## FILED FEB 19, 2016 DOCUMENT NO. 00947-16 FPSC - COMMISSION CLERK

## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Duke Energy Florida, Inc. For Approval to Include In Base Rates the Revenue Requirement for the CR3 Regulatory Asset

ciluc

In re: Petition of Duke Energy Florida, Inc. For Issuance of a Nuclear Asset Recovery Financing Order Docket No. 150171-EI

Docket No. 150148-EI

Submitted for Filing February 19, 2016

## NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION REGARDING PORTIONS OF DUKE ENERGY FLORIDA, LLC'S DOCUMENTS PROVIDED TO THE BOND TEAM

Duke Energy Florida, LLC ("DEF" or the "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Notice of Intent to Request for Confidential Classification of confidential portions of DEF's documents provided to the Bond Team. Confidential documents have been filed with the clerk and the redacted versions will be filed as part of DEF's forthcoming Request for Confidential Classification. Specifically, portions of documents provided to the Bond Team contain a confidential agreement between DEF and Moody's Investors Service ("Moody's"). Moody's has requested, and DEF is obligated from a contractual standpoint, to maintain this information as confidential. The release of this confidential contract would violate DEF's agreement with Moody's and adversely impact DEF's competitive business interests. Specifically, if Moody's, and other similarly-situated potential business partners could not be assured that DEF abided by its agreements to maintain information as confidential, Moody's and other potential third parties may be unwilling to participate in this transaction, which would potentially be detrimental to DEF's customers and this transaction. A highlighted copy of the above-referenced confidential documents labeled as Exhibit A, has been filed under a separate cover letter.

Pursuant to Rule 25-22.006(3)(a)(1), DEF will file its Request for Confidential Classification for the confidential information contained herein within twenty-one (21) days of filing this request.

RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of February, 2016.

/s/ Dianne M. Triplett

MATTHEW R. BERNIER Senior Counsel Duke Energy Florida, LLC 106 East College Avenue Suite 800 Tallahassee, FL 32301 Telephone: (850) 521-1428 DIANNE M. TRIPLETT Associate General Counsel Duke Energy Florida, LLC 299 First Avenue North St. Petersburg, FL 33701 Telephone: (727) 820-4692

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 19<sup>th</sup> day of February, 2016.

/s/ Dianne M. Triplett

Attorney

Keino Young Kelley Corbari Leslie Ames Theresa Tan Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 kyoung@psc.state.fl.us kcorbari@psc.state.fl.us lames@psc.state.fl.us lames@psc.state.fl.us	Charles Rehwinkel J. R. Kelly Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399-1400 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us woods.monica@leg.state.fl.us
Florida Industrial Power Users Group c/o Moyle Law Firm, P.A. Jon C. Moyle, Jr. Karen A. Putnal 118 North Gadsden Street Tallahassee, Florida 32301 jmoyle@moylelaw.com kputnal@moylelaw.com	PSC Phosphate – White Springs c/o James W. Brew Owen J. Kopon Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007-5201 jbrew@smxblaw.com ojk@smxblaw.com
Joseph Fichera Saber Partners, LLC 44 Wall Street New York, NY 10005 <u>jfichera@saberpartners.com</u>	Dean E. Criddle Orrick, Herrington & Sutcliffe 405 Howard Street, #11 San Francisco, CA 94105 <u>dcriddle@orrick.com</u>