

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** November 14, 2022  
**TO:** Division of Accounting and Finance, Office of Primary Responsibility  
**FROM:** OFFICE OF COMMISSION CLERK  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20220001-EI DOCUMENT NO: 09607-2022

DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Information and document provided in response to OPC's 2nd request [for PODs] (Nos. 5-16) specifically No. 5.

SOURCE: Duke Energy Florida

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The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.  
 The utility has provided enough details to perform a reasoned analysis of its request.  
 The material has been received incident to an inquiry.  
 The material is confidential business information because it includes:  
    \_\_\_ (a) Trade secrets;  
    \_\_\_ (b) Internal auditing controls and reports of internal auditors;  
    \_\_\_ (c) Security measures, systems, or procedures;  
     (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;  
     (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;  
    \_\_\_ (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;  
 The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.  
\_\_\_ The material appears not to be confidential in nature.  
\_\_\_ The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Daniel Cordell on 11/16/2022, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** November 16, 2022

**TO:** Suzanne S. Brownless, Special Counsel, Office of the General Counsel

**FROM:** Daniel Cordell, Public Utility Analyst II, Division of Accounting & Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20220001-EI DOCUMENT NO: 09607-2022  
DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Information and document provided in response to OPC's 2nd request [for PODs] (Nos. 5-16) specifically No. 5.

SOURCE: Duke Energy Florida

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida (DEF or Company) requests confidential classification of certain information filed in the above-referenced docket, dated November 9, 2022.

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms,” and Subsection (e) “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.”

More specifically, the information at issue relates to the maintenance and inspection schedule for the generator at Bartow CC. The information in question is information concerning bids or other contractual data that DEF claims the disclosure of which would impair the efforts of the Company to contract for goods and services on favorable terms. Further, it is also information relating to competitive interests of DEF.

Staff has reviewed the Company’s documents and confidentiality request. In staff’s opinion, the information that is the subject of DEF’s request meets the criteria for confidentiality contained in 366.093(3)(d), F.S., and 366.093(3)(e), F.S.