

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** November 17, 2020

**TO:** Shaw Stiller, Senior Attorney, Office of the General Counsel

**FROM:** Orlando Wooten, Engineering Specialist II, Division of Engineering *OW PC*  
*LK*

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO(s): 20200176-EI DOCUMENT NO(s): 11723-2020

DESCRIPTION: Duke Energy (Triplet) - (CONFIDENTIAL) Information contained in response to LULAC's 1st request for PODs (Nos. 1-8); specifically, certain responses to (Nos. 1, 2, 3, and 5), Exh A [to request for confidential classification (DN 11724-2020)].

SOURCE: Duke Energy Florida

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida, LLC (DEF or Company) requests confidential classification of certain information filed in response to League of United Latin American Citizens' (LULAC) discovery, in the above referenced docket, dated November 12, 2020. This recommendation specifically addresses DEF's response to LULAC's 1<sup>st</sup> Production of Documents (POD), Nos. 1 – 3 and 5.

The Company is claiming confidentiality of its responses to LULAC's 1<sup>st</sup> POD, Nos. 1 and 2 under Section 366.093(3)(e), F.S. Per the Statute, proprietary confidential business information includes, but is not limited to: Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The information provided in response to LULAC's POD No. 1 for which confidential treatment is being sought can be described as DEF's labor costs, EPC costs and related revenue requirements. The information provided in response to LULAC's POD No. 2 for which confidential treatment is being sought can be described as fuel prices forecasts.

The Company is claiming confidentiality of its responses to LULAC's 1<sup>st</sup> POD, Nos. 3 and 5 under Sections 366.093(3)(d), F.S. and 366.093(3)(e), F.S. Per the Statute, proprietary confidential business information includes, but is not limited to; Subsection (d) "[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." The information provided in response to LULAC's POD Nos. 3 and 5 for which confidential treatment is being sought can be described as DEF's budget information, specifically revenue requirements and fixed costs related to the Clean Energy Connection Program.

Staff has reviewed the information DEF filed in response to LULAC's POD Nos. 1-3 and 5 as well as the Company's confidentiality request. It is staff's opinion that the information that is the subject of this request meets the criteria for confidentiality contained in Section 366.093(3)(d) and (e), F.S.

cc: Office of Commission Clerk (Docket No. 20200176)



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**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** November 17, 2020

**TO:** Division of Engineering, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO(s): 20200176-EI DOCUMENT NO(s): 11723-2020  
DESCRIPTION: Duke Energy (Triplet) - (CONFIDENTIAL) Information contained in response to LULAC's 1st request for PODs (Nos. 1-8); specifically, certain responses to (Nos. 1, 2, 3, and 5), Exh A [to request for confidential classification (DN 11724-2020)].  
SOURCE: Duke Energy Florida

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The above confidential material was filed with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Orlando Wooten on 11/17/2020, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.