



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

December 1, 2014

VIA HAND DELIVERY

Mr. Jerry Hallenstein, Audit Manager
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
14 DEC - 1 PM 4: 48
COMMISSION
CLERK

Re: *Review of Physical Security Protection of Utility Substations and Control Centers;
Undocketed*

Dear Mr. Hallenstein:

Please find enclosed on behalf of Duke Energy Florida, Inc. ("DEF"), an original and seven (7) copies of DEF's Request for Confidential Classification regarding documents contained in Staff's Review of Physical Security Protection of Utility Substations and Control Centers Audit Control No. PA-14-5-003. The filing includes:

- DEF's Request for Confidential Classification
- Slipsheet for confidential Exhibit A
- Slipsheet for redacted Exhibit B
- Exhibit C (justification matrix), and
- Exhibit D (affidavit)

At your direction, Exhibits A and B are submitted under separate cover.

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,

Matthew R. Bernier
Senior Counsel
Matthew.Bernier@duke-energy.com

COM	_____
AFD	1 _____
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MRB/mw
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Physical Security
Protection of Utility Substations and
Control Centers

Docket No. 140000

Dated: December 1, 2014

**DUKE ENERGY FLORIDA INC.'S
REQUEST FOR 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 Request for Confidential Classification of certain information included in Staff's Review of Physical Security Protection of Utility Substations and Control Centers Audit Report No. PA-14-05-003 ("Audit Report") and Staff's auditors' workpapers used to prepare the Audit Report. In support of this Request, DEF states:

1. Portions of the Audit Report and workpapers contain information that is "proprietary confidential business information" under Section 366.093(3)(c), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unredacted copy of all the information for which DEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, 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 basis for seeking confidential treatment.

(d) Exhibit D is an affidavit attesting to the confidential nature of information identified in this request.

3. 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)(c), F.S. Specifically, the information at issue provides details of DEF’s Physical Security measures, procedures, and systems for protection of its transmission, distribution, and control center facilities. The public disclosure of this information would impair DEF’s ability to properly secure its facilities, systems, and personnel. *See* § 366.093(3)(c), F.S.; Affidavit of Darren Myers at ¶ 5. 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.

4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Darren Myers at ¶¶ 5-6. The information has not been disclosed to the public.. *See* Affidavit of Darren Myers at ¶ 6.

5. DEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3)(c), F.S., and that the information remain confidential for a period of at least four (4) years as permitted in section 366.093(4), F.S. As good cause for the extended period of confidentiality,

DEF states that the confidential information at issue is critical to the physical security of DEF's electrical system and that this information will remain highly sensitive and confidential beyond the standard 18-month timeframe. *See* Affidavit of Darren Myers at ¶ 7; § 366.093(4), F.S.; Rule 25-22.006(9)(a), F.A.C. DEF requests that the Clerk return the information as soon as it is no longer necessary for the Commission to conduct its business. *See* Rule 25-22.006(9)(b), F.A.C.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this Request for Confidential Classification be granted and that the information be deemed "proprietary confidential business information" for a period of no less than four (4) years.

Respectfully submitted this 1st day of December, 2014.



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Attorneys for
DUKE ENERGY FLORIDA, INC.

Exhibit A

“CONFIDENTIAL”

Exhibit B

REDACTED

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Section 3.2 Transmission Physical Security Protection	Page 4: First sentence, final portion of last sentence after "include".	§366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Section 3.3 Distribution Physical Security Protection	Page 5: Second paragraph, remaining portion of first sentence after "include". The final portion of the second sentence after "as".	§366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Section 3.3.2 Physical Security Inspection Process	Page 6: First Paragraph, First sentence in its entirety.	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Physical Security of Substations and Control Centers Workpapers	Page 5, Row titled "No. 6", column "Audit Notes", the remaining portion of sentence after "performed".	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and

		system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 102; Summary of Contents, subsection “a”, portion of 3 rd sentence after “sites” and before “were.”	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF’s procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 103; Data Request(s) Generated, portion of first sentence after “sites” and before “were”.	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF’s procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 106, Summary of Contents, subsection “b”, entire sentence after “2012”.	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF’s procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 140: Implementation of CIP Version 5; remaining bullets after “...bulk grid***” and before “Year and a half”.	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF’s procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 141: number 1 of 3 under “Steps involved”; portion of sentence after “with” and before “and”. Remaining sentence of	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would

	<p>bullet titled: "Duke's approach to identify critical assets" and sub-bullet immediately following. Remaining portion of sentence of "Duke critical assets will include"</p> <p>Remaining portion of bullet beginning with "-Tom".</p> <p>Under "Security Plan under CIP version 5": Portion of sentence in bullet beginning with "Under revision 5" and before "will".</p>	affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	<p>Page 142:</p> <p>Sub-bullets under "Florida Assessments done in 2012 (approximately)" the sentence after "level" and before "Tier 1". The entire sub-bullet after "report".</p> <p>All sub-bullets under "Responsibilities include".</p>	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance Analysis Interview Summary Workpapers	Page 143: All bullets under "Lessons learned" and "Post Metcalf Incident Activities at Duke" to include the top of page 144.	366.093(3)(c), F.S. The document in question contains proprietary confidential information, the disclosure of which would affect DEF's procedures and system regarding its security measures of its facilities.
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Bureau of Performance	Page 144: All bullets under	366.093(3)(c), F.S.

Analysis Interview Summary Workpapers	“Incidents”. Fourth bullet under “Sub 79-Physical Security Program”, last sentence of bullet, all information after “Important to bring back”. All bullets under “Under BCI”.	The document in question contains proprietary confidential information, the disclosure of which would affect DEF’s procedures and system regarding its security measures of its facilities.
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Exhibit D
AFFIDAVIT OF
DARREN MYERS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Physical Security
Substations and Control Centers

Docket No. 140000Protection of Utility

Dated: December 1, 2014

**AFFIDAVIT OF DARREN MYERS IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Darren Myers. 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 the Managing Director of Enterprise Protective Services in the Administrative Services Department. This section is responsible for the oversight of DEF's physical security protection of substations and control centers.

3. As the Managing Director of Enterprise Protective Services, I am responsible, along with the other members of the section, for DEF's physical security

procedures covering substations and control centers, determining methods to ensure compliance, and reviewing the procedures and implementing new processes as risks and vulnerability assessments warrant.

4. DEF is seeking confidential classification for certain information contained included in Staff's Review of Physical Security Protection of Utility Substations and Control Centers Audit Report No. PA-14-05-003 ("Audit Report") and Staff's auditors' workpapers used to prepare the Audit Report because the information at issue is proprietary and confidential business information, including DEF's physical security measures, systems, and procedures. The unredacted confidential information at issue is contained in confidential Exhibit A to DEF's Request 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 proprietary and confidential information and the disclosure of which would impede DEF's ability to secure its substations and control centers.

5. DEF has taken action to ensure its substations and control centers are secure. The disclosure of DEF's security measures, systems and procedures would increase its risks and vulnerability and affect the Company's efforts to protect its substations and control centers. If DEF did not take action to protect the the proprietary and confidential information at issue, this information would become part of the public domain, subjecting DEF, its customers, and the electric grid in Florida to security risks and increased vulnerability. Such a scenario would limit the Company's ability to effectively secure and maintain its substations and control centers.

6. Strict procedures are established and followed to maintain the confidentiality of the confidential documents and information at issue, including restricting access to those persons who need the information to assist the Company. Without DEF's measures to maintain the confidentiality of sensitive business procedures, the Company's efforts to maintain physical security could be undermined. At no time has the Company publicly disclosed the confidential information or documents at issue. The Company has treated and continues to treat the information and documents at issue as confidential.

7. Due to the highly sensitive and confidential nature of this information, and because these measures, systems, and procedures are unlikely to materially change a great deal in the near future, DEF has requested that the Commission grant the information confidential protection for a period of at least 4 years.

8. This concludes my affidavit.
Further affiant sayeth not.

Dated the 25 day of November, 2014.



(Signature)

Darren Myers
Managing Director of Enterprise Protective
Services
Administrative Services Department
Duke Energy
400 South Church
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 25th day of November, 2014 by Darren Myers. He is personally known to me, or has produced his N/A driver's license, or his N/A as identification.



Gayle H. Webber
(Signature)

Gayle H. Webber
(Printed Name)

NOTARY PUBLIC, STATE OF NC

09/13/16
(Commission Expiration Date)

N/A
(Serial Number, If Any)