



Dianne M. Triplett
DEPUTY GENERAL COUNSEL

July 15, 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 for certain information contained in the 2024 Settlement Agreement. 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 of Benjamin M. H. Borsch)

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
Enclosures

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 15th day of July, 2024, to the following:

/s/ Dianne M. Triplett
Dianne M. Triplett

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20240025-EI

Dated: July 15, 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 (“Request”) for certain information contained in its 2024 Settlement Agreement. In support of this Request, DEF states:

1. A portion of information in DEF’s 2024 Settlement Agreement contains “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 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 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 includes the affidavit of Benjamin M. H. Borsch, attesting to the confidential nature of the information identified in Exhibit C.

3. As indicated in Exhibits C and D, the information for which DEF requires confidential classification is “proprietary confidential business information” within the meaning of § 366.093(3), F.S. Specifically, the information at issue in DEF’s 2024 Settlement Agreement relates to DEF’s competitive business interests, and, absent confidential classification, disclosure of that information would impair DEF’s ability to compete in the marketplace.

4. Further, the information includes forecasted costs associated with revenue requirement procedures associated with a potential acquisition. Disclosure of this non-public information could alter vendors’ behavior to the detriment of DEF, its customers, and its third-party vendors. Thus, absent confidential classification, DEF, and third-party vendors’ efforts to contract for goods and services on favorable terms may be impaired.

5. The information is proprietary confidential information, which would cause harm to DEF and customers if disclosed and is exempt from disclosure under the Public Records Act pursuant to § 366.093(3), F.S. The information is intended to be and is treated as confidential by DEF and has not been disclosed to the public. *See* Exhibit D.

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 Florida Public Service Commission to conduct its business.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this Request be granted.

RESPECTFULLY SUBMITTED this 15th day of July, 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 via electronic mail to the following this 15th day of July, 2024.

/s/ Dianne M. Triplett
Attorney

<p>Jennifer Crawford / Major Thompson / Shaw Stiller Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 JCrawfor@psc.state.fl.us MThomпсо@psc.state.fl.us SStiller@psc.state.fl.us</p>	<p>Walt Trierweiler / Charles J. Rehwinkel / Mary Wessling / Austin Watrous Office of Public Counsel 111 W. Madison St., Rm 812 Tallahassee, FL 32399 rehwinkel.charles@leg.state.fl.us trierweiler.walt@leg.state.fl.us watrous.austin@leg.state.fl.us wessling.mary@leg.state.fl.us</p>	<p>James W. Brew / Laura Wynn Baker / Sarah B. Newman Stone Mattheis Xenopoulos & Brew, PC PCS Phosphate-White Springs 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 jbrew@smxblaw.com lwb@smxblaw.com sbn@smxblaw.com</p>
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<p>Tony Mendoza / Patrick Woolsey Sierra Club 2101 Webster Street Suite 1300 Oakland, CA 94612 tony.mendoza@sierraclub.org patrick.woolsey@sierraclub.org</p>	<p>Robert Scheffel Wright / John T. LaVia, III Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry & Harper, P.A. Florida Retail Federation 1300 Thomaswood Drive Tallahassee, Florida 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p>	<p>Nikhil Vijaykar Keyes & Fox LLP EVgo Services, LLC 580 California St., 12th Floor San Francisco, CA 94104 nvijaykar@keyesfox.com</p>
<p>Sari Amiel Sierra Club 50 F St. NW, Eighth Floor Washington, DC 20001 sari.amiel@sierraclub.org</p>	<p>Peter J. Mattheis / Michael K. Lavanga / Joseph R. Briscar Stone Mattheis Xenopoulos & Brew, PC NUCOR 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 pjm@smxblaw.com mkl@smxblaw.com jrb@smxblaw.com</p>	<p>Lindsey Stegall EVgo Services, LLC 11835 W. Olympic Blvd., Ste. 900E Los Angeles, CA 90064 Lindsey.Stegall@evgo.com</p> <p>Frederick L. Aschauer, Jr., Esq. Allan J. Charles, Esq. Lori Killinger, Esq. Lewis, Longman & Walker P.A. AAACE / Circle K / RaceTrac / Wawa 106 East College Avenue, Suite 1500 Tallahassee, Florida 32301 fAschauer@llw-law.com acharles@llw-law.com killinger@llw-law.com jmelchior@llw-law.com</p>

Exhibit A

“CONFIDENTIAL”

(submitted under separate cover)

Exhibit B

REDACTED

(copy-one)

Settlement Term, DEF shall be allowed recovery of the revenue requirements associated with the acquired asset [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] If

the Commission has approved retail rate recovery, then when DEF is next permitted to file for a general base rate increase outside the Settlement Term, DEF will be permitted to prospectively recover the remaining revenue requirements of the acquisition through base rates.

Electric Vehicle (“EV”) Program

18.

- a. In the 2021 Settlement, DEF was authorized to implement a residential EV off-peak charging load management program. This program will continue, and the applicable tariffs are amended to reflect the credit amount and the on-peak/off-peak charging periods, as reflected in the attached residential tariffs, which are part of Exhibit 6.
- b. DEF is authorized to add a make ready credit EV program, as proposed in its rate case filing, and defer the costs to a regulatory asset to be amortized over a period of forty-eight (48) months beginning in the month following each credit that DEF provides, but no sooner than January 1, 2025. All associated costs with this program are reflected in

Exhibit B

REDACTED

(copy-two)

Settlement Term, DEF shall be allowed recovery of the revenue requirements associated with the acquired asset [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] If

the Commission has approved retail rate recovery, then when DEF is next permitted to file for a general base rate increase outside the Settlement Term, DEF will be permitted to prospectively recover the remaining revenue requirements of the acquisition through base rates.

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Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's 2024 Settlement Agreement	Page 17-Paragraph 17-The information after "asset" and before "If" is confidential.	<p>§366.093(3)(d), F.S. The documents in question contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of DEF or its affiliates to contract for goods or services on favorable terms.</p> <p>§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.</p>

Exhibit D

AFFIDAVIT OF BENJAMIN M. H. BORSCH

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 20240025-EI

Dated: July 15, 2024

**AFFIDAVIT OF BENJAMIN M. H. BORSCH 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 Benjamin M. H. Borsch, who being first duly sworn, on oath deposes and says that:

1. My name is Benjamin M. H. Borsch. 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 Managing Director of Integrated Resource Planning and Analytics.

3. As Managing Director of Integrated Resource Planning and Analytics, I am responsible for directing the resource planning process for DEF in an integrated approach in order to find the most cost-effective alternatives to meet DEF's obligation to serve its customers in

Florida. In this capacity, I oversee numerous studies to evaluate the system impact and cost effectiveness of various proposed and alternative generation projects. I oversee the completion of DEF's Ten-Year Site Plan ("TYSP") filed each April.

4. DEF is seeking confidential classification for information contained in its 2024 Settlement Agreement. A detailed description of the confidential information at issue is contained in Exhibit A to DEF's Request and is outlined in DEF's Confidentiality 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. A portion of the information in the 2024 Settlement Agreement contains confidential information. Specifically, the information contains forecasted revenue requirements associated with a potential acquisition. That information is proprietary and relates to DEF's competitive business interests. Absent confidential classification, disclosure of that information would impair DEF's ability to compete in the marketplace.

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 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.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the ____ day of _____, 2024.

(Signature)
Benjamin M. H. Borsch

Managing Director, Integrated Resource Planning
and Analytics
Duke Energy Florida, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day
of _____, 2024 by Benjamin M. H. Borsch. He is personally known to me or has produced
his _____ driver's license, or his _____ as identification.

(Signature)

(Printed Name)
NOTARY PUBLIC, STATE OF _____

(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

(Serial Number, If Any)