



**Matthew R. Bernier**  
Senior Counsel  
Duke Energy Florida, LLC

April 18, 2016

**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:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Second Request for Extension of Confidential Classification concerning information contained in FPSC's Review of Duke Energy Florida, LLC's Quality Assurance Process for Distribution Construction and Workpapers, specifically pages 281-295 and Revised Exhibit D, Affidavit of Tina Huether in support of DEF's Second Request for Extension of Confidential Classification. 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. The aforementioned exhibits remain on file with the Clerk.

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

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

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Docket No.: 130054

Dated April 18, 2016

**DUKE ENERGY FLORIDA LLC'S  
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC ("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 Second Request for Extension of Confidential Classification for information contained in the Florida Public Service Commission's ("FPSC" or "Commission") Review of Duke Energy Florida, LLC's Quality Assurance Process for Distribution Construction and related work papers. In support of this Request, DEF<sup>1</sup> 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) includes sensitive business information such as percentages, scoring, and internal procedures.

2. DEF's February 21, 2013 Request was granted by Order No. PSC-14-0144-CFO-EI on March 27, 2013. DEF filed its First Request for Extension of Confidential Classification

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

on September 25, 2014 (Document No. 05937-14), which was granted on October 22, 2014 by Order No. PSC-14-0600-CFO-EI. The period for confidential treatment granted by that order will expire on April 22, 2016. The information warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), F.S. Accordingly, DEF is filing its Second 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 Request<sup>2</sup>, 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 Tina L. Huether, ¶¶ 5-7, attached as Revised Exhibit "D."

4. Nothing has changed since the issuance of Order No. PSC-14-0600-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), F.S.

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

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<sup>2</sup> 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 18<sup>th</sup> day of April, 2016.

*s/Matthew R. Bernier*\_\_\_\_\_

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Attorneys for Duke Energy Florida, LLC

# **Exhibit A**

**“CONFIDENTIAL”**

**(on file)**

# **Exhibit B**

**(on file)**

**Amended Exhibit C**

**DUKE ENERGY FLORIDA  
Confidentiality Justification Matrix  
(On file)**

# **Revised Exhibit D**

## **AFFIDAVIT OF TINA L. HUETHER**



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No.: 130054  
Dated April 18, 2016

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**AFFIDAVIT OF TINA L. HUETHER IN SUPPORT OF  
DUKE ENERGY FLORIDA'S SECOND REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA  
COUNTY OF PINELLAS

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

1. My name is Tina L. Huether. 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 Second 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 Distribution 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 Duke Energy Florida, LLC'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 which 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 8<sup>th</sup> day of April, 2016.

Tina L. Huether

(Signature)

Tina L. Huether

Manager - Florida Resource & Project  
Management Department  
Duke Energy Florida, LLC  
2166 Palmetto Street  
Clearwater, FL 33762

8<sup>th</sup> THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 8<sup>th</sup> day of April, 2016 by Tina L. Huether. She is personally known to me, or has produced her Florida driver's license, or her \_\_\_\_\_ as identification.



(AFFIX NOTARIAL SEAL)

Kristeena James

(Signature)

Kristeena James

(Printed Name)

NOTARY PUBLIC, STATE OF \_\_\_\_\_

11/16/18

(Commission Expiration Date)

FF 176564

(Serial Number, If Any)

**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 18<sup>th</sup> day of April, 2016.

*s/Matthew R. Bernier*  
Attorney

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