



Dianne M. Triplett  
DEPUTY GENERAL COUNSEL

May 28, 2024

**VIA OVERNIGHT MAIL**

Mr. Adam J. Teitzman, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket 20240025-EI, Petition for Rate Increase by Duke Energy Florida, LLC

Dear Mr. Teitzman,

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Confidential Classification for certain information provided in its Responses to OPC's Sixth Request for Production of Documents (Nos. 51-65). The filing includes the following:

- DEF's Request for Confidential Classification
- Slip-sheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit Ned Allis)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on May 7, 2024, 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  
Attachments

**CERTIFICATE OF SERVICE**

*Docket No. 20240025-EI*

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 28<sup>th</sup> day of May, 2024, to the following:

*/s/ Dianne M. Triplett*  
Dianne M. Triplett

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Duke Energy Florida, LLC  
for rate increase

DOCKET NO. 20240025-EI

Dated: May 28, 2024

**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 contained in its Response to OPC’s Sixth Set of Interrogatories (Nos. 118-143). DEF’s Notice of Intent to Request Confidential Classification was filed May 7, 2024. This Request is timely. See Rule 25-22.006(3)(a)1, E.A.C.

In support of this Request, DEF states:

1. Documents responsive to OPC’s Sixth Set of Interrogatories, specifically, Question 141, contain “confidential proprietary business information” under Section 366.093(3), F.S.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all documents for which DEF seeks confidential treatment. Composite Exhibit A was submitted separately in a sealed envelope labeled “CONFIDENTIAL” on May 7, 2024. In the unredacted versions, 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 DEF 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 of Ned W. Allis, attesting to the confidential nature of the information identified in Exhibit C.

3. As indicated in Exhibit C, the information for which DEF requires confidential classification is “proprietary confidential business information” within the meaning of § 366.093(3), F.S. Specifically, DEF’s response to OPC’s Sixth Set of Interrogatories, Question 141, includes internal sensitive business information regarding future projects and capital investments. They also contain information relating to DEF’s regulatory strategies. That information relates to DEF’s competitive business interests, and, absent confidential classification, its disclosure would impair DEF’s ability to compete in the marketplace. In addition, the documents in question contain details about the location and nature of future storage projects. Disclosure of that information could pose significant security risks to DEF, its customers, and the grid.

4. The information identified in Exhibits A and C is intended to be and is treated as confidential by DEF. *See* Exhibit D. Further, that information has not been disclosed to the public. *See* Exhibit D.

5. It follows that the information identified in Exhibits A and C is proprietary confidential information, which would cause harm to DEF and ratepayers if disclosed and which is exempt from disclosure under the Public Records Act pursuant to § 366.093(3), F.S.

6. Accordingly, 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 28th day of May, 2024.

/s/Dianne M. Triplett

**DIANNE TRIPLETT**

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Attorneys for Duke Energy Florida, LLC

**CERTIFICATE OF SERVICE**  
**Docket No. 20240025-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 28th day of May, 2024.

/s/ Dianne M. Triplett  
Attorney

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# Exhibit A

**“CONFIDENTIAL”**

**(filed under separate cover on May 7, 2024)**

# **Exhibit B**

**REDACTED**

**(copy-one)**



# **Exhibit B**

**REDACTED**

**(copy-two)**

# Exhibit C

## DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's Response to OPC's Sixth Set of Interrogatories (Nos. 118-143), specifically, Question 141.	<b>Question 141:</b> Documents bearing bates numbers 20240025-OPCPOD6-00018088 through 20240025-OPCPOD6-00018101 are confidential in their entirety.	§366.093(3)(e), F.S. The documents in question contain confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.  §366.093(3)(c), F.S. The documents in question contain confidential security measures, systems, or procedures.

# **Exhibit D**

## **AFFIDAVIT OF NED W. ALLIS**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Duke Energy Florida, LLC  
for rate increase

DOCKET NO. 20240025-EI

Dated: May 28, 2024

**AFFIDAVIT OF NED W. ALLIS IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Ned W. Allis. I am over the age of 18 years old, and I have been authorized by Duke Energy Florida (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 "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am Vice President of Gannett Fleming Valuation and Rate Consultants, LLC ("Gannett Fleming"). Gannett Fleming provides depreciation consulting services to utility companies in the United States and Canada.

3. As Vice President, I am responsible for conducting depreciation, valuation, and original cost studies, determining service life and salvage estimates, conducting field reviews,

presenting recommended depreciation rates to clients, and supporting such rates before state and federal regulatory agencies. I am also responsible for Gannett Fleming's proprietary depreciation software, training of depreciation staff, and the development of solutions for technical issues related to depreciation.

4. DEF is seeking confidential classification for information contained in response to the Office of the Public Counsel's ("OPC") Sixth Set of Interrogatories, Question 141. A detailed description of 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 as Exhibit C. DEF is requesting confidential classification of this confidential information for the reasons set forth below.

4. Documents produced in response to OPC's Sixth Set of Interrogatories, Question 141, contain confidential information. Specifically, the documents contain internal sensitive business information regarding future projects and capital investments. They also contain information relating to DEF's regulatory strategies. That information relates to DEF's competitive business interests, and, absent confidential classification, its disclosure would impair DEF's ability to compete in the marketplace. In addition, the documents in question contain details about the location and nature of future storage projects. Disclosure of that information could pose significant security risks to DEF, its customers, and the grid.

5. Upon receipt of 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 DEF. At no time since receiving the information in question has DEF publicly disclosed that information. DEF has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
(Signature)  
Ned W. Allis  
Vice President  
Gannett Fleming

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Ned W. Allis. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature)

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_

\_\_\_\_\_  
(Commission Expiration Date)

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