

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2020-2029 Storm Protection Plan
Pursuant to Rule 25-6.030, F.A.C., Duke Energy
Florida, LLC.

Docket No. 20200069-EI

Dated: December 16, 2020

**NOTICE OF FILING VERIFIED AFFIDAVIT OF THOMAS G. FOSTER
IN SUPPORT OF DUKE ENERGY FLORIDA, LLC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC, ("DEF") hereby gives notice of filing the verified Affidavit of Thomas G. Foster in support of DEF's Request for Confidential Classification regarding its Response to OPC's Third Request for the Production of Documents (Nos. 31-53), submitted on May 21, 2020 (document number 02689-2020), via electronic filing to Adam Teitzman, Commission Clerk, Florida Public Service Commission, (rdziehc@psc.state.fl.us), this 16th day of December, 2020.

Respectfully submitted,

s/ Matthew R. Bernier

DIANNE M. TRIPLETT

Deputy 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

MATTHEW R. BERNIER

Associate General Counsel
Duke Energy Florida, LLC
106 E. College Avenue, Suite 800
Tallahassee, FL 32301
T: 850.521.1428
F: 727.820.5041
E: Matt.Bernier@Duke-Energy.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 16th day of December, 2020.

s/ Matthew R. Bernier

Attorney

<p>C. Murphy / R. Dziechciarz Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us rdziechc@psc.state.fl.us</p> <p>James W. Brew / Laura Wynn Baker 1025 Thomas Jefferson St., N.W. Suite 800 West Washington, DC 20007-5201 jbrew@smxblaw.com lwb@smxblaw.com</p> <p>Jon C. Moyle, Jr. / Karen A. Putnal 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com</p>	<p>J.R. Kelly / Charles J. Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison St., Rm. 812 Tallahassee, FL 32399-1400 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us</p> <p>Stephanie U. Eaton 110 Oakwood Dr., Ste. 500 Winston-Salem, NC 27103 seaton@spilmanlaw.com</p> <p>Derrick P. Williamson / Barry A. Naum 1100 Bent Creed Blvd., Ste. 101 Mechanicsburg, PA 17050 dwilliamson@spilmanlaw.com bnaum@spilmanlaw.com</p>
---	--

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2020-2029 Storm Protection
Plan Pursuant to Rule 25-6.030, F.A.C., Duke
Energy Florida, LLC

Docket No. 20200069-EI

Dated: May 21, 2020

**AFFIDAVIT OF THOMAS G. FOSTER 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 Thomas G. Foster, who being first duly sworn, on oath deposes and says that:

1. My name is Thomas G. Foster. I am over the age of 18 years old and I have been authorized by Duke Energy Florida (hereinafter "DEF" or the "Company") to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's Request for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Director of Rates and Regulatory Planning in the Rates and Regulatory Strategy Department. This department is responsible for the Company's revenue requirements and rate impacts, regulatory planning and cost recovery.

3. As the Director of Rates and Regulatory Planning, I am responsible for the Company's regulatory planning and cost recovery, including the Company's Storm Protection Plan filing.

4. DEF is seeking confidential classification for certain information provided in its response to OPC's Third Request for Production of Documents (Nos. 31-53), specifically question 36, bearing bates numbers 20200069-DEF-000420 through 20200069-DEF-000423, 20200069-DEF-000425 through 20200069-DEF-000434, 20200069-DEF-000436, 20200069-DEF-000442 through 20200069-DEF-000445, respectively. 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 proprietary and confidential internal analyses and strategies. DEF must ensure that sensitive business information is kept confidential, the disclosure of which would impair the Company's competitive interests and ability to contract on favorable terms.

6. Further, if the information at issue was disclosed, DEF's efforts to obtain contracts that provide economic value to both DEF and its customers could be compromised by competitors and vendors changing their purchasing behavior within the relevant markets – 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.

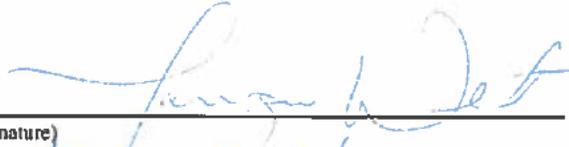
Dated the 16th day of December, 2020.



(Signature)

Thomas G. Foster
Director of Rates & Regulatory Planning
Rates & Regulatory Strategy

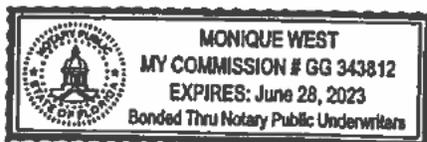
THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 16th day of December, 2020 by Thomas G. Foster. He is personally known to me or has produced his _____ driver's license, or his _____ as identification.


(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(AFFIX NOTARIAL SEAL)



(Commission Expiration Date)

(Serial Number, If Any)