

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Determination that	)	DOCKET NO. 150043-EI
the Osprey Plant Acquisition and,	)	
alternatively, the Suwannee Simple	)	Submitted for filing: April 8, 2015
Cycle Project is the most Cost Effective	)	
Generation Alternative to meet the	)	
Remaining Need Prior to 2018 for	)	
Duke Energy Florida, Inc.	)	
_____	)	

**DUKE ENERGY FLORIDA, INC.'S NOTICE OF FILING  
AFFIDAVITS IN SUPPORT OF THIRD REQUEST  
FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. ("DEF") hereby gives notice of filing the affidavits of Benjamin M.H. Borsch, Kris G. Edmondson and Mark E. Landseidel in support of DEF's Third Request for Confidential Classification.

Respectfully submitted this 8<sup>th</sup> day of April, 2015.

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COM	_____
AFD	<u>2</u>
APA	_____
ECO	<u>2</u>
ENG	<u>2</u>
GCL	<u>1</u>
IDM	_____
TEL	_____
CLK	_____

RECEIVED FPSC  
15 APR - 8 AM 11:33  
COMMISSION  
CLERK

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic mail this 8<sup>th</sup> day of April, 2015.

/s/ Blaise N. Gamba  
Attorney

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\_\_\_\_\_ )

**AFFIDAVIT OF BENJAMIN M.H. BORSCH**  
**IN SUPPORT OF DUKE ENERGY FLORIDA, INC.'S**  
**THIRD 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, 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 Director, IRP & Analytics – Florida. I am responsible for resource planning for Duke Energy Florida, Inc. I am responsible for directing the resource planning process in an integrated approach to finding the most cost-effective alternatives to meet the Company's obligation to serve its customers in Florida. As a result, we examine both supply-side and demand-side resources available and potentially available to the Company over its planning horizon, relative to the Company's load forecasts, and prepare and present documents that are filed with the Florida Public Service Commission ("FPSC" or the "Commission"), in accordance with the applicable statutory and regulatory requirements. In my capacity as the

Director, IRP & Analytics –Florida, I am responsible for the Company's evaluation of options to meet its needs for reliable electric power prior to 2018.

3. DEF is seeking confidential classification for portions of its responses to Staff's First Set of Interrogatories Nos. 6, 7, 12, 16 and 26b and First Request for Production of Documents Nos. 1, 2 and 11. A detailed description of the confidential information at issue is contained in confidential Exhibit A to DEF's Third Request for Confidential Classification and is outlined in DEF's Justification Matrix that is attached to DEF's Third Request for Confidential Classification as Exhibit C.

4. DEF is requesting confidential classification of the responses to Staff's First Set of Interrogatories Nos. 6, 7, 12, 16, and 26b and First Request for Production of Documents Nos. 1, 2, and 11, because the responses contain proprietary and confidential competitive business information and contractual data and competitively sensitive commercial information and supplier financial and trade secret data, the disclosure of which would adversely impact DEF's and its vendors competitive business interests.

5. When vendors are submitting proposals to, contracting with, and/or providing information to DEF the Company must be able to assure its vendors that sensitive business information will be kept confidential; and most of the documents at issue contain confidentiality provisions that prohibit disclosure to third parties. If third parties were made aware of confidential terms and conditions that the Company has with other parties, they may offer DEF less competitive contractual terms and conditions in any future contractual negotiations.

6. DEF negotiates with potential third party vendors to obtain competitive contracts for services that provide economic value to DEF and its ratepayers. In order to obtain such contracts, however, DEF must be able to assure these companies that sensitive business information, forecasts, and analysis will be kept confidential. DEF has kept confidential and has not publicly disclosed any of this confidential information. Absent such measures, these


companies would run the risk that sensitive business information that they provided to DEF would be made available to the public and, as a result, end up in possession of potential competitors, or DEF would run the risk that supplier would use their own forecasts and analysis against DEF in negotiating contracts. Faced with that risk, persons or companies who would otherwise contract with DEF might decide not to do so if such terms are not kept confidential. Without DEF's measures to maintain the confidentiality, the Company's efforts to obtain competitive contracts would be undermined.

7. The information identified as Exhibit A is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public, and the Company has treated and continues to treat the information as confidential. Upon receipt of the information at issue, 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 and contracts.

8. At no time since receiving or generating the forecasts and business analysis studies in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

9. This concludes my affidavit.

Dated this 10<sup>th</sup> day of April, 2015.

  
(Signature)  
Benjamin M.H. Borsch  
Director - IRP & Analytics - Florida  
Duke Energy Florida, Inc.  
299 First Avenue North  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 6 day of April, 2015 Benjamin M.H. Borsch. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

Helen M Kyriakou  
(Signature)

HELEN M. KYRIAKOU  
(Printed Name)

NOTARY PUBLIC, STATE OF FL

FF 038690  
(Commission Expiration Date)

OCT 24, 2017  
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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Generation Alternative to meet the )  
Remaining Need Prior to 2018 for )  
Duke Energy Florida, Inc. )  
\_\_\_\_\_ )

**AFFIDAVIT OF KRIS G. EDMONDSON IN SUPPORT OF  
DUKE ENERGY FLORIDA, INC.'S  
THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Kris G. Edmondson. 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 – Florida Fossil Operations for DEF. I am responsible for ensuring safe, reliable, and cost effective operations for a significant portion of the combined cycle and combustion turbine fleet in Florida. Provided the acquisition of the Osprey Energy Facility Combined Cycle Plant ("Osprey Plant") acquisition is approved, I would also assume responsibility for this Plant in addition to the other DEF plants that currently report to me.

Osprey Plant is a merchant plant currently owned by Osprey Energy Center LLC as the assignee of Calpine Construction Finance Company, L.P. ("Calpine").

3. DEF is seeking confidential classification for portions of responses to Staff's First

Set of Interrogatories No. 7 and First Request for Production of Documents No. 2. 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.

4. DEF is requesting confidential classification of this information because it is proprietary and confidential competitive business information and contractual data and competitively sensitive commercial plant maintenance information and financial data, the disclosure of which would adversely impact DEF's and its vendor's competitive business interests.

5. When vendors are submitting proposals to, contracting with, and/or providing information to DEF the Company must be able to assure these vendors that sensitive business information will be kept confidential. Indeed, most of the documents at issue contain confidentiality provisions that prohibit disclosure to third parties. If third parties were made aware of confidential terms and conditions that the Company has with other parties, they may offer DEF less competitive contractual terms and conditions in any future contractual negotiations. Without DEF's measures to maintain the confidentiality of this information, the Company's efforts to obtain competitive services would be undermined.

6. The information identified as Exhibit A is intended to be and is treated as confidential by the Company. If this information was disclosed to the public, it could adversely impact DEF's competitive interests. Without DEF's measures to maintain the confidentiality, the Company's efforts to obtain competitive contracts would be undermined.

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

8. This concludes my affidavit.

Dated the 1<sup>st</sup> day of April, 2015.

*Kris G. Edmondson*

(Signature)

Kris G. Edmondson  
General Manager – Florida Fossil Operations  
Duke Energy Florida, Inc.  
299 1<sup>st</sup> Avenue N  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 1 day of April, 2015 by Kris G. Edmondson. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

*Rene T. Meade*

(Signature)

Rene T. Meade

(Printed Name)

NOTARY PUBLIC, STATE OF Florida

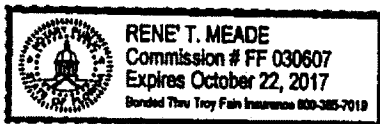
Oct. 22, 2017

(Commission Expiration Date)

Comm # FF 030607

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Determination that	)	DOCKET NO. 150043
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Cycle Project is the most Cost Effective	)	
Generation Alternative to meet the	)	
Remaining Need Prior to 2018 for	)	
Duke Energy Florida, Inc.	)	
_____	)	

**AFFIDAVIT OF MARK E. LANDSEIDEL IN SUPPORT OF  
DUKE ENERGY FLORIDA, INC.'S  
THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Mark E. Landseidel. 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 Director of Project Development and Initiation. This section is responsible for the initiation and development of major non-nuclear generation projects for Duke Energy Florida, Inc. As the Director of Project Development, I have responsibility and management oversight for the Suwannee Simple Cycle combustion turbine project for the Company.
3. DEF is seeking confidential classification for portions of responses to Staff's First Set of Interrogatories No. 16 and First Request for Production of Documents No. 1. 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.

4. DEF is requesting confidential classification of this information because it is proprietary and confidential competitive business information and contractual data and competitively sensitive commercial information and financial data, the disclosure of which would adversely impact DEF's and its vendor's competitive business interests.

5. When vendors are submitting proposals to, contracting with, and/or providing information to DEF the Company must be able to assure these vendors that sensitive business information will be kept confidential. Indeed, most of the documents at issue contain confidentiality provisions that prohibit disclosure to third parties. If third parties were made aware of confidential terms and conditions that the Company has with other parties, they may offer DEF less competitive contractual terms and conditions in any future contractual negotiations. Without DEF's measures to maintain the confidentiality of this information, the Company's efforts to obtain competitive services would be undermined.

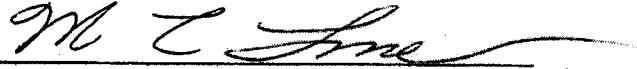
6. The information identified as Exhibit A is intended to be and is treated as confidential by the Company. If this information was disclosed to the public, it could adversely impact DEF's competitive interests. Without DEF's measures to maintain the confidentiality, the Company's efforts to obtain competitive contracts would be undermined.

7. Upon receipt of confidential information from suppliers and transportation providers, 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 and contracts. At no time since

receiving the information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Dated the 6<sup>th</sup> day of April, 2015.



(Signature)

Mark E. Landseidel

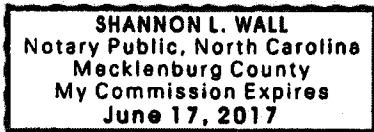
Director of Project Development and Initiation

Duke Energy Corporation

400 South Tryon Street

Charlotte, NC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 6<sup>th</sup> day of April, 2015 by Mark E. Landseidel. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(AFFIX NOTARIAL SEAL)



(Signature)

Shannon L. Wall

(Printed Name)

NOTARY PUBLIC, STATE OF North Carolina

6-17-17

(Commission Expiration Date)

(Serial Number, If Any)