

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor

Docket No.: Undocketed

Dated: April 30, 2013

**AFFIDAVIT OF THOMAS G. FOSTER IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

RECEIVED-FPSC
13 APR 30 PM 3:01
COMMISSION
CLERK

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Thomas G. Foster. 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 facts attested to in my affidavit are
based upon my personal knowledge.

2. I am the Manager of Retail Riders and Rate Cases for Duke Energy
Florida.

3. As the Manager of Retail Riders and Rate Cases, I am responsible, along
with the other members of the section, for the regulatory strategy, compliance and
planning functions of the Florida electric utility.

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4. DEF is seeking confidential classification for certain cost information contained in its 2012 Diversification Report submitted to the Florida Public Service Commission on April 30, 2013. A detailed description of the confidential information at issue is contained in confidential Exhibit A to DEF's Request for Confidential Classification and is outlined in DEF's Justification Matrix that is attached to DEF's Request for Confidential Classification as Exhibit C. DEF is requesting confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms.

5. DEF contracts with outside suppliers to obtain competitive contracts for construction options that provide economic value to DEF and its ratepayers. In order to obtain such contracts, however, DEF must be able to assure outside suppliers that sensitive business information, such as certain cost information, will be kept confidential pursuant to contractual agreement. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed confidential information pertaining to the costs associated with generation facilities, site preparations, licensing, permits, and transmission facilities. Absent such measures, suppliers would run the risk that sensitive business information that they provided in their contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with DEF might decide not to do so if DEF did not keep specific information confidential. Without DEF's measures to maintain the confidentiality of sensitive terms

in contracts between DEF and outside suppliers, the Company's efforts to obtain competitive contracts could be undermined.

6. Additionally, the disclosure of confidential information pursuant to contractual agreements, could adversely impact DEF's competitive business interests. If such information was disclosed to DEF's competitors, DEF's efforts to obtain competitive options that provide economic value to both DEF and its ratepayers could be compromised by DEF's competitors changing their behavior within the relevant markets.

7. Upon receipt of confidential information from outside suppliers, and 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. At no time since receiving the contract information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 26th day of April, 2013.

TF

(Signature)

Thomas G. Foster

Manager

Rates and Regulatory Strategy Department

Duke Energy Florida, Inc.

Post Office Box 14042

St. Petersburg, FL 33733

26th THE FOREGOING INSTRUMENT was sworn to and subscribed before me this day of April, 2013 by Thomas G. Foster is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Suzanne H Miller

(Signature)

SUZANNE H. MILLER

(Printed Name)

NOTARY PUBLIC, STATE OF Florida

3/27/17

(Commission Expiration Date)

EE 854446

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

