



Matthew R. Bernier
ASSOCIATE GENERAL COUNSEL
Duke Energy Florida, LLC

December 15, 2017

VIA ELECTRONIC DELIVERY

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

Re: Docket No. 20170215-EU
Duke Energy Florida, LLC's Request for Confidential Classification

Dear Ms. Stauffer:

Attached is Duke Energy Florida, LLC's ("DEF") Request for Confidential Classification of certain information provided in DEF's Redacted response to Staff's First Data Request (Nos. 1-37) filed contemporaneously in the above-referenced matter. This filing includes:

- Exhibit A (confidential slipsheet only)
- Exhibit B (2 copies of redacted information)
- Exhibit C (justification matrix)
- Exhibit D (Affidavit of Troy Buis-Unverified)

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. If you have any questions, please feel free to contact me at (850) 521-1428.

Sincerely,

/s/ Matthew R. Bernier

Matthew R. Bernier

MRB:at
Attachments

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of electric utility hurricane preparedness and restoration activities

Docket No. 20170215-EU

Submitted for Filing: December 15, 2017

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

Duke Energy Florida, LLC (“DEF” or the “Company”), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(3), Florida Administrative Code (“F.A.C.”), files this Request for Confidential Classification Regarding Portions of DEF’S Response to Question No. 28 of Staff’s First Data Request (Nos. 1-37). DEF is seeking confidential classification of the following materials filed with the Florida Public Service Commission (“FPSC” or the “Commission”) in the above referenced docket: (1) portions of DEF’s Response to Question No. 28. An unredacted version of the documents discussed above is being filed under seal with the Commission as Exhibit A on a confidential basis to keep the competitive business information in those documents confidential. The exhibit contains confidential and proprietary transmission information, the disclosure of which would compromise DEF’s competitive business interests and place DEF’s critical energy infrastructure at risk.

In support of this Request, DEF states as follows:

The Confidentiality of the Documents at Issue

Section 366.093(1), Florida Statutes, provides that “any records received by the

Commission which are shown and found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from [the Public Records Act].” § 366.093(1), Fla. Stat. Proprietary confidential business information means information that is (i) intended to be and is treated as private confidential information by the Company, (ii) because disclosure of the information would cause harm, (iii) either to the Company’s ratepayers or the Company’s business operation, and (iv) the information has not been voluntarily disclosed to the public. § 366.093(3), Fla. Stat. Specifically, § 366.093(3)(c) defines “security measures, systems, or procedures” as proprietary confidential business information.

Staff’s First Data Request, Question No. 28

As listed above, portions of DEF’s Response to Question No. 28 of Staff’s First Data Request should be afforded confidential treatment for the reasons set forth in the Affidavit of Troy Buis filed in support of DEF’s Request for Confidential Classification and for the following reasons. Specifically, portions of the response to Question No. 28 contain confidential maps which provides details regarding DEF’s existing transmission line system. Disclosure of these maps would threaten the security of DEF’s existing and transmission lines which are considered to be critical energy infrastructure. See Affidavit of Troy Buis at ¶ 5. Specifically, portions of the transmission map contain critical energy infrastructure information, which is specific engineering, vulnerability, or detailed information about existing critical infrastructure that relates to details about the production, generation, transmission or distribution of energy and could be useful to a person planning an attack on critical infrastructure. Id. Therefore, this highly sensitive, confidential information must not be made publicly available.

Confidentiality Procedures

Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company, and restricting the number of, and access to the information. (Id. at ¶ 6). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Conclusion

The competitive, confidential information at issue in this Request fits the statutory definition of proprietary confidential business information under Section 366.093, Fla. Stat., and Rule 25-22.006, F.A.C., and therefore, that information should be afforded confidential classification. In support of this motion, DEF has enclosed the following:

(1) A separate, sealed envelope containing one copy of the confidential Exhibit A to DEF's Request for which DEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted. **This information should be accorded confidential treatment pending a decision on DEF's Request by the Commission;**

(2) Two copies of the documents with the information for which DEF intends to request confidential classification redacted by section, pages, or lines where appropriate as Exhibit B;

(3) A justification matrix of the confidential information contained in Exhibit A supporting DEF's Request, as Exhibit C; and

(4) An affidavit attesting to the confidential nature of information identified in this request as Exhibit D.

WHEREFORE, DEF respectfully requests that the redacted portions of DEF'S Response to Question No. 28 be classified as confidential for the reasons set forth above.

RESPECTFULLY SUBMITTED this 15th day of December, 2017.

/s/ Matthew R. Bernier

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DIANNE M. TRIPLETT
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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 15th day of December, 2017.

/s/ Matthew R. Bernier

Attorney

<p>Wesley Taylor Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 wtaylor@psc.state.fl.us</p> <p>J. R. Kelly / Erik Saylor Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399 kelly.jr@leg.state.fl.us Saylor.erik@leg.state.fl.us</p> <p>James Beasley/J. Jeffrey Wahlen Ausley & McMullen P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com</p> <p>Russell A. Badders/Steven Griffin Beggs & Lane P.O. Box 12950 Pensacola, FL 32591 rab@beggslane.com srg@beggslane.com</p> <p>Jeffrey A. Stone, General Counsel Rhonda J. Alexander Gulf Power Company One Energy Place Pensacola, FL 32520-0780 jastone@southernco.com rjalexad@southerco.com</p>	<p>Kenneth Hoffman Vice President, Regulatory Affairs Florida Power & Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 Ken.hoffman@fpl.com</p> <p>John T. Butler Maria Jose Moncada Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com maria.moncada@fpl.com</p> <p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p> <p>Paula K. Brown Regulatory Affairs P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p>
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Exhibit A

CONFIDENTIAL
FILED UNDER SEPARATE COVER

Exhibit B

REDACTED

water west into the Gulf of Mexico. As Irma passed to the north, and winds became southerly and onshore, waters quickly returned at a steep pace peaking on Monday, September 11th.

Hardened and Non-Hardened Structures

28. Please provide a county map or graphic indicating the geographic locations where the Utility's infrastructure was storm hardened after 2006. For purposes of this question, do not include vegetation management.

RESPONSE:

The confidential graphic indicating hardened transmission structures is below. See the attached document bearing Bates Number DEF DR1-28-0001.

REDACTED

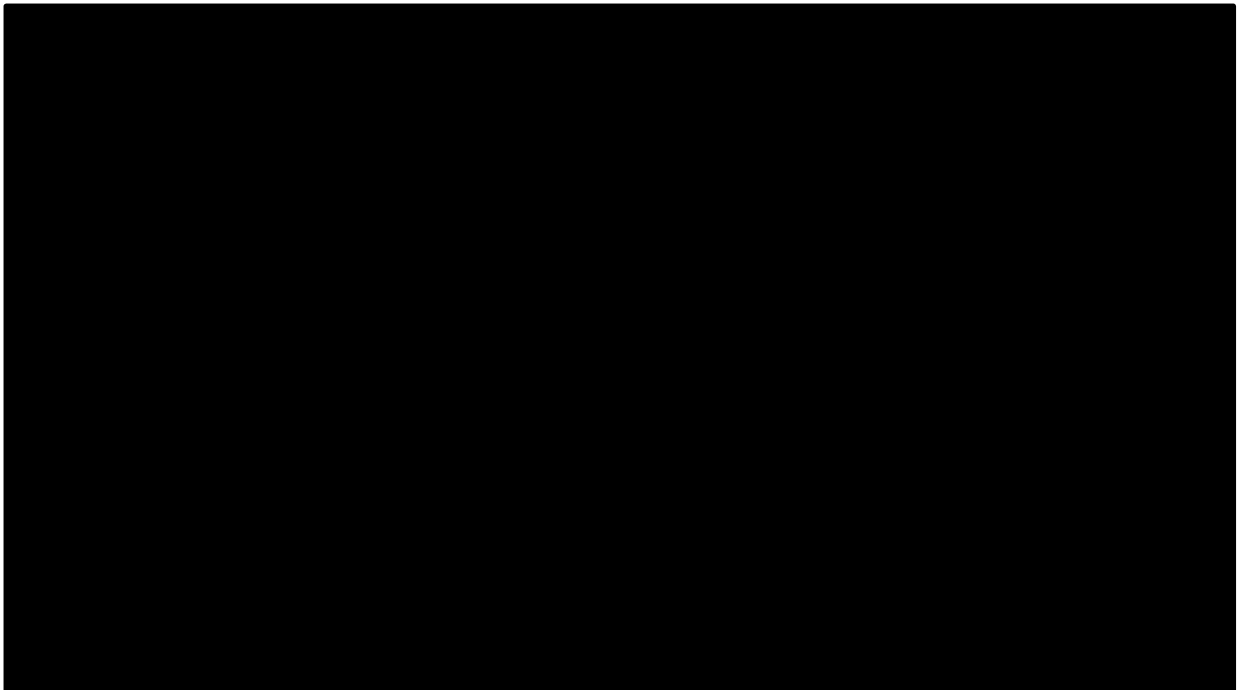


Exhibit B

REDACTED

(2nd copy)

water west into the Gulf of Mexico. As Irma passed to the north, and winds became southerly and onshore, waters quickly returned at a steep pace peaking on Monday, September 11th.

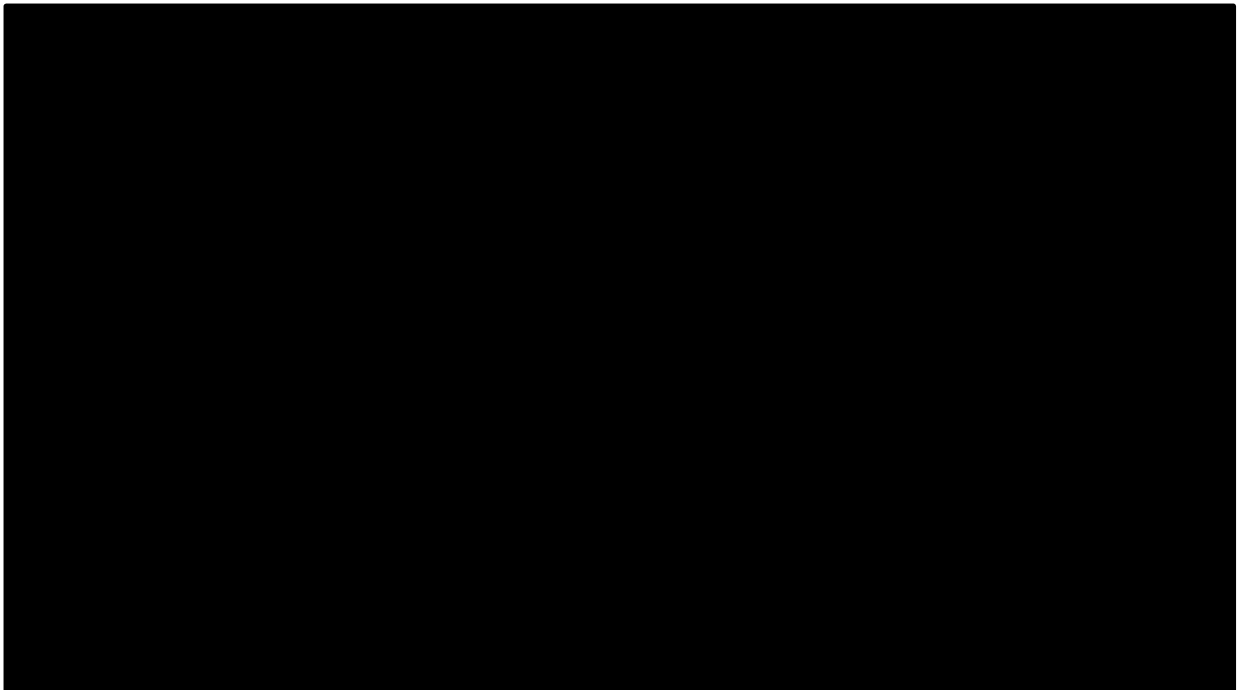
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RESPONSE:

The confidential graphic indicating hardened transmission structures is below. See the attached document bearing Bates Number DEF DR1-28-0001.

REDACTED



DUKE ENERGY FLORIDA – EXHIBIT C - Docket 20170215-EU
Confidentiality Justification

DOCUMENT	PAGE/LINE/ COLUMN	JUSTIFICATION
DEF Response to Question No. 28	The map contained within the narrative response to question no. 28.	§366.093(3)(c), Fla. Stat. The document portions in question contain confidential security measures, systems or procedures, the disclosure of which would impair DEF's efforts to protect and maintain critical energy infrastructure.

Exhibit D

AFFIDAVIT OF:

TROY BUIS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of electric utility hurricane
preparedness and restoration activities

Docket No. 20170215-EU

Submitted for Filing: December 15, 2017

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

STATE OF FLORIDA

COUNTY OF SEMINOLE

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

1. My name is Troy Buis. I am over the age of 18 years old and I have been authorized to give this affidavit in the above-styled proceeding on behalf of Duke Energy Florida, LLC ("DEF" or the "Company") and in support of DEF's Request for Confidential Classification Regarding Portions of DEF's Response to Staff's First Data Request, Question No. 28. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am employed by DEF in the capacity of Manager of Transmission Work Management. This department is responsible for oversight of DEF's transmission system, including current operation and planning.

3. As the Manager of Transmission Work Management, I am responsible for the provision of transmission service on DEF's system, the operation of the Company's transmission system, the planning for the expansion of the DEF transmission system to meet DEF's retail and wholesale customer service requirements, and the integration of DEF's transmission system with the Florida transmission grid.

4. DEF is seeking confidential classification for portions of its response to Staff's First Data Request (Nos. 1-37), specifically portions of the response to request 28. 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. DEF is requesting confidential classification of this portion of the response, because it calls for the production of critical energy infrastructure maps, the disclosure of which would place DEF's critical energy infrastructure at risk.

5. Staff's First Data Request number 28 calls for the production of maps of DEF's confidential critical energy infrastructure. Disclosure of these maps would threaten the security of DEF's existing transmission lines, which are considered to be critical energy infrastructure. Specifically, the transmission maps contain critical energy infrastructure information, which is specific engineering, vulnerability, or detailed information about existing critical infrastructure that relates to details about the production, generation, transmission or distribution of energy and could be useful to a person planning an attack on critical infrastructure.

6. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the documents and information provided, including restricting access to only those persons who require it to assist the Company, and restricting the number of, and access to the information. At no time since developing the information in question has the Company publicly disclosed that information. DEF has treated and continues to treat the information as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated this _____ day of December, 2017.

(Signature)

Troy Buis
Manager of Transmission Work Management
Duke Energy Florida, LLC
3300 Exchange Place, NP 2B
Lake Mary, FL 32746

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day of December, 2017 by Troy Buis. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

(Serial Number, If Any)