



Matthew R. Bernier
Senior Counsel
Duke Energy Florida, LLC

September 1, 2015

VIA ELECTRONIC FILING

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

Re: *Fuel and purchased power cost recovery clause with generating performance incentive factor; Docket No. 150001-EI*

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF") DEF's Request for Confidential Classification for certain information provided in connection with the direct testimony of Christopher A. Menendez and Exhibit No. ____ (CAM-3) filed on September 1, 2015. This filing includes:

- DEF's Request for Confidential Classification
- Slipsheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit of Christopher A. Menendez)

DEF's confidential Exhibit A that accompanies the above-referenced filing, has been 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,

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

MRB/mw
Enclosures

cc: Certificate of Service

Duke Energy Florida, LLC
Docket No.: 150001
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 1st day of September, 2015 to all parties of record as indicated below.

s/Matthew R. Bernier

Attorney

<p>Suzanne Brownless, Esq. Danijela Janjic, Esq. John Villafrate, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us djanjic@psc.state.fl.us jvillafr@psc.state.fl.us</p> <p>James D. Beasley, Esq. J. Jeffrey Wahlen, Esq. Ashley M. Daniels, Esq. Ausley McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com adaniels@ausley.com</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin, Esq. Beggs & Lane P.O. Box 12950 Pensacola, FL 32591 jas@beggslane.com rab@beggslane.com srg@beggslane.com</p> <p>Jon C. Moyle, Jr., Esq. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com</p> <p>Kenneth Hoffman Florida Power & Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 ken.hoffman@fpl.com</p>	<p>Mike Cassel Aleida Socarras Florida Public Utilities Company/Florida Division of Chesapeake Utilities Corporation 1750 SW 14th Street, Suite 200 Fernandina Beach, FL 32034 mcassel@fpuc.com asocarras@chpk.com</p> <p>Robert Scheffel Wright, Esq. John T. LaVia, III, Esq. c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p> <p>Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com</p> <p>Beth Keating, Esq. Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p> <p>Charles J. Rehwinkel Erik Sayler / John Truitt Patty Christensen / J.R. Kelly Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 rehwinkel.charles@leg.state.fl.us sayler.erik@leg.state.fl.us kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us Truitt.john@leg.state.fl.us</p>	<p>Ms. Paula K. Brown Manager, Regulatory Coordination Tampa Electric Company P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p> <p>Raoul G. Cantero, III, Esq. White & Case, LLP Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Miami, FL 33131-2352 rcantero@whitecase.com</p> <p>James W. Brew, Esq. Owen J. Kopon, Esq. Laura A. Wynn, Esq. Stone Matheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street NW 8th Floor, West Tower Washington, DC 20007 jbrew@smxblaw.com ojk@smxblaw.com laura.wynn@smxblaw.com</p> <p>John T. Butler, Esq. Maria Moncada, Esq. Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com maria.moncada@fpl.com</p>
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 150001-EI

Dated: September 1, 2015

**DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida (“DEF” or “Company”), pursuant to Section 366.093, Florida Statutes (“F.S.”), and Rule 25-22.006, Florida Administrative Code (“F.A.C.”), submits its Request for Confidential Classification for certain information contained in Exhibit No. __ (CAM-3), Part 3, Calculation of Projected Capacity Costs, Schedule E-12A, specifically page 1 of 2, to the direct testimony of Christopher A. Menendez filed on September 1, 2015. In support of this Request, DEF states:

1. Exhibit No. __ (CAM-3), Part 3, Calculation of Projected Capacity Costs, Schedule E-12A, page 1 of 2, contains information that is “proprietary confidential business information” under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all the 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 by yellow marker.

(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 bases for seeking confidential treatment.

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), F.S. Specifically, the information at issue relates to contractual cost data. Pursuant to contract, DEF is obligated to maintain the confidentiality of this information, and therefore it qualifies for confidential classification. *See* § 366.093(3)(d), F.S.; Affidavit of Christopher A. Menendez at ¶ 5. If DEF cannot assure contracting parties that it can maintain the confidentiality of contractual terms, those parties and other similarly situated parties may forego entering contracts with DEF, to the detriment of DEF’s competitive business interests. *See* § 366.093(3)(d), F.S.; Affidavit of Christopher A. Menendez at ¶¶ 5-6. Furthermore, the information at issue relates to the competitive interests of DEF and its power suppliers, the disclosure of which would impair their competitive businesses. *See* § 366.093(3)(e), F.S.; Affidavit of Christopher A. Menendez at ¶ 6. Finally, certain information under claim of confidentiality must be protected because the disclosure of that information would allow other parties and the public to compute the confidential information discussed above (e.g., specific costs, subtotals and totals), and therefore that information must be protected from public disclosure in order to protect the contractual information at issue. *See* § 366.093(3)(d) & (e),

F.S.; Affidavit of Christopher A. Menendez 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 Christopher A. Menendez at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See* Affidavit of Christopher A. Menendez at ¶ 7.

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), 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 Commission to conduct its business.

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

Respectfully submitted this 1st day of September, 2015.

s/Matthew R. Bernier

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Attorneys for Duke Energy Florida, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 1st day of September, 2015 to all parties of record as indicated below.

s/Matthew R. Bernier
Attorney

<p>Suzanne Brownless, Esq. Danijela Janjic, Esq. John Villafrate, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us djanjic@psc.state.fl.us jvillafr@psc.state.fl.us</p> <p>James D. Beasley, Esq. J. Jeffrey Wahlen, Esq. Ashley M. Daniels, Esq. Ausley McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com adaniels@ausley.com</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin, Esq. Beggs & Lane P.O. Box 12950 Pensacola, FL 32591 jas@beggslane.com rab@beggslane.com srg@beggslane.com</p> <p>Jon C. Moyle, Jr., Esq. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com</p> <p>Kenneth Hoffman Florida Power & Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 ken.hoffman@fpl.com</p>	<p>Mike Cassel Aleida Socarras Florida Public Utilities Company/Florida Division of Chesapeake Utilities Corporation 1750 SW 14th Street, Suite 200 Fernandina Beach, FL 32034 mcassel@fpuc.com asocarras@chpk.com</p> <p>Robert Scheffel Wright, Esq. John T. LaVia, III, Esq. c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p> <p>Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com</p> <p>Beth Keating, Esq. Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p> <p>Charles J. Rehwinkel Erik Sayler / John Truitt Patty Christensen / J.R. Kelly Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 rehwinkel.charles@leg.state.fl.us sayler.erik@leg.state.fl.us kelly.jr@leg.state.fl.us christensen.patty@leg.state.fl.us truitt.john@leg.state.fl.us</p>	<p>Ms. Paula K. Brown Manager, Regulatory Coordination Tampa Electric Company P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p> <p>Raoul G. Cantero, III, Esq. White & Case, LLP Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Miami, FL 33131-2352 rcantero@whitecase.com</p> <p>James W. Brew, Esq. Owen J. Kopon, Esq. Laura A. Wynn, Esq. Stone Matheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street NW 8th Floor, West Tower Washington, DC 20007 jbrew@smxblaw.com ojk@smxblaw.com laura.wynn@smxblaw.com</p> <p>John T. Butler, Esq. Maria Moncada, Esq. Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com maria.moncada@fpl.com</p>
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Exhibit A

“CONFIDENTIAL”

(Filed under separate cover)

Exhibit B

REDACTED

REDACTED

Duke Energy Florida
Calculation Projected Capacity Costs
For the Year 2016

Docket No. 150001-EI
Exhibit__CAM-3, Part 3
Schedule E12-A
Page 1 of 2

	EST Jan-16	EST Feb-16	EST Mar-16	EST Apr-16	EST May-16	EST Jun-16	EST Jul-16	EST Aug-16	EST Sep-16	EST Oct-16	EST Nov-16	EST Dec-16	TOTAL
1 Base Production Level Capacity Costs													
2 Orange Cogen (ORANGECO)	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	4,541,680	54,500,160
3 Orlando Cogen Limited (ORLACOGL)	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	4,353,900	52,246,800
4 Pasco County Resource Recovery (PASCOUNT)	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	1,677,850	20,134,200
5 Pinellas County Resource Recovery (PINCOUNT)	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	47,928,150
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	73,347,000
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	9,385,200
8 Southern Scherer	1,759,878	1,759,878	1,759,878	1,759,878	1,759,878	-	-	-	-	-	-	-	8,799,391
9 Calpine Osprey													
10 Subtotal - Base Level Capacity Costs													
11 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
12 Base Level Jurisdictional Capacity Costs													
13 Intermediate Production Level Capacity Costs													
14 Southern Franklin	3,256,789	3,256,789	3,256,789	3,256,789	3,256,789	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	42,776,062
15 Schedule H Capacity Sales - NSB	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(192,960)
16 Subtotal - Intermediate Level Capacity Costs	3,240,709	3,240,709	3,240,709	3,240,709	3,240,709	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	42,583,102
17 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
18 Intermediate Level Jurisdictional Capacity Costs	2,356,092	2,356,092	2,356,092	2,356,092	2,356,093	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	30,959,193
19 Peaking Production Level Capacity Costs													
20 Chattahoochee	-	-	-	-	-	-	-	-	-	-	-	-	-
21 Shady Hills	1,970,869	1,970,869	1,407,764	1,365,741	1,912,037	3,887,109	3,887,109	3,887,109	1,813,984	1,365,741	1,365,741	1,970,869	26,804,943
22 Vandolah (NSG)	2,779,771	2,795,377	2,003,534	1,981,239	2,701,738	5,570,731	5,554,010	5,509,420	2,636,711	1,942,223	1,986,813	2,795,377	38,256,944
23 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
24 Subtotal - Peaking Level Capacity Costs	4,750,640	4,766,247	3,411,298	3,346,980	4,613,776	9,457,840	9,441,119	9,396,529	4,450,696	3,307,964	3,352,554	4,766,247	65,061,887
25 Peaking Production Jurisdictional Responsibility	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	
26 Peaking Level Jurisdictional Capacity Costs	4,557,004	4,571,974	3,272,253	3,210,557	4,425,718	9,072,338	9,056,299	9,013,526	4,269,285	3,173,131	3,215,904	4,571,974	62,409,964
27 Other Capacity Costs													
28 Retail Wheeling	(50,295)	(34,173)	(31,118)	(35,155)	(35,460)	(11,256)	(39,192)	(22,706)	(618)	(13,194)	(14,506)	(2,090)	(289,764)
29 Batch 19 Nuclear Fuel ¹													
30 Total Capacity Costs (line 12+18+26+28+29)	29,968,158	29,999,248	28,702,582	28,636,849	29,851,707	33,271,595	33,227,619	33,201,332	28,479,180	27,370,450	27,411,911	28,722,338	358,842,970
31 Estimated/Actual True-Up Provision - Jan - Dec 2015													38,643,256
32 Total Capacity Costs w/ True-Up													397,486,226
33 Revenue Tax Multiplier													1.00072
34 Total Recoverable Capacity Costs													397,772,416
35 Nuclear Cost Recovery Clause													56,469,745
36 Revenue Tax Multiplier													1.00072
37 Total Recoverable Nuclear Costs													56,510,403
38 Total Recov Capacity & Nuclear Costs (line 34+37)													454,282,819

¹ Return on unrecovered Batch 19 nuclear fuel balance, per DEF Witness Olivier in Docket No. 150148-EI (now consolidated into Docket 150171-EI)

REDACTED

Duke Energy Florida
Calculation Projected Capacity Costs
For the Year 2016

Docket No. 150001-EI
Exhibit__CAM-3, Part 3
Schedule E12-A
Page 1 of 2

	EST Jan-16	EST Feb-16	EST Mar-16	EST Apr-16	EST May-16	EST Jun-16	EST Jul-16	EST Aug-16	EST Sep-16	EST Oct-16	EST Nov-16	EST Dec-16	TOTAL
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5 Pinellas County Resource Recovery (PINCOUNT)	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	3,994,013	47,928,150
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	6,112,250	73,347,000
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	782,100	9,385,200
8 Southern Scherer	1,759,878	1,759,878	1,759,878	1,759,878	1,759,878	-	-	-	-	-	-	-	8,799,391
9 Calpine Osprey													
10 Subtotal - Base Level Capacity Costs													
11 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
12 Base Level Jurisdictional Capacity Costs													
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14 Southern Franklin	3,256,789	3,256,789	3,256,789	3,256,789	3,256,789	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	3,784,589	42,776,062
15 Schedule H Capacity Sales - NSB	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(16,080)	(192,960)
16 Subtotal - Intermediate Level Capacity Costs	3,240,709	3,240,709	3,240,709	3,240,709	3,240,709	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	3,768,509	42,583,102
17 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
18 Intermediate Level Jurisdictional Capacity Costs	2,356,092	2,356,092	2,356,092	2,356,092	2,356,093	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	2,739,819	30,959,193
19 Peaking Production Level Capacity Costs													
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21 Shady Hills	1,970,869	1,970,869	1,407,764	1,365,741	1,912,037	3,887,109	3,887,109	3,887,109	1,813,984	1,365,741	1,365,741	1,970,869	26,804,943
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¹ Return on unrecovered Batch 19 nuclear fuel balance, per DEF Witness Olivier in Docket No. 150148-EI (now consolidated into Docket 150171-EI)

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>Exhibit No. ____ (CAM-3) Schedule E12-A, page 1 of 2</p>	<p>Line 9: Calpine Osprey: all costs for January 2016 through December 2016 to include the total.</p> <p>Line 10: Subtotal Base Level Capacity Costs: all costs for January 2016 through December 2016 to include the total.</p> <p>Line 12: Base Level Jurisdictional Capacity Costs: all costs for January 2016 through December 2016 to include the total.</p> <p>Line 29: Batch 19 Nuclear Fuel: all costs for January 2016 through December 2016 to include the total.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair DEF's efforts 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
CHRISTOPHER A.
MENENDEZ

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 150001-EI

Dated: September 1, 2015

**AFFIDAVIT OF CHRISTOPHER A. MENENDEZ IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Christopher A. Menendez. 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 Rates and Regulatory Strategy Manager within the Rates and Regulatory Strategy Department. This department is responsible for regulatory planning and cost recovery for DEF.

3. As the Rates and Regulatory Strategy Manager, I am responsible, along with the other members of the section, for the production and review of the regulatory

financial reports of DEF and analysis of state, federal and local regulations and their impact on DEF.

4. DEF is seeking confidential classification for certain information contained in Exhibit No. ____ (CAM-3), Part 3, Calculation of Projected Capacity Costs, Schedule E-12A, specifically page 1 of 2, to my direct testimony filed on September 1, 2015 in this docket. The 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 competitively sensitive contractual confidential business information of capacity suppliers DEF contracts with.

5. DEF negotiates with potential capacity suppliers to obtain competitive contracts for capacity purchase options that provide economic value and system reliability to DEF and its customers. In order to obtain such contracts, however, DEF must be able to assure capacity suppliers that sensitive business information, such as the contractual terms, will be kept confidential and DEF enters into contracts that require the information will be protected from disclosure. In order to protect this confidential information, it is also necessary to keep additional information that could be used to compute the confidential information at issue if made public; for example, if costs relating to one contract were held confidential but all other contractual costs and the resulting subtotal were public, the confidential information would become apparent. For this reason, DEF has held confidential the information on the subject exhibits that could be used to compute to the confidential information in need of protection.

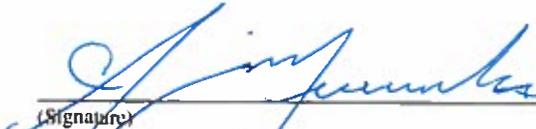
6. Absent such measures, suppliers would run the risk that sensitive business information that they provided in their contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with DEF might decide not to do so if DEF did not keep those terms confidential. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and capacity suppliers, the Company's efforts to obtain competitive capacity contracts could be undermined. Additionally, the disclosure of confidential information in DEF's capacity purchases could adversely impact DEF's competitive business interests. If such information was disclosed to DEF's competitors, DEF's efforts to obtain competitive capacity purchase options that provide economic value to both DEF and its customers could be compromised by DEF's competitors changing their consumption or purchasing behavior within the relevant markets.

7. Upon receipt of confidential information from capacity 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 and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. 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 28 day of August, 2015.



(Signature)

Christopher A. Menendez
Rates and Regulatory Strategy Manager
Rates and Regulatory Strategy
Duke Energy Florida
Post Office Box 14042
St. Petersburg, FL 33733

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 28 day of August, 2015, by Christopher A. Menendez. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

Monique West

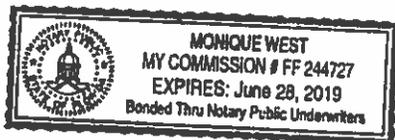
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF FLORIDA

June 28, 2019

(Commission Expiration Date)



(Serial Number, If Any)