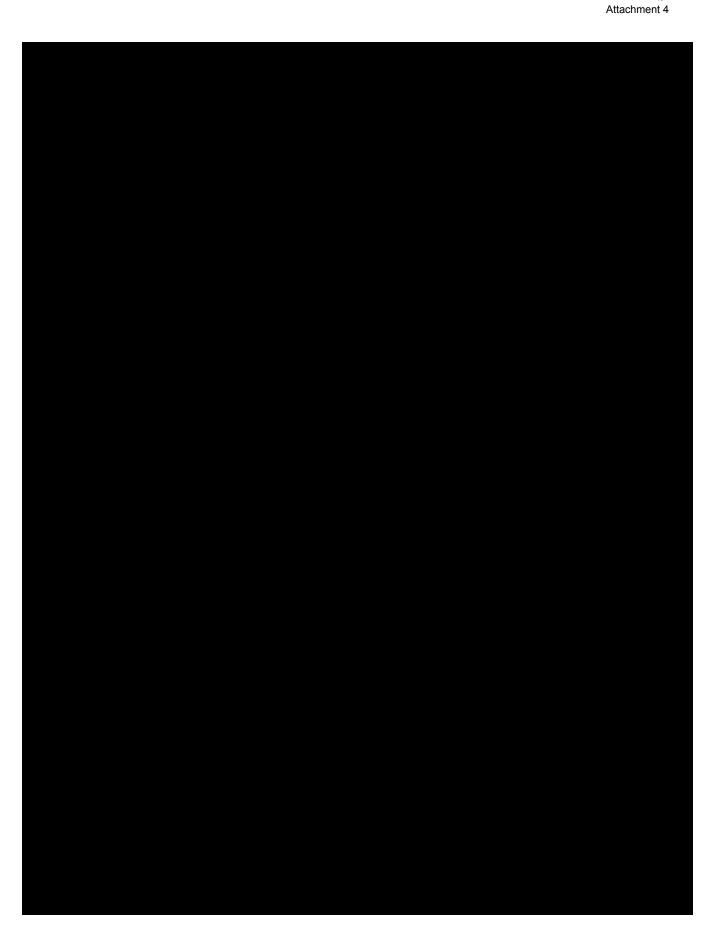


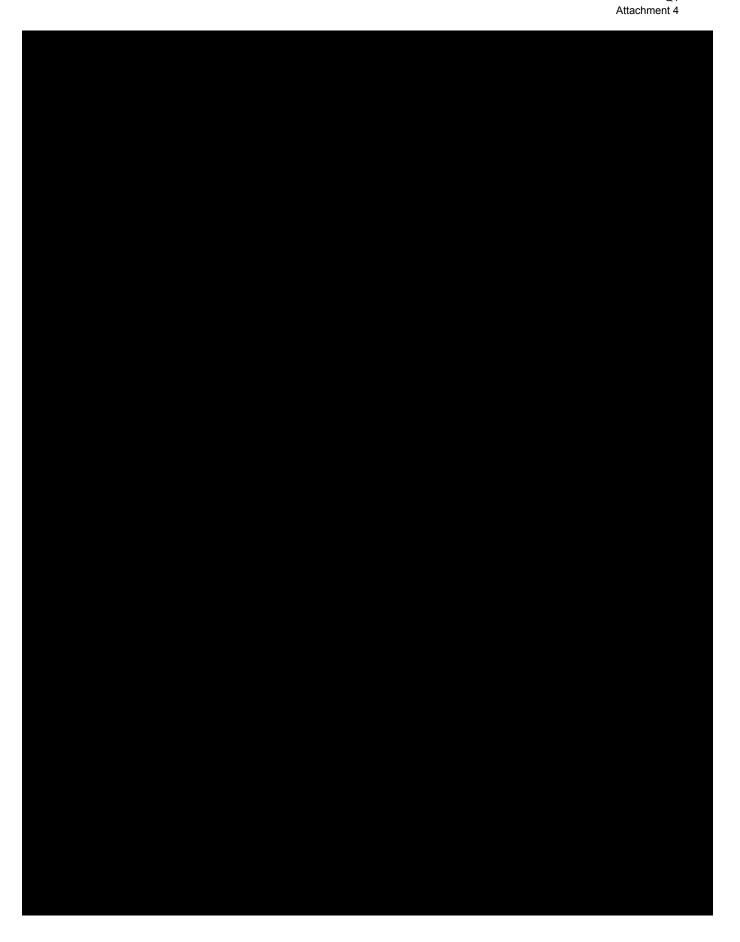


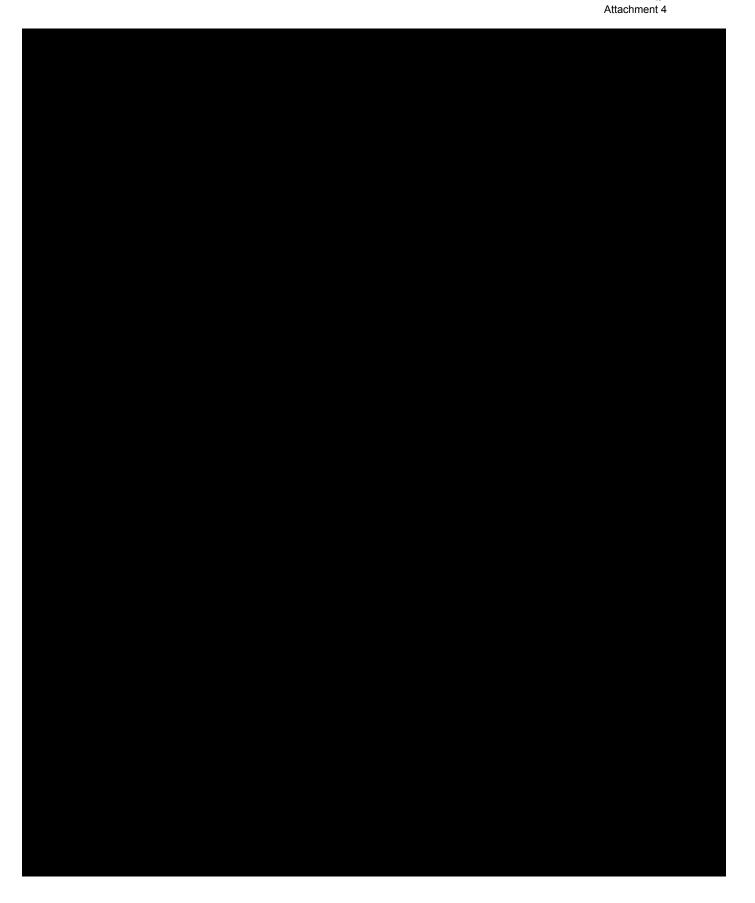




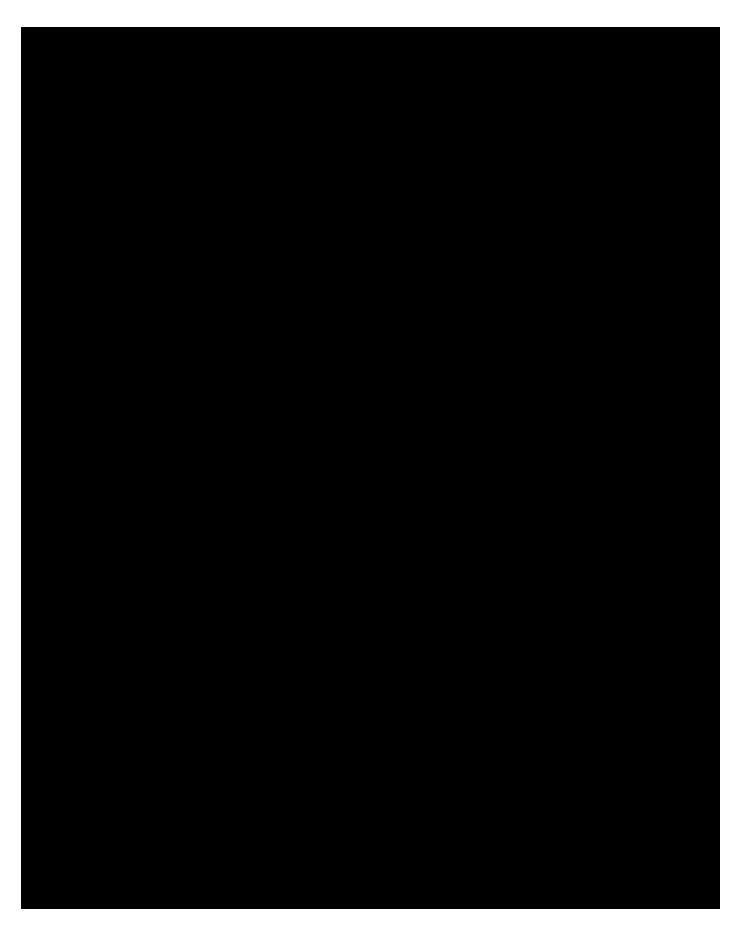


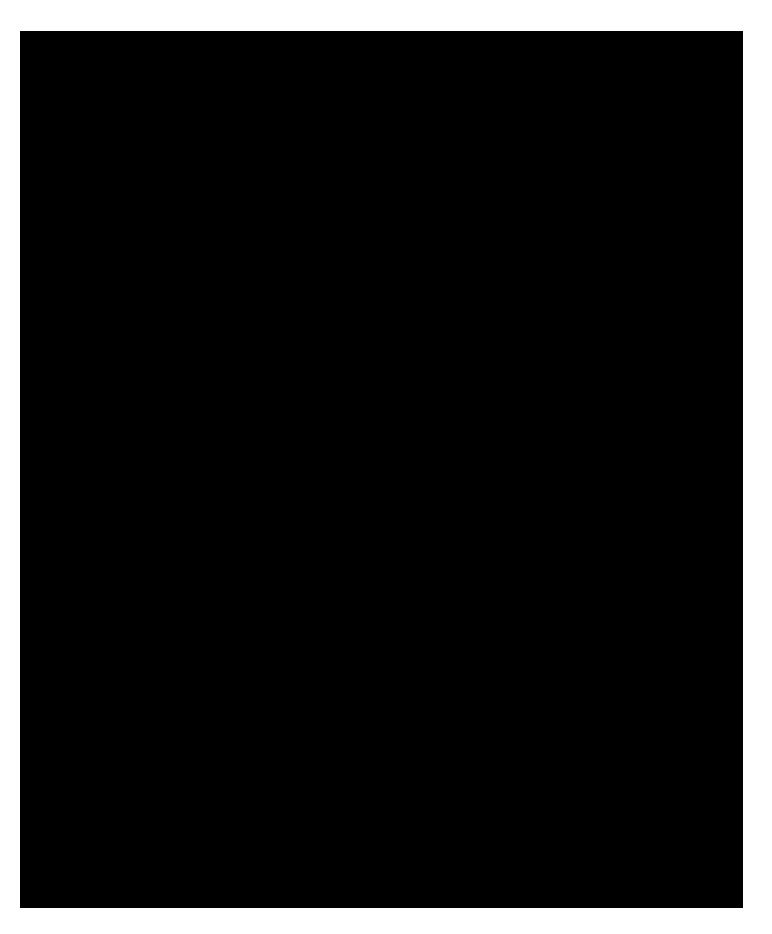


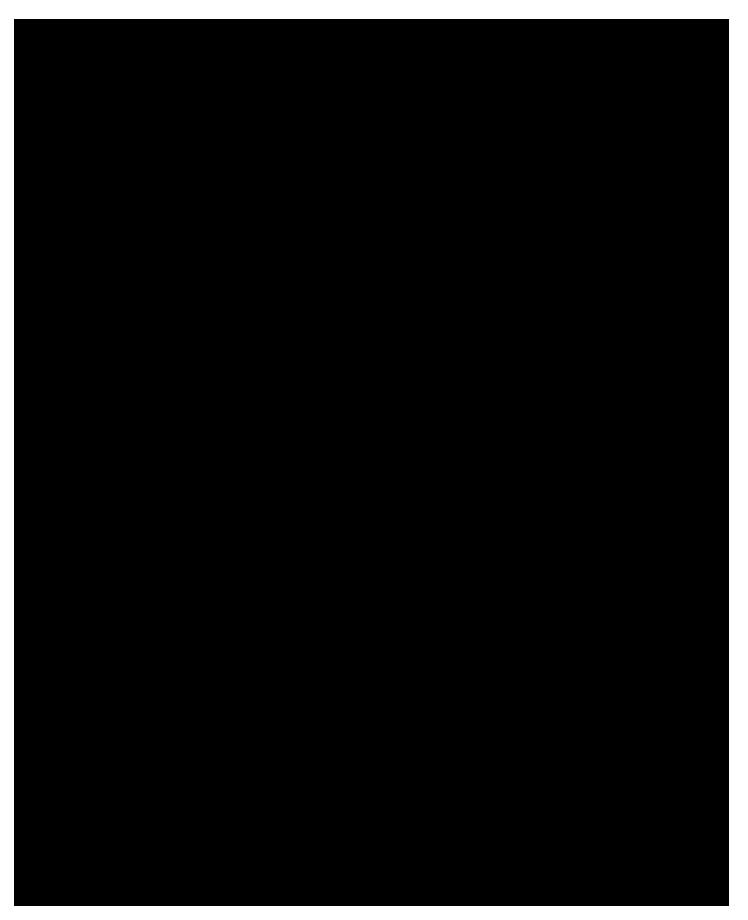
















1 of 3

March 18, 2015 Confidential

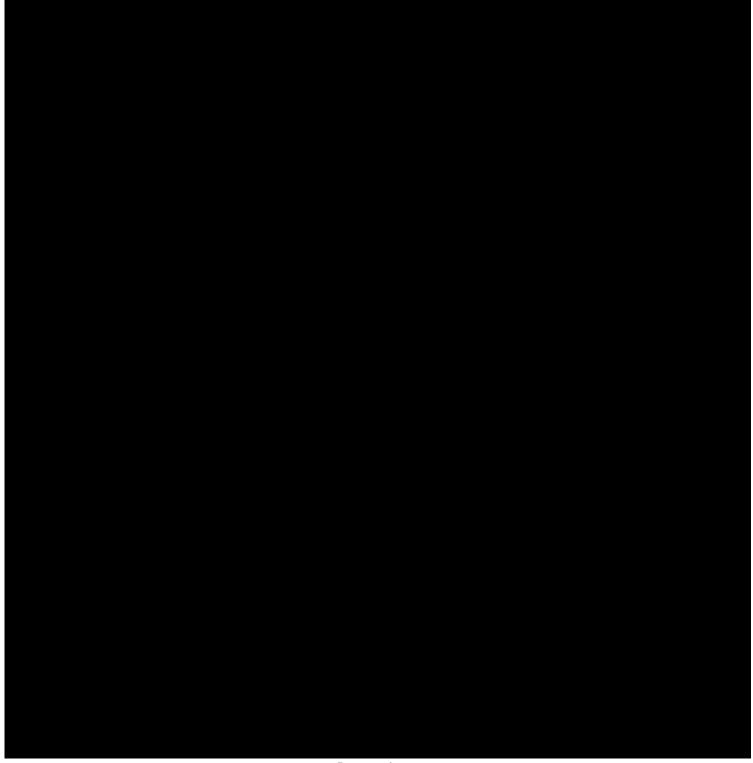
2 of 3

Hines Chillers EPC

Contract # 780889

Revised 3/23/2015 EXHIBIT B-3

HINES CHILLERS -- EPC CONTRACT SCHEDULE (KEY MILESTONE DATES)



Page 1 of 1

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

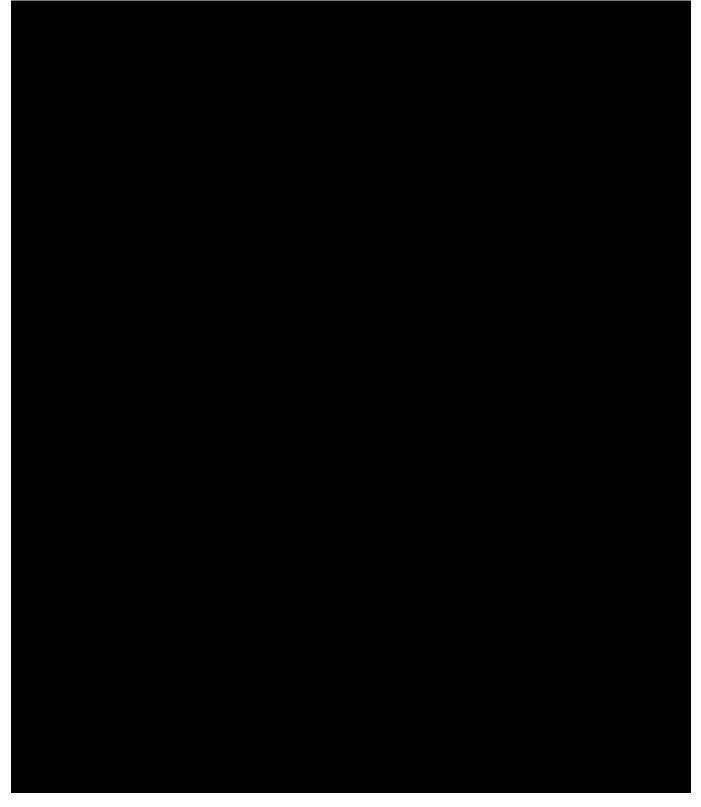
Exhibit C

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

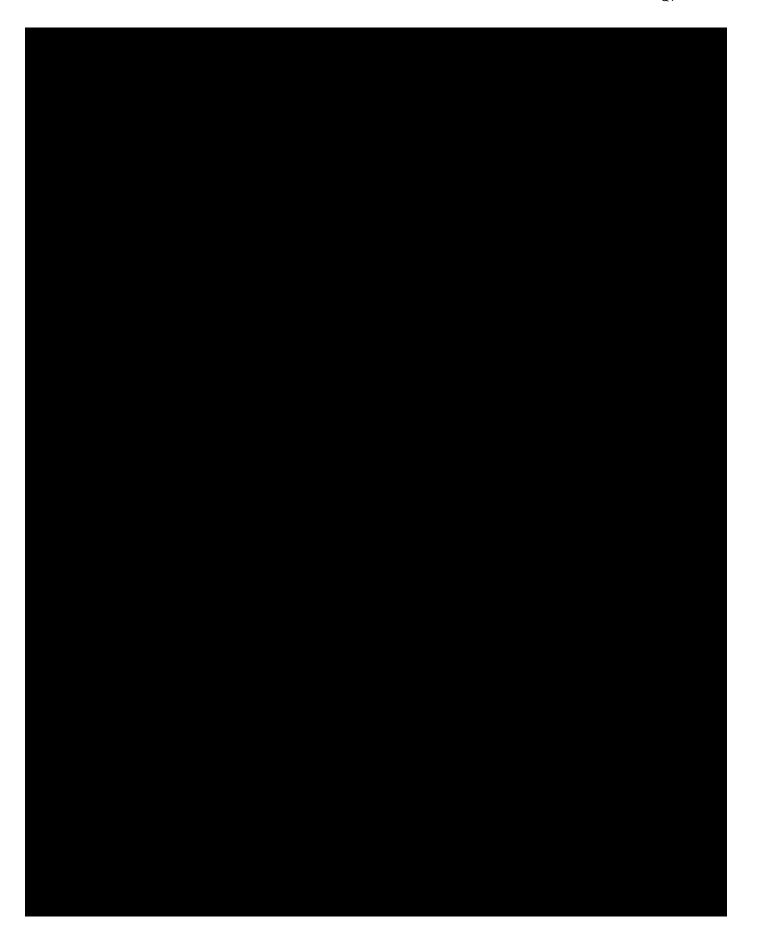
Exhibit C

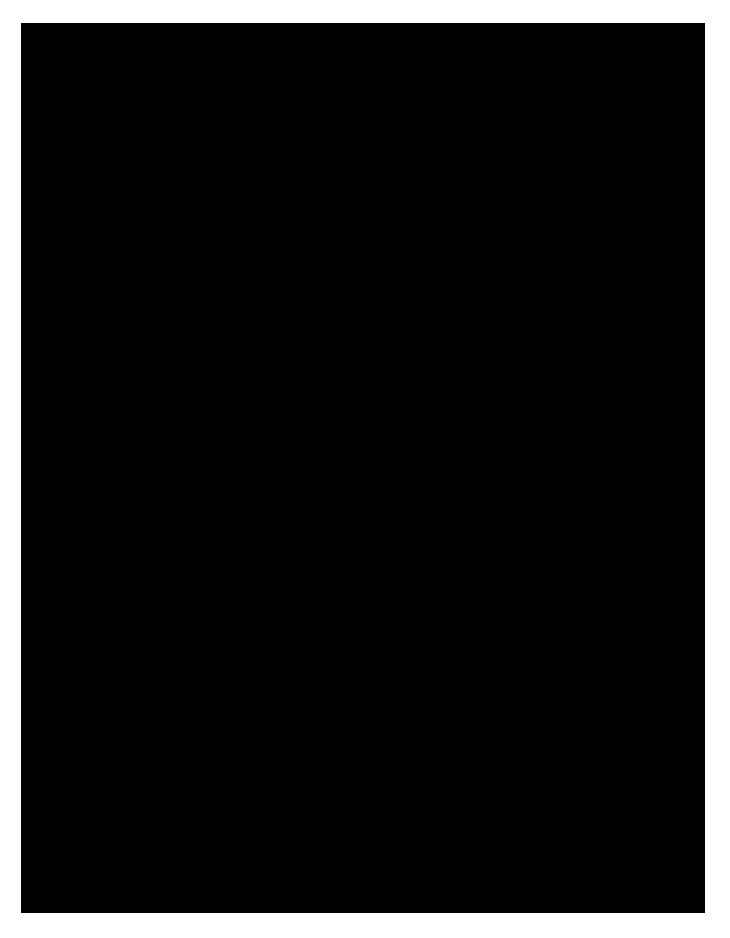
PMC Project Control Requirements





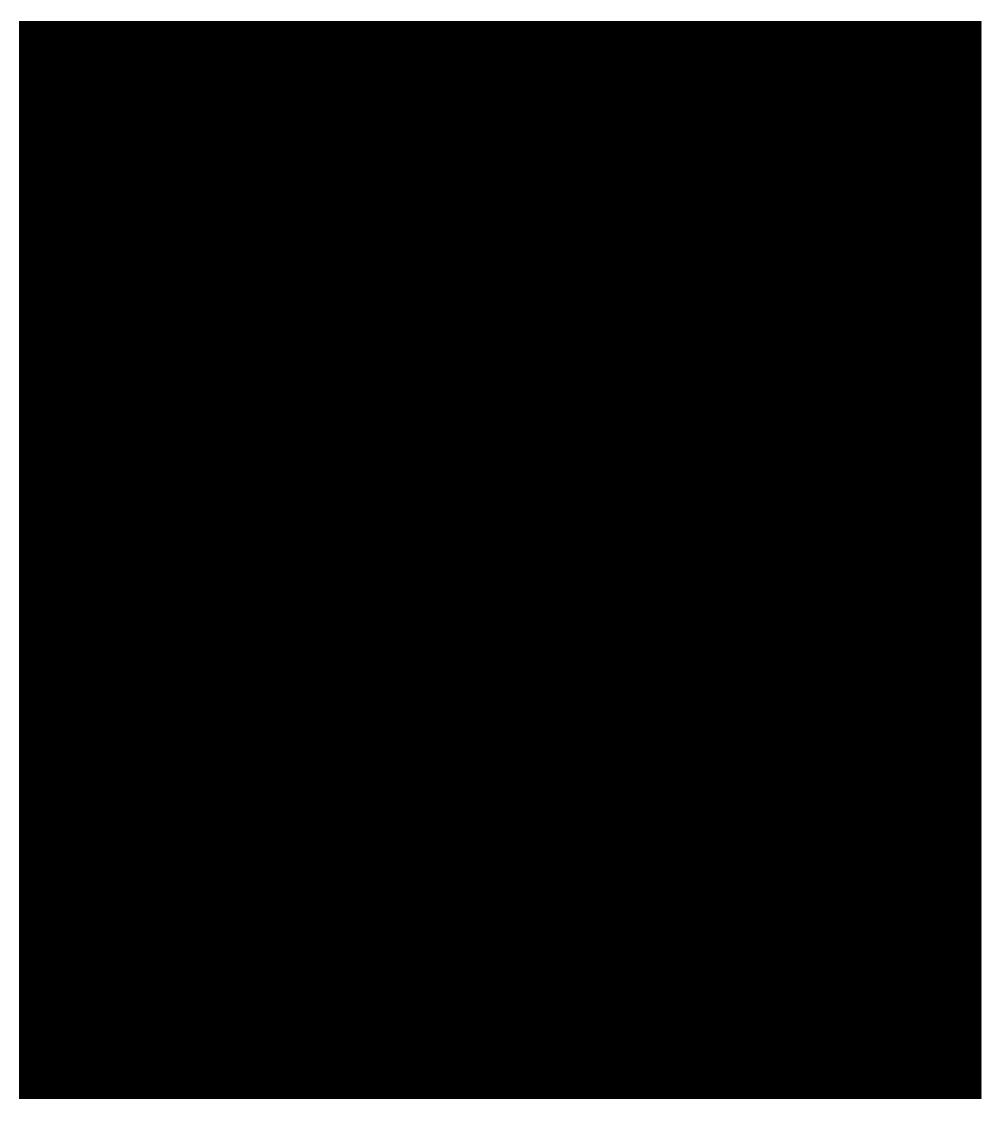












Attachment 3 - Report Matrix

Hines Chillers EPC Payment Schedule



REDACTED

Duke Energy Florida Response to Staff's 3rd Data Request Q1 Attachment 4

Hines Chillers
EPC Contract
Payment Schedule



REDACTED

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

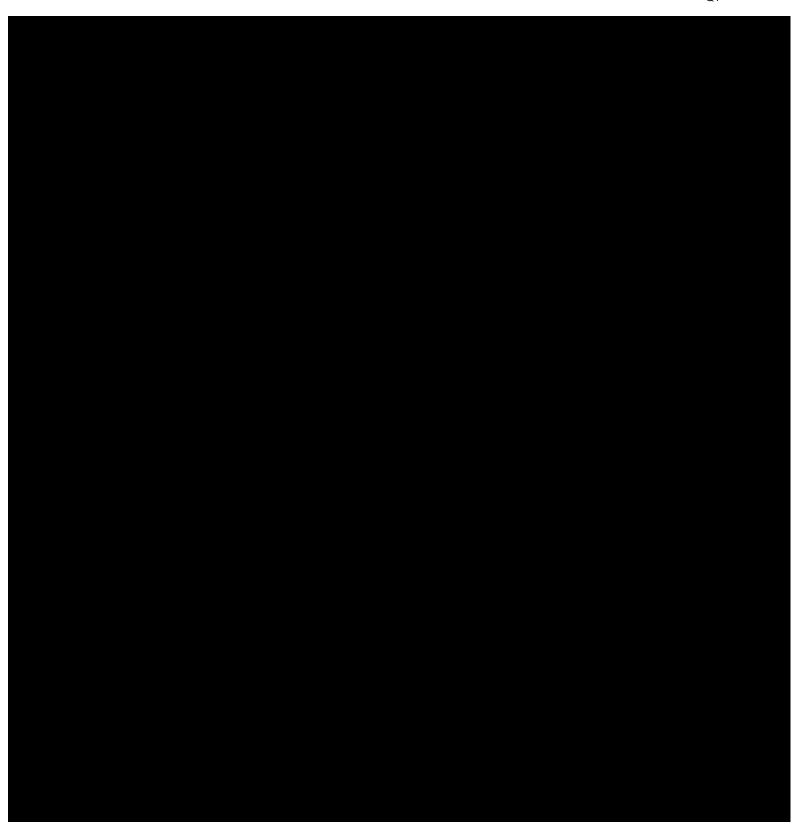
Exhibit C

Revised 3/23/2015

HINES CHILLERS -- EPC CONTRACT SCHEDULE (MILESTONE DATES)

Exhibit C

REDACTED



Revised 3/23/2015 EXHIBIT B-1

HINES CHILLERS -- EPC CONTRACT CASH FLOW PLAN

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

| DOCUMENT/RESPONSES | PAGE/LINE | JUSTIFICATION |
|---------------------------------|--|---|
| DEF's Response to Staff's Third | Question 1, Attachment 4: | §366.093(3)(d), F.S. |
| Data Request (Nos. 1-3) | all information contained in the Engineering, Procurement, | The document in question |
| | and Construction Agreement | contains confidential |
| | No. 780889 with the exception | information, the disclosure of |
| | of the title page. | which would impair DEF's efforts to contract for goods or |
| | All information contained in | services on favorable terms. |
| | Exhibit B-2, with the | |
| | exception of the header. | §366.093(3)(e), F.S. |
| | AN | The document in question |
| | All information in Exhibit B-3 | contains confidential |
| | with the exception of the header. | information relating to |
| | neuder. | competitive business interests, the disclosure of which would |
| | All information in Exhibit C | impair the competitive |
| | with the exception of the header. | business of the provider/owner |
| | | of the information. |
| | All information in Exhibit F | |
| | with the exception of the | |
| | header. | |
| | All information in Exhibit F, | |
| | Attachment 2 with the | |
| | exception of the header. | |
| | | |
| | All information in Exhibit F, | |
| | Attachment 3 with the exception of the header. | |
| | exception of the heater. | |
| | All information included the | |
| | Hines Chillers EPC Payment | |
| | Schedule Cash Flow chart with | |
| | the exception of the header. | |
| | | |

Exhibit D

AFFIDAVIT OF VANN K. STEPHENSON

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, LLC For Limited Proceeding for Approval to Include in Base Rates the Revenue Requirement for the Hines Chillers Uprate Project.

Docket No. 160128-EI

Dated: July 18, 2016

AFFIDAVIT OF VANN K. STEPHENSON IN SUPPORT OF DUKE ENERGY FLORIDA'S FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

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

- 1. My name is Vann K. Stephenson. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, LLC (hereinafter "DEF" or the "Company") to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's First Request for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.
- 2. I am the General Manager of Major Projects in the Project Management and Construction Department. This department is responsible for project execution of new natural-gas combined cycle generating facilities, major clean air-related retrofit

projects, solar generating facilities and transmission projects in Duke Energy's territories in Florida and the Midwest.

- 3. As the General Manager of Major Projects, I am responsible, along with the other members of the section, for the execution of new natural-gas combined cycle generating facilities in Duke Energy's territories in Florida and the Midwest including the Hines Chiller Uprate Project.
- 4. DEF is seeking confidential classification for information contained in its Response to Staff's Third Data Request, specifically question 1. 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 for Confidential Classification 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 and services on favorable terms.
- 5. The confidential information at issue relates to costs and pricing information relating to the Hines Chillers Uprate Project. DEF negotiates with potential contractors to obtain competitive pricing terms to engineer, procure, and construct the Hines Chillers Uprate Project that provide economic value to DEF and its customers. In order to obtain such contracts, however, DEF must be able to assure contractors that sensitive business information, such as the amount paid to engineer, procure, or construct the Hines Chiller Uprate Project will be kept confidential.
- 6. With respect to the information at issue in this request, DEF has kept confidential and has not publicly disclosed the confidential contract terms such as

pricing, costs, and other competitive information. Absent such measures, contractors would run the risk that sensitive business information that they provided in their bids/contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, companies who would otherwise contract with DEF might not do so if DEF did not keep specific information confidential. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and its contractors, the Company's efforts to obtain competitive contracts and pricing could be undermined.

- 7. Additionally, the disclosure of confidential information between DEF and its contractors or information contained in DEF's contracts and other such documents could adversely impact DEF's competitive business interests. If such information was disclosed to DEF's competitors or prospective contractors, DEF's efforts to obtain competitive contracts that provide economic value to both DEF and its customers could be compromised by DEF's competitors and/or potential contractors changing their position or pricing behavior within the relevant markets.
- 8. Upon receipt of confidential information from contractors, 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 information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

9. This concludes my affidavit.

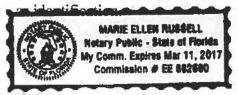
Further affiant sayeth not.

Dated the 18 day of July, 2016.

Vann K. Stephenson
General Manager Major Projects
Project Management and Construction

Department Duke Energy Florida 400 South Tryon Charlotte, NC 28285

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day of July, 2016, by Vann K. Stephenson. He is personally known to me, or has produced his ____ driver's license, or his _____



(AFFIX NOTARIAL SEAL)

Muie Ellen Russell

(Signature)

Mavie Ellen Russell

(Printed Name)

NOTARY PUBLIC.

STATE OF NORTH CAROLINA

(Commission Expiration Date)

(Serial Number, If Any)