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FILED 5/24/2024  
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**Docket # 20230020**

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC.

DOCKET NO. 20230020-EI  
ORDER NO. PSC-2024-0141-CFO-EI  
ISSUED: May 3, 2024

ORDER GRANTING DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
DOCUMENT NO. 00385-2024)

On February 19, 2024, Duke Energy Florida, LLC (DEF) filed its Request for Confidential Classification of its response to the Office of Public Counsel's (OPC) First Set of Interrogatories Nos. 9 and 21 and OPC's First Request to Produce Documents Nos. 7, 8, 17, and 33 (Document No. 00385-2024).

Request for Confidential Classification

DEF contends that the information provided in response to OPC's First Set of Interrogatories Nos. 9 and 21 and OPC's First Request to Produce Documents Nos. 7, 8, 17, and 33 contains information of a confidential nature, which is proprietary confidential business information within the meaning of Section 366.093(3), F.S.

DEF contends that the information is proprietary and confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by DEF as private, and its confidentiality has been maintained. This information consists of the negotiated terms of contracts and mutual aid agreements, contractor invoices, Excel spreadsheets calculating invoice payments and explanations concerning invoices for line crew contractors providing restoration work. Therefore, DEF contends that this information is protected by Section 366.093(3)(e), F.S. Releasing the bid and contract data contained in these responses also would impair the competitive businesses of both DEF and the contractors providing line crews in violation of Section 366.093(3)(d), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Commission has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. Section 366.093(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC.

DOCKET NO. 20230020-EI  
ORDER NO. PSC-2024-0142-CFO-EI  
ISSUED: May 3, 2024

ORDER GRANTING DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
DOCUMENT NO. 00387-2024)

On February 19, 2024, Duke Energy Florida, LLC (DEF) filed its Request for Confidential Classification of its response to the Office of Public Counsel's (OPC) Second Set of Interrogatories No. 22 (Document No. 00387-2024).

Request for Confidential Classification

DEF contends that the information provided in response to OPC's Second Set of Interrogatories No. 22 contains information of a confidential nature, which is proprietary confidential business information within the meaning of Section 366.093(3), F.S.

DEF contends that the information is proprietary and confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by DEF as private, and its confidentiality has been maintained. This information consists of contractor invoices, Excel spreadsheets calculating invoice payments, and explanations concerning invoices for line crew contractors providing restoration work. Therefore, DEF contends that this information is protected by Section 366.093(3)(e), F.S. Releasing the contract data contained in these responses also would impair the competitive businesses of both DEF and the contractors providing line crews in violation of Section 366.093(3)(d), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Commission has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. Section 366.093(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

- (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 service on favorable terms.