



Dianne M. Triplett
Deputy General Counsel
Duke Energy Florida, LLC

September 5, 2018

VIA ELECTRONIC FILING

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

Re: *Duke Energy Florida, LLC's, Petition for approval to terminate qualifying facility power purchase agreement with Ridge Generating Station, L.P.; Docket No. 20180152-EQ*

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 with DEF's Response to Staff's Third Data Request. 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 (affidavit of Benjamin M. H. Borsch)

DEF's confidential Exhibit A that accompanies the above-referenced filing has been submitted under separate cover.

Thank you for your attention to this matter. Please feel free to call me at (727) 820-4692

should you have any questions concerning this filing.

Sincerely,

/s/ Dianne M. Triplett

Dianne M. Triplett

DMT/mw
Attachment
cc: Parties of record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Duke Energy Florida, LLC's Petition
for Approval to Terminate Qualifying
Facility Power Purchase Agreement

Docket No. 20180152-EQ

Dated: September 5, 2018

**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 its Request for Confidential Classification ("Request") for the confidential information contained in its response to Staff of the Florida Public Service Commission's ("Staff") Third Data Request, filed in this docket on September 5, 2018. In support of this Request, DEF states:

1. DEF's response to Staff's Third Data Request, 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 copy of the document for which DEF seeks confidential treatment. As referenced Composite Exhibit A was submitted separately in a sealed envelope labeled "CONFIDENTIAL". In the unredacted version, the information asserted to be confidential is highlighted 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.

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 proprietary vendor information, the disclosure of which would impair the Company’s efforts to contract for goods and services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Benjamin H. M. Borsch at ¶¶ 4 and 5. Furthermore, portions of the underlying data used to develop the fuel forecast in this filing are based on proprietary data provided to DEF under license, the disclosure of this information would impair DEF’s competitive business interests. *See* § 366.093(3)(e), F.S.; Affidavit of Benjamin H. M. Borsch at ¶¶ 5 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* Affidavit of Benjamin H. M. Borsch at ¶ 7. 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 id.*

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 the Request for Confidential Classification be granted.

Respectfully submitted this 5th day of September, 2018.

s/Dianne M. Triplett

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Duke Energy Florida, LLC
Docket No.: 20180152-EQ

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 5th day of September, 2018 to all parties of record as indicated below.

s/Dianne M. Triplett

Attorney

<p>Margo DuVal Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 mduval@psc.state.fl.us</p>	<p>J. R. Kelly / C. Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us</p>
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Exhibit A

“CONFIDENTIAL”

(submitted under separate cover)

Exhibit B

REDACTED

(two copies)

**Duke Energy Florida, LLC's (DEF) Response to Staff's Third Data Request
regarding DEF's Petition for approval to terminate qualifying facility
power purchase agreement with Ridge Generating Station, L.P.**

Docket No. 20180152-EQ

1. Please refer to DEF's Response to Staff's First Data Request, No. 1(a). Please specifically identify "DEF's industry recognized consultant."

RESPONSE:



**Duke Energy Florida, LLC's (DEF) Response to Staff's Third Data Request
regarding DEF's Petition for approval to terminate qualifying facility
power purchase agreement with Ridge Generating Station, L.P.**

Docket No. 20180152-EQ

1. Please refer to DEF's Response to Staff's First Data Request, No. 1(a). Please specifically identify "DEF's industry recognized consultant."

RESPONSE:



Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
DEF's Response to Staff's Third Data Request	Question 1: All information in the response.	§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
BENJAMIN H. M. BORSCH

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Duke Energy Florida, LLC's Petition
For Approval to Terminate Qualifying
Facility Power Purchase Agreement.

Docket No. 20180152-EQ

Dated: September 5, 2018

**AFFIDAVIT OF BENJAMINE M.H. BORSCH IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Benjamin M.H. Borsch, who being first duly sworn, on oath deposes and says that:

1. BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Benjamin M.H. Borsch, who being first duly sworn, on oath deposes and says that:

1. My name is Benjamin M.H. Borsch. 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 IRP & Analytics. This section is responsible for resource planning for DEF.

3. As the Director of IRP & Analytics, I am responsible, along with the other members of the section, for the resource planning process in an integrated approach in order to find the most cost-effective alternatives to meet the Company's obligation to serve its customers in Florida.

4. DEF is seeking confidential classification for its response to Staff's Third Data Request. The confidential information at issue is contained in confidential Exhibit A to DEF's Request 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 proprietary sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms.

5. The confidential information at issue relates to DEF's underlying data used to develop the fuel forecast used in this docket, are based on proprietary data provided to DEF under license. In order to protect the proprietary nature of the vendor's data, DEF's and its vendors competitive business interests, DEF must be able to assure vendors that confidential proprietary sensitive business information 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. Without DEF's measures to maintain the confidentiality of sensitive business information, the Company's efforts to obtain competitive contracts could be undermined, because vendors could simply offer the highest prices against the disclosed information.

6. Additionally, the disclosure of the confidential information could adversely impact DEF's competitive business interests. If such information was

disclosed, DEF's efforts to obtain fuel forecasts that provide economic value to both DEF and its customers could be compromised.

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 and contracts. 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 5th day of September, 2018.

Benjamin M. H. Borsch
(Signature)

Benjamin M. H. Borsch
Director
IRP & Analytics
Duke Energy Florida, LLC
St. Petersburg, FL

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 5th day of September, 2018 by Benjamin M. H. Borsch. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Chris M. Kaniecki
(Signature)

Chris M. Kaniecki
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)



Christine M. Kaniecki
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG175767
Expires 1/16/2022