

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 2, 2014
TO: Pamela Page, Senior Attorney, Office of the General Counsel
FROM: Victor Cordiano, ^{ve} Engineering Specialist II, Office of Auditing and Performance Analysis
RE: Docket No. 130054-EI - Request for confidential classification of audit workpapers of staff's audit report entitled *Review of Progress Energy Florida, Inc.'s Quality Assurance Process for Distribution Construction*
Documents: 05397-14, 00953-13, and 01373-13

Attached is a September 25, 2014 request (DN 05397-14, with 00953-13 and 01373-13 incorporated by reference) from Duke Energy Florida (DEF) requesting confidential treatment of certain information contained in staff's workpapers for its report entitled *Review of Progress Energy Florida, Inc.'s Quality Assurance Process for Distribution Construction*. The company cites §366.093(3)(b), F.S., as the basis for requesting confidentiality of certain aspects of staff's workpapers only.

Staff has reviewed the request and recommends the following for the pages in DN 00953-13:

Pages 281 - 295 in their entirety:

These pages contain DEF's distribution construction audit results for DEF-employee projects completed within each operation center.

Audit staff concurs with DEF that this data contains confidential information relating to internal auditing controls and reports of internal auditors and that the disclosure of such would impair DEF's internal business operations. Therefore, audit staff recommends that this portion of DEF's request for confidentiality be approved.

cc: Carl Vinson
Kelly McLanahan
Marguerite McLean

RECEIVED-FPSC
14 OCT -6 AM 9:49
COMMISSION
CLERK



Matthew R. Bernier
Senior Counsel
Duke Energy Florida, Inc.

September 25, 2014

VIA ELECTRONIC FILING

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

*Re: Review of Duke Energy Florida, Inc.'s Quality Assurance Process for Distribution Construction;
Docket No. 130054-EI*

Dear Ms. Stauffer:

On behalf of Duke Energy Florida, Inc. ("DEF"), please find attached for electronic filing in the above referenced docket DEF's First Request for Extension of Confidential Classification and Revised Exhibit D. DEF incorporates Exhibits A and B to the original Request, Document No. 00953-13 submitted on February 21, 2013 and Amended Exhibit C submitted on March 19, 2013, Document No. 01373-13 in docket no. 130054-EI as if attached hereto.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing.

Respectfully,

s/Matthew R. Bernier

Matthew R. Bernier
Senior Counsel

MRB/mw
Enclosures

cc: Pamela Page

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Duke Energy Florida, Inc.'s
Quality Assurance Process for Distribution
Construction.

Docket No.: 130054
Dated September 25, 2014

**DUKE ENERGY FLORIDA INC.'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. ("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 First Request for Extension of Confidential Classification for information contained in the FPSC's Review of Duke Energy Florida, Inc.'s¹ Quality Assurance Process for Distribution Construction and related work papers. In support of this Request, DEF states:

1. On February 21, 2013, DEF filed a request for confidential classification of information contained in FPSC's Review of DEF's Quality Assurance Process for Distribution Construction and related work papers (Document No. 00953-13) including sensitive business information such as percentages, scoring, and internal procedures.

2. DEF's February 21, 2013 Request was granted by Order No. PSC-13-0144-CFO-EI on March 27, 2013. The period for confidential treatment granted by that order will expire on September 27, 2014. Portions of the information granted confidential treatment by Order No. PSC-13-0144-CFO-EI continues to warrant treatment as proprietary and confidential business

¹ The confidential information at issue was provided to the Commission by DEF's predecessor, Progress Energy Florida, Inc. ("PEF").

information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, DEF is filing its First Request for Extension of Confidential Classification.

3. DEF submits that the information contained in DEF's Quality Assurance Process for Distribution Construction and related work papers, specifically pages 281-295 identified in Exhibit "A" and Amended Exhibit "C" to the February 21, 2013 Request², continue to be "proprietary business information" under Section 366.093(3), Florida Statutes. This information is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. *See* Affidavit of Gary V. Roebuck, ¶¶ 5-7, attached as Revised Exhibit "D."

4. Nothing has changed since the issuance of Order No. PSC-12-0270-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Upon a finding by the Commission that this information continues to be "proprietary confidential business information," it should continue to be treated as such for an additional period of at least 18 months, and should be returned to DEF as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

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

² DEF hereby incorporates Exhibits A and B to the original Request, Document No. 00953-13 submitted on February 21, 2013 and Amended Exhibit C submitted on March 19, 2013, Document No. 01373-13 in docket no. 130054-EI as if attached hereto.

RESPECTFULLY SUBMITTED this 25th day of September, 2014.

s/Matthew R. Bernier _____

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MATTHEW R. BERNIER
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Email: matthew.bernier@duke-energy.com
Attorneys for
DUKE ENERGY FLORIDA, INC.

Revised Exhibit D

**AFFIDAVIT OF
GARY V. ROEBUCK**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Duke Energy Florida, Inc.'s
Quality Assurance Process for Distribution
Construction.

Docket No.: 130054
Dated September 25, 2014

**AFFIDAVIT OF GARY V. ROEBUCK IN SUPPORT OF
DUKE ENERGY FLORIDA'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Gary V. Roebuck. 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 First Request for Extension of Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Manager of Distribution Resource Planning Scheduled Analysis in the Florida Resource & Project Management Department.

3. As the Manager of Manager of Distribution Resource Planning Scheduled Analyses, I am responsible, along with the other members of the section for scheduling, planning and assisting with the developing of engineering design products within DEF's service territory.

4. DEF is seeking an extension of confidential classification for certain information contained in its FPSC's Review of Progress Energy Florida, Inc.'s Quality Assurance Process for Distribution Construction and Workpapers, specifically pages 281-295. 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 submitted on March 19, 2013 as Amended 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 protect internal business information.

5. DEF establishes and maintains internal policies and procedures. DEF must ensure that their internal business information, such as their internal audit results, policies and procedures, contract terms, and sensitive employee information will be kept confidential.

6. DEF is requesting an extension of confidential classification of this material because it contains confidential information related to the Company's internal audits, including reports of the Company's internal auditors. It is essential to the Company's internal auditing process that information provided to internal auditors and the reports thereof remain confidential- this allows for full cooperation and candor with the Company's auditors. The disclosure of this information would compromise the Company's ability to effectively perform internal audits of its projects and procedures and thereby harm DEF's competitive business interests.

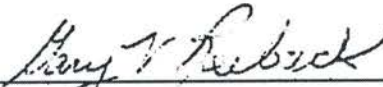
7. Upon receipt of its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents

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. 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.

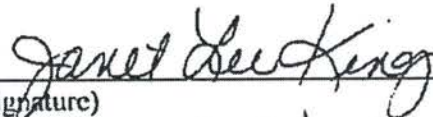
Dated the 23 day of September, 2014.



(Signature)

Gary V. Roebuck
Manager - Florida Resource & Project
Management Department
Duke Energy Florida, Inc.
2166 Palmetto Street
Clearwater, FL 33762

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 23 day of September, 2014 by Gary V. Roebuck. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

JANET LEE KING

(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

(Serial Number, If Any)

