



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

March 1, 2019

**VIA ELECTRONIC FILING**

Mr. Adam Teitzman, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: *Fuel and purchased power cost recovery clause with generating performance incentive factor;*  
*Docket No. 20190001-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 with the information provided in Exhibit No. \_\_\_\_ (AG-1) to the direct testimony of Arnold Garcia and in Exhibit No. \_\_\_\_ (CAM-2T), to the direct testimony of Christopher A. Menendez for Fuel and Capacity Cost Recovery Actual True Up for the Period Ending January 2018 through December 2018. 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 Christopher A. Menendez and Arnold Garcia)

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. 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

MRB/mw  
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Fuel and purchased power cost  
recovery clause with generating performance  
incentive factor.

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Docket No. 20190001-EI

Dated: March 1, 2019

**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 for certain information provided in Exhibit No. \_\_ (AG-1), to Mr. Arnold Garcia’s testimony, and in Exhibit No. \_\_ (CAM-2T), to the testimony of Christopher A. Menendez, dated March 1, 2019. In support of this Request, DEF states:

1. Information contained in Exhibit No. \_\_ (AG-1), to Mr. Garcia’s testimony and in Exhibit No. \_\_ (CAM-2T), Calculation of Actual True-Up, Sheet 2 of 3 and Calculation of Actual/Estimated True Up, Sheet 3 of 3, to the direct testimony of Mr. Menendez, contain information that is “confidential proprietary 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 copies of all the documents for which DEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” In the unredacted versions, 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.

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 included in Exhibit No. \_\_ (CAM-2T) relates to contractual cost data pertaining to the sale of Batch 19 Nuclear Fuel. Pursuant to contracts, DEF is obligated to maintain the confidentiality of this information, and therefore it qualifies for confidential classification. *See* § 366.093(3)(d), F.S.; Affidavit of Christopher A. Menendez at ¶ 5. If DEF cannot assure contracting parties that it can maintain the confidentiality of contractual terms, those parties and other similarly situated parties may forego entering contracts with DEF, which would impair the Company to negotiate contracts on favorable terms. *See* § 366.093(3)(d), F.S.; *See* Affidavit of Christopher A. Menendez at ¶¶ 5-6. Finally, certain information under claim of confidentiality must be protected because disclosure of that information would allow other parties and the public to compute the confidential information discussed above (e.g., cost subtotals and totals), and therefore that information must be protected from public disclosure in order to protect the contractual information at issue. *See* § 366.093(3)(d) and (e), F.S.; *See* Affidavit of Christopher A. Menendez at ¶¶ 5-6. 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. Additionally, the information at issue relates to the Insurance Policy in covering the Bartow CC Plant in 2017 (the “Policy”). The disclosure of the Policy could detrimentally impact DEF’s ability to negotiate favorable contracts, thereby harming its competitive interests, ultimately to its customers’ detriment. *See* § 366.093(3)(e), F.S.; Affidavit of Arnold Garcia at ¶ 5. Moreover, certain information in the Policy is proprietary to a third party and DEF’s disclosure of that information would impact DEF’s ability to contract for goods and services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Arnold Garcia, at ¶ 5. 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.

5. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavits of Arnold Garcia and Christopher A. Menendez 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* Affidavits of Arnold Garcia at ¶ 6 and Christopher A. Menendez at ¶ 7.

6. 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 1<sup>st</sup> day of March, 2019.

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

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Attorneys for Duke Energy Florida, LLC

Duke Energy Florida, LLC  
**CERTIFICATE OF SERVICE**  
Docket No. 20190001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 1<sup>st</sup> day of March, 2019 to all parties of record as indicated below.

s/Matthew R. Bernier  
Attorney

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# **Exhibit A**

**“CONFIDENTIAL”**

**(filed under separate cover)**

# **Exhibit B**

**REDACTED**

**(two copies)**



Docket No. 20190001-EI  
Duke Energy Florida  
Witness: Garcia  
Exhibit No. \_\_\_\_ (AG-1)

**REDACTED**  
**In its entirety**

**REDACTED**  
 Duke Energy Florida, LLC  
 Capacity Cost Recovery Clause  
 Calculation of Actual True-Up  
 January 2018 - December 2018

	JAN ACTUAL	FEB ACTUAL	MAR ACTUAL	APR ACTUAL	MAY ACTUAL	JUN ACTUAL	JUL ACTUAL	AUG ACTUAL	SEPT ACTUAL	OCT ACTUAL	NOV ACTUAL	DEC ACTUAL	Total
<b>1 Base Production Level Capacity Costs</b>													
2 Orange Cogen (ORANGECO)	5,071,564	5,590,987	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	63,975,307
3 Orlando Cogen Limited (ORLACOGL)	5,025,789	5,514,457	5,302,972	5,361,969	5,361,790	5,361,790	5,414,950	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	64,152,667
4 Pasco County Resource Recovery (PASCOUNT)	1,784,800	2,011,580	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	22,778,280
5 Pinellas County Resource Recovery (PINCOUNT)	4,248,600	4,788,435	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	54,222,210
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,965,675	7,676,459	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	87,852,796
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	765,872	790,760	798,927	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	9,564,071
8 US EcoGen	(93,000)	(93,000)	(84,000)	(93,000)	(90,000)	(93,000)	0	0	0	0	0	0	(546,000)
9 Subtotal - Base Level Capacity Costs	23,769,300	26,279,678	25,086,949	25,138,964	25,141,785	25,138,785	25,284,945	25,231,785	25,231,785	25,231,785	25,231,785	25,231,785	301,999,331
10 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
11 Base Level Jurisdictional Capacity Costs	22,078,114	24,409,879	23,302,013	23,350,326	23,352,947	23,350,161	23,485,921	23,436,544	23,436,544	23,436,544	23,436,544	23,436,544	280,512,080
<b>12 Intermediate Production Level Capacity Costs</b>													
13 Southern Franklin	4,609,957	4,467,756	2,685,103	2,663,030	2,934,373	4,811,161	6,285,017	6,268,886	4,634,240	2,701,639	2,384,883	3,505,309	47,951,354
14 Schedule H Capacity Sales - NSB, RCID, Tallahassee & FPL	(208,753)	(31,799)	379,669	270	(27,441)	0	137,852	0	0	(10,758)	191,664	(0)	430,704
15 Subtotal - Intermediate Level Capacity Costs	4,401,204	4,435,957	3,064,772	2,663,300	2,906,932	4,811,161	6,422,869	6,268,886	4,634,240	2,690,881	2,576,547	3,505,309	48,382,058
16 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
17 Intermediate Level Jurisdictional Capacity Costs	3,199,808	3,225,074	2,228,181	1,936,299	2,113,427	3,497,858	4,669,619	4,557,668	3,369,232	1,956,351	1,873,227	2,548,465	35,175,208
<b>18 Peaking Production Level Capacity Costs</b>													
19 Shady Hills	1,984,500	1,984,500	1,417,500	1,371,600	1,920,240	3,904,200	3,904,200	3,904,200	1,821,960	1,371,600	1,371,600	1,976,940	26,933,040
20 Vandolah (NSG)	2,926,756	2,888,311	1,965,274	1,943,845	2,795,467	5,725,022	5,752,286	5,719,859	2,710,954	1,900,501	2,014,083	2,941,953	39,284,311
21 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
22 Subtotal - Peaking Level Capacity Costs	4,911,256	4,872,811	3,382,774	3,315,445	4,715,707	9,629,222	9,656,486	9,624,059	4,532,914	3,272,101	3,385,683	4,918,893	66,217,351
23 Peaking Production Jurisdictional Responsibility	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	
24 Peaking Level Jurisdictional Capacity Costs	4,711,073	4,674,196	3,244,893	3,180,307	4,523,495	9,236,735	9,262,887	9,231,782	4,348,152	3,138,730	3,247,683	4,718,399	63,518,332
<b>25 Other Capacity Costs</b>													
26 Retail Wheeling													
27 RRSAs Second Amendment <sup>1</sup>													
28 Total Other Capacity Costs													
<b>29 Total Capacity Costs (Line 11+17+24+28)</b>	31,537,913	33,933,287	30,392,188	30,081,704	31,569,791	37,695,859	39,025,569	38,828,605	32,739,268	30,073,141	30,142,053	32,290,733	398,310,113
<b>30 Nuclear Cost Recovery Clause</b>													
31 CR3 Uprate Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
32 Total Recoverable Nuclear Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
<b>33 ISFSI Revenue Requirement <sup>2</sup></b>													
34 Total Recov Capacity & Nuclear Costs (Line 29+32+33)	36,505,147	38,823,435	35,204,897	34,842,630	36,320,446	42,418,181	43,719,572	43,494,282	37,376,731	34,682,165	34,722,526	36,842,656	454,952,668
<b>35 Capacity Revenues:</b>													
36 Capacity Cost Recovery Revenues (net of tax)	35,082,201	37,272,890	35,441,587	33,706,211	34,969,792	41,859,835	46,095,199	45,344,820	46,506,204	44,848,988	39,179,512	35,211,382	475,518,621
37 Prior Period True-Up Provision Over/(Under) Recovery	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(5,121,339)
38 Current Period CCR Revenues (net of tax)	34,655,423	36,846,111	35,014,809	33,279,433	34,543,014	41,433,057	45,668,421	44,918,041	46,079,426	44,422,210	38,752,734	34,784,604	470,397,282
<b>39 True-Up Provision</b>													
40 True-Up Provision - Over/(Under) Recov (Line 38-34)	(1,849,724)	(1,977,324)	(190,089)	(1,563,197)	(1,777,432)	(985,123)	1,948,849	1,423,759	8,702,695	9,740,045	4,030,208	(2,058,053)	15,444,615
41 Interest Provision for the Month	(6,952)	(8,935)	(11,087)	(12,566)	(14,513)	(16,532)	(15,576)	(12,115)	(3,263)	14,549	28,702	32,600	(25,688)
42 Current Cycle Balance - Over/(Under)	(1,856,676)	(3,842,934)	(4,044,110)	(5,619,874)	(7,411,819)	(8,413,473)	(6,480,201)	(5,068,557)	3,630,875	13,385,468	17,444,379	15,418,926	15,418,926
43 Prior Period Balance - Over/(Under) Recovered	(4,775,185)	(4,348,406)	(3,921,629)	(3,494,850)	(3,068,072)	(2,641,293)	(2,214,516)	(1,787,737)	(1,360,959)	(934,181)	(507,403)	(80,624)	(4,775,185)
44 Prior Period Cumulative True-Up Collected/(Refunded)	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	5,121,339
45 Prior Period True-up Balance - Over/(Under)	(4,348,407)	(3,921,628)	(3,494,850)	(3,068,072)	(2,641,294)	(2,214,515)	(1,787,737)	(1,360,959)	(934,181)	(507,403)	(80,624)	346,154	346,154
46 Net Capacity True-up Over/(Under) (Line 42+45)	(6,205,082)	(7,764,563)	(7,538,961)	(8,687,945)	(10,053,112)	(10,627,989)	(8,267,938)	(6,429,516)	2,696,694	12,878,066	17,363,755	15,765,080	15,765,080

<sup>1</sup> Approved in Commission Order No. PSC-16-0138-FOF-EI

**REDACTED**  
Duke Energy Florida, LLC  
Capacity Cost Recovery Clause  
Calculation of Actual/Estimated True-Up  
January 2018 - December 2018 (Filed July 27, 2018)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	Total
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ESTIMATED	ESTIMATED	ESTIMATED	ESTIMATED	ESTIMATED	ESTIMATED	
1 <b>Base Production Level Capacity Costs</b>													
2 Orange Cogen (ORANGECO)	5,071,564	5,590,987	5,331,276	5,331,276	5,331,276	5,331,276	5,331,275	5,331,275	5,331,275	5,331,275	5,331,275	5,331,275	63,975,305
3 Orlando Cogen Limited (ORLACOGL)	5,025,789	5,514,457	5,302,972	5,361,969	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	64,099,507
4 Pasco County Resource Recovery (PASCOUNT)	1,784,800	2,011,580	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	22,778,280
5 Pinellas County Resource Recovery (PINCOUNT)	4,248,600	4,788,435	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	54,222,210
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,965,675	7,676,459	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	87,852,794
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	765,872	790,760	798,927	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	9,564,071
8 US EcoGen	(93,000)	(93,000)	(84,000)	(93,000)	(90,000)	(93,000)	-	-	-	-	-	-	(546,000)
9 Subtotal - Base Level Capacity Costs	23,769,300	26,279,678	25,086,949	25,138,964	25,141,785	25,138,785	25,231,784	25,231,784	25,231,784	25,231,784	25,231,784	25,231,784	301,946,167
10 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
11 Base Level Jurisdictional Capacity Costs	22,078,114	24,409,879	23,302,013	23,350,326	23,352,947	23,350,161	23,436,543	23,436,543	23,436,543	23,436,543	23,436,543	23,436,543	280,462,697
12 <b>Intermediate Production Level Capacity Costs</b>													
13 Southern Franklin	4,609,957	4,467,756	2,685,103	2,663,030	2,934,373	4,811,161	6,293,135	6,293,135	4,631,783	2,693,539	2,693,539	3,524,215	48,300,723
14 Schedule H Capacity Sales - NSB & RCID	(208,753)	(31,799)	379,669	270	(27,441)	-	-	-	-	-	-	-	111,946
15 Subtotal - Intermediate Level Capacity Costs	4,401,204	4,435,957	3,064,772	2,663,300	2,906,932	4,811,161	6,293,135	6,293,135	4,631,783	2,693,539	2,693,539	3,524,215	48,412,669
16 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
17 Intermediate Level Jurisdictional Capacity Costs	3,199,808	3,225,074	2,228,181	1,936,299	2,113,427	3,497,858	4,575,298	4,575,298	3,367,445	1,958,283	1,958,283	2,562,210	35,197,463
18 <b>Peaking Production Level Capacity Costs</b>													
19 Shady Hills	1,984,500	1,984,500	1,417,500	1,371,600	1,920,240	3,904,200	3,911,684	3,911,684	1,825,453	1,374,376	1,374,376	1,983,330	26,963,442
20 Vandolah (NSG)	2,926,756	2,888,311	1,965,274	1,943,845	2,795,467	5,725,022	5,539,623	5,495,150	2,629,977	1,937,310	1,981,783	2,788,227	38,616,745
21 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
22 Subtotal - Peaking Level Capacity Costs	4,911,256	4,872,811	3,382,774	3,315,445	4,715,707	9,629,222	9,451,307	9,406,834	4,455,430	3,311,686	3,356,159	4,771,557	65,580,188
23 Peaking Production Jurisdictional Responsibility	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	
24 Peaking Level Jurisdictional Capacity Costs	4,711,073	4,674,196	3,244,893	3,180,307	4,523,495	9,236,735	9,066,072	9,023,412	4,273,827	3,176,702	3,219,362	4,577,068	62,907,139
25 <b>Other Capacity Costs</b>													
26 Retail Wheeling													
27 RRSSA Second Amendment <sup>1</sup>													
28 Total Other Capacity Costs													
29 <b>Total Capacity Costs (Line 11+17+24+28)</b>	31,537,913	33,933,287	30,392,188	30,081,704	31,569,791	37,695,859	38,691,081	38,651,525	32,683,005	30,171,375	30,222,229	32,184,839	397,814,797
30 <b>Nuclear Cost Recovery Clause</b>													
31 CR3 Uprate Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
32 <b>Total Recoverable Nuclear Costs</b>	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
33 <b>ISFSI Revenue Requirement <sup>2</sup></b>	677,047	628,287	579,175	555,717	573,770	573,765	573,765	573,765	573,765	573,765	573,765	573,765	7,030,351
34 <b>Total Recov Capacity &amp; Nuclear Costs (Line 29+32+33)</b>	36,505,147	38,823,435	35,204,897	34,842,630	36,320,446	42,418,181	43,385,077	43,317,197	37,320,350	34,780,394	34,802,924	36,737,207	454,457,884
35 <b>Capacity Revenues</b>													
36 Capacity Cost Recovery Revenues (net of tax)	35,082,201	37,272,890	35,441,587	33,706,211	34,969,792	41,859,835	46,576,445	48,650,437	47,554,221	43,166,059	36,691,945	34,902,418	475,874,041
37 Prior Period True-Up Provision Over/(Under) Recovery	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(5,121,339)
38 <b>Current Period Revenues (net of tax)</b>	34,655,423	36,846,111	35,014,809	33,279,433	34,543,014	41,433,057	46,149,667	48,223,659	47,127,442	42,739,281	36,265,167	34,475,639	470,752,702
39 <b>True-Up Provision</b>													
40 True-Up Provision - Over/(Under) Recov (Line 38-34)	(1,849,724)	(1,977,324)	(190,089)	(1,563,197)	(1,777,432)	(985,123)	2,764,590	4,906,462	9,807,092	7,958,887	1,462,243	(2,261,567)	16,294,818
41 Interest Provision for the Month	(6,952)	(8,935)	(11,087)	(12,566)	(14,513)	(16,532)	(5,949)	(1,687)	6,498	13,212	14,734	13,278	(30,499)
42 Current Cycle Balance - Over/(Under)	(1,856,676)	(3,842,934)	(4,044,110)	(5,619,874)	(7,411,819)	(8,413,473)	(5,654,833)	(750,058)	9,063,532	17,035,631	18,512,608	16,264,319	16,264,319
43 Prior Period Balance - Over/(Under) Recovered	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)
44 Prior Period Cumulative True-Up Collected/(Refunded)	426,778	853,557	1,280,335	1,707,113	2,133,891	2,560,670	2,987,448	3,414,226	3,841,004	4,267,783	4,694,561	5,121,339	5,121,339
45 Prior Period True-up Balance - Over/(Under)	(4,348,407)	(3,921,628)	(3,494,850)	(3,068,072)	(2,641,294)	(2,214,515)	(1,787,737)	(1,360,959)	(934,181)	(507,402)	(80,624)	346,154	346,154
46 <b>Net Capacity True-up Over/(Under) (Line 42+45)</b>	(6,205,082)	(7,764,563)	(7,538,961)	(8,687,945)	(10,053,112)	(10,627,989)	(7,442,570)	(2,111,017)	8,129,352	16,528,229	18,431,984	16,610,473	16,610,473

<sup>1</sup> Approved in Commission Order No. PSC-16-0138-FOF-EI

<sup>2</sup> Approved in Commission Order No. PSC-15-0465-S-EI

Docket No. 20190001-EI  
Duke Energy Florida  
Witness: Garcia  
Exhibit No. \_\_\_\_ (AG-1)

**REDACTED**  
**In its entirety**

**REDACTED**  
 Duke Energy Florida, LLC  
 Capacity Cost Recovery Clause  
 Calculation of Actual True-Up  
 January 2018 - December 2018

	JAN ACTUAL	FEB ACTUAL	MAR ACTUAL	APR ACTUAL	MAY ACTUAL	JUN ACTUAL	JUL ACTUAL	AUG ACTUAL	SEPT ACTUAL	OCT ACTUAL	NOV ACTUAL	DEC ACTUAL	Total
<b>1 Base Production Level Capacity Costs</b>													
2 Orange Cogen (ORANGECO)	5,071,564	5,590,987	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	5,331,276	63,975,307
3 Orlando Cogen Limited (ORLACOGL)	5,025,789	5,514,457	5,302,972	5,361,969	5,361,790	5,361,790	5,414,950	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	64,152,667
4 Pasco County Resource Recovery (PASCOUNT)	1,784,800	2,011,580	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	22,778,280
5 Pinellas County Resource Recovery (PINCOUNT)	4,248,600	4,788,435	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	54,222,210
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,965,675	7,676,459	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	87,852,796
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	765,872	790,760	798,927	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	9,564,071
8 US EcoGen	(93,000)	(93,000)	(84,000)	(93,000)	(90,000)	(93,000)	0	0	0	0	0	0	(546,000)
9 Subtotal - Base Level Capacity Costs	23,769,300	26,279,678	25,086,949	25,138,964	25,141,785	25,138,785	25,284,945	25,231,785	25,231,785	25,231,785	25,231,785	25,231,785	301,999,331
10 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
11 Base Level Jurisdictional Capacity Costs	22,078,114	24,409,879	23,302,013	23,350,326	23,352,947	23,350,161	23,485,921	23,436,544	23,436,544	23,436,544	23,436,544	23,436,544	280,512,080
<b>12 Intermediate Production Level Capacity Costs</b>													
13 Southern Franklin	4,609,957	4,467,756	2,685,103	2,663,030	2,934,373	4,811,161	6,285,017	6,268,886	4,634,240	2,701,639	2,384,883	3,505,309	47,951,354
14 Schedule H Capacity Sales - NSB, RCID, Tallahassee & FPL	(208,753)	(31,799)	379,669	270	(27,441)	0	137,852	0	0	(10,758)	191,664	(0)	430,704
15 Subtotal - Intermediate Level Capacity Costs	4,401,204	4,435,957	3,064,772	2,663,300	2,906,932	4,811,161	6,422,869	6,268,886	4,634,240	2,690,881	2,576,547	3,505,309	48,382,058
16 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
17 Intermediate Level Jurisdictional Capacity Costs	3,199,808	3,225,074	2,228,181	1,936,299	2,113,427	3,497,858	4,669,619	4,557,668	3,369,232	1,956,351	1,873,227	2,548,465	35,175,208
<b>18 Peaking Production Level Capacity Costs</b>													
19 Shady Hills	1,984,500	1,984,500	1,417,500	1,371,600	1,920,240	3,904,200	3,904,200	3,904,200	1,821,960	1,371,600	1,371,600	1,976,940	26,933,040
20 Vandolah (NSG)	2,926,756	2,888,311	1,965,274	1,943,845	2,795,467	5,725,022	5,752,286	5,719,859	2,710,954	1,900,501	2,014,083	2,941,953	39,284,311
21 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
22 Subtotal - Peaking Level Capacity Costs	4,911,256	4,872,811	3,382,774	3,315,445	4,715,707	9,629,222	9,656,486	9,624,059	4,532,914	3,272,101	3,385,683	4,918,893	66,217,351
23 Peaking Production Jurisdictional Responsibility	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	
24 Peaking Level Jurisdictional Capacity Costs	4,711,073	4,674,196	3,244,893	3,180,307	4,523,495	9,236,735	9,262,887	9,231,782	4,348,152	3,138,730	3,247,683	4,718,399	63,518,332
<b>25 Other Capacity Costs</b>													
26 Retail Wheeling													
27 RRSAs Second Amendment <sup>1</sup>													
28 Total Other Capacity Costs													
<b>29 Total Capacity Costs (Line 11+17+24+28)</b>	31,537,913	33,933,287	30,392,188	30,081,704	31,569,791	37,695,859	39,025,569	38,828,605	32,739,268	30,073,141	30,142,053	32,290,733	398,310,113
<b>30 Nuclear Cost Recovery Clause</b>													
31 CR3 Uprate Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
32 Total Recoverable Nuclear Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
<b>33 ISFSI Revenue Requirement <sup>2</sup></b>													
34 Total Recov Capacity & Nuclear Costs (Line 29+32+33)	36,505,147	38,823,435	35,204,897	34,842,630	36,320,446	42,418,181	43,719,572	43,494,282	37,376,731	34,682,165	34,722,526	36,842,656	454,952,668
<b>35 Capacity Revenues:</b>													
36 Capacity Cost Recovery Revenues (net of tax)	35,082,201	37,272,890	35,441,587	33,706,211	34,969,792	41,859,835	46,095,199	45,344,820	46,506,204	44,848,988	39,179,512	35,211,382	475,518,621
37 Prior Period True-Up Provision Over/(Under) Recovery	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(5,121,339)
38 Current Period CCR Revenues (net of tax)	34,655,423	36,846,111	35,014,809	33,279,433	34,543,014	41,433,057	45,668,421	44,918,041	46,079,426	44,422,210	38,752,734	34,784,604	470,397,282
<b>39 True-Up Provision</b>													
40 True-Up Provision - Over/(Under) Recov (Line 38-34)	(1,849,724)	(1,977,324)	(190,089)	(1,563,197)	(1,777,432)	(985,123)	1,948,849	1,423,759	8,702,695	9,740,045	4,030,208	(2,058,053)	15,444,615
41 Interest Provision for the Month	(6,952)	(8,935)	(11,087)	(12,566)	(14,513)	(16,532)	(15,576)	(12,115)	(3,263)	14,549	28,702	32,600	(25,688)
42 Current Cycle Balance - Over/(Under)	(1,856,676)	(3,842,934)	(4,044,110)	(5,619,874)	(7,411,819)	(8,413,473)	(6,480,201)	(5,068,557)	3,630,875	13,385,468	17,444,379	15,418,926	15,418,926
43 Prior Period Balance - Over/(Under) Recovered	(4,775,185)	(4,348,406)	(3,921,629)	(3,494,850)	(3,068,072)	(2,641,293)	(2,214,516)	(1,787,737)	(1,360,959)	(934,181)	(507,403)	(80,624)	(4,775,185)
44 Prior Period Cumulative True-Up Collected/(Refunded)	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	426,778	5,121,339
45 Prior Period True-up Balance - Over/(Under)	(4,348,407)	(3,921,628)	(3,494,850)	(3,068,072)	(2,641,294)	(2,214,515)	(1,787,737)	(1,360,959)	(934,181)	(507,403)	(80,624)	346,154	346,154
46 Net Capacity True-up Over/(Under) (Line 42+45)	(6,205,082)	(7,764,563)	(7,538,961)	(8,687,945)	(10,053,112)	(10,627,989)	(8,267,938)	(6,429,516)	2,696,694	12,878,066	17,363,755	15,765,080	15,765,080

<sup>1</sup> Approved in Commission Order No. PSC-16-0138-FOF-EI

**REDACTED**  
 Duke Energy Florida, LLC  
 Capacity Cost Recovery Clause  
 Calculation of Actual/Estimated True-Up  
 January 2018 - December 2018 (Filed July 27, 2018)

	JAN ACTUAL	FEB ACTUAL	MAR ACTUAL	APR ACTUAL	MAY ACTUAL	JUN ACTUAL	JUL ESTIMATED	AUG ESTIMATED	SEPT ESTIMATED	OCT ESTIMATED	NOV ESTIMATED	DEC ESTIMATED	Total
<b>1 Base Production Level Capacity Costs</b>													
2 Orange Cogen (ORANGE)CO	5,071,564	5,590,987	5,331,276	5,331,276	5,331,276	5,331,276	5,331,275	5,331,275	5,331,275	5,331,275	5,331,275	5,331,275	63,975,305
3 Orlando Cogen Limited (ORLACOGL)	5,025,789	5,514,457	5,302,972	5,361,969	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	5,361,790	64,099,507
4 Pasco County Resource Recovery (PASCOUNT)	1,784,800	2,011,580	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	1,898,190	22,778,280
5 Pinellas County Resource Recovery (PINCOUNT)	4,248,600	4,788,435	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	4,518,518	54,222,210
6 Polk Power Partners, L.P. (MULBERRY/ROYSTER)	6,965,675	7,676,459	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	7,321,066	87,852,794
7 Wheelabrator Ridge Energy, Inc. (RIDGEGEN)	765,872	790,760	798,927	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	800,946	9,564,071
8 US EcoGen	(93,000)	(93,000)	(84,000)	(93,000)	(90,000)	(93,000)	-	-	-	-	-	-	(546,000)
9 Subtotal - Base Level Capacity Costs	23,769,300	26,279,678	25,086,949	25,138,964	25,141,785	25,138,785	25,231,784	25,231,784	25,231,784	25,231,784	25,231,784	25,231,784	301,946,167
10 Base Production Jurisdictional Responsibility	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	92.885%	
11 Base Level Jurisdictional Capacity Costs	22,078,114	24,409,879	23,302,013	23,350,326	23,352,947	23,350,161	23,436,543	23,436,543	23,436,543	23,436,543	23,436,543	23,436,543	280,462,697
<b>12 Intermediate Production Level Capacity Costs</b>													
13 Southern Franklin	4,609,957	4,467,756	2,685,103	2,663,030	2,934,373	4,811,161	6,293,135	6,293,135	4,631,783	2,693,539	2,693,539	3,524,215	48,300,723
14 Schedule H Capacity Sales - NSB & RCID	(208,753)	(31,799)	379,669	270	(27,441)	-	-	-	-	-	-	-	111,946
15 Subtotal - Intermediate Level Capacity Costs	4,401,204	4,435,957	3,064,772	2,663,300	2,906,932	4,811,161	6,293,135	6,293,135	4,631,783	2,693,539	2,693,539	3,524,215	48,412,669
16 Intermediate Production Jurisdictional Responsibility	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	72.703%	
17 Intermediate Level Jurisdictional Capacity Costs	3,199,808	3,225,074	2,228,181	1,936,299	2,113,427	3,497,858	4,575,298	4,575,298	3,367,445	1,958,283	1,958,283	2,562,210	35,197,463
<b>18 Peaking Production Level Capacity Costs</b>													
19 Shady Hills	1,984,500	1,984,500	1,417,500	1,371,600	1,920,240	3,904,200	3,911,684	3,911,684	1,825,453	1,374,376	1,374,376	1,983,330	26,963,442
20 Vandolah (NSG)	2,926,756	2,888,311	1,965,274	1,943,845	2,795,467	5,725,022	5,539,623	5,495,150	2,629,977	1,937,310	1,981,783	2,788,227	38,616,745
21 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
22 Subtotal - Peaking Level Capacity Costs	4,911,256	4,872,811	3,382,774	3,315,445	4,715,707	9,629,222	9,451,307	9,406,834	4,455,430	3,311,686	3,356,159	4,771,557	65,580,188
23 Peaking Production Jurisdictional Responsibility	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	95.924%	
24 Peaking Level Jurisdictional Capacity Costs	4,711,073	4,674,196	3,244,893	3,180,307	4,523,495	9,236,735	9,066,072	9,023,412	4,273,827	3,176,702	3,219,362	4,577,068	62,907,139
<b>25 Other Capacity Costs</b>													
26 Retail Wheeling													
27 RRSSA Second Amendment <sup>1</sup>													
28 Total Other Capacity Costs													
<b>29 Total Capacity Costs (Line 11+17+24+28)</b>	31,537,913	33,933,287	30,392,188	30,081,704	31,569,791	37,695,859	38,691,081	38,651,525	32,683,005	30,171,375	30,222,229	32,184,839	397,814,797
<b>30 Nuclear Cost Recovery Clause</b>													
31 CR3 Uprate Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
32 Total Recoverable Nuclear Costs	4,290,186	4,261,861	4,233,534	4,205,208	4,176,884	4,148,557	4,120,232	4,091,907	4,063,580	4,035,255	4,006,929	3,978,603	49,612,736
<b>33 ISFSI Revenue Requirement <sup>2</sup></b>	677,047	628,287	579,175	555,717	573,770	573,765	573,765	573,765	573,765	573,765	573,765	573,765	7,030,351
<b>34 Total Recov Capacity &amp; Nuclear Costs (Line 29+32+33)</b>	36,505,147	38,823,435	35,204,897	34,842,630	36,320,446	42,418,181	43,385,077	43,317,197	37,320,350	34,780,394	34,802,924	36,737,207	454,457,884
<b>35 Capacity Revenues</b>													
36 Capacity Cost Recovery Revenues (net of tax)	35,082,201	37,272,890	35,441,587	33,706,211	34,969,792	41,859,835	46,576,445	48,650,437	47,554,221	43,166,059	36,691,945	34,902,418	475,874,041
37 Prior Period True-Up Provision Over/(Under) Recovery	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(426,778)	(5,121,339)
38 Current Period Revenues (net of tax)	34,655,423	36,846,111	35,014,809	33,279,433	34,543,014	41,433,057	46,149,667	48,223,659	47,127,442	42,739,281	36,265,167	34,475,639	470,752,702
<b>39 True-Up Provision</b>													
40 True-Up Provision - Over/(Under) Recov (Line 38-34)	(1,849,724)	(1,977,324)	(190,089)	(1,563,197)	(1,777,432)	(985,123)	2,764,590	4,906,462	9,807,092	7,958,887	1,462,243	(2,261,567)	16,294,818
41 Interest Provision for the Month	(6,952)	(8,935)	(11,087)	(12,566)	(14,513)	(16,532)	(5,949)	(1,687)	6,498	13,212	14,734	13,278	(30,499)
42 Current Cycle Balance - Over/(Under)	(1,856,676)	(3,842,934)	(4,044,110)	(5,619,874)	(7,411,819)	(8,413,473)	(5,654,833)	(750,058)	9,063,532	17,035,631	18,512,608	16,264,319	16,264,319
43 Prior Period Balance - Over/(Under) Recovered	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)	(4,775,185)
44 Prior Period Cumulative True-Up Collected/(Refunded)	426,778	853,557	1,280,335	1,707,113	2,133,891	2,560,670	2,987,448	3,414,226	3,841,004	4,267,783	4,694,561	5,121,339	5,121,339
45 Prior Period True-up Balance - Over/(Under)	(4,348,407)	(3,921,628)	(3,494,850)	(3,068,072)	(2,641,294)	(2,214,515)	(1,787,737)	(1,360,959)	(934,181)	(507,402)	(80,624)	346,154	346,154
<b>46 Net Capacity True-up Over/(Under) (Line 42+45)</b>	(6,205,082)	(7,764,563)	(7,538,961)	(8,687,945)	(10,053,112)	(10,627,989)	(7,442,570)	(2,111,017)	8,129,352	16,528,229	18,431,984	16,610,473	16,610,473

<sup>1</sup> Approved in Commission Order No. PSC-16-0138-FOF-EI

<sup>2</sup> Approved in Commission Order No. PSC-15-0465-S-EI

## Exhibit C

### DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Exhibit No. __ (AG-1), to the direct Testimony of Arnold Garcia	DEF's Bartow Insurance Policy- -the entire document.	<p>§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.</p> <p>§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.</p>
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Exhibit No. __ (CAM-2T) Sheet 2 of 3, to the direct testimony of Christopher A. Menendez	All information on rows titled "RRSSA Second Amendment," and "Total Other Capacity Costs".	<p>§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.</p> <p>§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.</p>
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Exhibit No. __ (CAM-2T) Sheet 3 of 3, to the direct Testimony of Christopher A.	All information on rows titled "RRSSA Second Amendment," and "Total	<p>§366.093(3)(d), F.S. The document in question contains confidential</p>

Menendez	Other Capacity Costs”	<p>information, the disclosure of which would impair DEF’s efforts to contract for goods or services on favorable terms.</p> <p>§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.</p>
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# **Exhibit D**

## **AFFIDAVIT OF ARNOLD GARCIA**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Fuel and purchased power cost  
recovery clause with generating  
performance incentive factor.

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Docket No. 20190001-EI

Dated: March 1, 2019

**AFFIDAVIT OF ARNOLD GARCIA IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Arnold Garcia. 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 Manager of Insurance. This section is responsible for placing insurance coverage for Duke Energy and its subsidiaries, including DEF.

3. DEF is seeking confidential classification for Exhibit No. \_\_\_(AG-1) to my direct testimony filed on March 1, 2019 in this docket. 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 sensitive business information, the disclosure of which would impair the Company's competitive business interests.

4. The confidential information at issue the Insurance Policy covering the Bartow CC Plant in 2017 (the "Policy"). Disclosure of the Policy would impair the Company's competitive business interests and efforts to contract for goods or services on favorable terms. DEF has not publicly disclosed the material terms of the Policy. Without DEF's measures to maintain the confidentiality of this sensitive business information, DEF's ability to contract with third-parties would be undermined to the detriment of DEF's competitive business interests and ultimately to the detriment of its customers' interests.

5. 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.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature)

Arnold Garcia  
Manager, Insurance  
Duke Energy  
550 Tryon Street  
Charlotte, NC 28202

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

\_\_\_\_\_  
(Signature)

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Printed Name)

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

\_\_\_\_\_  
(Commission Expiration Date)

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

# **Exhibit D**

## **AFFIDAVIT OF CHRISTOPHER A. MENENDEZ**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

---

In re: Fuel and purchased power cost  
recovery clause with generating  
performance incentive factor

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Docket No. 20190001-EI

Dated: March 1, 2019

**AFFIDAVIT OF CHRISTOPHER A. MENENDEZ IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Christopher A. Menendez. 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 Rates and Regulatory Strategy Manager within the Regulatory Planning Projects department. This department is responsible for regulatory planning and cost recovery for DEF.

3. As the Rates and Regulatory Strategy Manager, I am responsible, along with the other members of the section, for the production and review of the regulatory financial reports of DEF and analysis of state, federal and local regulations and their impact on DEF.

4. DEF is seeking confidential classification for a portion of Exhibit No. \_\_ (CAM-2T); Calculation of Actual True-Up, Sheet 2 of 3 and Calculation of Actual/Estimated True Up, Sheet 3 of 3, to my direct testimony filed on March 1, 2019, in this docket. The confidential information at issue is contained in confidential Exhibit A to DEF's Request and is outlined in DEF's Justification Matrix attached to DEF's Request as Exhibit C. DEF is requesting confidential classification of this information because it contains competitively sensitive contractual confidential business information of capacity suppliers DEF contracts with.

5. DEF negotiates with potential capacity suppliers to obtain competitive contracts for capacity purchase options that provide economic value and system reliability to DEF and its customers. In order to obtain such contracts, however, DEF must be able to assure capacity suppliers that sensitive business information, such as the contractual terms, will be kept confidential. DEF enters into contracts that require the information will be protected from disclosure. In order to protect this confidential information, it is also necessary to keep additional information that could be used to compute the confidential information at issue if made public; for example, if costs relating to one contract were held confidential, but all other contractual costs and the resulting subtotal were public, the confidential information would become apparent. For

this reason, DEF has held confidential the remaining information on the subject exhibits that could be used to compute to the confidential information in need of protection.

6. Absent such measures, suppliers would run the risk that sensitive business information that they provided in their contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with DEF might decide not to do so if DEF did not keep those terms confidential. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and capacity suppliers, the Company's efforts to obtain competitive capacity contracts could be undermined. Additionally, the disclosure of confidential information in DEF's capacity purchases could adversely impact DEF's competitive business interests. If such information was disclosed to DEF's competitors, DEF's efforts to obtain competitive capacity purchase options that provide economic value to both DEF and its customers could be compromised by DEF's competitors changing their consumption or purchasing behavior within the relevant markets.

7. Upon receipt of confidential information from capacity suppliers, 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 and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.



8. This concludes my affidavit.

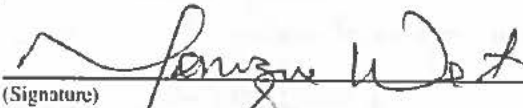
Further affiant sayeth not.

Dated the 28<sup>th</sup> day of February, 2019.

  
\_\_\_\_\_  
(Signature)

Christopher A. Menendez  
Rates and Regulatory Strategy Manager  
Regulatory Planning Projects  
Duke Energy Florida, LLC  
299 1<sup>st</sup> Avenue South  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 28<sup>th</sup> day of February, 2019, by Christopher A. Menendez. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Signature)

MONIQUE WEST  
\_\_\_\_\_  
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

June 28, 2019  
\_\_\_\_\_  
(Commission Expiration Date)

(Commission Expiration Date)

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

(AFFIX NOTARIAL SEAL)

