



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

September 26, 2019

VIA ELECTRONIC FILING

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 Mr. Teitzman:

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 the Rebuttal Testimony of Jeffrey Swartz and Exhibit Nos. ____ (JS-2), ____ (JS-3) and ____ (JS-4). The filing includes the following:

- DEF's Request for Confidential Classification
- Slip sheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit of Jeffrey Swartz)

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

Matthew R. Bernier

MRB/mw
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20190001-EI

Dated: September 26, 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 the rebuttal testimony of Jeffrey Swartz and Exhibit Nos. __ (JS-2), __ (JS-3), and __ (JS-4), dated September 26, 2019. In support of this Request, DEF states:

1. Information contained in the rebuttal testimony of Jeffrey Swartz, specifically pages 2, 3, 5 through 8, and 13 through 19, and Exhibit Nos. __ (JS-2), __ (JS-3), and __ (JS-4), contain information that is “confidential proprietary business information” under Section 366.093(3), Florida Statutes. DEF notes that Exhibit No. __ (JS-2) contains the same information as Exhibit No. __ (JS-1), previously provided in Docket No. 20180001-EI and afforded confidential treatment in Order No. PSC-2018-0198-CFO-EI, issued on April 23, 2018. The amount of information for which DEF is claiming confidential treatment has changed, so DEF is re-submitting the document as Exhibit No. __ (JS-2).

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 at issue includes proprietary and confidential third-party owned information, the disclosure of which would impair the third-party’s competitive business interests, and if disclosed, the Company’s competitive business interests and efforts to contract for goods and services on favorable terms. *See* § 366.093(3)(d) & (e), F.S.; Affidavit of Jeffrey Swartz at ¶¶ 4, 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. More specifically, the information at issue relates to proprietary third-party drawings, pictures, and technical information regarding the third-party’s proprietary component design and operation parameters. If DEF cannot demonstrate to its third-party OEM, and others that may enter contracts with DEF in the future, that DEF has the ability to protect those third-parties’ confidential

and proprietary business information, third-parties will be less likely to provide that information to DEF – harming DEF’s ability to prudently operate its business. *See* § 366.093(3)(d) & (e), F.S.; Affidavit of Jeffrey Swartz at ¶¶ 4, 5 and 6. Furthermore, disclosure of the information could detrimentally impact DEF’s ability to negotiate favorable contracts as third-parties may begin to demand a “premium” to do business with DEF to account for the risk that its proprietary information will become a matter of public record, thereby harming DEF’s competitive interests and ultimately its customers’ financial interests. *See* § 366.093(3)(e), F.S.; Affidavit of Jeffrey Swartz at ¶ 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.

5. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Jeffrey Swartz at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See* Affidavit of Jeffrey Swartz 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 26th day of September, 2019.

s/Matthew R. Bernier _____

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Attorneys for 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 26th day of September, 2019, to all parties of record as indicated below.

s/Matthew R. Bernier
Attorney

<p>Suzanne Brownless Office of General Counsel FL Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us</p> <p>J. Beasley / J. Wahlen / M. Means Ausley McMullen P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com mmeans@ausley.com</p> <p>Steven Griffin Beggs & Lane P.O. Box 12950 Pensacola, FL 32591 srg@beggslane.com</p> <p>Russell A. Badders Gulf Power Company One Energy Place Pensacola, FL 32520 russell.badders@nexteraenergy.com</p> <p>Holly Henderson Gulf Power Company 215 S. Monroe St., Ste. 618 Tallahassee, FL 32301 holly.henderson@nexteraenergy.com</p> <p>Kenneth A. Hoffman Florida Power & Light Company 134 W. Jefferson Street Tallahassee, FL 32301-1713 ken.hoffman@fpl.com</p> <p>Jon C. Moyle, Jr. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com mqualls@moylelaw.com</p>	<p>J.R. Kelly / P. Christensen / T. David / S. Morse Office of Public Counsel 111 W. Madison St., Room 812 Tallahassee, FL 32399-1400 kelly.jr@leg.state.fl.us christensen.patty@leg.state.fl.us david.tad@leg.state.fl.us morse.stephanie@leg.state.fl.us</p> <p>Ms. Paula K. Brown Regulatory Affairs Tampa Electric Company P.O. Box 111 Tampa, FL 33601-0111 regdept@tecoenergy.com</p> <p>Maria Moncada / Joel Baker Florida Power & Light Company 700 Universe Blvd. (LAW/JB) Juno Beach, FL 33408-0420 maria.moncada@fpl.com joel.baker@fpl.com</p> <p>James Brew / Laura Wynn Stone Law Firm 1025 Thomas Jefferson St., N.W. Suite 800 West Washington, DC 20007 jbrew@smxblaw.com law@smxblaw.com</p> <p><u>Mike Cassel</u> Florida Public Utilities Company 1750 S. 14th Street, Suite 200 Fernandina Beach, FL 32034 mcassel@fpuc.com</p> <p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p>
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Exhibit A

“CONFIDENTIAL”

(filed under separate cover)

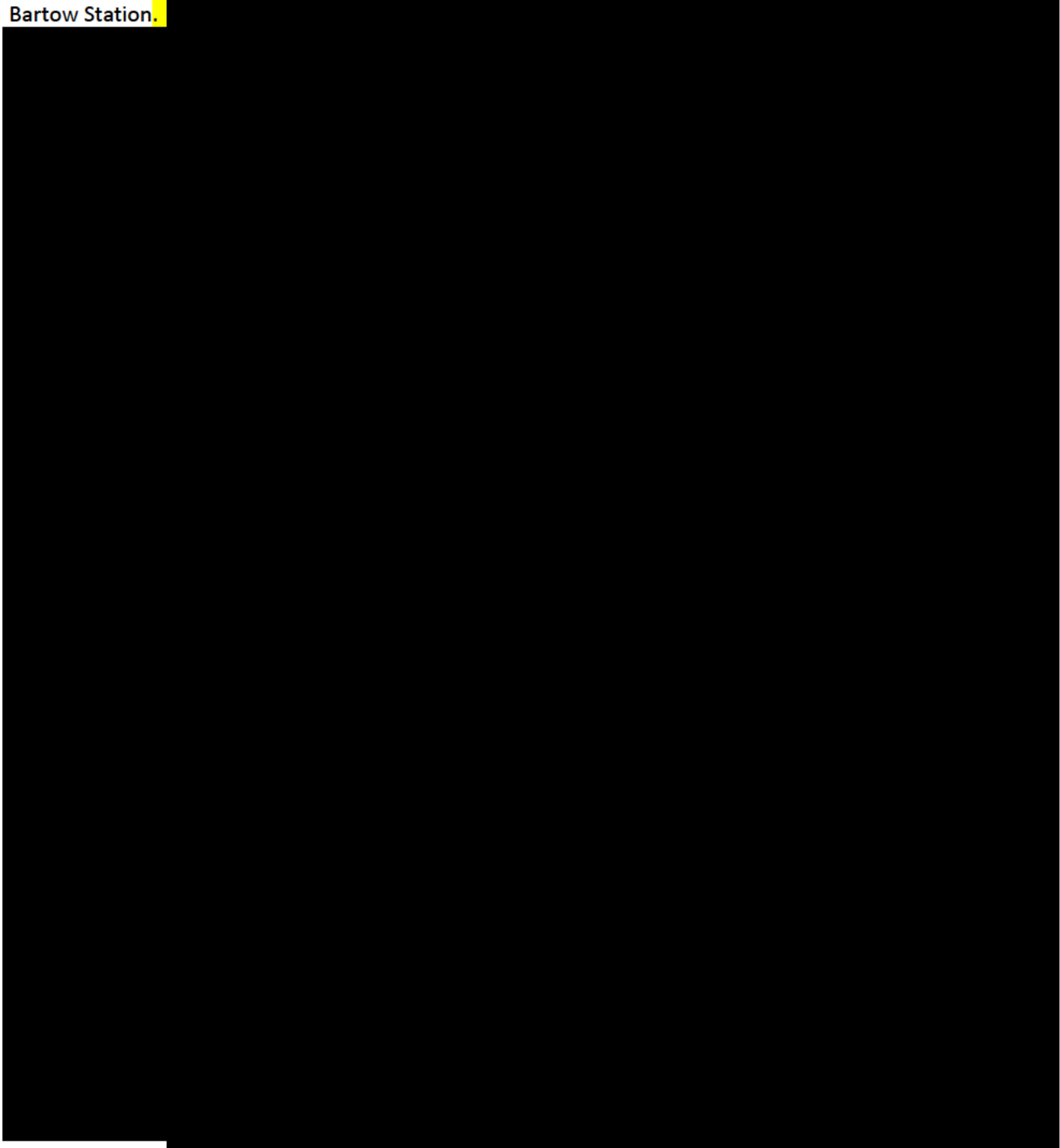
Exhibit B

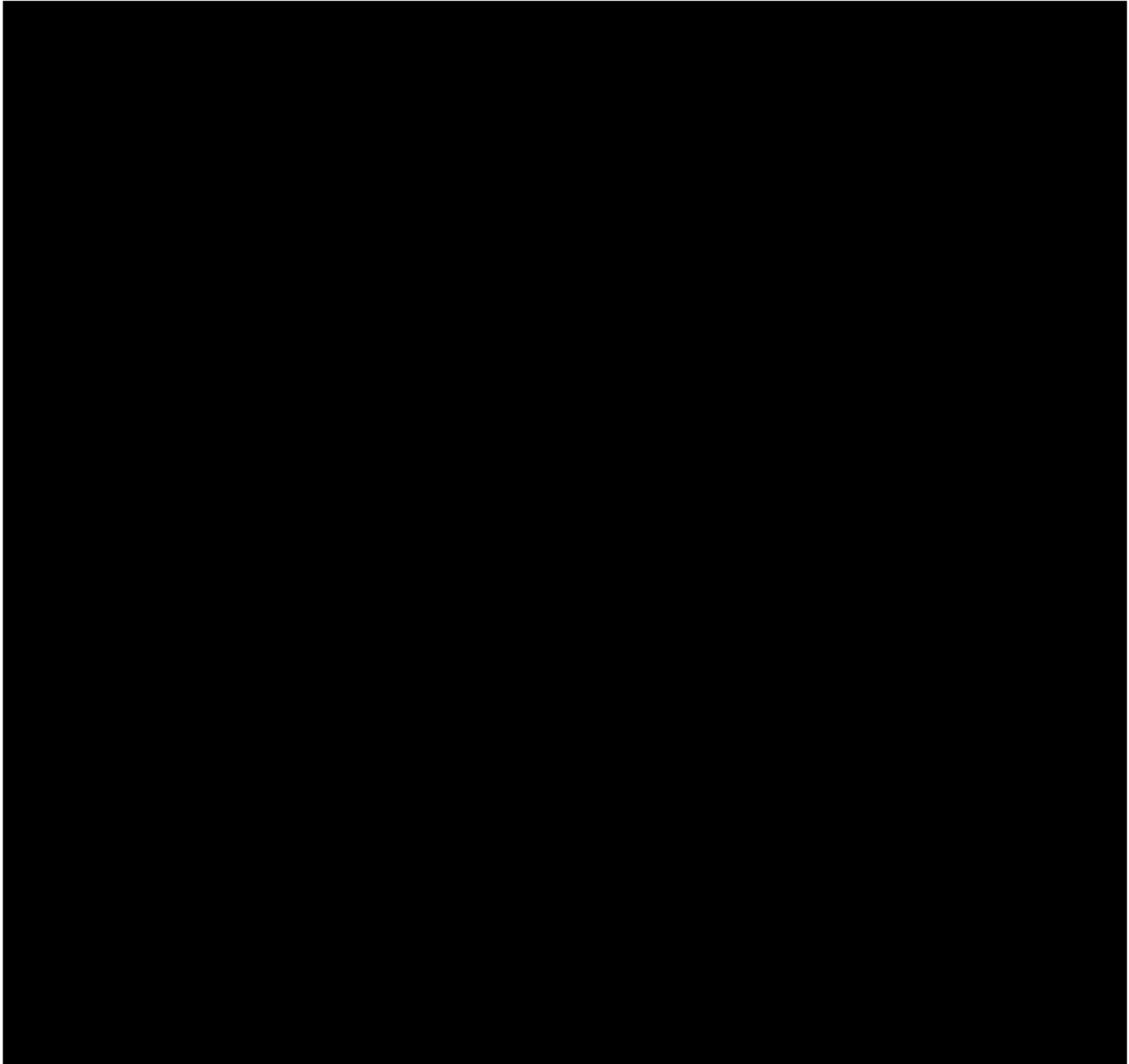
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(two copies)

Executive Summary

Over the past 3 plus years, Duke Energy Florida LLC (Duke), at times working independently and at times together with Mitsubishi Hitachi Power Systems (MHPS), undertook a root cause analysis (RCA) of the cause(s) for the Unit 4S L-0 blade cracks and failures that occurred during normal station operations at Bartow Station.





Historical Overview

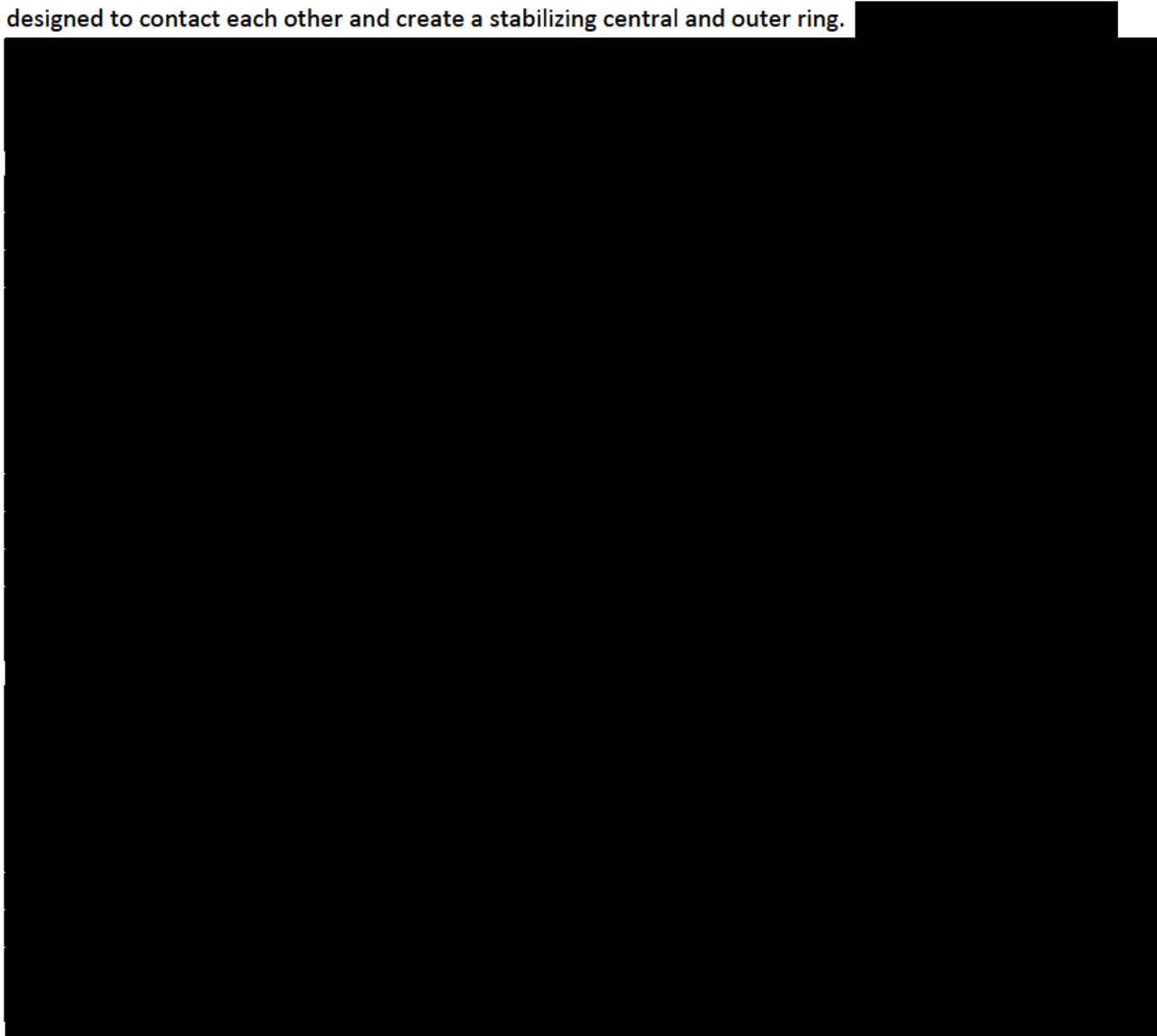
Bartow is a 4x1 CC Station with a steam turbine (ST) manufactured by MHPS. The ST was purchased from Tenaska Power Equipment, LLC (Tenaska) which intended to use it for a 3x1 CC with a gross output of 420MW. The ST was never delivered to Tenaska and remained with MHPS in a warehouse in Japan until Duke purchased the unit in 2006.



Before the ST was purchased by Duke, Duke contracted with MHPS to evaluate the ST design conditions and to update heat balances for a 4x1 CC configuration. MHPS updated the heat balances for use in a 4x1 CC configuration. CC units blend steam from the combustion turbines (CT) as they start-up and/or shut-down with steam to the ST. These blending events, which are a common occurrence for CC units, result in brief periods of higher steam temperatures and flows into the condenser near the ST L-0 blades.

Since commissioning of the Bartow ST in 2009, there have been five (5) events involving L-0 blade failures and/or replacements as described, below.

Each 40" MHPS steel blade is twisted with a "root end" that connects it to the hub, a snubber at the mid-point or mid-span, and a shroud with airfoil tips at the top. While the ST spins up to its operating speed of 3600rpm, each blade elongates and starts to untwist. The snubbers and airfoil tips are designed to contact each other and create a stabilizing central and outer ring.

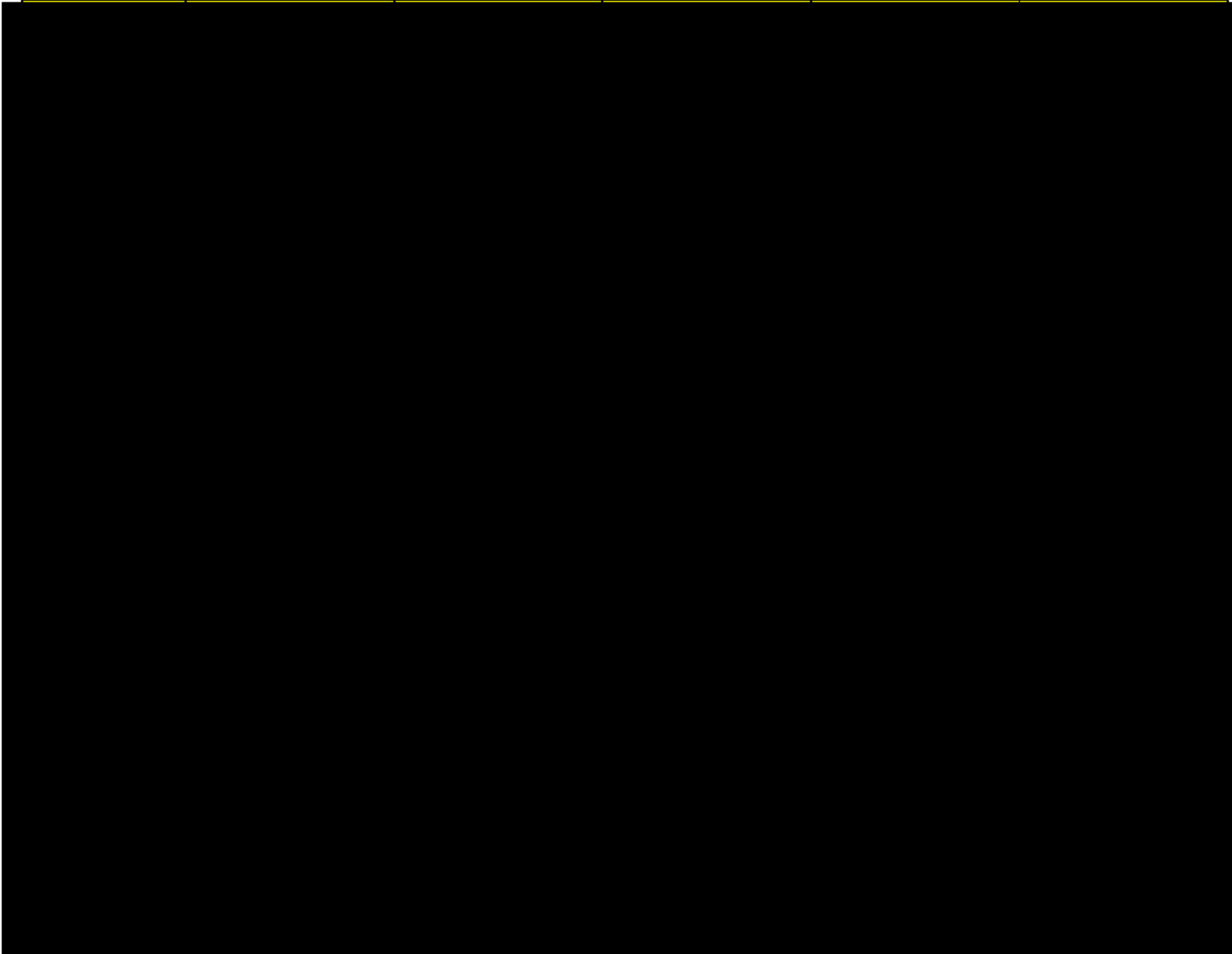


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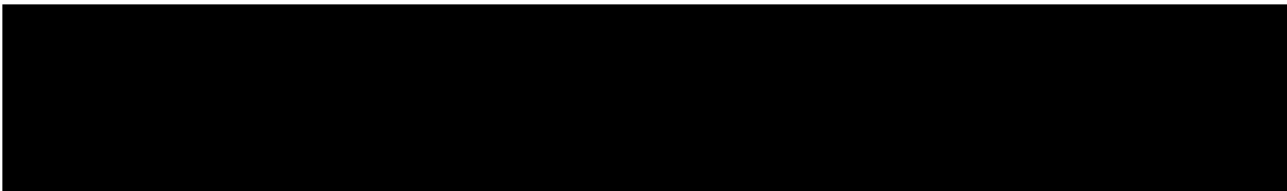


Table A: Bartow L-0 Events Summary

	Period 1	Period 2	Period 3	Period 4	Period 5
Date	June 2009 to March 2012	April 2012 to August 2014	December 2014 to April 2016	May 2016 to Oct 2016	December 2016 to February 2017
Service Duration	~34 Months	~28 Months	~17 Months	~5 Months	~2 Months

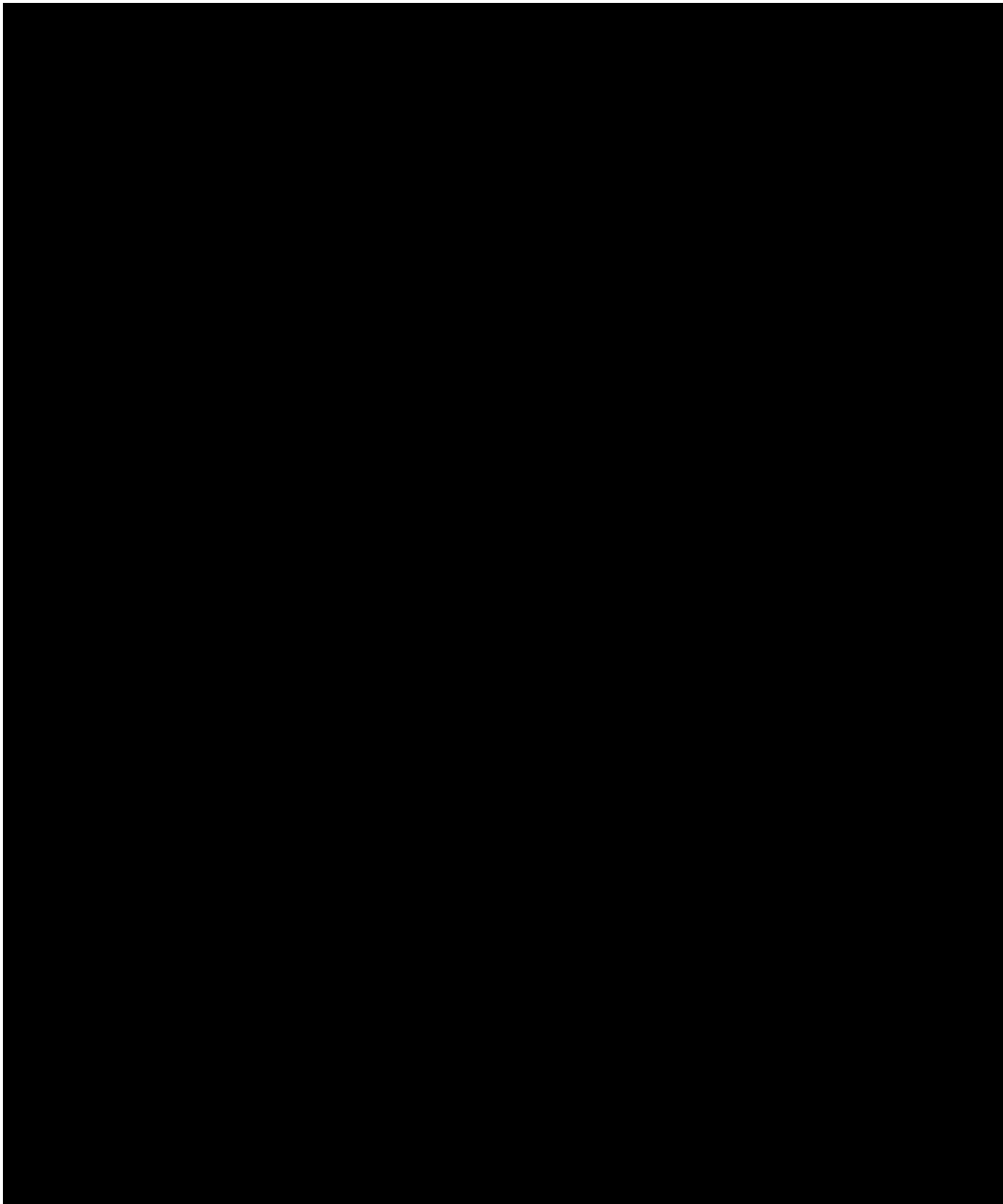


Information Shared with MHPS	Duke provided all requested PI data.	Duke provided all requested PI data.	Duke provided all requested PI data.	Duke provided all requested PI data.	Duke provided all requested PI data.
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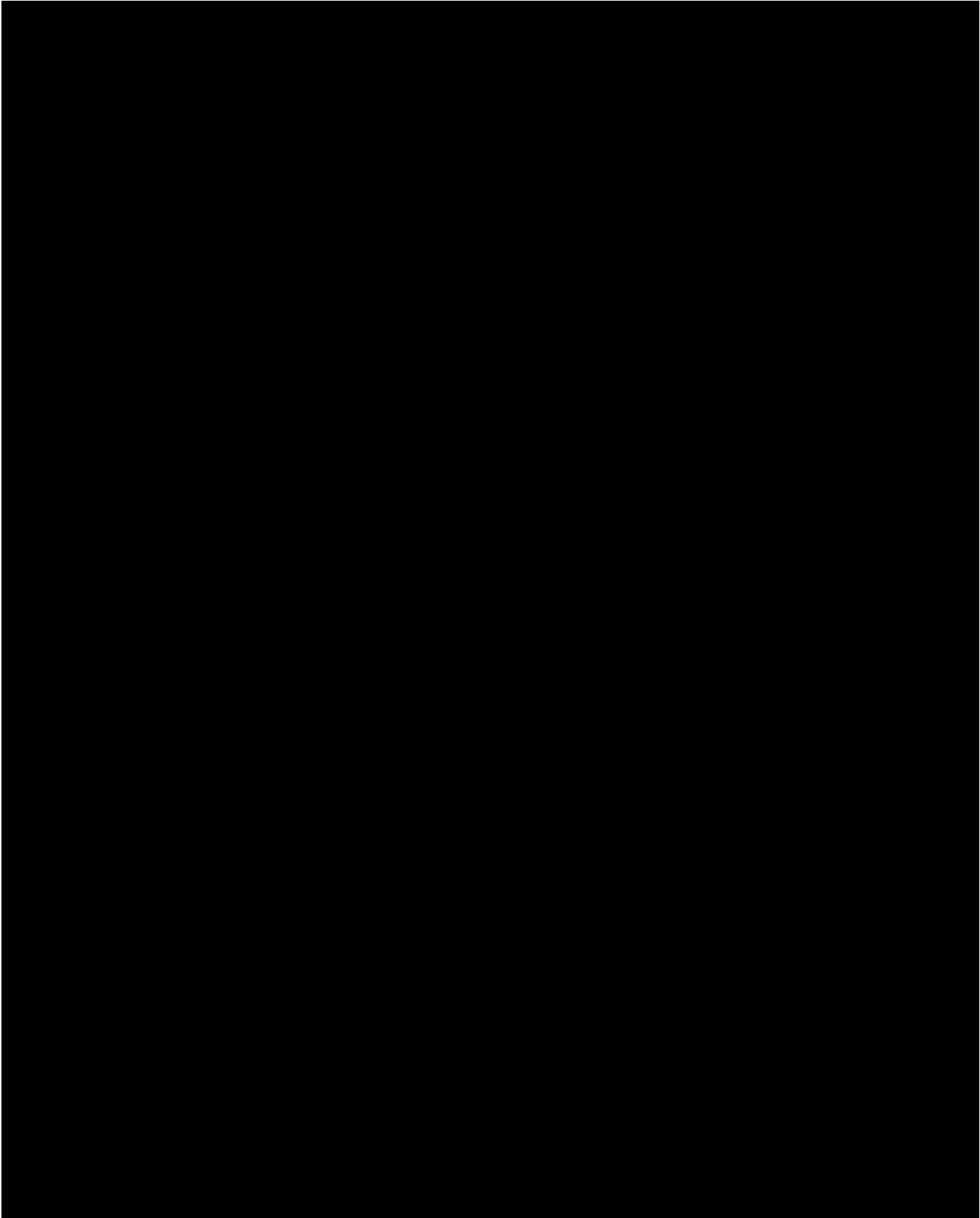
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Docket No. 20190001
Duke Energy Florida
Witness: Swartz
Exhibit No. ____ (JS-2)
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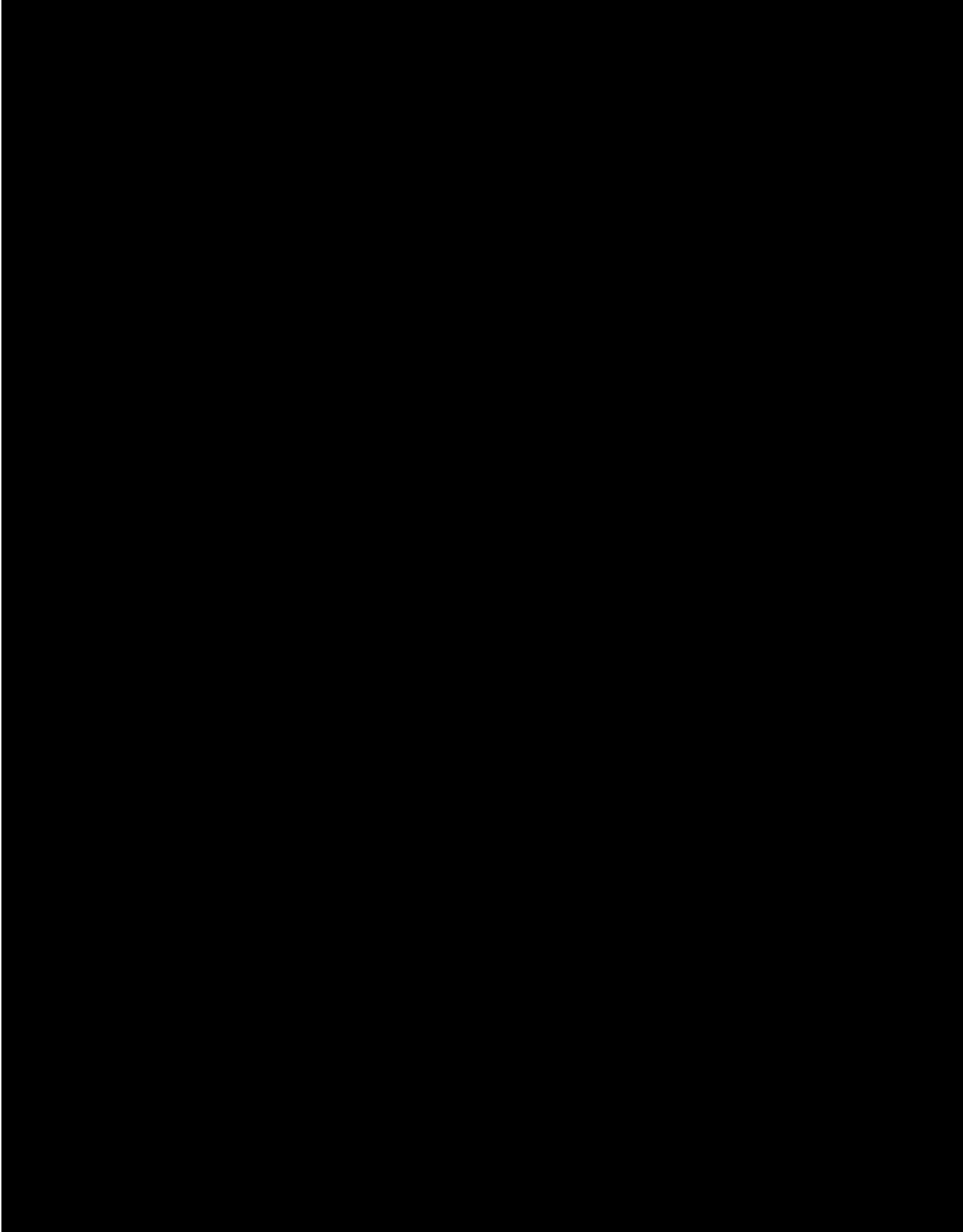
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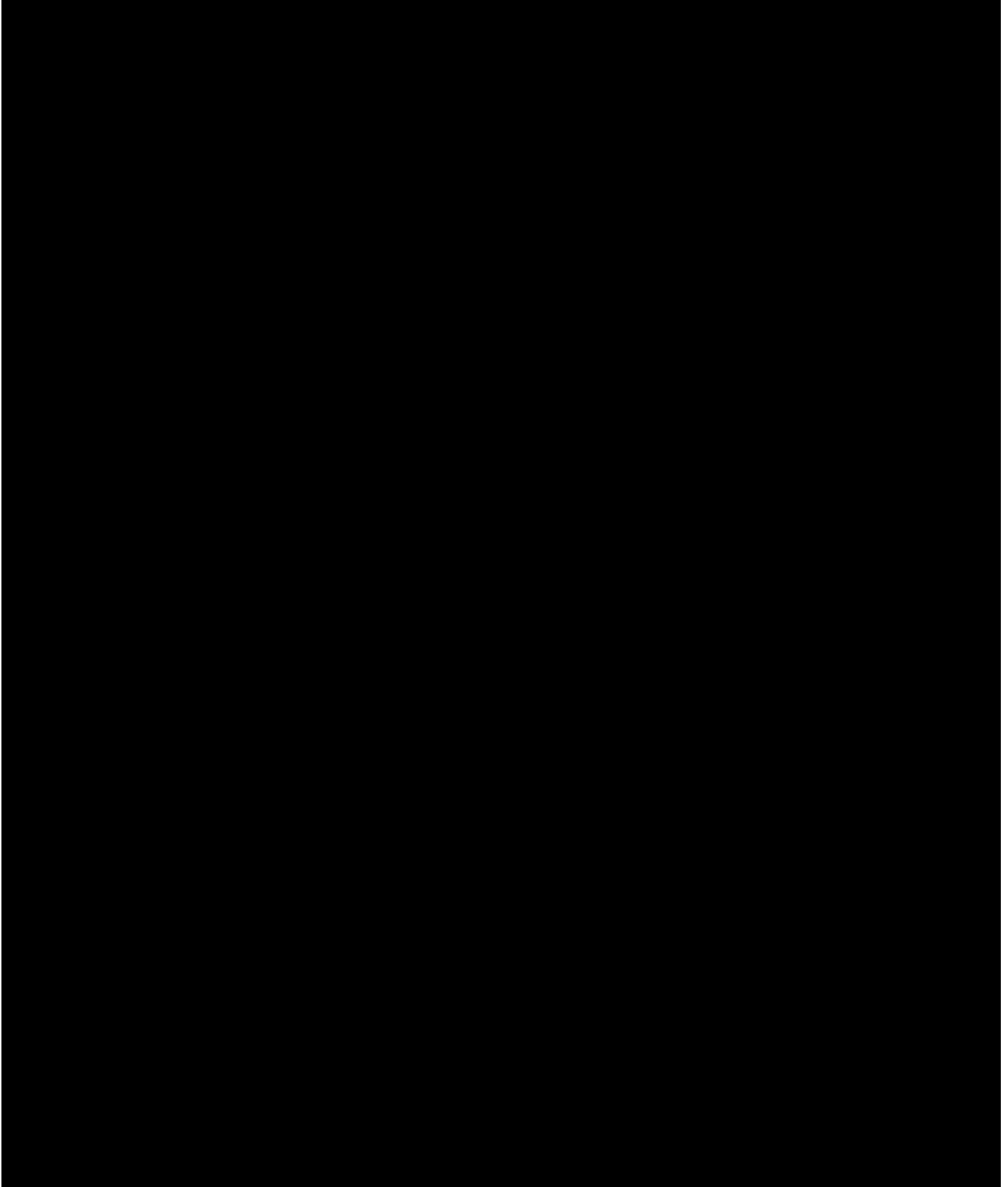
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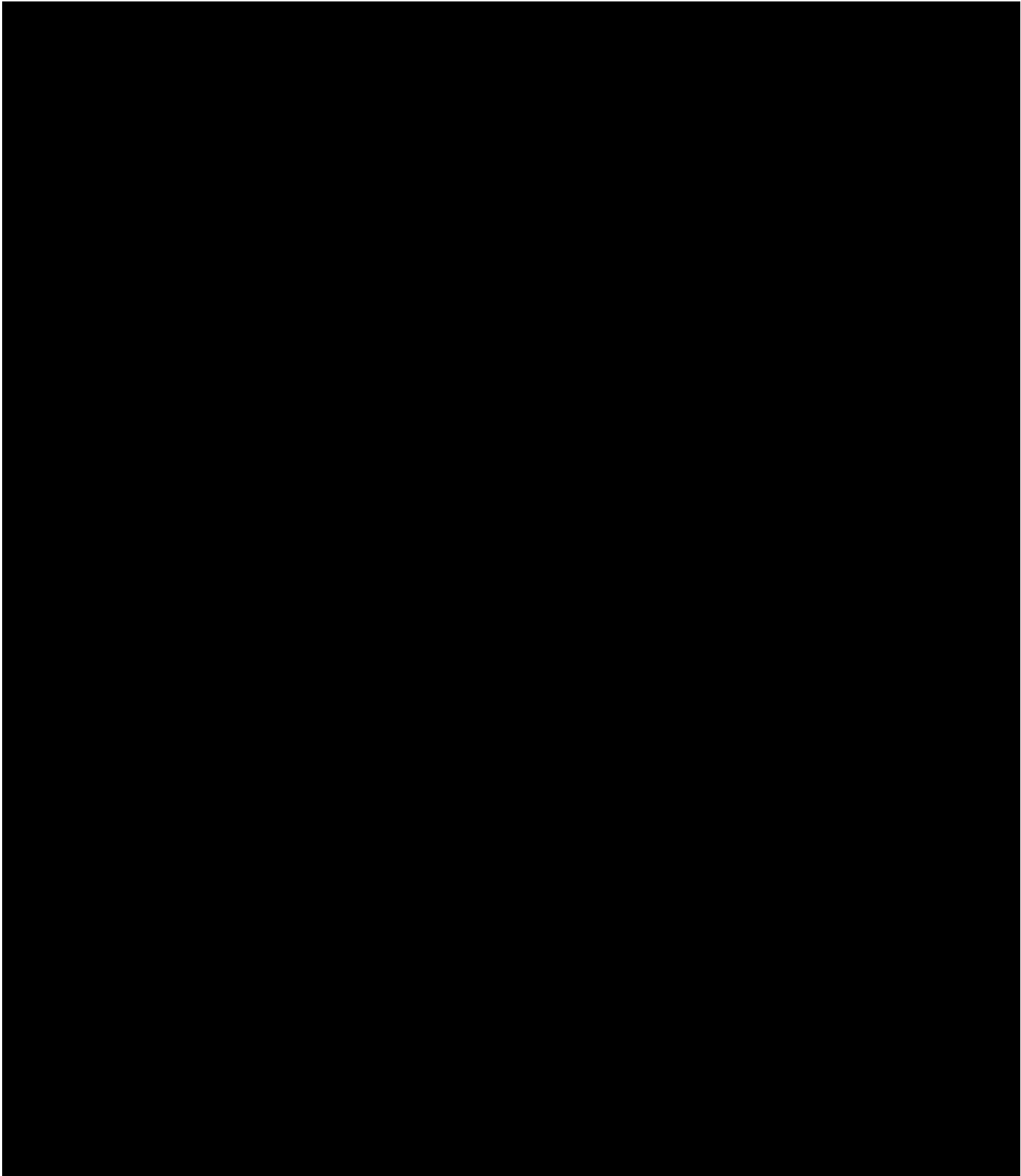
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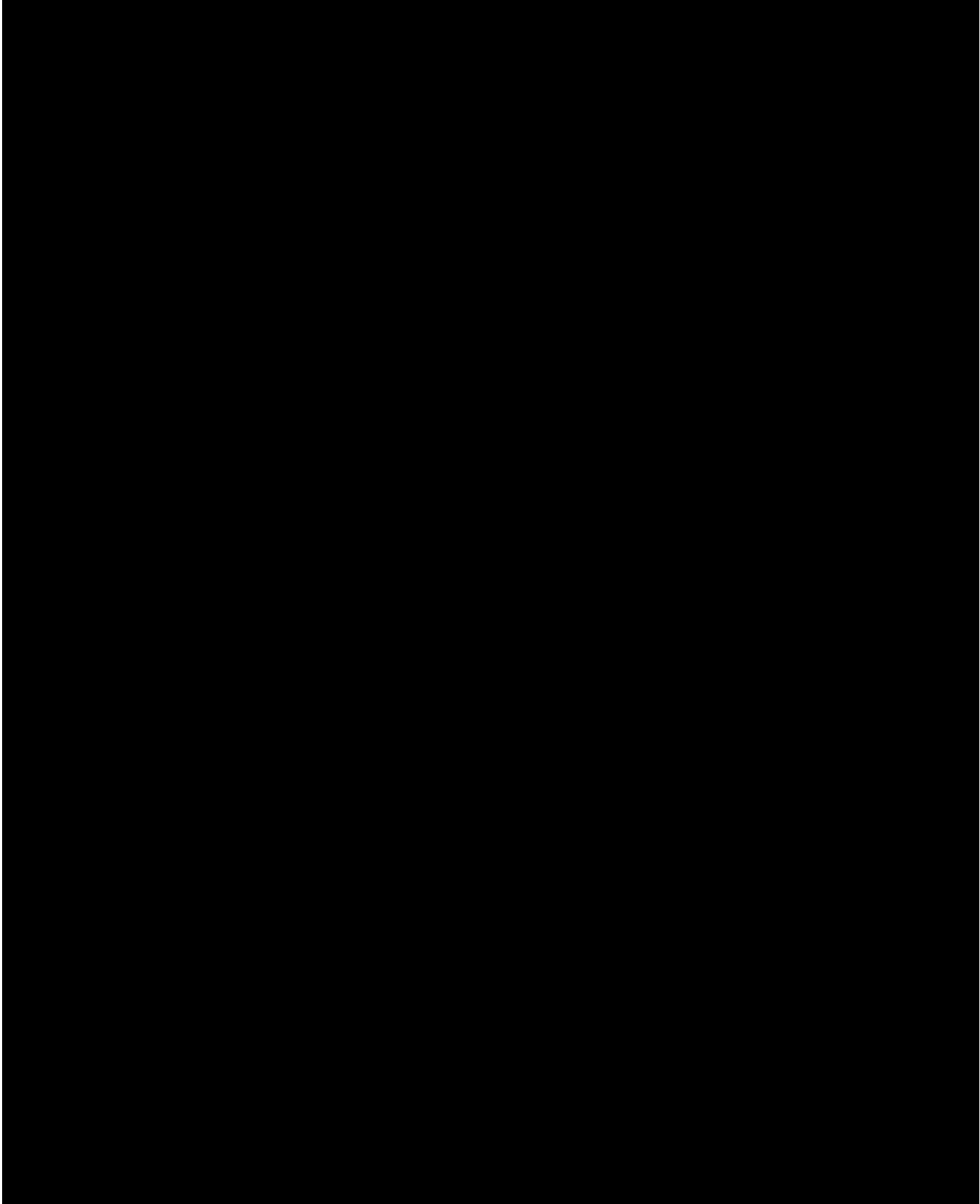
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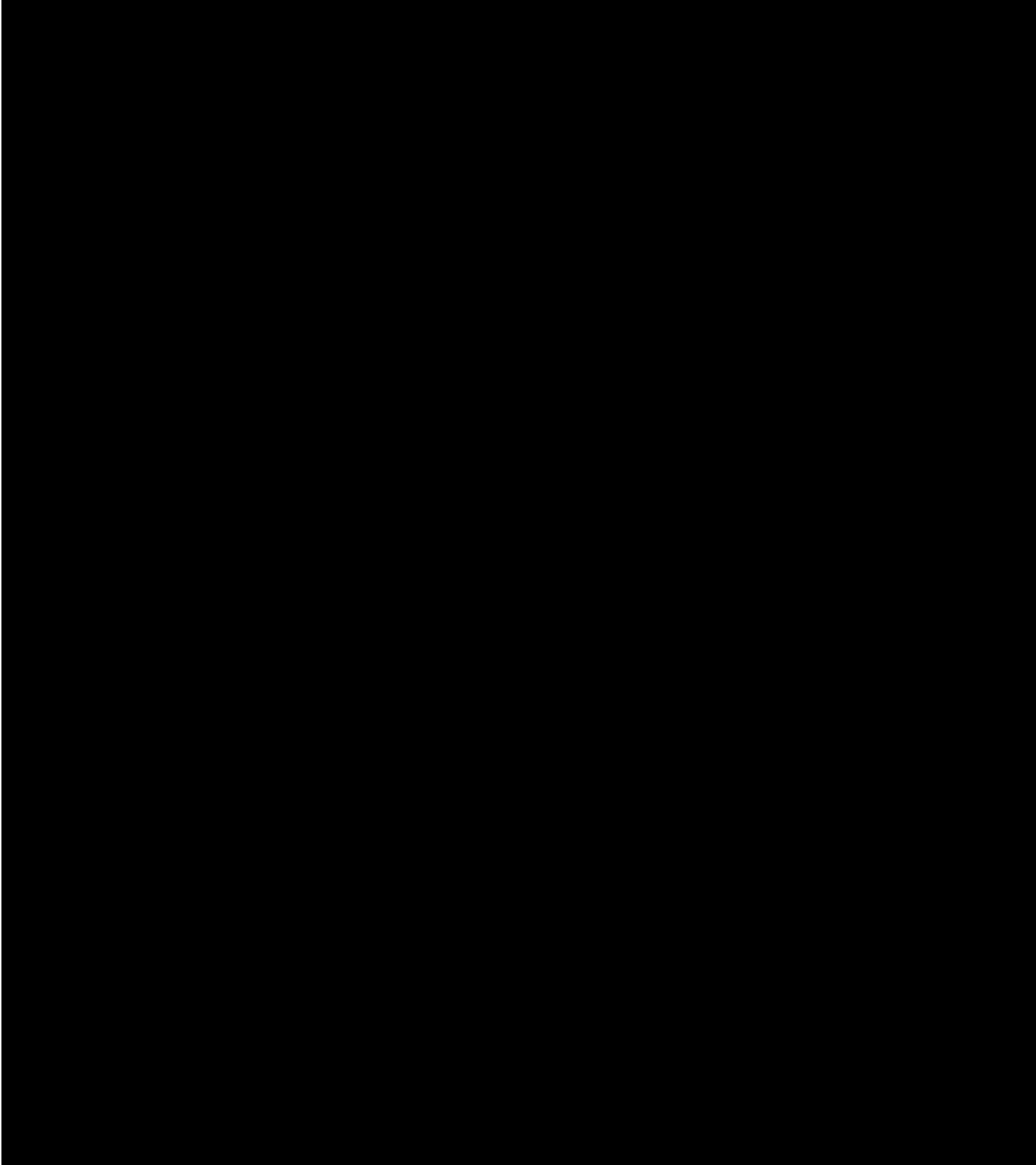
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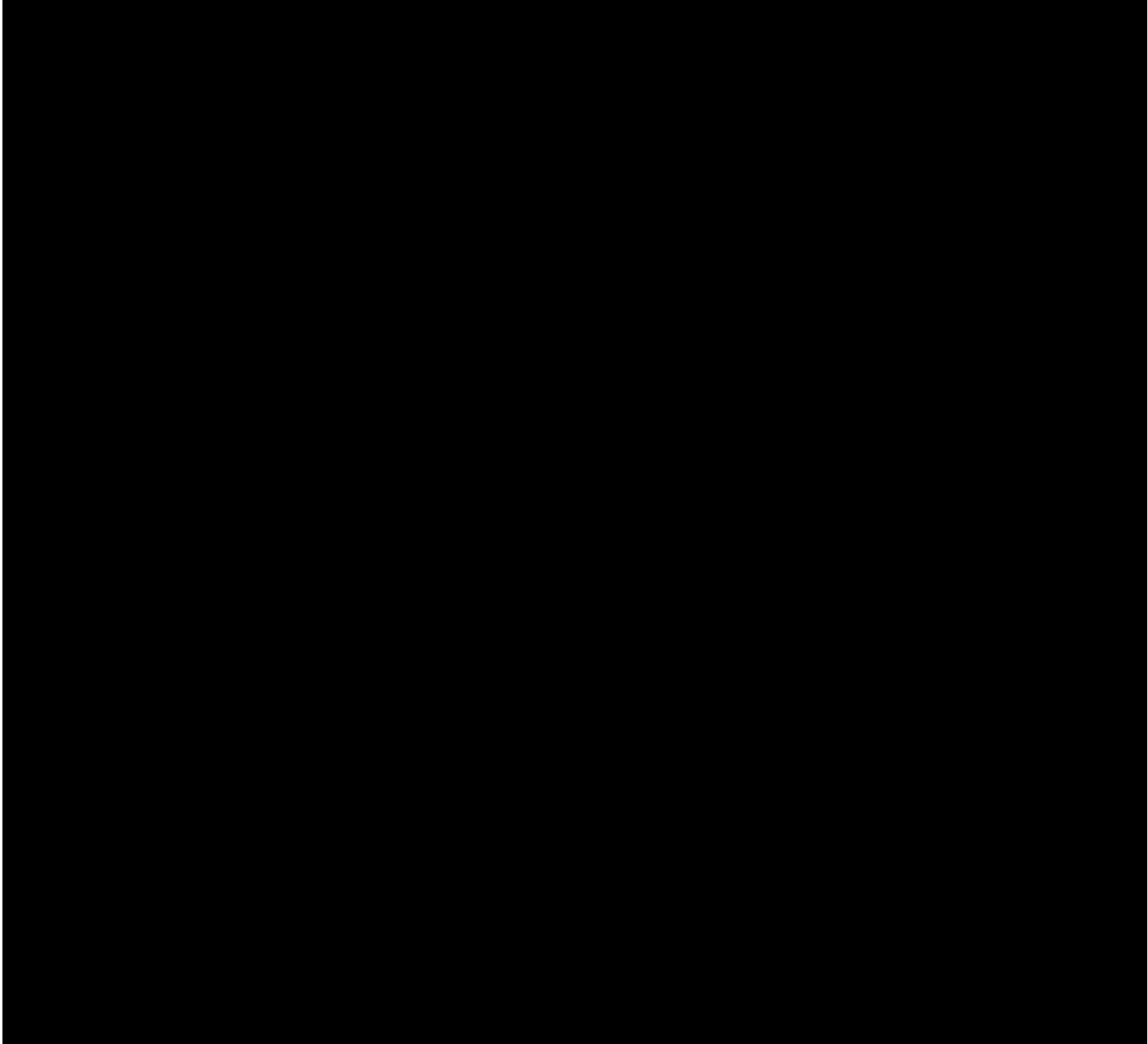
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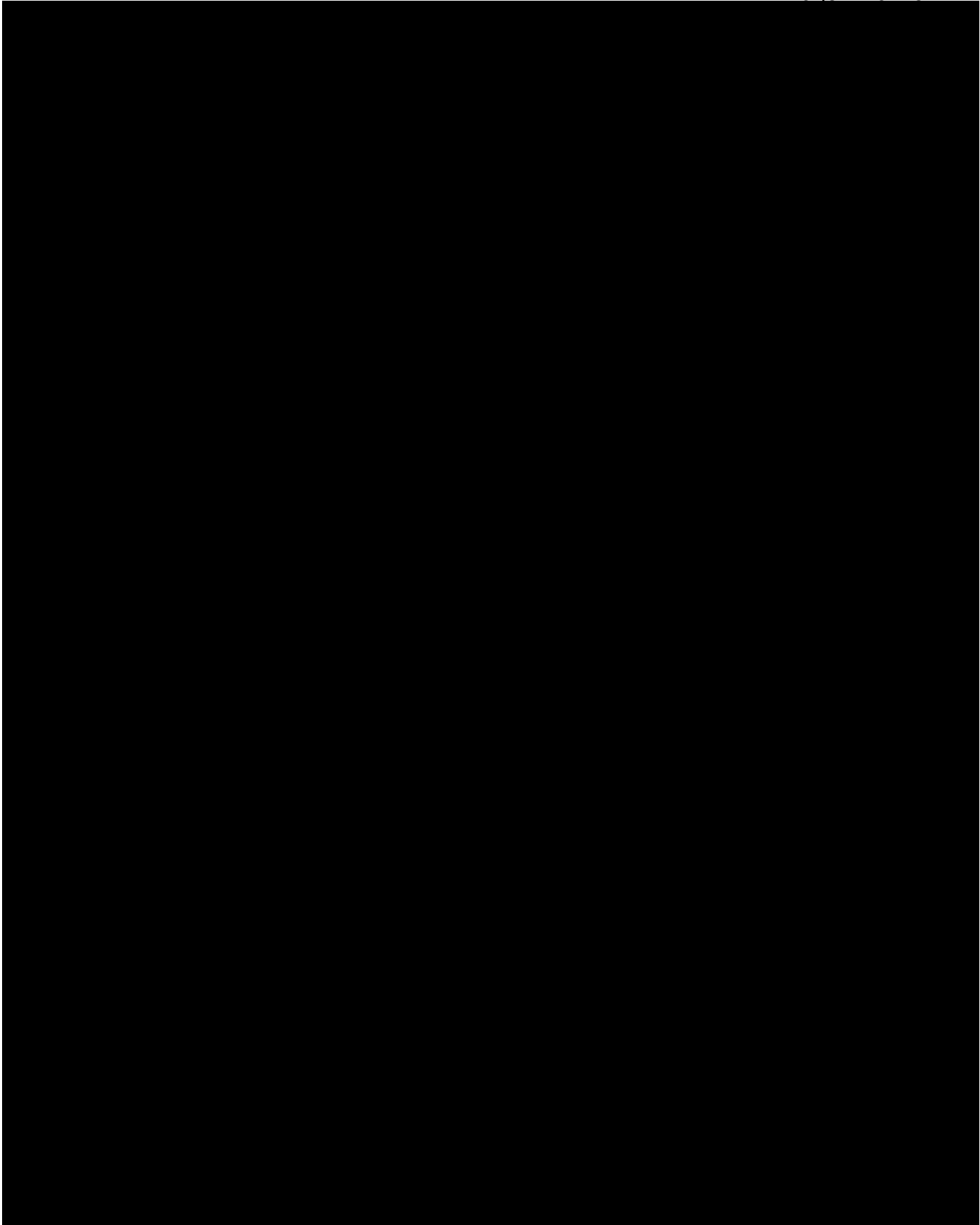
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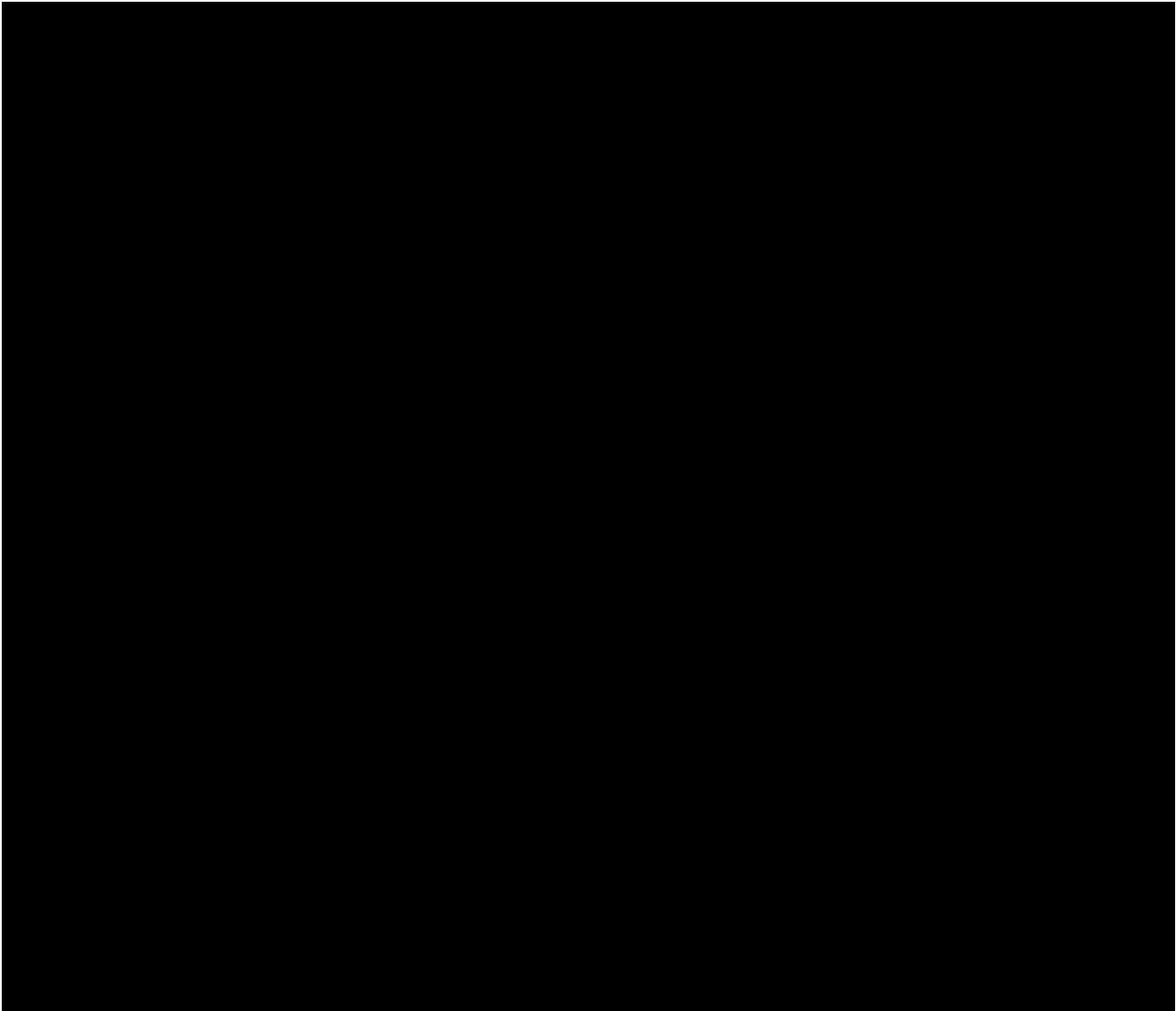


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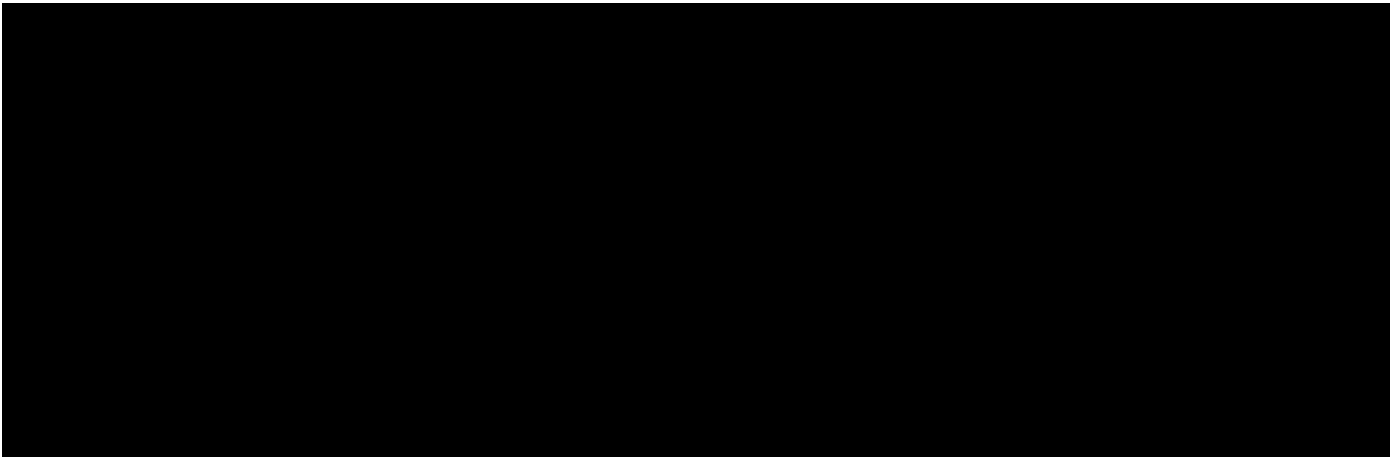
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CONCLUSION:



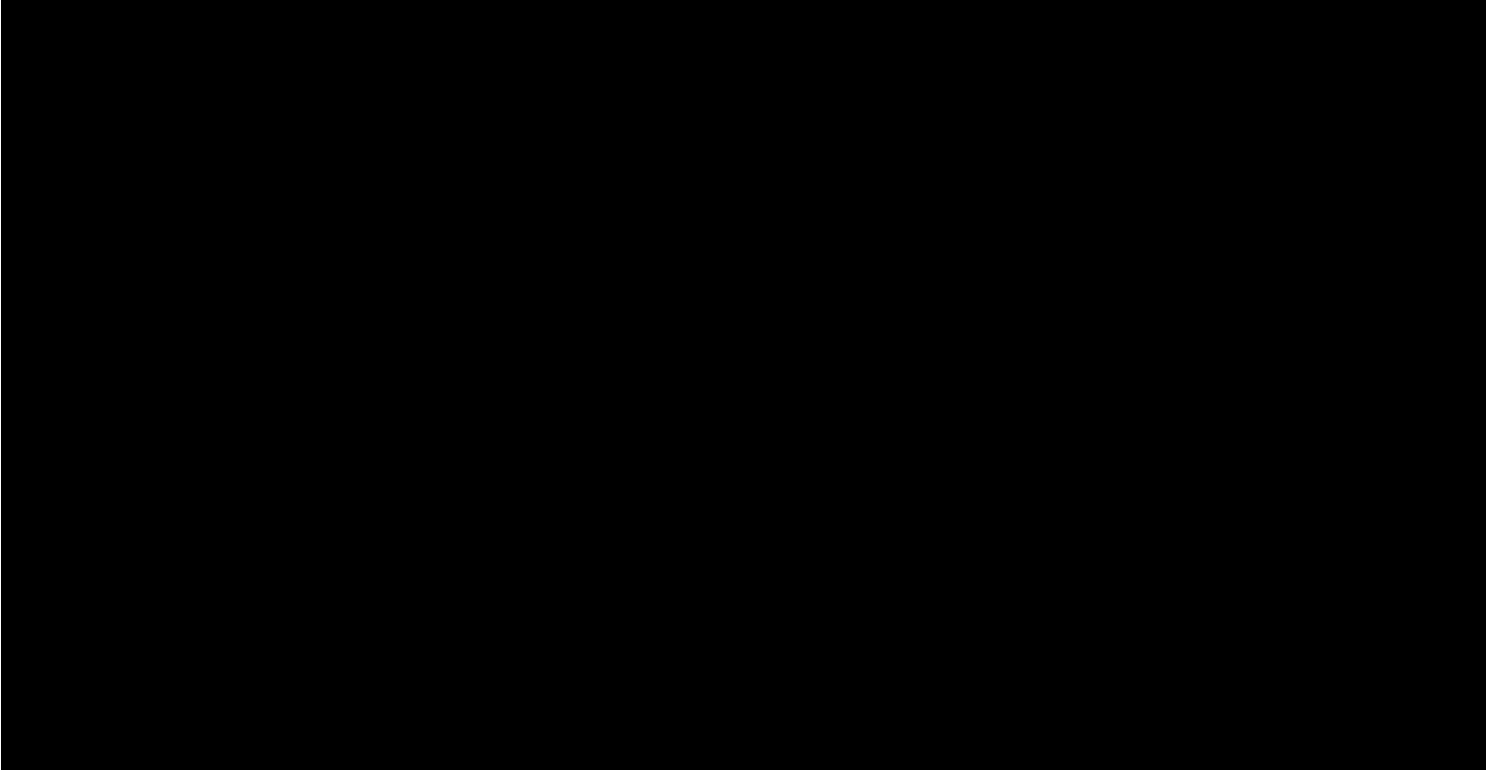
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This RCA report is Duke's product and presents its view of the root cause based on all inputs received.

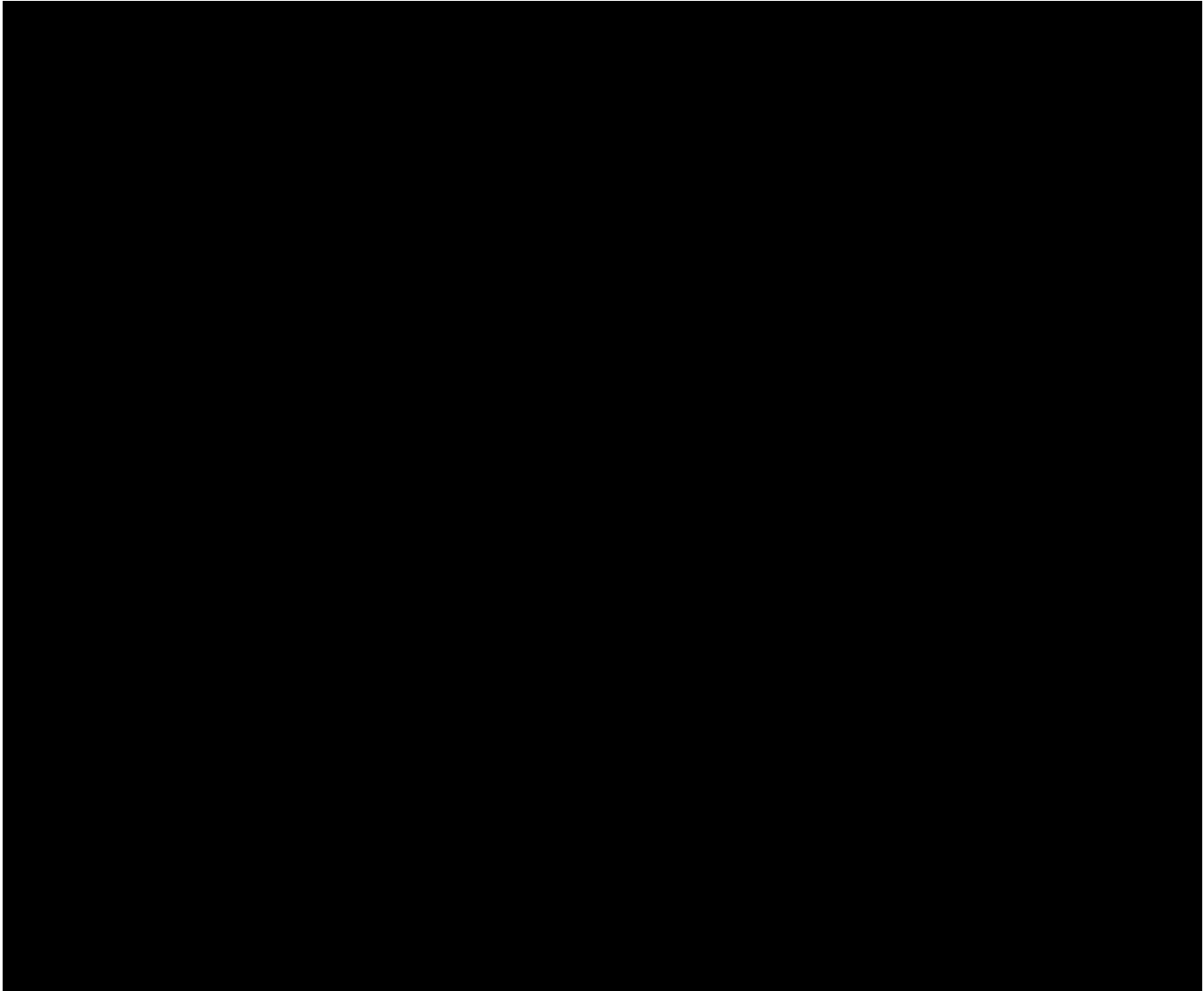
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Witness: Swartz
Exhibit No. ____ (JS-3)

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Pages 1 through 22 are confidential in their entirety.

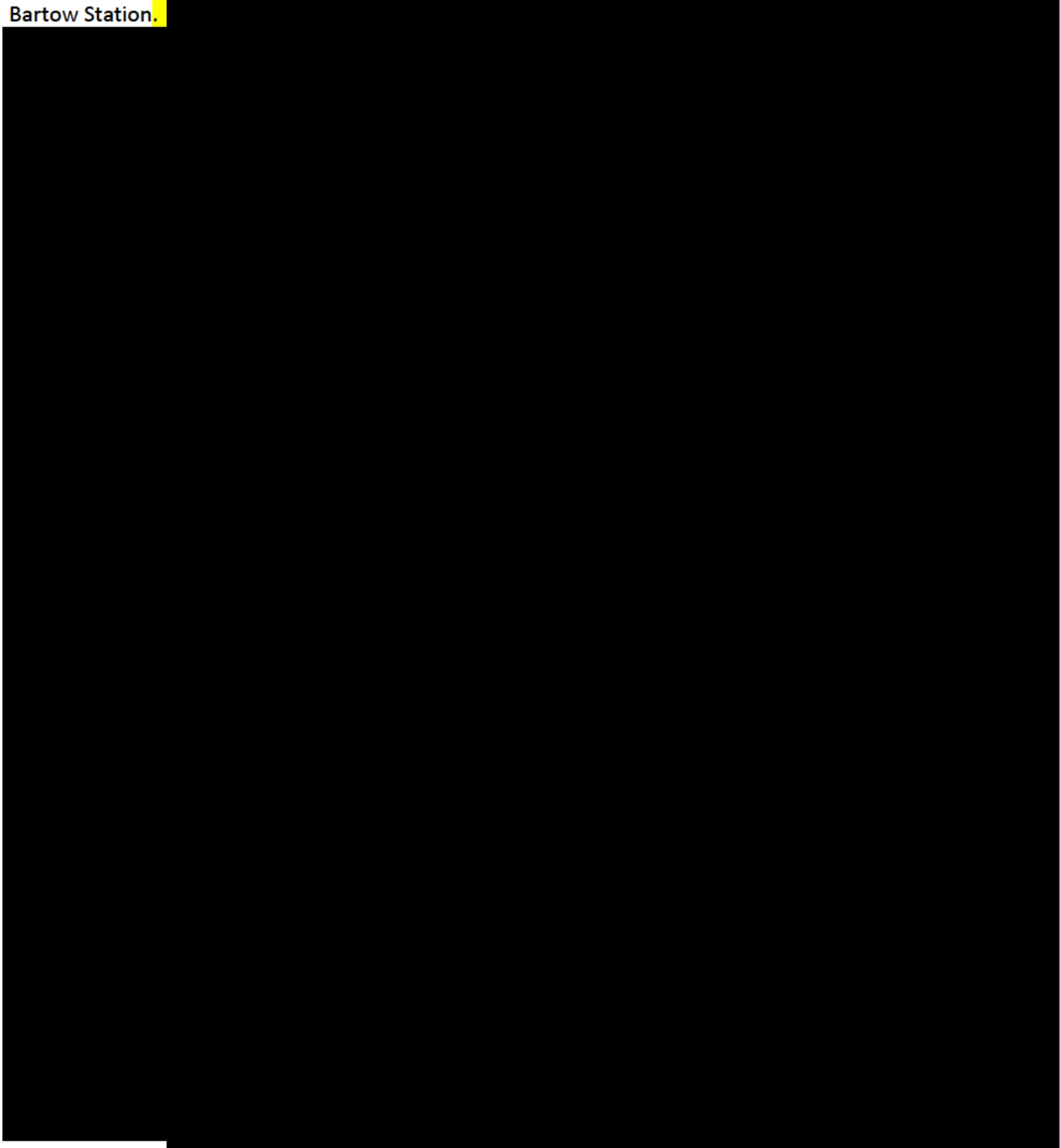
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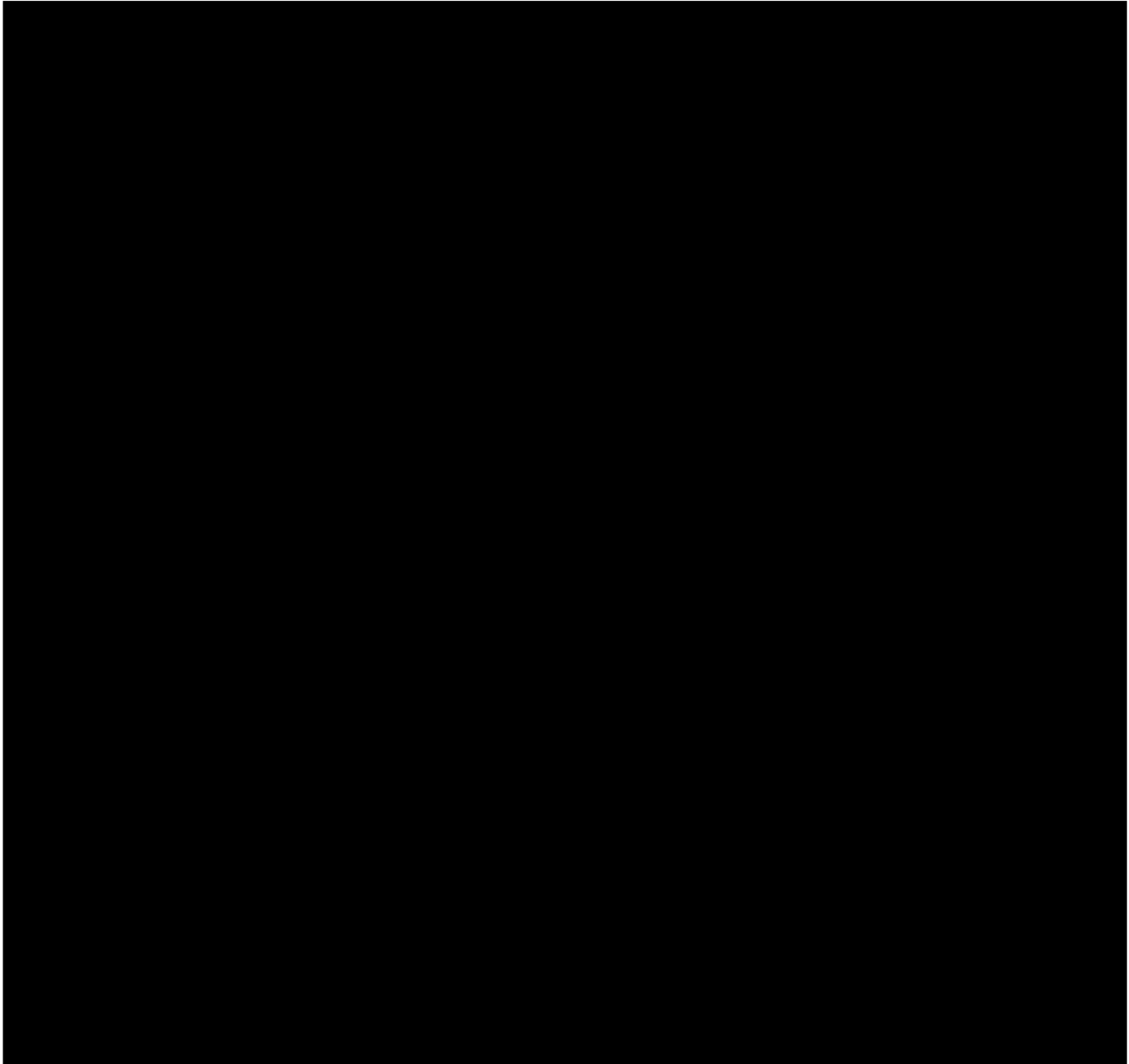
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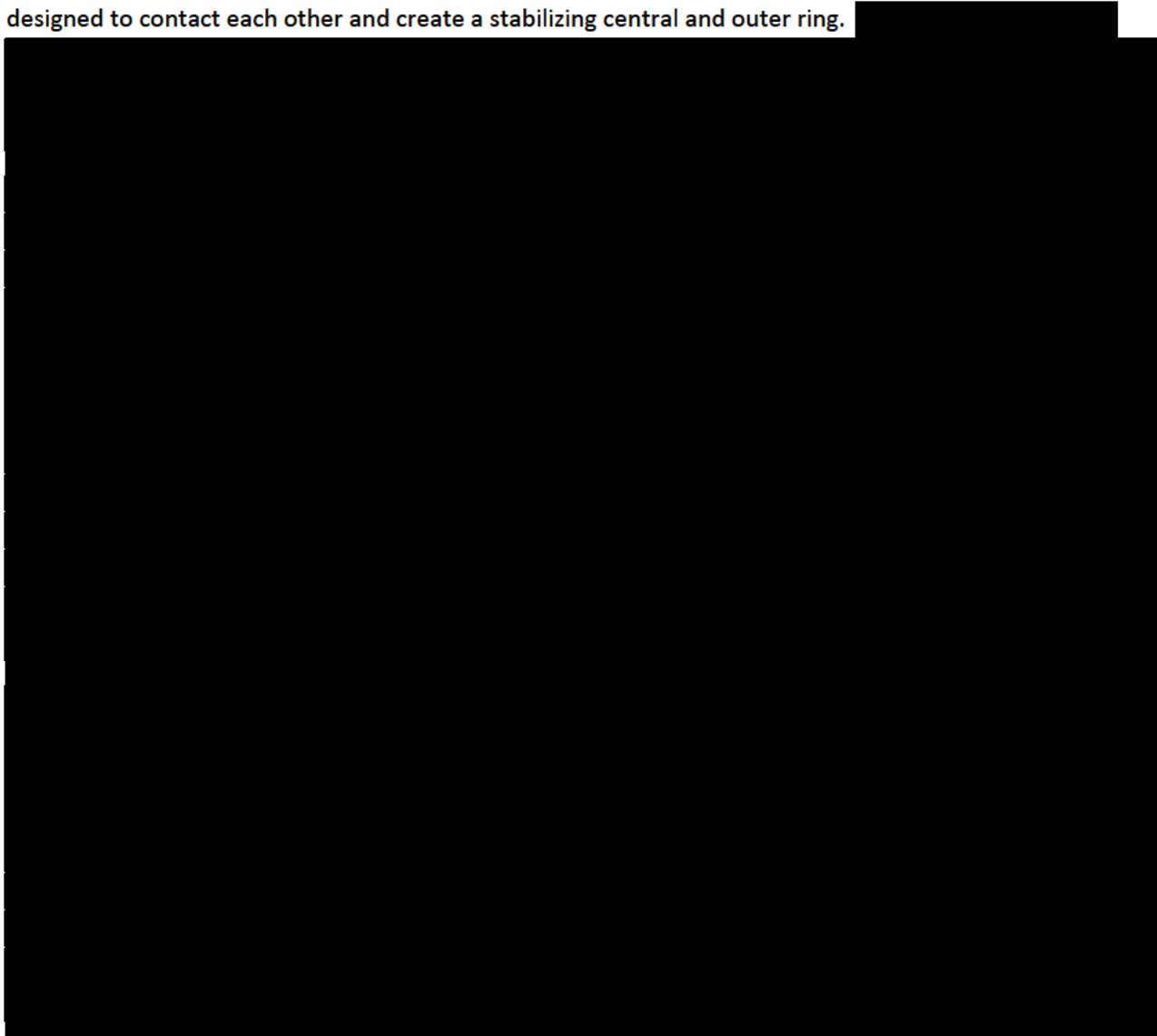
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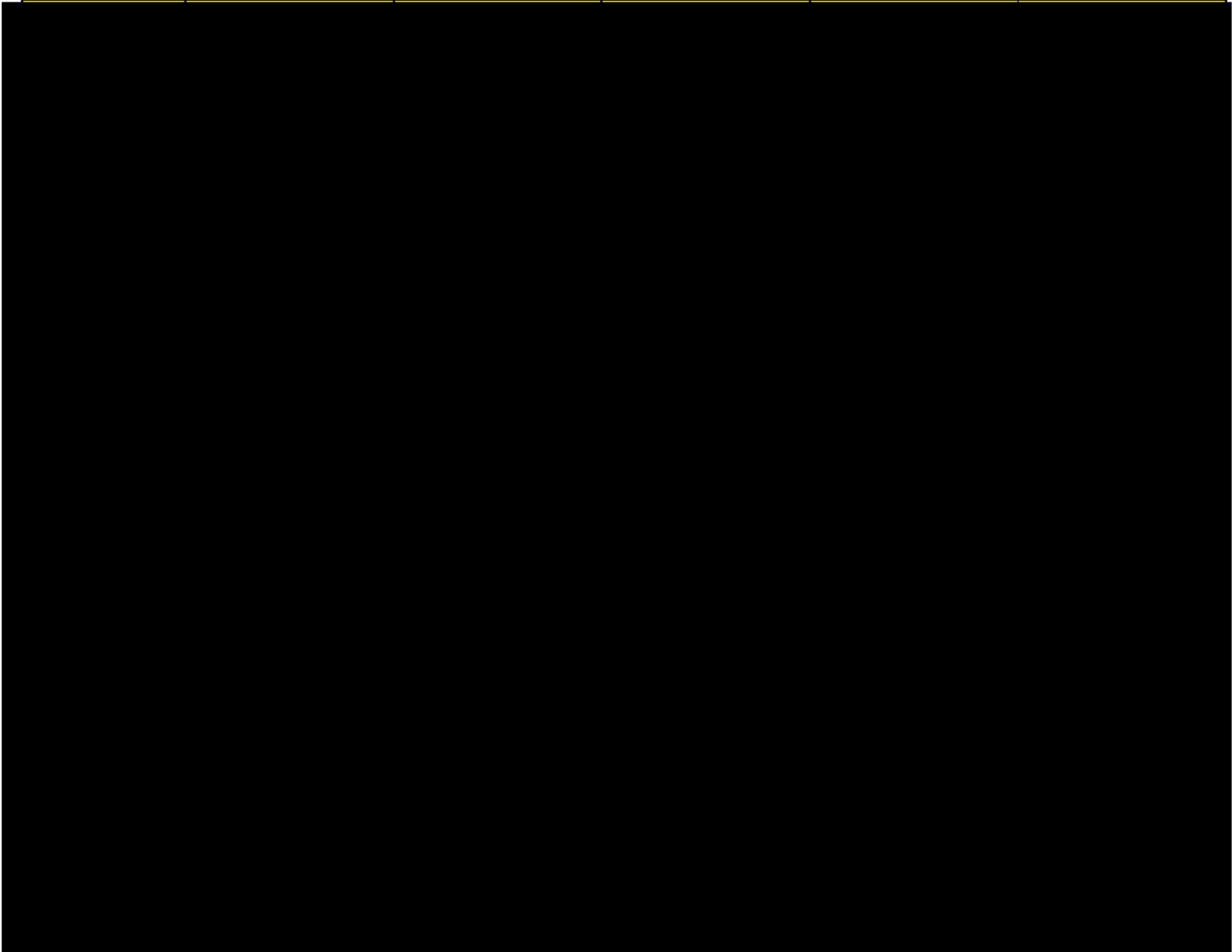


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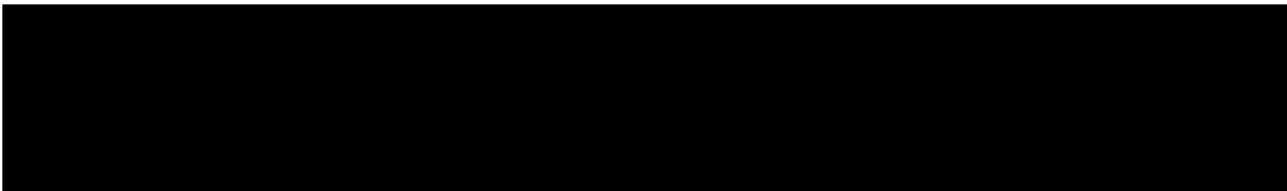


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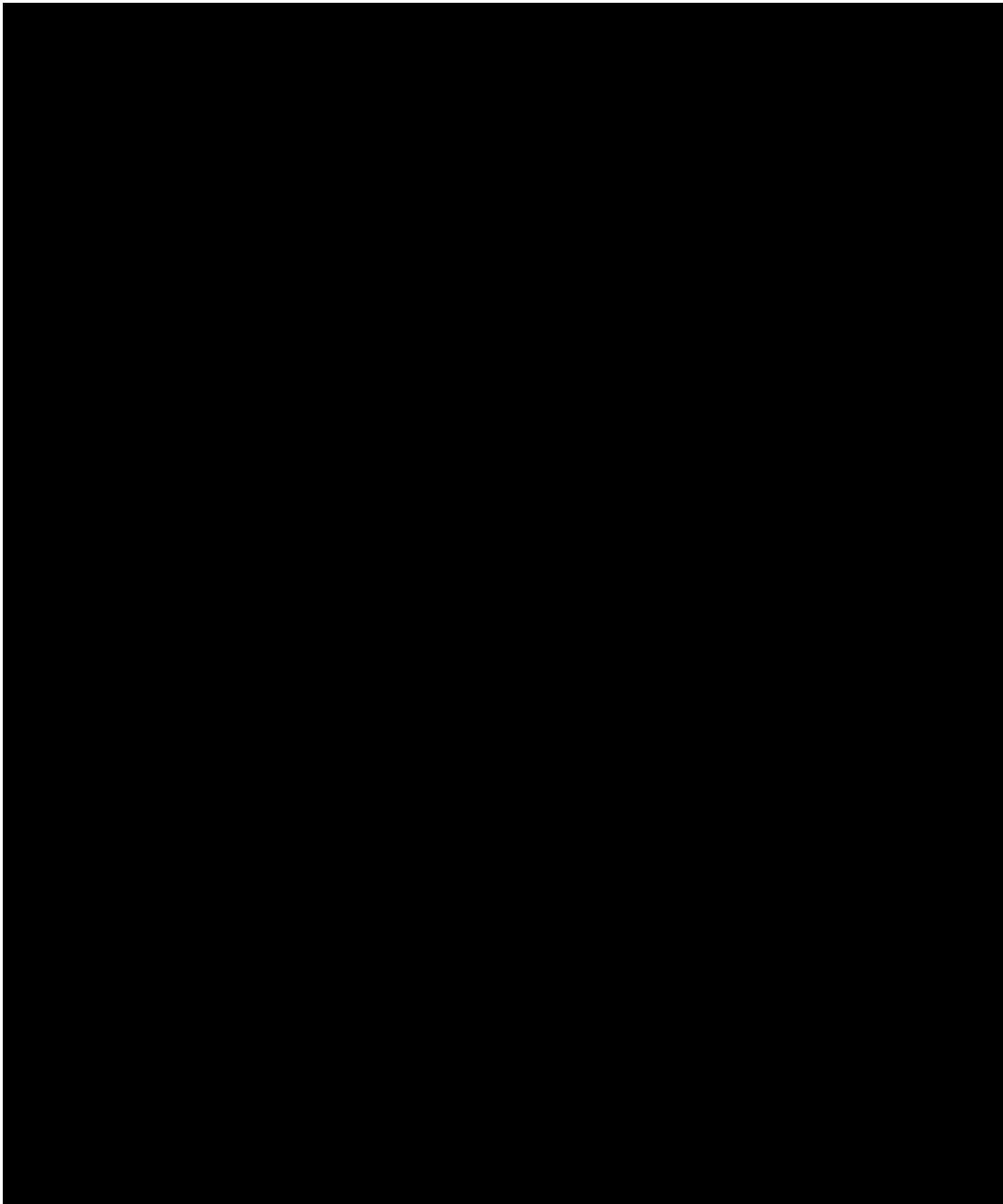


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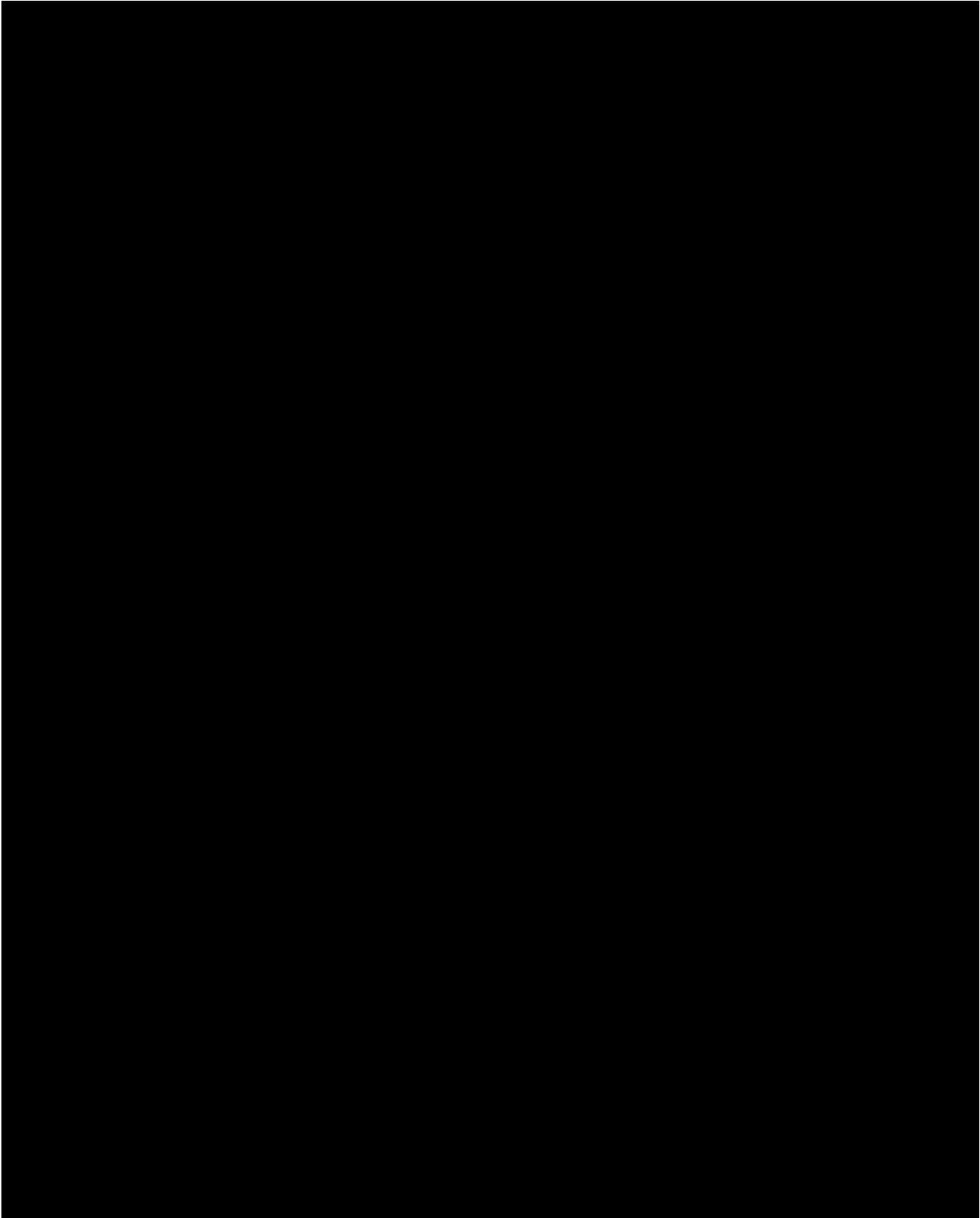
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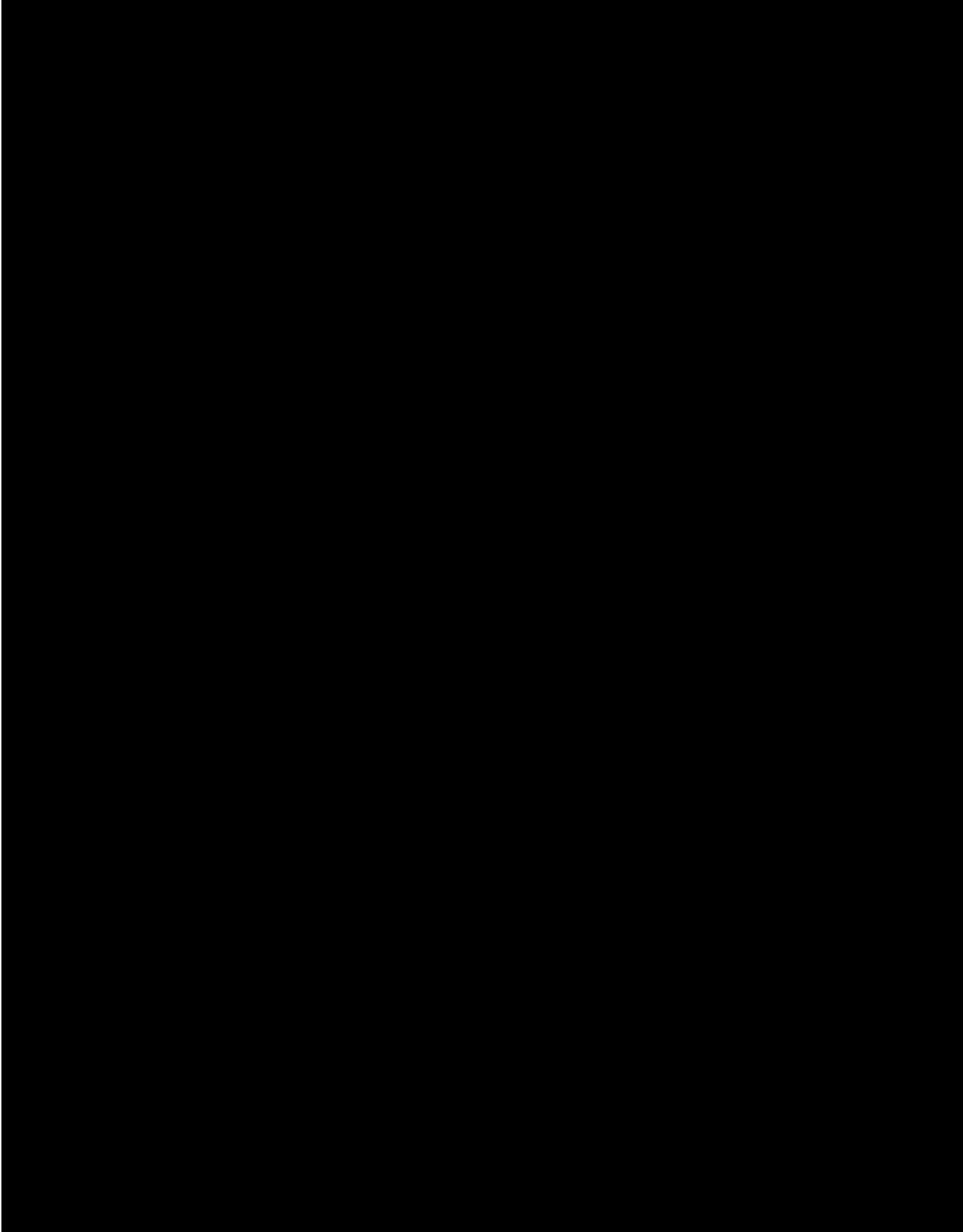
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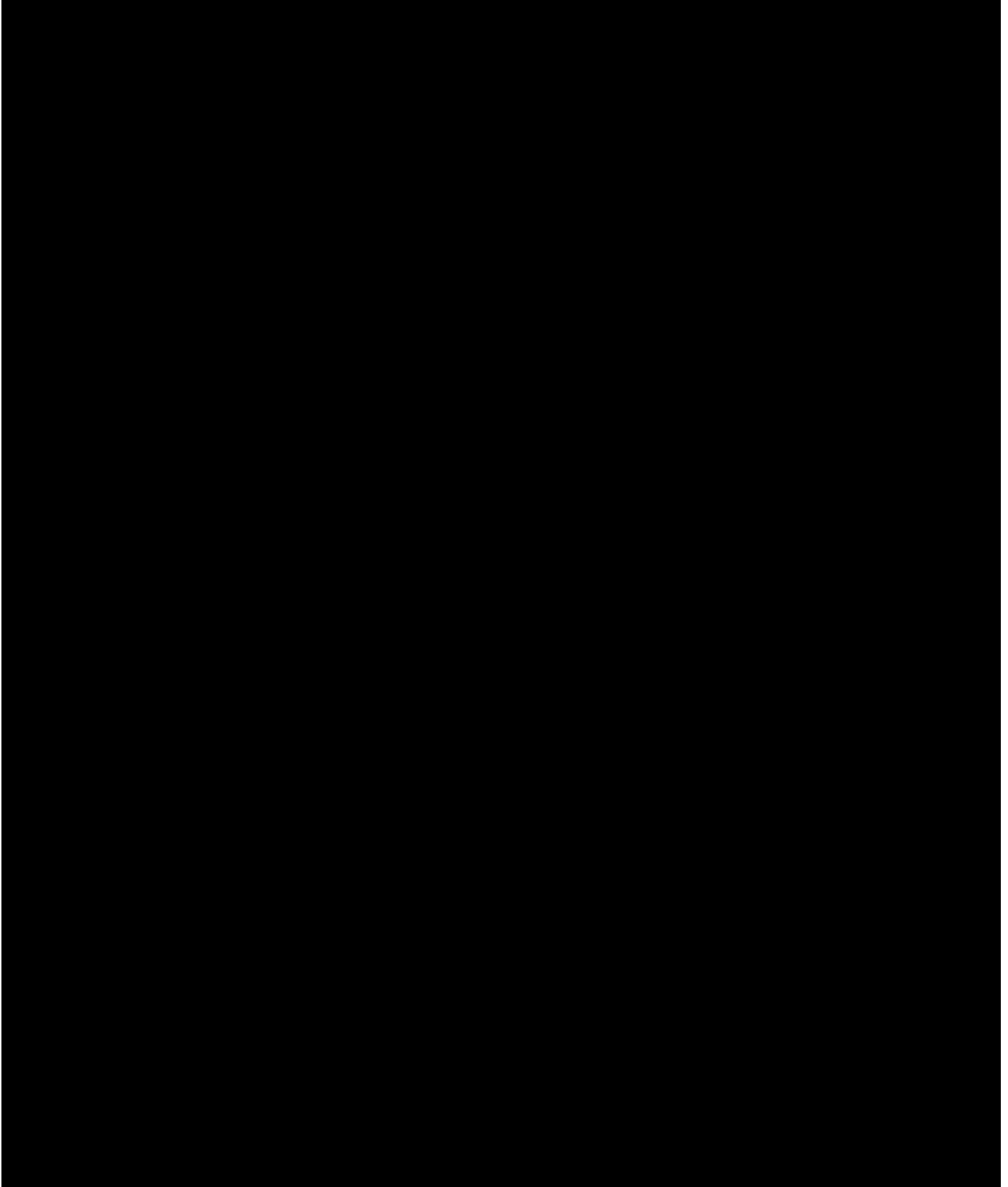
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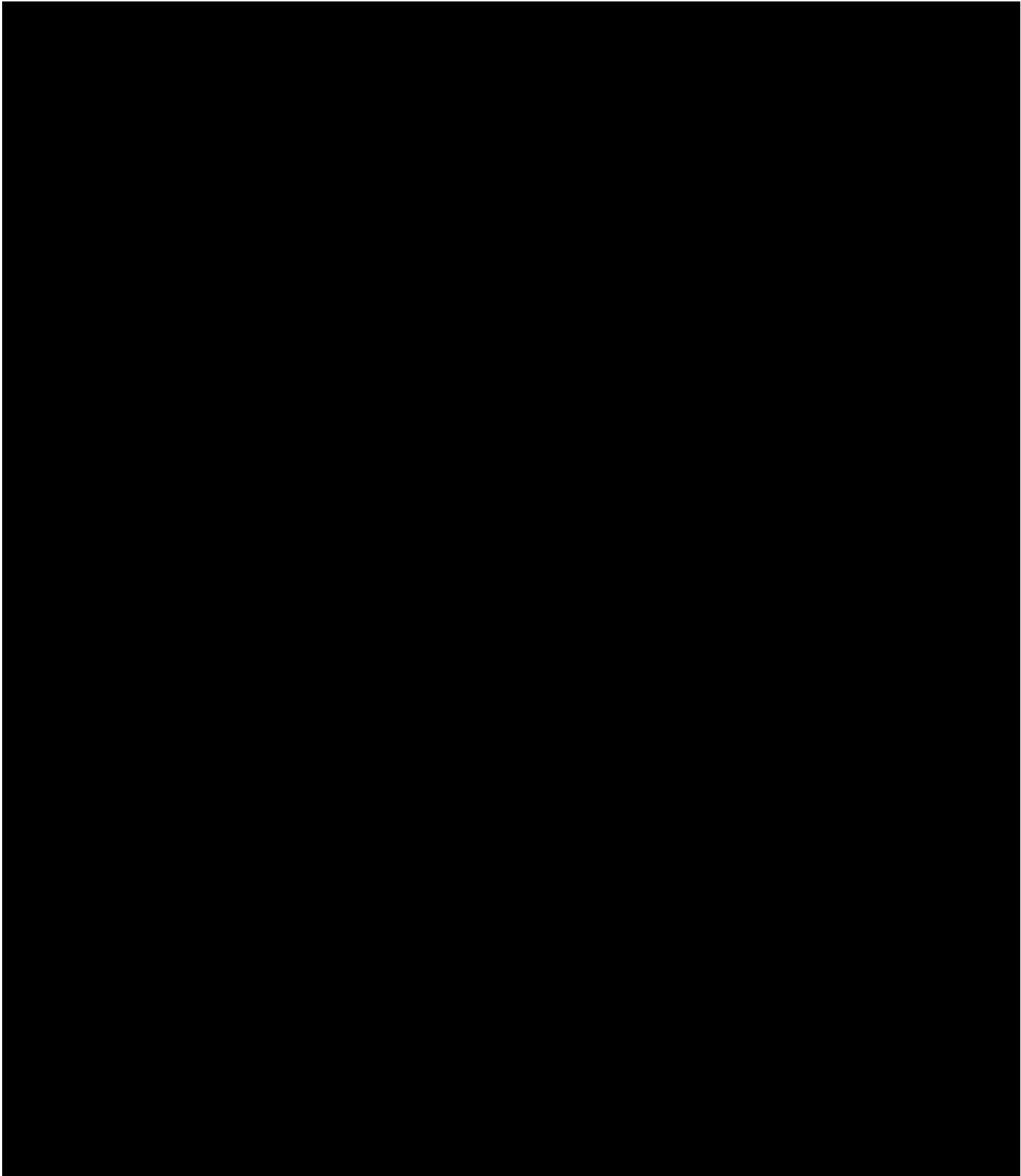
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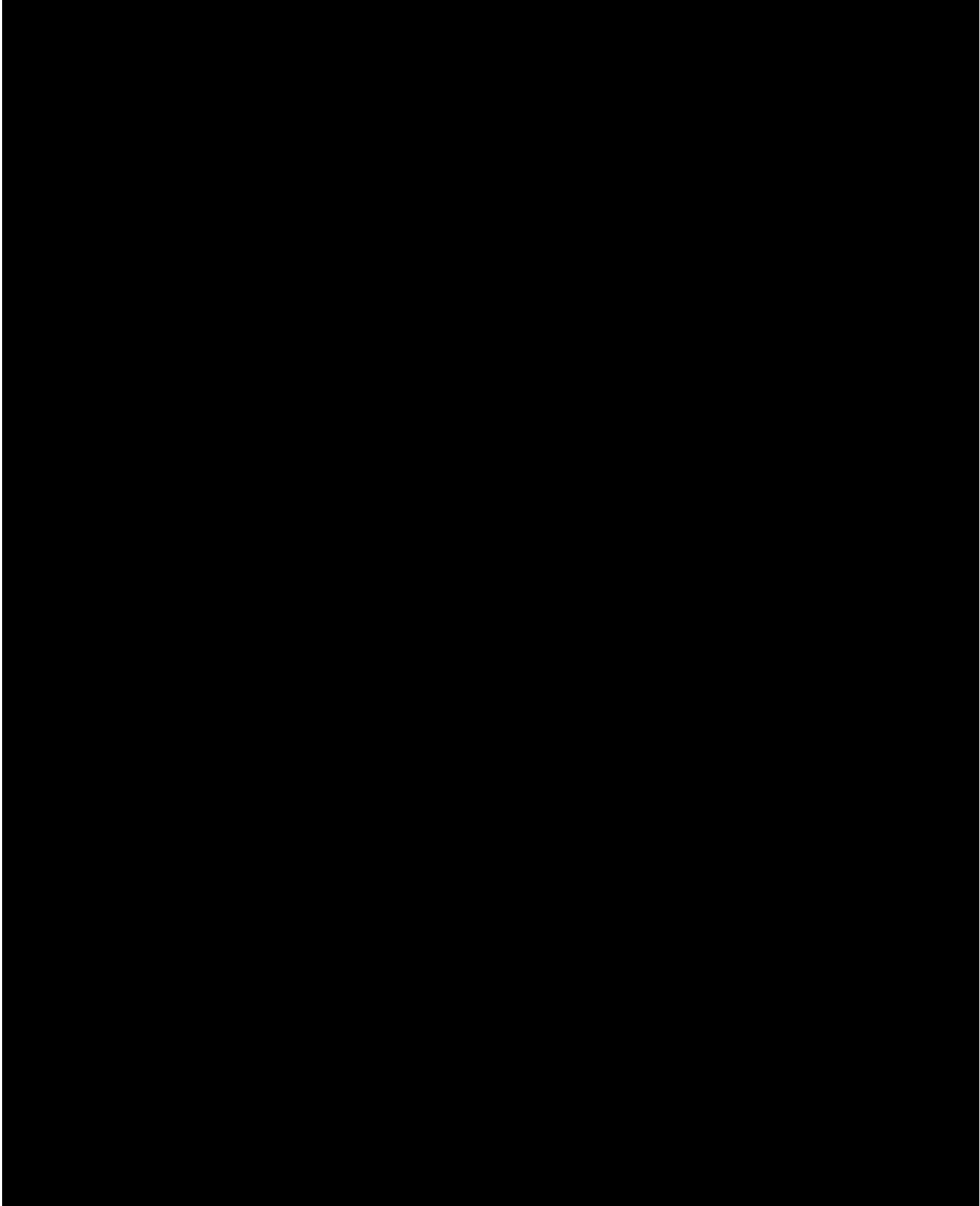
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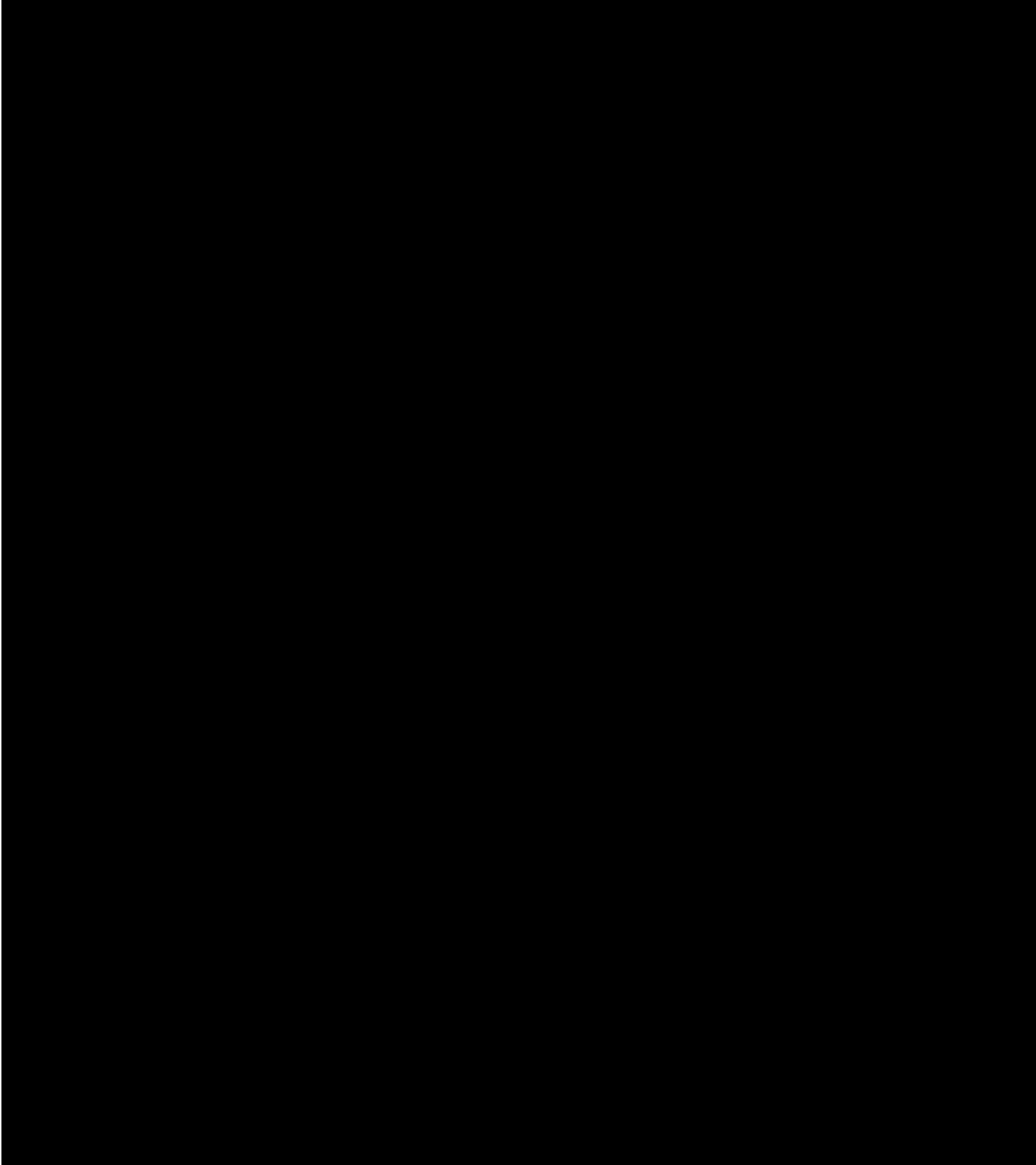
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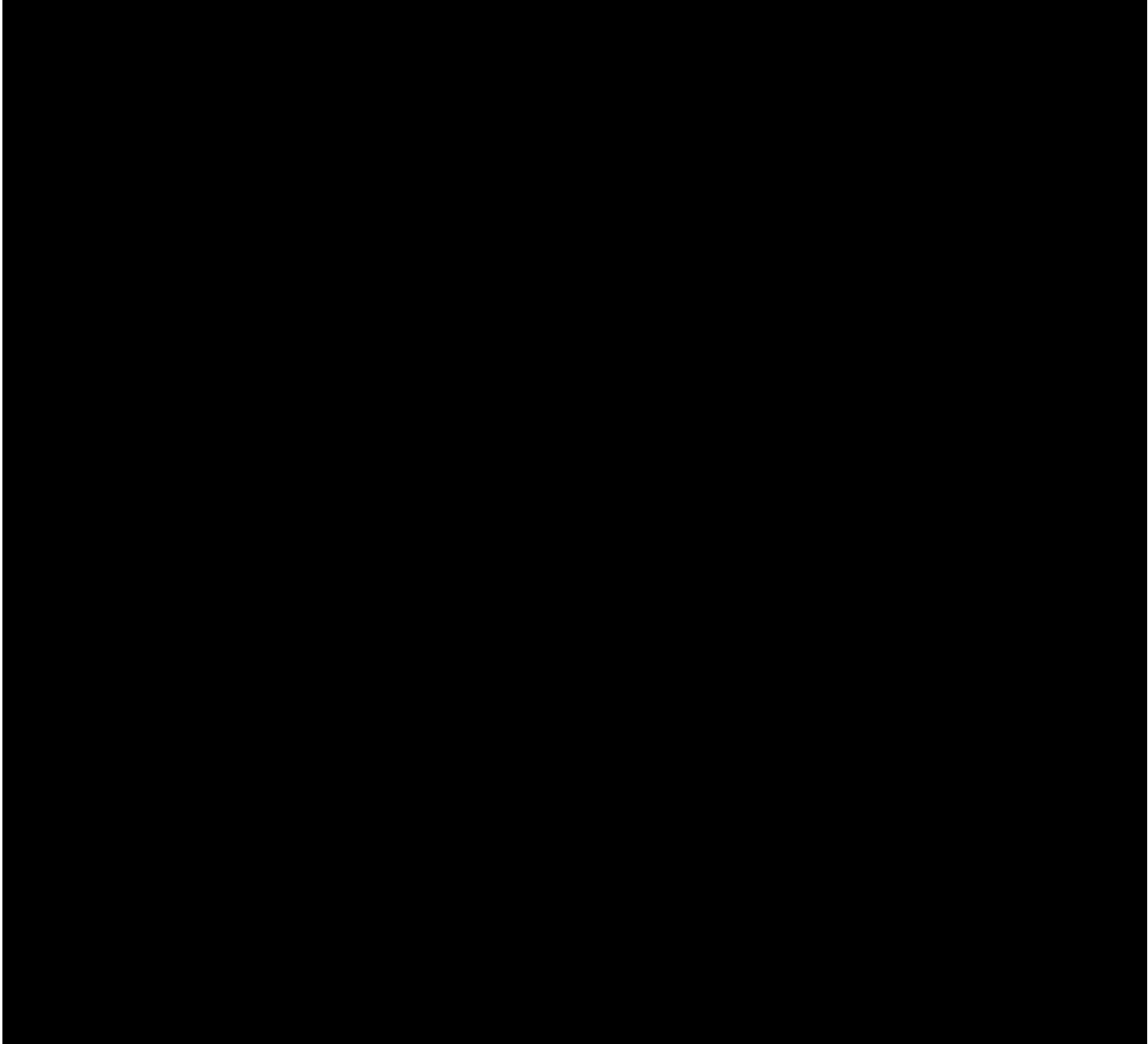
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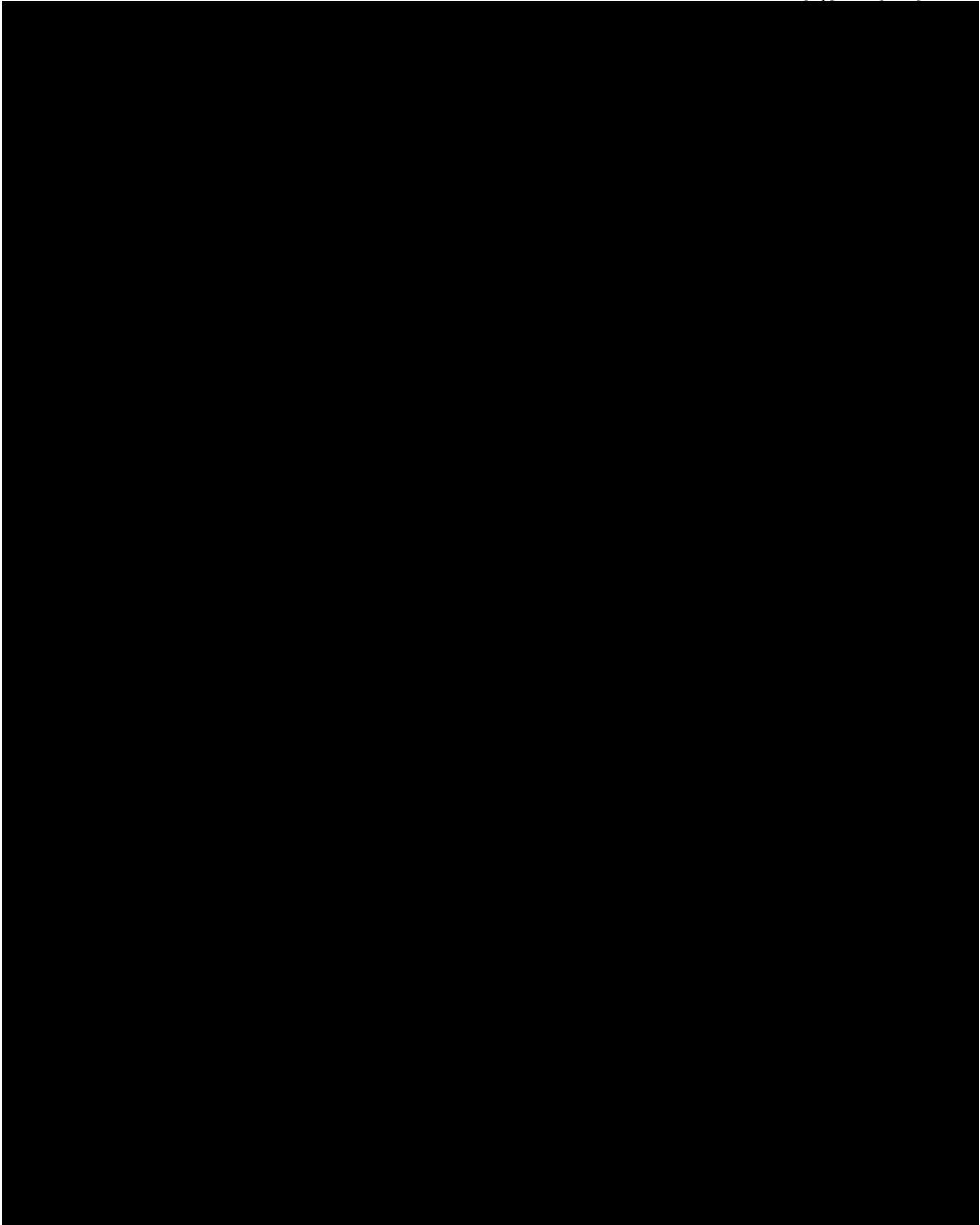
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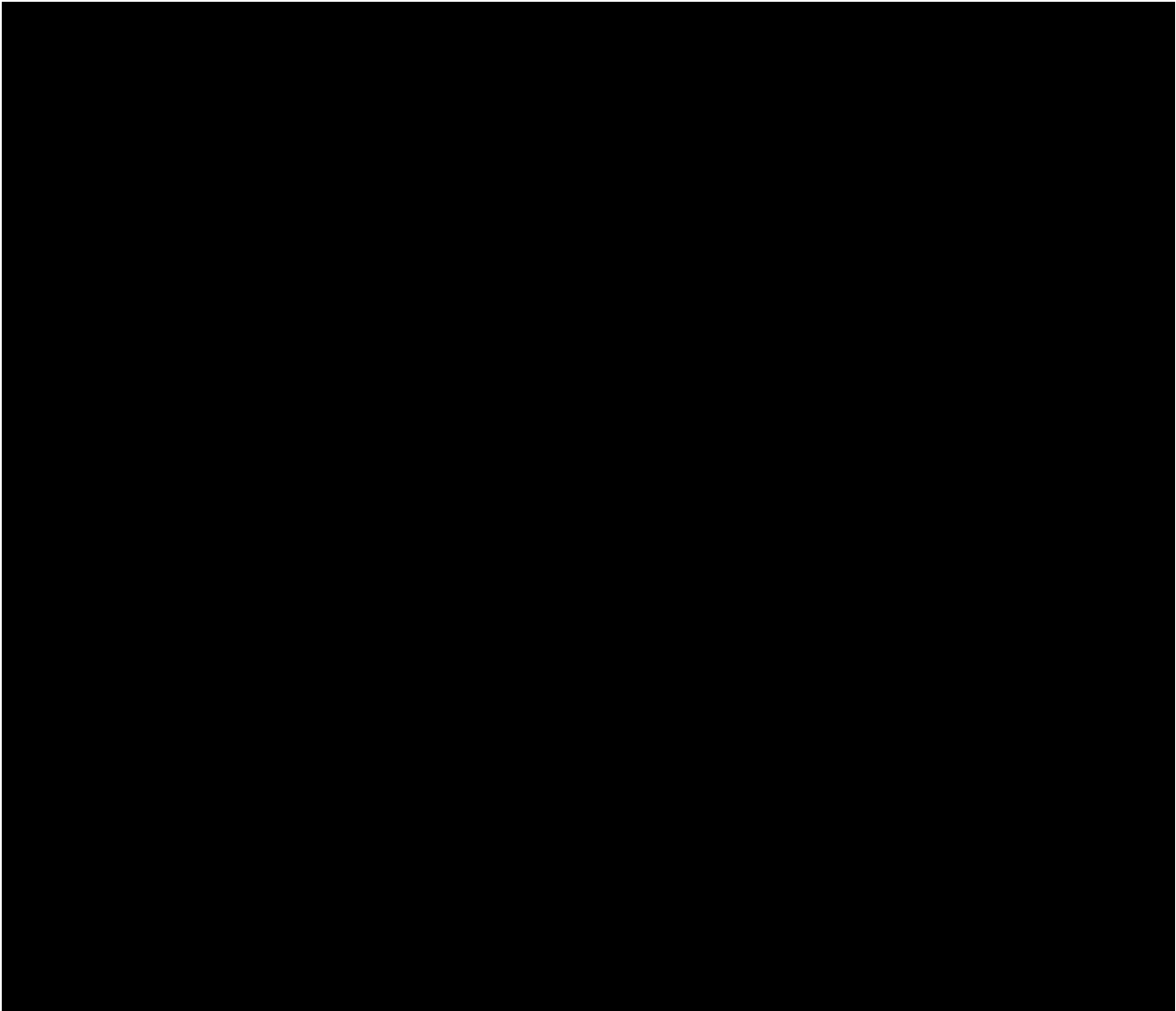


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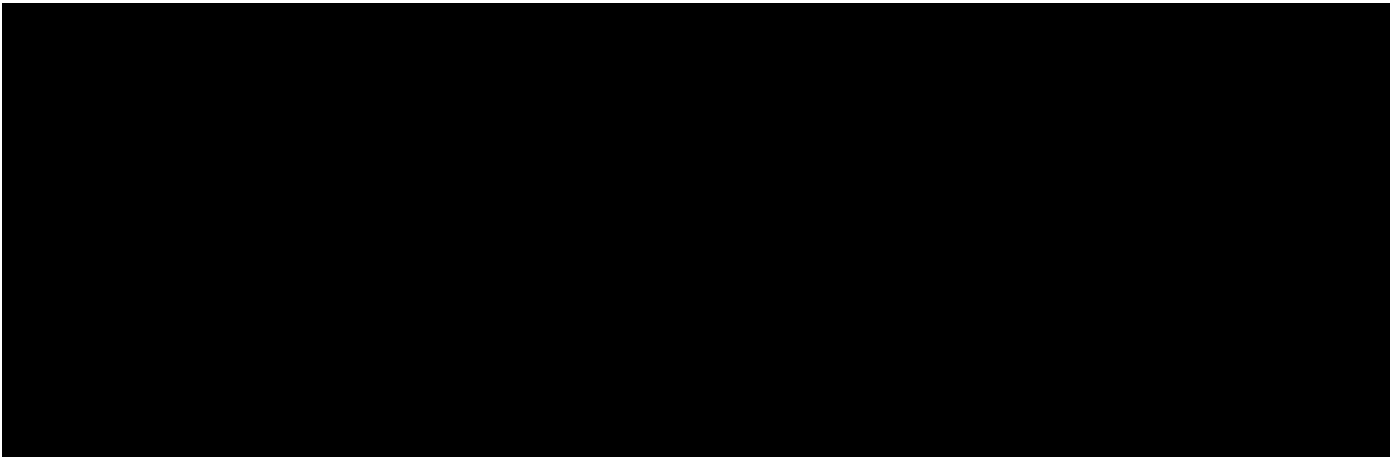
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CONCLUSION:



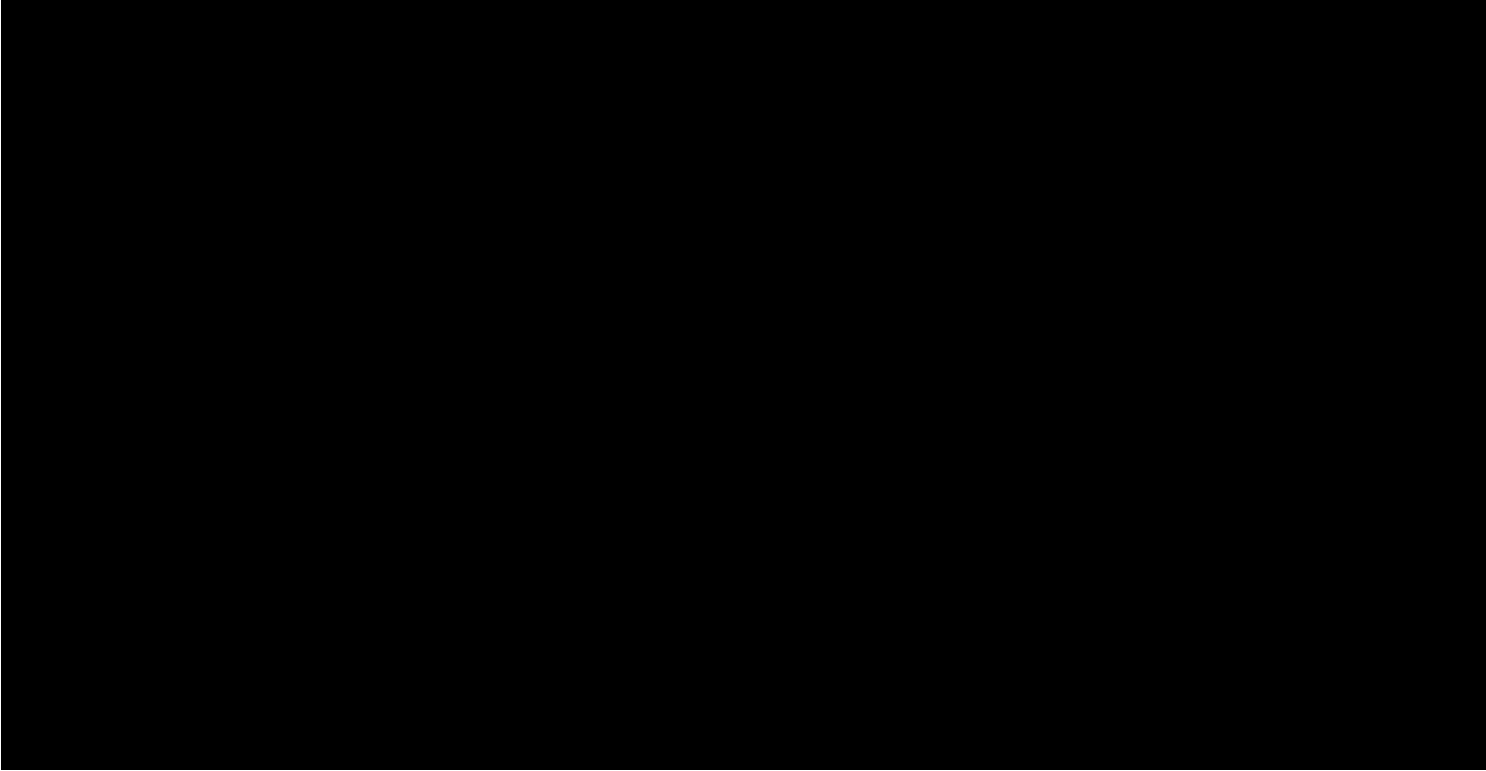
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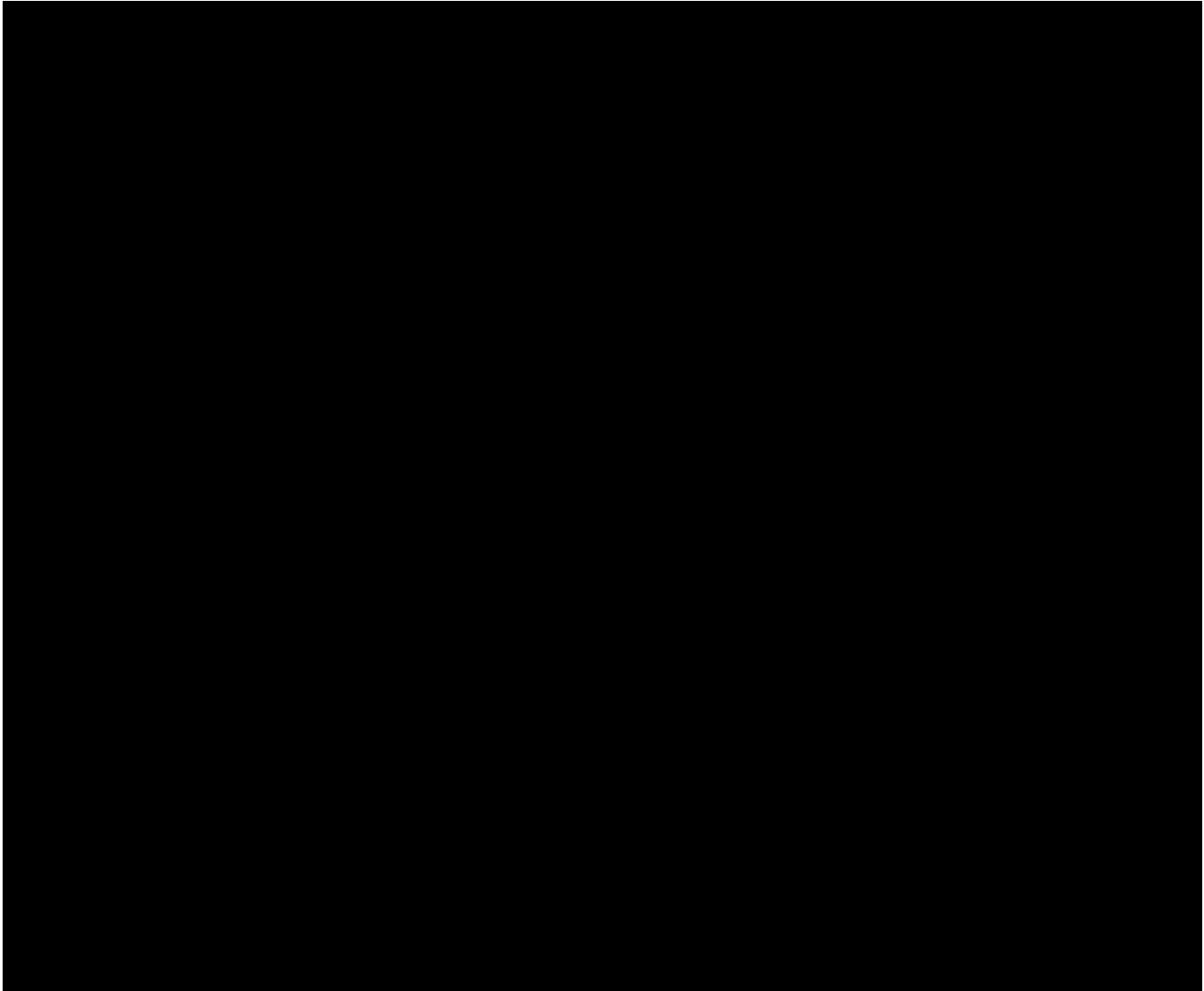
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Docket No. 20190001
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Witness: Swartz
Exhibit No. ____ (JS-3)

REDACTED

Pages 1 through 22 are confidential in their entirety.

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REDACTED

Pages 1 through 35 are confidential in their entirety.

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>Rebuttal Testimony of Jeffrey Swartz; specifically pages 2, 3, 5, through, 8, and 13 through 19</p>	<p>Page 2: Line 18-all information after “and” is confidential.</p> <p>Page 2: Line 19 -all information is confidential</p> <p>Page 2: Line 20- all information before “Mr. Polich” is confidential.</p> <p>Page 2: Line 21- all information after “that the” is confidential.</p> <p>Page 3: Line 1-all information is confidential.</p> <p>Page 3 Line 2-all information before “The basis” is confidential.</p> <p>Page 5: Line 16-all information after “After the” is confidential.</p> <p>Page 5: Lines 17 through 19- all information after is confidential.</p> <p>Page 6: Lines 1 through 23-All information on lines 1 through 23 is confidential in its entirety.</p> <p>Page 7: Lines 2 and 3- All information on lines 2 and 3 is confidential.</p>	<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>

Page 7: Line 10-all information after “Period” is confidential.

Page 8: Lines 1 through 9-all information is confidential.

Page 8: Line 10-all information before “but operators” is confidential.

Page 8: Line 13-all information after “in the” is confidential.

Page 8: Lines 14 and 15-all information is confidential.

Page 8: Footnote 10- the information after “the” and before “for the” is confidential.

Page 13: Line 10-all information after “was the” is confidential.

Page 13: Lines 11 through 14: all information is confidential.

Page 13: Lines 15- all information before “as seen” is confidential.

Page 13: Line 16-all information before “differently, the” is confidential.

	<p>Page 13: Lines 17 and 18: all information is confidential.</p> <p>Page 13: Line 19- all information before “I suspect” is confidential.</p> <p>Page 14: Line 3: All information after “MHPS states” is confidential.</p> <p>Page 14: Lines 4 through 8- all information is confidential.</p> <p>Page 14: Line 13 all information after “into later” is confidential.</p> <p>Page 14: Line 14 and 15- all information is confidential.</p> <p>Page 14: Line 16- all information before “At multiple times” is confidential.</p> <p>Page 15: Line 7- the information after “the same” and before “The “ is confidential.</p> <p>Page 15: Line 13 – all information after “Bartow unit” is confidential.</p> <p>Page 15: Line 14- all information before “specifically” is confidential.</p> <p>Page 15: Line 15- all information after “that</p>	
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resulted” is confidential.

Page 15: Line 16: all information after “with the” and before “the blades” is confidential.

Page 16: Lines 1 through 4; all information after is confidential.

Page 16: Line 6: All information after “that the” and before “blades” is confidential.

Page 16: Footnote 19: All information after “on the” and before “Contrary. The information after “15” and before “were never” and the information after “of the” through the remaining footnote is confidential.

Page 17: Line 4-the information after “OEM’s” is confidential

Page 17: Line 5- all information is confidential.

Page 17: Line 6-all information before “Mr. Polich” is confidential.

Page 18: Line 2 -all information after “parameters” is confidential.

Page 18: Lines 3 and 4- all information is

	<p>confidential.</p> <p>Page 18: Lines 10 through 14-all information is confidential.</p> <p>Page 18: Line 15- all information before “Second” is confidential.</p> <p>Page 19: Lines 10 through 16-all information is confidential.</p>	
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>Exhibit No. __ (JS-2), to the rebuttal testimony of Jeffrey Swartz</p>	<p>DEF’s Root Cause Analysis Report-Bartow Steam Turbine Event February 6, 2018</p> <p>Page 1 of 18: All information in the first paragraph after “Bartow Station” to the end of the page.</p> <p>Page 2 of 18: All information on this page except for the paragraph entitled “Historical Overview” is confidential.</p> <p>Page 3 of 18: All information beginning in the Third Paragraph after “and outer ring” to the end of the page.</p> <p>Page 4 of 18: the entire paragraph is confidential.</p> <p>Page 5 of 18: All information in the “Bartow L-0 Events Summary”</p>	<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>

	<p>except rows entitled “Date”, “Service Duration” and “Information Shared with MHPS” is confidential.</p> <p>Pages 6 through 14 of 18: All information on all pages in their entirety is confidential.</p> <p>Page 15 of 18: The entire page is confidential except for “conclusion”.</p> <p>Page 16 of 18: The entire paragraph is confidential except the last sentence beginning with “This RCA report”.</p> <p>Pages 17 and 18 of 18: All information is confidential.</p>	
DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Exhibit No. __ (JS-3), to the rebuttal testimony of Jeffrey Swartz	All information on pages 1 through 22 is confidential in their entirety.	<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. __ (JS-4), to the rebuttal testimony of Jeffrey Swartz	All information on pages with Bates Numbers DEF-19FL-FUEL-000267	§366.093(3)(d), F.S. The document in question contains confidential

	<p>through DEF-19FL-FUEL-000301 in their entirety.</p>	<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 JEFFREY SWARTZ

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20190001-EI

Dated: September 26, 2019

**AFFIDAVIT OF JEFFREY SWARTZ 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 Jeffrey Swartz, who being first duly sworn, on oath deposes and says that:

1. My name is Jeffrey Swartz. 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 Vice President of Florida Generation in the Fossil Hydro Operations Department. This section is responsible for overall leadership and strategic direction of DEF's power generation fleet.

3. As the Vice President of Florida Generation, I am responsible, along with the other members of the section, for strategic and tactical planning to operate and maintain DEF's non-nuclear generation fleet, generation fleet project and additions

recommendations, major maintenance programs, outage and project management, and retirement of generation facilities.

4. DEF is seeking confidential classification for portions of my rebuttal testimony, specifically information on pages 2, 3, 5, through 8, and 13 through 19 and Exhibit Nos. ___(JS-2), ___(JS-3) and ___(JS-4) to my rebuttal testimony filed on September 26, 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 and ability to contract for goods and services on favorable terms.

5. The confidential information at issue relates to DEF's Root Cause Analysis Report for the Bartow Steam Turbine Event (which has previously been found to contain confidential information by this Commission – the previous claim of confidentiality has been revised) as well as proprietary and confidential third-party owned information, the disclosure of which would impair third-party's competitive business interests, and if disclosed, the Company's competitive business interests and efforts to contact for goods or services on favorable terms. DEF has not publicly disclosed the detailed findings contained in the Root Cause Analysis report.

6. Further, the information contains proprietary third-party drawings, pictures, evaluations and technical information regarding the third-party's proprietary component design and operation parameters. If DEF cannot demonstrate to its third-party OEM, and others that may enter contracts with DEF in the future, that DEF has the

ability to protect those third-parties' confidential and proprietary business information, third-parties will be less likely to provide that information to DEF – harming DEF's ability to prudently operate its business. DEF has not publicly disclosed the information. Without DEF's measures to maintain the confidentiality of this sensitive business information, DEF's ability to contract with third-parties could detrimentally impact DEF's ability to negotiate favorable contracts, as third-parties may begin to demand a "premium" to do business with DEF to account for the risk that its proprietary information will become a matter of public record, thereby harming DEF's competitive interests and ultimately its customers' financial interests.

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 26th day of SEPTEMBER, 2019.

JE Swartz
(Signature)

Jeffrey Swartz
Vice President Florida Generation
Duke Energy Florida, LLC
Florida Regional Headquarters
St. Petersburg, FL

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 26th day of SEPTEMBER, 2019 by Jeffrey Swartz. He is personally known to me or has produced his FLORIDA driver's license, or his _____ as identification.



(AFFIX NOTARIAL SEAL)

Charlene D. Boulianne
(Signature)

CHARLENE D. BOULIANNE
(Printed Name)

NOTARY PUBLIC, STATE OF FL

MARCH 5, 2023
(Commission Expiration Date)

N/A
(Serial Number, If Any)