

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition of Duke Energy Florida, Inc.  
For Approval to Include In Base Rates the Revenue  
Requirement for the CR3 Regulatory Asset

Docket No. 150148-EI

In re: Petition of Duke Energy Florida, Inc.  
For Issuance of a Nuclear Asset Recovery  
Financing Order

Docket No. 150171-EI

Dated: December 23, 2020

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**NOTICE OF FILING VERIFIED AFFIDAVIT OF MARCIA OLIVIER IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
THIRD REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC, ("DEF") hereby gives notice of filing the verified Affidavit of Marcia Oliver in support of DEF's Third Request for Confidential Classification regarding the documents produced in response to Audit Control No. 15-161-2-1, i.e., Staff's audit workpapers, (document number 05290-2015), via electronic filing to Adam Teitzman, Commission Clerk, Florida Public Service Commission, ([rdziehc@psc.state.fl.us](mailto:rdziehc@psc.state.fl.us)), this 23<sup>rd</sup> day of December, 2020.

Respectfully submitted,

*s/ Matthew R. Bernier*

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**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 23<sup>rd</sup> day of December, 2020.

s/ Matthew R. Bernier

Attorney

<p>Theresa L. Tan Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:ltan@psc.state.fl.us">ltan@psc.state.fl.us</a></p> <p>Jon C. Moyle, Jr. / Karen A. Putnal 118 North Gadsden Street Tallahassee, FL 32301 <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a> <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p> <p>Robert Scheffel Wright / John T. LaVia, III Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 <a href="mailto:schef@gbwlegal.com">schef@gbwlegal.com</a> <a href="mailto:jlavia@gbwlegal.com">jlavia@gbwlegal.com</a></p>	<p>C. Rehwinkel / J. Kelly Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 <a href="mailto:rehwinkel.charles@leg.state.fl.us">rehwinkel.charles@leg.state.fl.us</a> <a href="mailto:kelly.jr@leg.state.fl.us">kelly.jr@leg.state.fl.us</a></p> <p>James W. Brew Stone Law Firm 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007-5201 <a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a></p>
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For Approval to Include In Base Rates the Revenue  
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Docket No. 150148-EI

In re: Petition of Duke Energy Florida, Inc.  
For Issuance of a Nuclear Asset Recovery  
Financing Order

Docket No. 150171-EI

Dated: July 2, 2020

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**AFFIDAVIT OF MARCIA OLIVIER IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
THIRD REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Marcia Olivier. As the Director of Rates and Regulatory Planning, I am responsible, along with the other members of the section, for calculating and itemizing Duke Energy Florida's (hereinafter "DEF" or the "Company") total CR3 regulatory asset value consistent with the Revised and Restated Stipulation and Settlement Agreement ("RRSSA"). I am over the age of 18 years old and I have been authorized by the Company to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's Third Request for Extension of Confidential Classification regarding the documents produced in response to Audit Control No. 15-161-2-1, i.e., Staff's audit workpapers (Document No. 05290-15) (hereinafter the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. DEF is seeking its third request for extension of confidential classification of Staff's financial audit workpapers because they contain contractual, financial, DEF employee, and vendor information, the disclosure of which would impair DEF's competitive business interests. DEF is requesting an extension of confidential classification of these documents because portions of these documents contain confidential contractual data, including pricing agreements, payment information and other financial and contractual terms of both DEF and third-party companies, the release of which would impair DEF's competitive business interests. The disclosure of this information would compromise DEF's competitive business interests and in certain instances violate contractual confidentiality provisions with DEF's vendors.

3. The confidential workpapers at issue also contain personal employee information and personal contractor information that are considered sensitive business information, the disclosure of which would violate individual employees' and contractors' rights to privacy and impair the Company's competitive business interests. Specifically, the confidential documents at issue contain employee names, coupled with reimbursement information (e.g., travel costs, materials, meal and lodging reimbursements), that if publicly disclosed would violate the employees' right to privacy. Moreover, disclosure of this information would impair DEF's competitive business interests by signaling to its employees (and those whom DEF may seek to employ) that DEF is unable to maintain the privacy of its employees. This could result in DEF being viewed as a less desirable place to work versus competitors for talented employees that can protect employee information, ultimately resulting in DEF either not being able to attract or retain qualified employees or being forced to overcompensate such employees to the detriment of DEF and its customers.

4. With respect to the information at issue in this request, DEF has kept confidential and has not publicly disclosed such confidential information and agreements.

Strict procedures are established and followed to maintain the confidentiality of the terms of the agreements 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 documents. The Company has treated and continues to treat the information and documents at issue as confidential. Nothing has changed since the Commission granted DEF's original Request for Confidential Classification to render it stale or public information. Accordingly, the confidential treatment of this information should be continued.

5. This concludes my affidavit.

Further affiant sayeth not.

Dated the 13<sup>th</sup> day of Nov, 2020.

Marcia Olivier

Marcia Olivier  
Director of Rates and Regulatory Planning  
Rates and Regulatory Strategy Department  
Duke Energy Florida, LLC  
299 First avenue North  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13<sup>th</sup> day of Nov, 2020, by Marcia Olivier. She is personally known to me or has produced her driver's license, or her \_\_\_\_\_ as identification.

Julie Ann Neisinger  
(Signature)

Julie Neisinger  
(Printed Name)

(AFFIX NOTARY SEAL)

NOTARY PUBLIC, STATE OF FLORIDA

10/29/2022

(Commission Expiration Date)

(Serial Number, if any)

