



Dianne M. Triplett  
DEPUTY GENERAL COUNSEL

June 21, 2024

**VIA ELECTRONIC 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 filed in connection with certain information provided in the direct testimony of Helmuth Schultz, III and Exhibit No. HWS-3 and the Direct Testimony of William Dunkel, filed on behalf of the Office of the Public Counsel. The filing includes the following:

- DEF’s Request for Confidential Classification
- Slip-sheet for confidential Revised Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavits of Reginald Anderson, Vanessa Goff, and Misty Easton)

DEF’s confidential Revised 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/mh  
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 21<sup>st</sup> day of June, 2024, to the following:

*/s/ Dianne M. Triplett*  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 20240025-EI

Dated June 21, 2024

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**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 Direct Testimony of Helmuth W. Schultz, III (“Schultz”) and Exhibit No. HWS-3 and the Direct Testimony of William W. Dunkel (“Dunkel”) filed on behalf of the Office of Public Counsel (“OPC”), under claim of confidentiality on June 11, 2024. DEF filed its Notice of Intent to Request Confidential Classification on June 11, 2024. This Request is timely. *See* Rule 25-22.006(3)(a)1, F.A.C. In support of this Request, DEF states:

1. Information contained in the Testimony of Schultz, specifically pages 40 and 41, and Exhibit HWS-3 of Schultz, specifically pages 255 through 291 and 615, contain “proprietary confidential business information” under § 366.093(3), Florida Statutes.

2. Information contained in the testimony of Dunkel, specifically pages 8, 9, 24, 25, and 37, contain “proprietary confidential business information” under § 366.093(3), Florida Statutes.

3. The following exhibits are included with this request:

(a) Sealed Composite Revised Exhibit A is a package containing unredacted copies of all the documents for which DEF seeks confidential treatment. Composite Revised

Exhibit A is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” 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 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.

4. 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 includes proprietary information, the disclosure of which would impair the Company’s competitive business interests, and if disclosed, the Company’s competitive business interests and efforts to contract for goods and services on favorable terms. *See* § 366.093(3)(d) & (e), F.S.; Affidavits of Misty Easton-, Reginald Anderson and Vanessa Goff at ¶¶ 5 and 6. 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.

5. Additionally, the information relates to internal practices and procedures and contract information. If DEF cannot demonstrate to vendors that may enter into contracts with DEF in the future, that DEF has the ability to protect confidential and proprietary business information, vendors will be less likely to enter into contracts with DEF – harming DEF’s ability to prudently operate its business. *See* § 366.093(3)(d) & (e), F.S.; Affidavits of Reginald

Anderson, Vanessa Goff and Misty Easton at ¶¶ 4, 5 and 6. Furthermore, disclosure of the information could detrimentally impact DEF's ability to negotiate favorable contracts as third-parties may begin to demand a "premium" to do business with DEF to account for the risk that its proprietary information will become a matter of public record, thereby harming DEF's competitive interests and ultimately its customers' financial interests. See § 366.093(3)(e), F.S.; Affidavits of Reginald Anderson and Vanessa Goff at ¶ 6. 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.

6. The information identified as Revised Exhibit "A" is intended to be and is treated as confidential by the Company. See Affidavits of Reginald Anderson, and Vanessa Goff at ¶ 7 and Misty Easton at ¶ 6, respectively. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. See Affidavits of Reginald Anderson, Vanessa Goff and Misty Easton at *See id.*

7. DEF requests that the information identified in Revised 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 21<sup>st</sup> day of June, 2024.

/s/ Dianne M. 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 by electronic mail this 21<sup>st</sup> day of June, 2024, to the following:

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# **Revised Exhibit A**

**“CONFIDENTIAL”**

**(filed under separate cover)**



# **Exhibit B**

**REDACTED**

**(copy-one)**

1 common problem. The bottom line is that from 2018 to 2023, not one employee under the  
 2 DEF incentive compensation plan was excluded from the incentive payment because of  
 3 poor performance. Essentially it is a given that the payment will be made, indicating that  
 4 this is really nothing more than supplemental pay. For DEF, the goals have changed but  
 5 they have not been changed to create a true incentive for performance. The short-term goal  
 6 for the primary metric and trigger mechanism is Earnings Per Share (“EPS”) and that is by  
 7 itself clearly a problematic metric. The Company provided the scorecards for 2020 through  
 8 2022 in response to OPC’s First Set of Interrogatories, No. 25. The EPS goal was \$5.05,  
 9 and the adjusted achieved EPS was \$5.12. The minimum EPS goal for payment in 2021 was  
 10 \$5.00. The goal was reduced from that in 2020 despite having been being achieved for the  
 11 prior year. The adjusted EPS achieved in 2021 was \$5.24. In 2022 the minimum for payout  
 12 was set at \$5.25. This represents a penny increase over the 2021 achievement. The adjusted  
 13 EPS achieved in 2022 was \$5.41. According to the response to OPC’s Eleventh Set of  
 14 Interrogatories, No. 306, the minimum payout for 2023 was set at achieving \$5.45 a mere  
 15 4 cent increase. The achievement for 2023 was \$5.56. The [REDACTED] according to  
 16 OPC’s First Request for Production of Documents, No. 8, qualifies employees for a payout  
 17 upon the company achieving a minimum EPS of [REDACTED]. The Company’s 2023 fourth  
 18 quarter Earnings Review and Business Update indicated a 2024 ADJUSTED EPS  
 19 GUIDANCE RANGE of \$5.85 - \$6.10. Apparently, it is okay, for purposes of designing  
 20 incentive compensation, to have an incentive target below the true EPS goal.

21 In similar fashion, another financial goal that fails to encourage improvement is found in  
 22 the metric of controlling the level of O&M expense incurred. The 2021 allowed minimum  
 23 requirement was increased 11.8% from the actual 2020 achievement of \$4,830 million to

1 \$5,400 million. The objective here should be to limit the minimum goal to the last  
 2 achievement holding the line on expenses, but instead it allowed for increased spending.  
 3 The 2022 allowed minimum O&M spending target of \$5,365 million was 3.8% higher than  
 4 the actual 2021 achievement of \$5.166 billion. The 2022 achievement was \$5,239 million.  
 5 Appropriately, the Company set a minimum in 2023 of \$4,790 million. That creates an  
 6 incentive to reduce costs. The achievement for 2023 was \$4,536 million. But in [REDACTED] the  
 7 Company again eliminated the incentive nature of the goal by setting the minimum at  
 8 [REDACTED], a level that allowed for payment despite increased spending. Clearly the  
 9 incentive for improvement in spending control is inadequate.

10  
 11 **Q. WHY DID YOU FOCUS ON EPS AS BEING THE PRIMARY METRIC?**

12 A. EPS is primary since this metric is focused on providing a benefit to shareholders and it is  
 13 the primary determinant in whether a payout will be made. In response to OPC’s Eleventh  
 14 Set of Interrogatories, No. 308 the Company stated that “The resulting STI payout level for  
 15 all measures will depend on where the EPS achievement falls between the minimum EPS  
 16 goal level and the circuit breaker. *If the minimum EPS goal level is not met, no STI payout*  
 17 *for any metric will occur.*” (Emphasis added.) This clearly explains why setting the EPS  
 18 goal at a level below previously achieved levels does not provide an incentive for  
 19 improvement. This key point can be easily missed when evaluating what triggers the  
 20 payment because companies refer to all the goals and try and persuade commissions that  
 21 the other goals equally matter. The EPS determines if payment will occur and how much  
 22 will be paid. The other goals are designed for the then-determined distribution (i.e., the  
 23 resulting amount to be paid out). This fact also is direct evidence that payments focus on

REDACTED  
EXHIBIT NO. HWS-3, PAGES 255 THROUGH 291  
OF 622  
ARE REDACTED IN THEIR ENTIRETY.

**REDACTED**  
**EXHIBIT NO. HWS-3, PAGE 615 OF 622**  
**IS REDACTED IN ITS ENTIRETY**

1 these ARO dismantlement/retirement cost obligation being recovered from ratepayers  
2 through the ARO process.<sup>47</sup>

3  
4 **Q. Are actual land leases for some of the DEF solar farms available in the confidential**  
5 **files?**

6 A. Yes. Although I have had no need to refer to them in the prior discussion, DEF states the  
7 actual leases are available in the Confidential files for three of the DEF solar plants that are  
8 on leased land. Regarding three of these solar farms, DEF was asked:

9 Cite to each page and specific provision of the Lease Agreement which  
10 contains the lease term which stipulates what removal of facilities is  
11 required at the end of the lease.

12 DEF's (public) response is:

13 Charlie Creek: See page 7 of the contract file, paragraph 9 (b) "Surrender  
14 of Land."

15 Twin Rivers: See page 9 of the contract file, paragraph 6.4 "Lessee's  
16 Obligation to Restore the Property."

17 Sandy Creek: See page 9 of the contract file, paragraph 8.10 "Removal of  
18 Improvements."<sup>48</sup>

19 **\*\*\* BEGIN CONFIDENTIAL PER DEF DESIGNATION \*\*\***

20 [REDACTED]:

21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]

---

<sup>47</sup> [REDACTED]  
[REDACTED]  
[REDACTED]

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13

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

\*\*\* END CONFIDENTIAL PER DEF DESIGNATION\*\*\*

15

16 **XI. Neither Mr. Kopp Nor 1898 & Co Have Ever Participated In an Actual Dismantlement**

17 **Q. What did DEF provide pertaining to the future dismantlement of production**  
18 **facilities?**

19 A. DEF filed the 2023 Dismantlement Cost Study, prepared by Mr. Kopp of a firm named  
20 “1898 & Co.” DEF recommends that significant charges to the ratepayers be based on the  
21 Dismantlement Cost estimates prepared by Mr. Kopp of “1898 & Co.”

\_\_\_\_\_

■ [REDACTED]

1 a cooling facility. The assumption that no cooling facility will be needed any time after  
2 2047 is just an assumption, and a very costly assumption.

3

4 **Q. How much are the annual costs to maintain and repair the Hines Cooling Pond?**

5 A. The DEF response to discovery shows that the annual costs to maintain and repair the Hines  
6 Cooling Pond.<sup>68</sup>

7 \*\*\* BEGIN CONFIDENTIAL PER DEF DESIGNATION \*\*\*

8

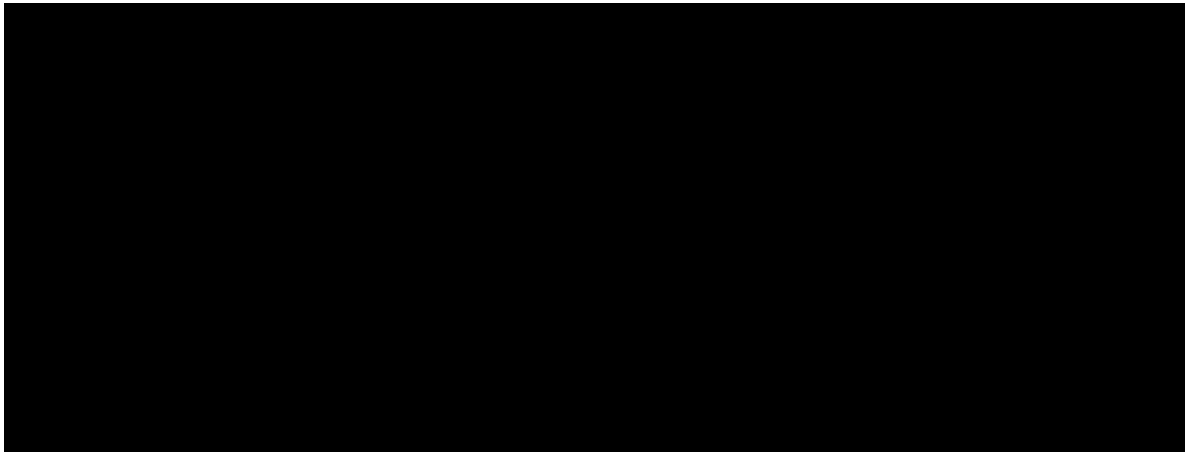
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14 \*\*\* END CONFIDENTIAL PER DEF DESIGNATION \*\*\*

15 The assumption used in the prior (2020) DEF dismantlement study, which is that DEF will  
16 **not** dismantle the cooling pond when Hines Unit 4 retires,<sup>69</sup> should continue to be used.

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<sup>68</sup> DEF response to OPC's Tenth Set of Interrogatories, No. 257.

<sup>69</sup> See page 162 (also called Exhibit 6, page 117 of 142) of Order No. PSC-2021-0202A-AS-EI, (Docket Nos. 201990110-EI, 20190110-EI, and 20210016-EI).



# **Exhibit B**

**REDACTED**

**(copy-two)**

1 common problem. The bottom line is that from 2018 to 2023, not one employee under the  
 2 DEF incentive compensation plan was excluded from the incentive payment because of  
 3 poor performance. Essentially it is a given that the payment will be made, indicating that  
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 12 was set at \$5.25. This represents a penny increase over the 2021 achievement. The adjusted  
 13 EPS achieved in 2022 was \$5.41. According to the response to OPC’s Eleventh Set of  
 14 Interrogatories, No. 306, the minimum payout for 2023 was set at achieving \$5.45 a mere  
 15 4 cent increase. The achievement for 2023 was \$5.56. The [REDACTED] according to  
 16 OPC’s First Request for Production of Documents, No. 8, qualifies employees for a payout  
 17 upon the company achieving a minimum EPS of [REDACTED]. The Company’s 2023 fourth  
 18 quarter Earnings Review and Business Update indicated a 2024 ADJUSTED EPS  
 19 GUIDANCE RANGE of \$5.85 - \$6.10. Apparently, it is okay, for purposes of designing  
 20 incentive compensation, to have an incentive target below the true EPS goal.

21 In similar fashion, another financial goal that fails to encourage improvement is found in  
 22 the metric of controlling the level of O&M expense incurred. The 2021 allowed minimum  
 23 requirement was increased 11.8% from the actual 2020 achievement of \$4,830 million to

1 \$5,400 million. The objective here should be to limit the minimum goal to the last  
 2 achievement holding the line on expenses, but instead it allowed for increased spending.  
 3 The 2022 allowed minimum O&M spending target of \$5,365 million was 3.8% higher than  
 4 the actual 2021 achievement of \$5.166 billion. The 2022 achievement was \$5,239 million.  
 5 Appropriately, the Company set a minimum in 2023 of \$4,790 million. That creates an  
 6 incentive to reduce costs. The achievement for 2023 was \$4,536 million. But in [REDACTED] the  
 7 Company again eliminated the incentive nature of the goal by setting the minimum at  
 8 [REDACTED], a level that allowed for payment despite increased spending. Clearly the  
 9 incentive for improvement in spending control is inadequate.

10  
 11 **Q. WHY DID YOU FOCUS ON EPS AS BEING THE PRIMARY METRIC?**

12 A. EPS is primary since this metric is focused on providing a benefit to shareholders and it is  
 13 the primary determinant in whether a payout will be made. In response to OPC’s Eleventh  
 14 Set of Interrogatories, No. 308 the Company stated that “The resulting STI payout level for  
 15 all measures will depend on where the EPS achievement falls between the minimum EPS  
 16 goal level and the circuit breaker. *If the minimum EPS goal level is not met, no STI payout*  
 17 *for any metric will occur.*” (Emphasis added.) This clearly explains why setting the EPS  
 18 goal at a level below previously achieved levels does not provide an incentive for  
 19 improvement. This key point can be easily missed when evaluating what triggers the  
 20 payment because companies refer to all the goals and try and persuade commissions that  
 21 the other goals equally matter. The EPS determines if payment will occur and how much  
 22 will be paid. The other goals are designed for the then-determined distribution (i.e., the  
 23 resulting amount to be paid out). This fact also is direct evidence that payments focus on

**REDACTED**  
**EXHIBIT NO. HWS-3, PAGES 255 THROUGH 291**  
**OF 622**  
**ARE REDACTED IN THEIR ENTIRETY.**

**REDACTED**  
**EXHIBIT NO. HWS-3, PAGE 615 OF 622**  
**IS REDACTED IN ITS ENTIRETY**

1 these ARO dismantlement/retirement cost obligation being recovered from ratepayers  
2 through the ARO process.<sup>47</sup>

3  
4 **Q. Are actual land leases for some of the DEF solar farms available in the confidential**  
5 **files?**

6 A. Yes. Although I have had no need to refer to them in the prior discussion, DEF states the  
7 actual leases are available in the Confidential files for three of the DEF solar plants that are  
8 on leased land. Regarding three of these solar farms, DEF was asked:

9 Cite to each page and specific provision of the Lease Agreement which  
10 contains the lease term which stipulates what removal of facilities is  
11 required at the end of the lease.

12 DEF's (public) response is:

13 Charlie Creek: See page 7 of the contract file, paragraph 9 (b) "Surrender  
14 of Land."

15 Twin Rivers: See page 9 of the contract file, paragraph 6.4 "Lessee's  
16 Obligation to Restore the Property."

17 Sandy Creek: See page 9 of the contract file, paragraph 8.10 "Removal of  
18 Improvements."<sup>48</sup>

19 **\*\*\* BEGIN CONFIDENTIAL PER DEF DESIGNATION \*\*\***

20 [REDACTED]:

21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]

---

47 [REDACTED]  
[REDACTED]  
[REDACTED]

1  
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6  
7  
8  
9  
10  
11  
12  
13

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

\*\*\* END CONFIDENTIAL PER DEF DESIGNATION\*\*\*

15

16 **XI. Neither Mr. Kopp Nor 1898 & Co Have Ever Participated In an Actual Dismantlement**

17 **Q. What did DEF provide pertaining to the future dismantlement of production**  
18 **facilities?**

19 A. DEF filed the 2023 Dismantlement Cost Study, prepared by Mr. Kopp of a firm named  
20 “1898 & Co.” DEF recommends that significant charges to the ratepayers be based on the  
21 Dismantlement Cost estimates prepared by Mr. Kopp of “1898 & Co.”

\_\_\_\_\_

■ [REDACTED]

1 a cooling facility. The assumption that no cooling facility will be needed any time after  
2 2047 is just an assumption, and a very costly assumption.

3

4 **Q. How much are the annual costs to maintain and repair the Hines Cooling Pond?**

5 A. The DEF response to discovery shows that the annual costs to maintain and repair the Hines  
6 Cooling Pond.<sup>68</sup>

7 \*\*\* BEGIN CONFIDENTIAL PER DEF DESIGNATION \*\*\*

8

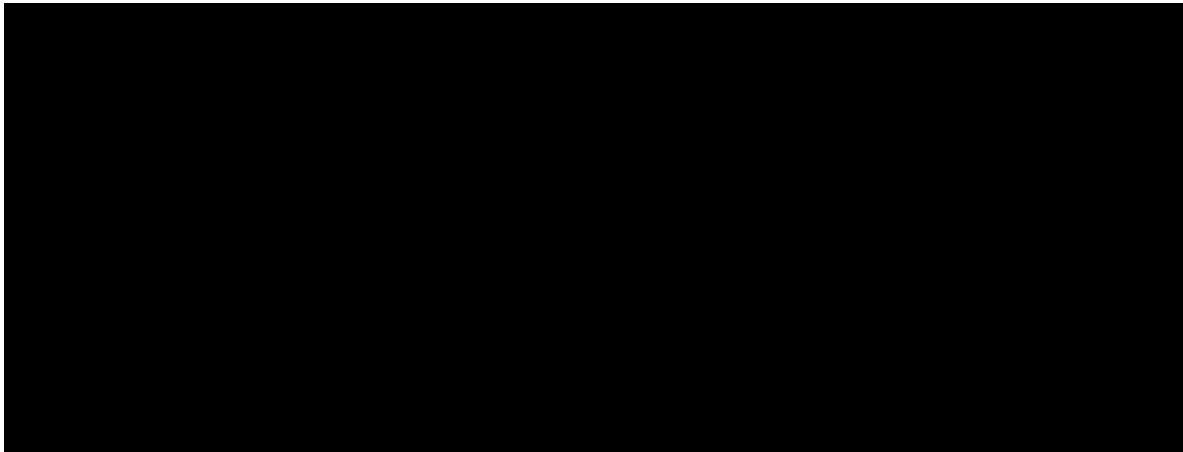
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13



14 \*\*\* END CONFIDENTIAL PER DEF DESIGNATION \*\*\*

15 The assumption used in the prior (2020) DEF dismantlement study, which is that DEF will  
16 **not** dismantle the cooling pond when Hines Unit 4 retires,<sup>69</sup> should continue to be used.

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<sup>68</sup> DEF response to OPC's Tenth Set of Interrogatories, No. 257.

<sup>69</sup> See page 162 (also called Exhibit 6, page 117 of 142) of Order No. PSC-2021-0202A-AS-EI, (Docket Nos. 201990110-EI, 20190110-EI, and 20210016-EI).



# Exhibit C

## DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
Direct Testimony of Helmuth Schultz, III and Exhibit HWS-3	<p><b>Page 40:</b> <b>Line 15</b>-information after “The” and before “according” is confidential.</p> <p><b>Line 17</b>-information after “of” and before The” is confidential.</p> <p><b>Page 41:</b> <b>Line 6</b>- The information after “in” and before “the” is confidential.</p> <p><b>Line 8</b>- The information before “a level” is confidential.</p> <p><b>Exhibit HWS-3:</b> <b>Pages 255 through 291</b> of 622 are confidential in their entirety. <b>Page 615 of 622</b> is confidential in its entirety.</p>	<p>§366.093(3)(d), F.S. The documents in question contain confidential information, the disclosure of which would impair DEF’s efforts to contract for goods or services on favorable terms.</p> <p>§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.</p>
RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
Direct Testimony of William Dunkel	<p><b>Page 8:</b> <b>Lines 18 through 20</b> - are confidential in their entirety.</p> <p><b>Page 9:</b> <b>Lines 1 and 2</b> - are confidential in their entirety.</p> <p><b>Page 24:</b> <b>Lines 20 through 24 and footnote</b> - are confidential in their entirety.</p>	<p>§366.093(3)(d), F.S. The documents in question contain confidential information, the disclosure of which would impair DEF’s efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential</p>

	<p><b>Page 25:</b> <b>Lines 1 through 13 and footnote</b> -are confidential in their entirety.</p> <p><b>Page 37:</b> <b>Lines 8 through 13-</b> are confidential in their entirety.</p>	<p>information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
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# **Exhibit D**

## **AFFIDAVITS OF REGINALD ANDERSON, MISTY EASTON, AND VANESSA GOFF**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: June 21, 2024

**AFFIDAVIT OF REGINALD D. ANDERSON IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Reginald D. Anderson. 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 employed by DEF as Vice President, Power Generation.

3. As Vice President of DEF's Power Generation organization, I am responsible for providing overall leadership and strategic and tactical planning over employees in DEF's Power Generation organization. In this role, I oversee generation projects, major maintenance programs,

outage and project management, fleet retirement strategy, and workforce planning (including departmental staffing and long-term strategies such as organizational alignment, design, retention, and inclusion). I am responsible for billions of dollars in assets including capital and operating and maintenance (“O&M”) budgets, and I lead the development of regional succession planning.

4. DEF is seeking confidential classification for information contained in the Direct Testimony of William W. Dunkel filed on behalf of the Office of the Public Counsel’s (“OPC”). A detailed description of the confidential information at issue is contained in confidential Revised 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.

5. The information contained in the testimony of Dunkel, contain confidential information. Specifically, pages 8, 9, 24, 25, and 37, contain pricing information, internal procedures relating to contracts for goods and services. Disclosure of this non-public information could alter contractors’ behavior to the detriment of DEF, its customers, and its affiliates. Thus, absent confidential classification, DEF, and its affiliates’ efforts to contract for goods and services on favorable terms may be impaired.

6. Additionally, the information contains internal sensitive business information regarding future projects and capital investments. 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.

7. 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 the Company. 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.

8. This concludes my affidavit.

Further affiant sayeth not.

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

\_\_\_\_\_  
(Signature)  
Reginald D. Anderson  
Vice President, Power Generation  
Duke Energy Florida, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Reginald D. Anderson. 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)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: June 21, 2024

**AFFIDAVIT OF MISTY EASTON 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 Shannon Caldwell, who being first duly sworn, on oath deposes and says that:

1. My name is Misty Easton. 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 a Director of Human Resources of Duke Energy Business Services LLC, which provides various administrative and other services to Duke Energy, DEF, and other affiliated companies of Duke Energy Corporation.

3. As the Director of HR Special Projects & Integration, I am responsible for leading various HR projects and transformation initiatives, managing emerging opportunities that align

HR with long-term business objectives, HR regulatory compliance and risk management activities, large-scale employee change management and oversight for the HR Rotational Program. I have previously served in the Director of Compensation role where I was responsible for broad-based compensation design and strategy, administration and compliance for Duke Energy, including all of Duke Energy's affiliated regulated and non-regulated companies, like DEF.

4. DEF is seeking confidential classification for information contained in the Testimony of Schultz, specifically pages 40 and 41, and Exhibit HWS-3 of Schultz, specifically pages 257 through 291 and 615. A detailed description of the confidential information at issue is contained in confidential Revised 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 information for the reasons set forth below.

5. The information contained in the Testimony of Schultz, specifically pages 40 and 41, and Exhibit HWS-3 of Schultz, specifically pages 257 through 291 and 615, contain internal sensitive business information that relates to internal compensation procedures, valuations, and costs, the disclosure of which would impair the efforts of the Company to negotiate on favorable terms. Additionally, if the information at issue was disclosed, DEF's efforts to obtain employees at a competitive rate that provides economic value to both DEF and its customers could be compromised. With this non-public information, employers and potential hires could alter their behavior to the detriment of DEF and its customers. Absent confidential classification, competitors would have access to this sensitive business information, which may impair DEF's ability to effectively hire employees at a competitive rate. Some of these documents also contain information from a third party, which DEF is contractually obligated to maintain as confidential. Disclosure of this non-public information could alter contractors' behavior to the detriment of DEF, its



customers, and its affiliates. Thus, absent confidential classification, DEF and its affiliates' efforts to contract for goods and services on favorable terms may be impaired.

6. 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 the Company. 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.

7. This concludes my affidavit.

Further affiant sayeth not.

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

\_\_\_\_\_  
(Signature)  
Misty Easton  
Director, Human Resources  
Duke Energy Business Services, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Misty Easton. She is personally known to me or has produced her \_\_\_\_\_ driver's license, or her \_\_\_\_\_ as identification.

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
\_\_\_\_\_  
(Commission Expiration Date)  
\_\_\_\_\_  
(Serial Number, If Any)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: June 21, 2024

**AFFIDAVIT OF VANESSA GOFF 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 Vanessa Goff, who being first duly sworn, on oath deposes and says that:

1. My name is Vanessa Goff. 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 employed by Duke Energy Corporation as Director of Renewables Business Development.

3. As Director of Renewables Development, I am responsible for the development of new solar facilities in Florida on behalf of DEF. I lead a team that conducts solar development

activities, including project siting, land acquisition, resource assessment, permitting, obtaining interconnection rights, project layout and design, arranging contracts for engineering, procurement, and construction (“EPC”) services, as well as originating, structuring, and executing transactions to acquire rights to existing solar development projects.

4. DEF is seeking confidential classification for information contained in the Direct Testimony of William Dunkel filed on behalf of the Office of the Public Counsel’s (“OPC”). A detailed description of the confidential information at issue is contained in confidential Revised 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.

5. The information contained in the testimony of Dunkel contain confidential information. Specifically, pages 8, 9, 24, 25, and 37, contain the terms of contracts for goods and services. Disclosure of this non-public information could alter contractors’ behavior to the detriment of DEF and its customers. Thus, absent confidential classification, DEF’s efforts to contract for goods and services on favorable terms may be impaired.

6. Additionally, the information contains internal sensitive business information regarding future projects and capital investments. 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.

7. 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 the Company. 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.

8. This concludes my affidavit.

Further affiant sayeth not.

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

\_\_\_\_\_  
(Signature)  
Vanessa Goff  
Director, Renewables Business Development  
Duke Energy Corporation

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_ day of \_\_\_\_\_, 2024 by Vanessa Goff. She is personally known to me or has produced her \_\_\_\_\_ driver's license, or her \_\_\_\_\_ as identification.

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

(AFFIX NOTARIAL SEAL)

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

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

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