



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

July 17, 2017

**VIA ELECTRONIC FILING**

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

Re: *Analysis of IOUs' Hedging Practices; Docket No. 20170057-EI*

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Confidential Classification filed in connection its response to Sierra Club's First Set of Interrogatories filed on June 26, 2017.

The filing includes the following:

- DEF's Request for Confidential Classification
- Slipsheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavits of Tamara Waldmann and Joseph McCallister)

DEF's confidential Exhibit A that accompanies the above-referenced filing was filed with DEF's Notice of Intent to Request Confidential Classification (Document No. 05527-2017) and remains 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

MRB/mw  
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Analysis of IOUs' Hedging Practices

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Docket No. 20170057-EI

Dated: July 17, 2017

**DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR 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 Request for Confidential Classification (the "Request") for certain information provided in response to Sierra Club's First Set of Interrogatories (Nos. 1-18). The confidential documents were filed in this docket on June 26, 2017 with DEF's Notice of Intent to Request Confidential Classification. This request is timely. *See* Rule 25-22.006(3)(a)1., F.A.C. In support of this Request, DEF states:

1. DEF's response to Sierra Club's First Set of Interrogatories, specifically questions 3 and 5, contain "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 an unredacted copy of all the documents for which DEF seeks confidential treatment. As referenced above, Composite Exhibit A was submitted separately in a sealed envelope labeled "CONFIDENTIAL" on June 26, 2017(document no. 05527-2017). 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 bases 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), F.S. Specifically, the information at issue contains sensitive business information, such as project costs, the disclosure of which would impair the Company’s efforts to negotiate contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Tamara Waldmann at ¶ 4. Furthermore, the information at issue relates to specific financial trade information, the disclosure of which would impair DEF’s competitive business interests. *See* § 366.093(3)(e), F.S.; Affidavits of Joseph McCallister at ¶¶ 4 and 6. 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* Affidavits of Joseph McCallister at ¶ 7 and Tamara Waldmann at ¶ 5. The information has not been disclosed to the public, and the Company has treated and

continues to treat the information at issue as confidential. *See* Affidavit of Joseph McCallister at ¶ 7 and Tamara Waldmann at ¶ 5.

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 17<sup>th</sup> day of July, 2017.

*/s/ Matthew R. Bernier*

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**Duke Energy Florida, LLC**  
Docket No.: 20170057  
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 17<sup>th</sup> day of July, 2017 to all parties of record as indicated below.

/s/ Matthew R. Bernier

Attorney

<p>Suzanne S. Brownless Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:sbrownle@psc.state.fl.us">sbrownle@psc.state.fl.us</a></p> <p>James D. Beasley J. Jeffrey Wahlen Ausley McMullen P.O. Box 391 Tallahassee, FL 32302 <a href="mailto:jbeasley@ausley.com">jbeasley@ausley.com</a> <a href="mailto:jwahlen@ausley.com">jwahlen@ausley.com</a></p> <p>James W. Brew Laura A. Wynn Stone Matheis Xenopoulos &amp; Brew 1025 Thomas Jefferson Street, NW 8<sup>th</sup> Floor, West Tower Washington, DC 20007 <a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a> <a href="mailto:law@smxblaw.com">law@smxblaw.com</a></p>	<p>Charles J. Rehwinkel / Erik Sayler J.R. Kelly / Patty Christensen Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 <a href="mailto:rehwinkel.charles@leg.state.fl.us">rehwinkel.charles@leg.state.fl.us</a> <a href="mailto:sayler.erik@leg.state.fl.us">sayler.erik@leg.state.fl.us</a> <a href="mailto:kelly.jr@leg.state.fl.us">kelly.jr@leg.state.fl.us</a> <a href="mailto:christensen.patty@leg.state.fl.us">christensen.patty@leg.state.fl.us</a></p> <p>Zachary M. Fabish Steven J. Goldstein Julie Kaplan Sierra Club 50 F Street NW, 8<sup>th</sup> Floor Washington, DC 20001 <a href="mailto:zachary.fabish@sierraclub.org">zachary.fabish@sierraclub.org</a> <a href="mailto:steve.goldstein@sierrclub.org">steve.goldstein@sierrclub.org</a> <a href="mailto:julie.kaplan@sierraclub.org">julie.kaplan@sierraclub.org</a></p> <p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, PA 118 North Gadsden Street Tallahassee, FL 32301 <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a> <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p>	<p>Ms. Paula K. Brown Manager, Regulatory Coordination Tampa Electric Company P.O. Box 111 Tampa, FL 33601 <a href="mailto:regdept@tecoenergy.com">regdept@tecoenergy.com</a></p> <p>John T. Butler Maria Jose Moncada Florida Power &amp; Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 <a href="mailto:john.butler@fpl.com">john.butler@fpl.com</a> <a href="mailto:maria.moncada@fpl.com">maria.moncada@fpl.com</a></p> <p>Kenneth Hoffman, Vice President Regulatory Affairs Florida Power &amp; Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 <a href="mailto:ken.hoffman@fpl.com">ken.hoffman@fpl.com</a></p>
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# **Exhibit A**

**“CONFIDENTIAL”**

Submitted under separate cover on June 26, 2017  
Document No. 05527-2017

# **Exhibit B**

**REDACTED**

**Interrogatory No. 3:**

If the utility invested in renewable energy capacity or energy efficiency from 2002-2017 please provide an itemized list of those investments, a brief description of each, the cost of each project, the amount of electricity generated from or demand reduced by each, and identify any documents that support or reflect this information.

**Answer:**

**REDACTED**

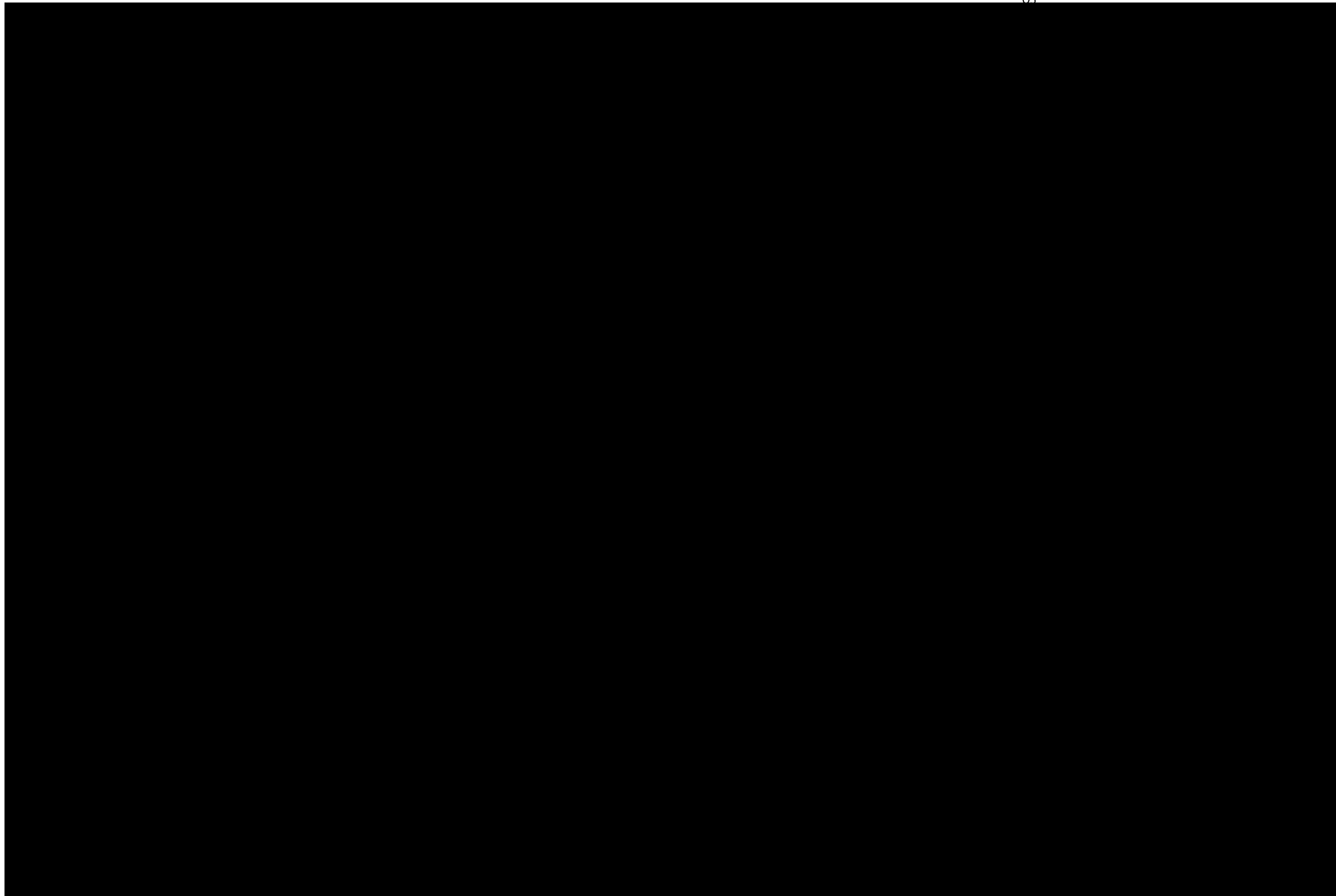
Information regarding DEF's energy efficiency programs is publicly available on the Florida Public Service Commission website. In accordance with the FEECA requirements, DEF provides an annual report to the Commission that includes the energy and demand savings and the annual costs for each energy efficiency program that is offered to customers. Additional details including a description of each program, summary of achievements, and detailed cost information is provided in the annual True-up filing in the Energy Conservation Cost Recovery docket.

DEF has built two solar demonstration projects in Osceola County, (3.8 MW) and Taylor County, (5.0 MW) with approximate costs of [REDACTED] and [REDACTED], respectively. Construction is underway at a solar site co-located at our Suwannee power plant, (8.8 MW). These universal solar power plants and other renewable energy investments are described in more detail on pages 3-20 through 3-23 of DEF's 2017 Ten-Year Site Plan filed with the FPSC on March 31, 2017. Also, in 2016, DEF supplied our customers with 6,384 MWh of solar energy from the Osceola and Perry universal solar facilities.

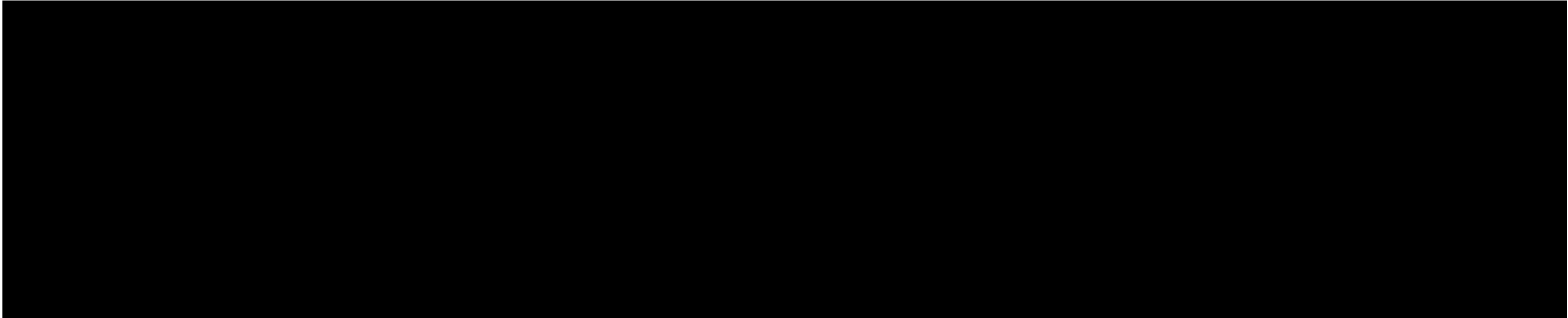


REDACTED - As of June 1 2017 forward

Docket No. 170057  
DEF's Response to Sierra Club's First Set of Interrogatories (1-18)  
05







**Interrogatory No. 3:**

If the utility invested in renewable energy capacity or energy efficiency from 2002-2017 please provide an itemized list of those investments, a brief description of each, the cost of each project, the amount of electricity generated from or demand reduced by each, and identify any documents that support or reflect this information.

**Answer:**

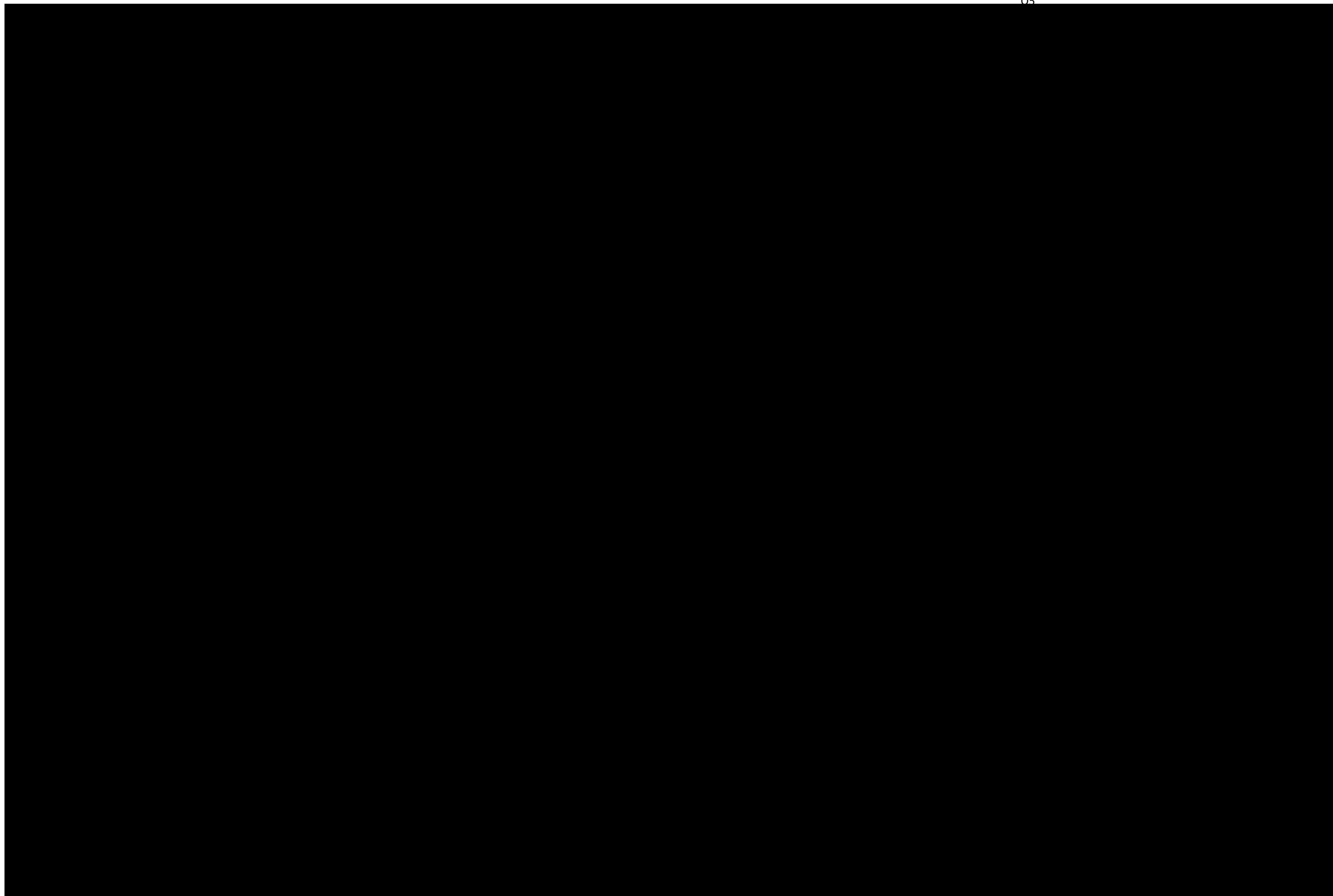
**REDACTED**

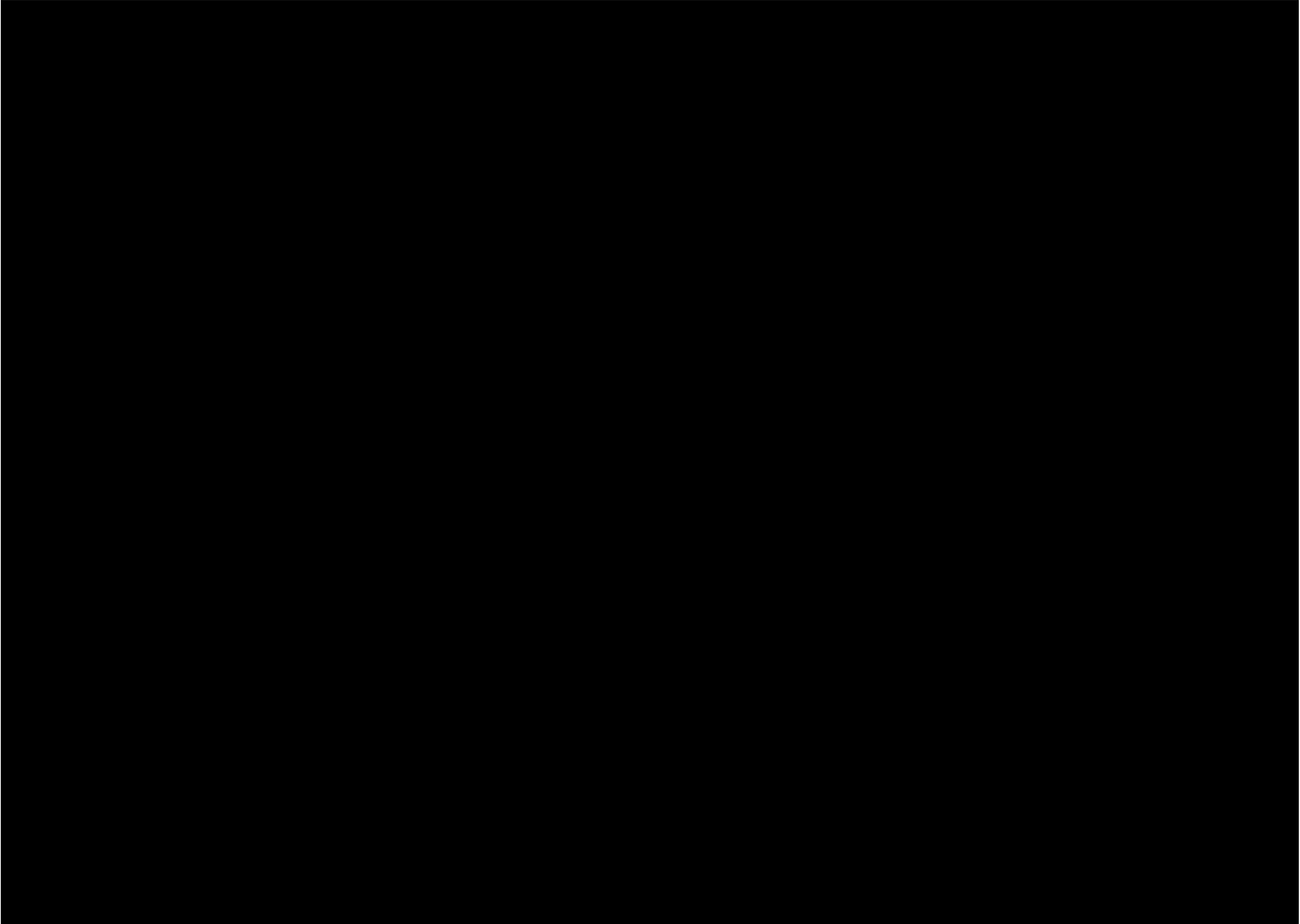
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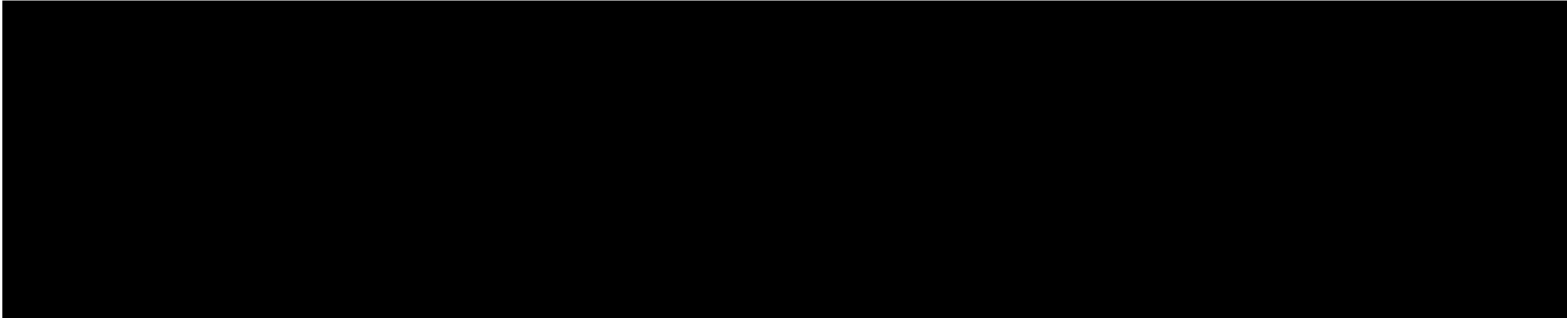
DEF has built two solar demonstration projects in Osceola County, (3.8 MW) and Taylor County, (5.0 MW) with approximate costs of [REDACTED] and [REDACTED], respectively. Construction is underway at a solar site co-located at our Suwannee power plant, (8.8 MW). These universal solar power plants and other renewable energy investments are described in more detail on pages 3-20 through 3-23 of DEF's 2017 Ten-Year Site Plan filed with the FPSC on March 31, 2017. Also, in 2016, DEF supplied our customers with 6,384 MWh of solar energy from the Osceola and Perry universal solar facilities.

REDACTED - As of June 1 2017 forward

Docket No. 170057  
DEF's Response to Sierra Club's First Set of Interrogatories (1-18)  
05







## Exhibit C

### DUKE ENERGY FLORIDA Confidentiality Justification Matrix

<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
DEF's Response to Sierra Club's First Set of Interrogatories	Question 3: the information after "costs of" and before "and" and the information after "and," and before "respectively."  Question 5: Bates numbered DEF-170057-00169 through DEF-170057-00171-each page in its entirety.	§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.  §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.



# **Exhibit D**

## **AFFIDAVIT OF JOSEPH MCCALLISTER**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Analysis of IOUs Hedging Practices.

Docket No. 20170057-EI

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Dated: July 17, 2017

**AFFIDAVIT OF JOSEPH McCALLISTER IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Joseph McCallister. 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 Director of Natural Gas, Oil and Emissions in the Fuel Procurement Department. This section is responsible for natural gas, fuel oil and emission allowance activity for the Duke Energy Indiana ("DEI"), Duke Energy

Kentucky (“DEK”), Duke Energy Carolinas (“DEC”), Duke Energy Progress (“DEP”), and DEF Systems.

3. As the Director of Natural Gas, Oil and Emissions, I am responsible, along with the other members of the section, for the management of the gas and oil procurement, transportation, hedging activities and administration of gas and oil contracts with various suppliers for DEI’s, DEK’s, DEC’s, DEF’s and DEP’s electrical power generation facilities.

4. DEF is seeking confidential classification certain information provided in response to Sierra Club’s First Set of Interrogatories (1-18), specifically question 5 filed on June 26, 2017 in this docket. The confidential information at issue is contained in confidential Exhibit A filed on June 26, 2017 with DEF’s Notice of Intent to Request Confidential Classification and is outlined in DEF’s Justification Matrix that is attached to DEF’s Request as Exhibit C. DEF is requesting confidential classification of this information because it contains confidential trade information, the disclosure of which would impair the Company’s competitive business interests.

5. The confidential information at issue relates to DEF’s specific trade information. The disclosure of this information could impair DEF’s efforts to obtain competitive trades which provides economic value to DEF and could be compromised by competitors for such commodities changing their purchasing behavior within the relevant markets. DEF must be able to keep sensitive business information such as trade volume, dates, and pricing confidential. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed the confidential trade information. Absent such measures, market competitors and suppliers would have access

to sensitive business information DEF uses to plan and execute its fuel procurement processes and alter their behavior to the detriment of DEF and its customers.

6. Upon receipt of confidential information, 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. 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.

Further affiant sayeth not.

Dated the 12 day of July, 2017.



(Signature)  
Joseph McCallister  
Director – Natural Gas, Oil and Emissions  
Fuels Procurement Department  
Duke Energy  
526 South Church  
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of July, 2017 by Joseph McCallister. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(Signature)  
Katie Jamieson

(Printed Name)  
NOTARY PUBLIC, STATE OF NC

June 14, 2021  
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

**KATIE JAMIESON**  
Notary Public, North Carolina  
Gaston County  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
(Serial Number, If Any)

**AFFIDAVIT OF  
TAMARA WALDMANN**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Analysis of IOUs Hedging Practices.

Docket No. 20170057-EI

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Dated: July 17, 2017

**AFFIDAVIT OF TAMARA WALDMANN IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Tamara Waldmann. 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 Director of Florida Renewable Generation Development and Cogeneration. This section is responsible for providing local Florida support to develop clean energy assets, products and services, policies, outreach, and address new and

existing business with qualifying facilities and distributed resources that may transact with Duke Energy Florida, (“DEF”).

3. DEF is seeking confidential classification certain information provided in response to Sierra Club’s First Set of Interrogatories (1-18), specifically question 3, filed on June 26, 2017 in this docket. The confidential information at issue is contained in confidential Exhibit A filed on June 26, 2017 with DEF’s Notice of Intent to Request Confidential Classification and is outlined in DEF’s Justification Matrix that is attached to DEF’s Request as Exhibit C. DEF is requesting confidential classification of this information because it contains confidential financial business information, the disclosure of which would impair the Company’s competitive business interests.

4. DEF is seeking confidential classification because the confidential information at issue relates to DEF’s specific project costs for solar demonstration projects in Osceola and Taylor counties. If such information was disclosed to DEF’s competitors and/or potential suppliers, DEF’s efforts to obtain competitive bids that provide economic value to both the Company and its customers could be compromised by the Company’s competitors and/or suppliers changing their offers within the relevant markets. Further, if other third parties were made aware of confidential contractual costs and/or terms that DEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations. DEF must be able to assure its existing and future vendors that sensitive business information, such as the costs associated with their contracts, will be kept confidential. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed the confidential information.



5. Upon receipt of confidential information, 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. 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.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the 11<sup>th</sup> day of July, 2017.

Tamara L Waldmann  
(Signature)

Tamara Waldmann  
Director, Renewable Development & Cogen  
Distributed Energy Technologies  
Duke Energy Florida  
299 1<sup>st</sup> Avenue North  
St. Petersburg, FL 33701

11<sup>th</sup> THE FOREGOING INSTRUMENT was sworn to and subscribed before me this day of July, 2017 by Tamara Waldmann. She is personally known to me or has produced her \_\_\_\_\_ driver's license, or her \_\_\_\_\_ as identification.

Dara Tribiano

(Signature)

Dara Tribiano

(Printed Name)

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

October 26, 2020  
(Commission Expiration Date)

GG 007113  
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

