

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20200001-EI

Dated: December 23, 2020

**NOTICE OF FILING VERIFIED AFFIDAVIT OF CHRISTOPHER A. MENENDEZ IN
SUPPORT OF DUKE ENERGY FLORIDA, LLC'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC, ("DEF") hereby gives notice of filing the verified Affidavit of Christopher A. Menendez in support of DEF's Request for Extension of Confidential Classification regarding certain information provided in Exhibit No. ____ (CAM-2T) to the direct testimony of Christopher A. Menendez filed on March 1, 2019 in docket 20190001-EI, via electronic filing to Adam Teitzman, Commission Clerk, Florida Public Service Commission, this 23rd 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 23rd day of December, 2020.

s/ Matthew R. Bernier
Attorney

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20200001-EI

Dated: November 25, 2020

**AFFIDAVIT OF CHRISTOPHER A. MENENDEZ IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR EXTENSION OF 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 Director 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 Director, 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 an extension of confidential classification for a certain information 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 docket number 20190001-EI. There are no changes to the information contained in DEF's confidential Exhibit A, redacted Exhibit B, and Justification Matrix, Exhibit C. The referenced Exhibits are on file with the Clerk. DEF is requesting an extension of 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.

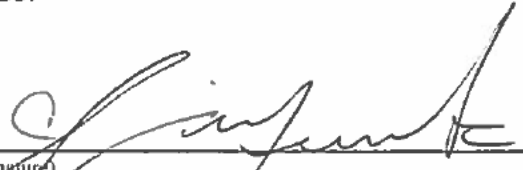
6. Absent such measures, suppliers would run the risk that sensitive business information that they provided in their contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would 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.

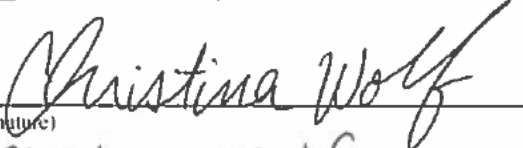
Further affiant sayeth not.

Dated the 24th day of Nov., 2020.



 (Signature)
 Christopher A. Menendez
 Rates and Regulatory Strategy Director
 Regulatory Planning Projects
 Duke Energy Florida, LLC
 299 1st Avenue South
 St. Petersburg, FL 33701

24th THE FOREGOING INSTRUMENT was sworn to and subscribed before me this
 day of November, 2020, by Christopher A. Menendez. He is personally known to
 me, or has produced his _____ driver's license, or his
 _____ as identification.



 (Signature)
Christina Wolf

 (Printed Name)
 NOTARY PUBLIC, STATE OF FLORIDA
9/27/21

 (Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



(Serial Number, If Any)