



Matthew R. Bernier
Associate General Counsel
Duke Energy Florida, LLC.

December 7, 2021

VIA ELECTRONIC FILING

Adam Teitzman, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: *Petition by Duke Energy Florida, LLC for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Michael and Tropical Storm Alberto; Docket No. 20190110-EI*

Dear Mr. Teitzman:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC (“DEF”), DEF’s First Request for Extension of Confidential Classification concerning certain information contained in DEF’s Response to OPC’s Corrected Third Request for Production of Documents, originally filed in docket number 20190110-EI and Revised Exhibit D, Affidavits of Todd Fountain and Shelly Ross. The original Request included Exhibits A, B, and C.

There are no changes to the original Request’s Exhibit A consisting of the confidential unredacted documents, Exhibit B containing two (2) redacted copies of the confidential document, or Exhibit C containing a justification table in support of DEF’s original Request. The aforementioned exhibits remain on file with the Clerk.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing

Respectfully,

s/Matthew R. Bernier

Matthew R. Bernier
Associate General Counsel
Matt.Bernier@duke-energy.com

MRB/mw
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
For Limited Proceeding for Recovery of
Incremental Storm Restoration Costs
Related to Hurricane Michael and Tropical
Storm Alberto.

Docket No. 20190110-EI

Dated: December 7, 2021

**DUKE ENERGY FLORIDA, LLC'S FIRST REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC, (“DEF” or “Company”), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this First Request for Extension of Confidential Classification (the “Request”) for certain information contained within the set of documents and information produced in response to the Office of the Public Counsel’s (“OPC”) Corrected Third Request for Production of Documents (Nos. 19-27).

In support of this Request, DEF states:

1. On March 20, 2020, DEF filed a request for confidential classification for portions of documents and information provided in the response to OPC’s Corrected Third Request for Production of Documents (Nos. 19-27), specifically questions 19, 24a, 24b, 24c, and 25, as it contains “proprietary confidential business information” under Section 366.093(3), Florida Statutes.

2. DEF’s March 20, 2020 Request was granted by Order No. PSC-2020-0178-CFO-EI on June 9, 2020. The period for confidential treatment granted by that order will expire on December 9, 2021. The information continues to warrant treatment as “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Accordingly, DEF is filing its First Request for Extension of Confidential Classification.

3. DEF submits that certain information and documents provided in DEF's Response to OPC's Corrected Third Request for Production of Documents, specifically questions 19, 24a, 24b, 24c, and 25, identified in Exhibit "A" and Exhibit "C" to the March 20, 2020, Request¹ continue to be "proprietary confidential business information" within the meaning of section 366.093(3), F.S. and continue to require confidential classification. *See* Affidavits of Shelly Ross at ¶ 5 and Todd Fountain ¶ 7, attached as Revised Exhibit "D". This information is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public. Pursuant to section 366.093(1), F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the Public Records Act. *See* Affidavits of Shelly Ross at ¶¶ 4-5 and Todd Fountain ¶¶ 5-7.

4. Nothing has changed since the issuance of Order No. PSC-2020-0178-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Upon a finding by the Commission that this information continues to be "proprietary confidential business information," it should continue to be treated as such for an additional period of at least 18 months and should be returned to DEF as soon as the information is no longer necessary for the Commission to conduct its business. *See* §366.093(4), F.S.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 7th day of December, 2021.

s/ Matthew R. Bernier

DIANNE M. TRIPLETT
Deputy General Counsel
299 1st Avenue North
St. Petersburg, Florida 33701
T: (727) 820-4692
F: (727) 820-5041

¹ DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 01537-2020 submitted on March 20, 2020 in docket no. 20190110-EI as if attached hereto

E: Dianne.Triplett@duke-energy.com

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Attorneys for Duke Energy Florida, LLC

CERTIFICATE OF SERVICE

DOCKET. NO. 20190110-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 7th day of December, 2021, to all parties of record as indicated below.

s/ Matthew R. Bernier
Attorney

<p>Ashley Weisenfeld / Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 aweisenf@psc.state.fl.us</p>	<p>J.R. Kelly / Charles J. Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison St., Room 812 Tallahassee, FL 32399-1400 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us</p>
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Exhibit A

“CONFIDENTIAL”

(on file)

Exhibit B

REDACTED

(two copies)

(on file)

Exhibit C

**DUKE ENERGY FLORIDA, LLC
Confidentiality Justification Matrix**

(on file)

**Revised
Exhibit D**

**AFFIDAVIT OF
TODD FOUNTAIN**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
For Limited Proceeding for Recovery of
Incremental Storm Restoration Costs
Related to Hurricane Michael and Tropical
Storm Alberto.

Docket No. 20190110-EI

Dated: December 7, 2021

**AFFIDAVIT OF TODD FOUNTAIN IN SUPPORT OF
DUKE ENERGY FLORIDA, LLC'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Todd Fountain. 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 Extension of Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the General Manager of Emergency Preparedness. This section is responsible for the overall planning, training, and implementation of our storm response plan.

3. As the General Manager of Emergency Preparedness, I am responsible, along with the other members of the section, for the pre-planning, staging, logistics and overall execution of the storm plan to ensure the safe and efficient restoration.

4. DEF is seeking a request for extension of confidential classification for information and documents contained in its Response to OPC's Corrected Third Request for Production of Documents (Nos. 19-27), specifically questions 24a, 24b, 24c, and 25, submitted in this docket. 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 an extension of confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods and services on favorable terms.

5. The confidential information at issue is confidential proprietary information. The information contains commercially sensitive business information concerning contractual information and obligations under a contract between DEF and its contractors related to contractor rates and private contracts for emergency response activities. The disclosure of which impair the Company's competitive business interests and would violate DEF's contractual requirements to maintain the confidentiality of such information under the subject contract.

6. DEF is obligated to maintain the confidentiality of certain contractual terms under the subject contract. If DEF cannot assure contracting parties that it can maintain the confidential contractual terms, those parties and other similarly situated parties may forego entering into contracts with DEF, which would impair the Company to negotiate such contracts on favorable terms.

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 3rd day of Dec, 2021.

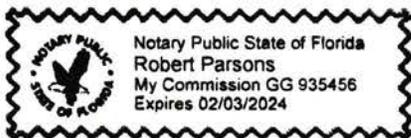


(Signature)

Todd Fountain

General Manager, Emergency Preparedness

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 3rd day of December, 2021 by Todd Fountain. He is personally known to me or has produced his Drivers License driver's license, or his NIA as identification.



(AFFIX NOTARIAL SEAL)



(Signature)

Robert Parsons

(Printed Name)

NOTARY PUBLIC, STATE OF Florida

2 / 3 / 2024

(Commission Expiration Date)

NIA

(Serial Number, If Any)

**Revised
Exhibit D**

**AFFIDAVIT OF
SHELLY ROSS**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
For Limited Proceeding for Recovery of
Incremental Storm Restoration Costs
Related to Hurricane Michael and Tropical
Storm Alberto.

Docket No. 20190110-EI

Dated: December 7, 2021

**AFFIDAVIT OF SHELLY ROSS IN SUPPORT OF
DUKE ENERGY FLORIDA, LLC'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF MARION

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

1. My name is Shelly Ross. 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 Extension of Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Manager of Finance. As the Manager of Finance, I am responsible for the overall management and coordination of activities for Distribution Operations. I also oversee several employees and I ensure that such employees provide budgeting and forecasting, and expense and capital accounting for Distribution Operations among other responsibilities.

3. DEF is seeking a request for extension of confidential classification for information and documents contained in its Response to OPC's Corrected Third Request for Production of Documents (Nos. 19-27), specifically questions 19, 24a, 24b, 24c, and 25, submitted in this docket. The confidential information at issue in response to question 19, is contained in confidential Exhibit A to DEF's Original Request and is outlined in DEF's Justification Matrix that is attached to DEF's Original Request as Exhibit C. DEF is requesting an extension of confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods and services on favorable terms.

4. The confidential information at issue relates to DEF's Regulated Electric and Gas Capitalization Guidelines, which include policies and standards for business practices. DEF must ensure that internal policies and standards for business practices are kept confidential. The disclosure of such information would impair the Company's competitive interests.

5. 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. 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.

6. This concludes my affidavit.

Further affiant sayeth not.

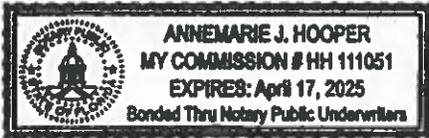
Dated the 2 day of December, 2021.

Shelly Ross

(Signature)

Shelly Ross
Manager, Finance

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 2 day of December, 2021 by Shelly Ross. She is personally known to me or has produced her n/a driver's license, or her n/a as identification.



(AFFIX NOTARIAL SEAL)

Annemarie J Hooper

(Signature)

Annemarie J Hooper

(Printed Name)

NOTARY PUBLIC, STATE OF Florida

04/17/2025

(Commission Expiration Date)

Commission # HH 111051

(Serial Number, If Any)