



**Matthew R. Bernier**  
Associate General Counsel  
Duke Energy Florida, LLC.

February 11, 2019

**VIA ELECTRONIC FILING**

Adam Teitzman, 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 Mr. Teitzman:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Extension of Confidential Classification concerning certain information contained in DEF's Response to Sierra Club's First Set of Interrogatories (1-18), filed in the above referenced docket on June 26, 2017 and Revised Exhibit D, Affidavits of Jim McClay and Tamara Waldmann. The original Request included Exhibits A, B, and C.

There are no changes to the original Request's Exhibit A consisting of the confidential unredacted documents, Exhibit B containing two (2) redacted copies of the confidential document, or Exhibit C containing a justification table in support of DEF's original Request. 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*

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Matthew R. Bernier  
Associate General Counsel  
[Matt.Bernier@duke-energy.com](mailto:Matt.Bernier@duke-energy.com)

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: February 11, 2019

**DUKE ENERGY FLORIDA, LLC'S  
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 Request for Extension of Confidential Classification (the "Request") for certain information provided in the response to Sierra Club's First Set of Interrogatories (Nos. 1-18), filed in this docket. In support of this Request, DEF states:

1. On July 17, 2017, DEF filed a request for confidential classification for certain information contained in DEF's response to Sierra Club's First Set of Interrogatories, specifically questions 3 and 5 (Document No. 05884-2017), as they contain "proprietary confidential business information" under Section 366.093(3), Florida Statutes.

2. DEF's July 17, 2017, Request was granted by Order No. PSC-2017-0328-CFO-EI, on August 14, 2017. The period of confidential treatment granted by that order will expire on February 14, 2019. The information continues to warrant treatment as "proprietary confidential business information" within the meaning of Section 366.093(3), F.S. Accordingly, DEF is filing its Request for Extension of Confidential Classification.

3. DEF submits that the information contained in its Response to Sierra Club's First Set of Interrogatories, specifically, questions 3 and 5, identified in Exhibit "A" and Exhibit "C" to the July 17, 2017 Request<sup>1</sup>, continue to be "proprietary confidential business information" within the meaning of section 366.093(3), F.S., and continues to require confidential classification. *See* Affidavits of James McClay at ¶¶ 4-6 and Tamara Waldman at ¶¶ 3-4, attached as Revised Exhibit "D". 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(1), F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the Public Records Act. *See* Affidavits of James McClay ¶¶ 5-6 and Tamara Waldman at ¶5.

4. Nothing has changed since the issuance of Order No. PSC-2017-0328-CFO-EI to render the information stale or public such that continued confidential treatment would be inappropriate. 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 Request for Extension of Confidential Classification be granted.

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<sup>1</sup> DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 05884-2017, submitted on July 17, 2017 in this docket as if attached hereto.

RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of February, 2019.

/s/ Matthew R. Bernier

DIANNE M. TRIPLETT

Associate General Counsel  
Duke Energy Florida, LLC.

299 First Avenue North  
St. Petersburg, FL 33701

T: 727.820.4692

F: 727.820.5041

E: [Dianne.Triplett@duke-energy.com](mailto:Dianne.Triplett@duke-energy.com)

MATTHEW R. BERNIER

Senior Counsel

Duke Energy Florida, LLC  
106 East College Avenue

Suite 800

Tallahassee, Florida 32301

T: 850.521.1428

F: 727.820.5041

E: [Matthew.Bernier@duke-energy.com](mailto:Matthew.Bernier@duke-energy.com)

**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 11<sup>th</sup> day of February, 2019 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. Jeffry 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>Russell A. Badders Steven R. Griffin Beggs &amp; Lane P.O. Box 12950 Pensacola, FL 32591 <a href="mailto:rab@beggslane.com">rab@beggslane.com</a> <a href="mailto:srg@beggslane.com">srg@beggslane.com</a></p>	<p>Charles J. Rehwinkel / Erik Saylor 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:saylor.erik@leg.state.fl.us">saylor.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@sierralub.org">steve.goldstein@sierralub.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>Jeffrey A. Stone / C. Shane Boyett Gulf Power Company One Energy Place Pensacola, FL 32520-0780 <a href="mailto:jastone@southernco.com">jastone@southernco.com</a> <a href="mailto:csboyett@southernco.com">csboyett@southernco.com</a></p>	<p>Ms. Paula K. Brown Manager, Regulatory Coordination Tampa Electric Company 702 North Franklin Street Tampa, FL 33602 <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> <p>Rhonda J. Alexander Regulatory and Pricing Manager Gulf Power Company One Energy Place Pensacola, FL 32520-0780 <a href="mailto:rjalexad@southernco.com">rjalexad@southernco.com</a></p>
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# **Exhibit A**

**“CONFIDENTIAL”**

**(ON FILE)**

# **Exhibit B**

**REDACTED**  
(ON FILE)

# **Exhibit C**

**DUKE ENERGY FLORIDA  
Confidentiality Justification Matrix  
(ON FILE)**



**REVISED**  
**Exhibit D**

**AFFIDAVIT OF**  
**JAMES MCCLAY**

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: February 11, 2019

**AFFIDAVIT OF JAMES MCCLAY IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is James McClay. 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 Extension of Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Manager of Gas Trading in the Fuel Procurement Department. I manage the natural gas group procurement, scheduling and hedging activities in the Fuel Procurement Section of the Fuels and Systems Optimization Department for the Duke Energy regulated generation fleet.

3. As the Manager of Gas Trading, I am responsible, along with other members of the section, for natural gas procurement, scheduling and financial hedging for the natural gas activities needed to support the generation needs for DEI's, DEK's, DEC's, DEF's and DEP's electrical power generation facilities.

4. DEF is seeking an extension of confidential classification for 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. There are no changes to the information contained in DEF's confidential Exhibit A, redacted Exhibit B, and justification matrix C. The referenced Exhibits are on file with the Clerk. DEF is requesting an extension of 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 its customers and DEF's efforts to obtain competitive trades 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.

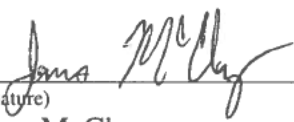
6. Upon receipt of confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the

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.


7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 30 day of January, 2019.

  
\_\_\_\_\_  
(Signature)  
James McClay  
Manager – Gas Trading  
Duke Energy  
526 South Church  
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 30 day of January, 2019, by James McClay. He is personally known to me, or has produced his North Carolina driver's license, or his \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Signature)  
Mary B Vicknair  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
North Carolina  
\_\_\_\_\_  
(Commission Expiration Date)  
Sept. 21, 2022  
\_\_\_\_\_  
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

MARY B VICKNAIR  
NOTARY PUBLIC  
Davie County  
North Carolina  
My Commission Expires Sept. 21, 2022

**REVISED  
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: February 11, 2019

**AFFIDAVIT OF TAMARA WALDMANN IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR EXTENSION OF 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 Extension of 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 DEF.

3. DEF is seeking an extension of confidential classification for 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. There are no changes to the information contained in DEF's confidential Exhibit A, redacted Exhibit B, and justification matrix C. The referenced Exhibits are on file with the Clerk. DEF is requesting an extension of 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. 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 persons that have 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 23<sup>rd</sup> day of January, 2019.

Tamara Waldmann  
(Signature)

Tamara Waldmann  
Strategy and Collaboration Director  
Customer Programs Department  
Duke Energy Florida  
299 1<sup>st</sup> Avenue North  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 23<sup>rd</sup> day of January, 2019, 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 Florida

October 26, 2020  
(Commission Expiration Date)

GG 007113  
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

