

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for a Limited Proceeding to  
Approve Third Solar Base Rate Adjustment  
by Duke Energy Florida, LLC

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Docket No. 20200245-EI

Dated: May 7, 2021

**DUKE ENERGY FLORIDA, LLC'S  
NOTICE OF FILING OF VERIFIED<sup>1</sup> AFFIDAVITS**

Duke Energy Florida, LLC ("DEF") hereby submits Notice of Filing of the attached, verified affidavits of Matthew Stout and Benjamin M. H. Borsch in connection with DEF's Request for Confidential Classification re. certain information provided in DEF's Response to Staff's First Data Request (Nos. 1-15); specifically, questions 5 and 7 and responsive documents to questions 9, 10 and 14, filed January 26, 2021 (DN 01597-2021), this day, May 7, 2021.

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: 727.820.5519  
E: [Dianne.Triplett@duke-energy.com](mailto:Dianne.Triplett@duke-energy.com)

MATTHEW R. BERNIER  
Associate General Counsel  
Duke Energy Florida, LLC  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301  
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<sup>1</sup> Due to circumstances with COVID-19, DEF was unable to previously provide verified affidavits for the above-listed filings and discovery responses at the time they were filed and/or served.

**CERTIFICATE OF SERVICE**

Docket No. 20200245-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 7<sup>th</sup> day of May, 2021.

/s/ Matthew R. Bernier

Attorney

<p>Shaw Stiller / Walter Trierweiler Office of General Counsel FL Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:sstiller@psc.state.fl.us">sstiller@psc.state.fl.us</a> <a href="mailto:wtrierwe@psc.state.fl.us">wtrierwe@psc.state.fl.us</a></p>	
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for a Limited Proceeding to  
Approve Third Solar Base Rate Adjustment  
by Duke Energy Florida, LLC

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Docket No. 20200245-EI

Filed: January 26, 2021

**AFFIDAVIT OF MATTHEW G. STOUT 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 Matthew G. Stout, who being first duly sworn, on oath deposes and says that:

1. My name is Matthew G. Stout. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, LLC (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 Managing Director of Business Development for Wind and Solar Development within the RGD Business Development Department. This department is responsible for the development of new solar facilities for DEF.

3. As the Managing Director of Business Development for Wind and Solar Development, I am responsible, along with the other members of the department, for conducting solar development activities including project siting, land acquisition, resource assessment,

permitting, obtaining interconnection rights, project layout and design, and arranging contracts for engineering, procurement and construction, as well as originating, structuring, and executing transactions to acquire rights to existing solar development projects.

4. DEF is seeking confidential classification for information contained in its Response to Staff's First Data Request (Nos. 1-15), specifically the responses to questions 5 and 7 and responsive documents to question 14, submitted on January 5, 2021.

5. DEF is seeking confidential classification for certain information provided to Staff in its response to question number 5, as it contains confidential proprietary business information relating to budgeted information, the disclosure of which would impair the efforts of the Company or its to negotiate contracts on favorable terms. Additionally, DEF is seeking confidential classification for certain information provided to Staff in its response to question 7 and responsive documents to question 14, as it contains confidential proprietary business information relating to contractual terms, costs and information with counterparties. If such information was disclosed to other counterparties, it could provide valuable insight into prices that DEF may be willing to pay in certain circumstances, thereby materially harming DEF's ability to negotiate competitive contracts in the future. DEF's efforts to obtain competitive contracts that provide economic value to both DEF and its customers could be compromised. Without DEF's measures to maintain the confidentiality of contractual terms, the Company's efforts to obtain competitive contracts could be undermined.

6. The confidential information at issue is contained in confidential Exhibit A attached to this Request and is outlined in DEF's Justification Matrix that is attached as Exhibit C. DEF is requesting confidential classification of this information because the disclosure of that information to the public would adversely impact DEF's competitive business interests and

would harm its competitive business interest and ability to contract for goods or services on favorable terms.

7. Upon receipt of confidential information from counterparties, 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 information in question has the Company publicly disclosed that information. The Company and counterparties have treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

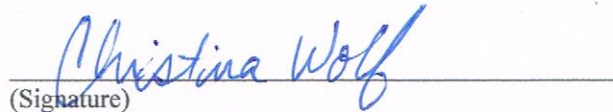
Further affiant sayeth not.

Dated the 6<sup>th</sup> day of April, 2021.



Matthew G. Stout  
Managing Director of Business Development for  
Wind and Solar Development  
RGD Business Development Department  
Duke Energy  
400 South Tryon  
Charlotte, North Carolina 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me by means of  physical presence or  online (video) notarization this 6<sup>th</sup> day of April, 2021, by Matthew G. Stout. He is personally known to me.



Christina Wolf  
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

9/27/21  
(Commission Expiration Date)



CHRISTINA WOLF  
Commission # GG 146409  
Expires September 27, 2021  
Bonded Thru Budget Notary Services

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for a Limited Proceeding to  
Approve Third Solar Base Rate Adjustment  
by Duke Energy Florida, LLC

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Docket No. 20200245-EI

Filed: January 26, 2021

**AFFIDAVIT OF BENJAMIN M. H. BORSCH IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Benjamin M. H. Borsch, who being first duly sworn, on oath deposes and says that:

1. My name is Benjamin M. H. Borsch. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, LLC (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 IRP & Analytics in DEF's Florida Customer Delivery organization and direct the resource planning process in an integrated approach in order to find the most cost-effective alternatives to meet the Company's obligation to serve its customers in Florida. I also oversee the completion of the Company's Ten-Year Site Plan ("TYSP") filed each April.

3. DEF is seeking confidential classification for information contained in its Response to Staff's First Data Request (Nos. 1-15), specifically the responsive documents to questions 9 and 10, submitted on January 5, 2021.

4. DEF is seeking confidential classification for certain information provided to Staff in its responsive documents to question 9, as it contains confidential proprietary business information relating to contractual costs in capital leases with counterparties, the disclosure of which would violate the contractual obligation between DEF and counterparties that DEF is obligated to keep confidential and would harm its competitive business interest and ability to contract for goods or services on favorable terms. If such information was disclosed to DEF's competitors, DEF's efforts to obtain competitive contracts that add economic value to both DEF and its customers could be undermined.

5. Additionally, DEF is seeking confidential classification for certain information provided to Staff in its responsive documents to question 10, as it contains confidential proprietary business information related to unit retirements, the disclosure of which would harm DEF's competitive business interests, to the detriment of DEF's customers, if it were disclosed to the public.

6. The confidential information at issue is contained in confidential Exhibit A attached to this Request and is outlined in DEF's Justification Matrix that is attached as Exhibit C. DEF is requesting confidential classification of this information because the disclosure of that information to the public would adversely impact DEF's competitive business interests and would harm its competitive business interest and ability to contract for goods or services on favorable terms.

7. Strict procedures are established and followed to maintain the confidentiality of the Company's confidential business information relating to DEF's contractual information with counterparties and unit retirements, which includes restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time since receiving the information in question has the Company publicly disclosed that information. The Company and counterparties have treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 1<sup>st</sup> day of April, 2021.

  
(Signature)

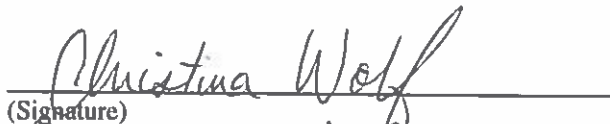
Benjamin M. H. Borsch  
Director of IRP & Analytics  
Florida Customer Delivery Organization  
Duke Energy  
299 1<sup>st</sup> Avenue North  
St. Petersburg, FL 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 1<sup>st</sup> day of April, 2021, by Benjamin M. H. Borsch. He is personally known to me.



CHRISTINA WOLF  
Commission # GG 146409  
Expires September 27, 2021  
Bonded Thru Budget Notary Services

(AFFIX NOTARIAL SEAL)

  
(Signature)

Christina Wolf  
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

9/27/21  
(Commission Expiration Date)

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(Serial Number, If Any)