



Stephanie A. Cuello  
SENIOR COUNSEL

June 24, 2024

**VIA ELECTRONIC FILING**

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

Re: Docket 20240013-EGI, Commission review of numeric Conservation goals 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 FIPUG's Second Request for Production of Documents (Nos. 6-10). 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 Tim Duff)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on June 3, 2024, under separate cover.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1425 should you have any questions concerning this filing.

Respectfully,

*/s/ Stephanie A. Cuello*

Stephanie A. Cuello

SAC/clg  
Attachments

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission review of numeric Conservation goals by Duke Energy Florida, LLC.

Docket No. 20240013-EG

Dated: June 24, 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 FIPUG’s Second Request for Production of Documents (Nos. 6-10), concurrently with DEF’s Notice of Intent to Request Confidential Classification. This Request is timely. See Rule 25-22.006(3)(a)1, E.A.C. In support of this Request, DEF states:

1. Information contained in DEF’s Response to FIPUG’s Second Request for Production of Documents (Nos. 6-10) specifically, Questions 6 and 7, 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 June 3, 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 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 the affidavit of Tim Duff, 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:

(a) The information at issue in DEF’s response to FIPUG’s Second Request for Production of Documents, Questions 6 and 7 includes internal business information regarding workpapers and workbooks that contain pricing information, competitive data and information related to competitive interests and regarding DEF’s strategic plans and regulatory strategies. This information relates to DEF’s competitive business interests, and disclosure would impair DEF’s ability to compete in the marketplace. This information also poses 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 Exhibit 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 24th day of June, 2024.

/s/Stephanie A. Cuello

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Attorneys for Duke Energy Florida, LLC

**CERTIFICATE OF SERVICE**  
**Docket No. 20240013-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 24th day of June, 2024.

*/s/ Stephanie A. Cuello*  
Attorney

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# **Exhibit A**

**“CONFIDENTIAL”**

**(filed under separate cover on June 3, 2024)**

# **Exhibit B**

**REDACTED**

**(copy-one)**

**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240013-**  
**FIPUGPOD2-00000008 THROUGH 20240013-**  
**FIPUGPOD2-00000406**  
**ARE REDACTED IN THEIR ENTIRETY**



**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240013-**  
**FIPUGPOD2-00000407 THROUGH 20240013-**  
**FIPUGPOD2-00001310**  
**ARE REDACTED IN THEIR ENTIRETY**

# **Exhibit B**

**REDACTED**

**(copy-two)**

**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240013-**  
**FIPUGPOD2-00000008 THROUGH 20240013-**  
**FIPUGPOD2-00000406**  
**ARE REDACTED IN THEIR ENTIRETY**

**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240013-**  
**FIPUGPOD2-00000407 THROUGH 20240013-**  
**FIPUGPOD2-00001310**  
**ARE REDACTED IN THEIR ENTIRETY**

# Exhibit C

## DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's Response to FIPUG's Second Request for Production of Documents (Nos. 6-10) specifically, Question 6.	<b>Question 6:</b> Document bearing Bates number 20240013-FIPUGPOD2-00000008 through 20240013-FIPUGPOD2-00000406 are confidential in their entirety.	§366.093(3)(c), F.S. The document in question contains confidential security measures, systems, or procedures.  §366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.
DEF's Response to FIPUG's Second Request for Production of Documents (Nos. 6-10), specifically, Question 7	<b>Question 7:</b> Document bearing Bates number 20240013-FIPUGPOD2-00000407 through 20240013-FIPUGPOD2-00001310 are confidential in their entirety.	§366.093(3)(c), F.S. The document in question contains confidential security measures, systems, or procedures.  §366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.

# **Exhibit D**

## **AFFIDAVIT OF TIM DUFF**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Commission review of numeric conservation goals (Duke Energy Florida, LLC)

DOCKET NO. 20240013-EG

Dated: June 24, 2024

**AFFIDAVIT OF TIM DUFF 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 Tim Duff, who being first duly sworn, on oath deposes and says that:

1. My name is Tim Duff. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, Inc. (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 facts attested to in my affidavit are based upon my personal knowledge.

2. I am the General Manager, Customer Solutions Regulatory Enablement. In this role, I am responsible for the development of strategies and policies related to energy efficiency, demand side management and all other retail products and services.

3. As the General Manager of Customer Solutions Regulatory Enablement, I also oversee the analytics functions associated with evaluating, tracking and reporting the performance of Duke Energy's retail products and services related to energy efficiency, demand side management programs and all other retail products and services.

4. DEF is seeking confidential classification for a portion of DEF's Response to FIPUG's Second Production of Documents (Nos. 6-10), specifically questions 6 and 7, served on June 3, 2024, in this docket. The confidential information at issue is contained in confidential Exhibit A provided with DEF's Notice of Intent to Request Confidential Classification provided on June 3, 2024 and is outlined in DEF's Justification Matrix attached to DEF's Request as Exhibit C. DEF is requesting confidential classification of this information because it contains confidential proprietary business information relating to specific algorithms and calculations regarding cost effectiveness modeling that contain pricing information and competitive data. The disclosure of that information to the public would adversely impact DEF and third-party vendors' competitive business interests.

5. Upon receipt of confidential information from utility system equipment and power suppliers, as well as 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 contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the 24<sup>th</sup> day of June, 2024.



