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FPSC - COMMISSION CLERK

Matthew R. Bernier  
Associate General Counsel

October 9, 2023

**VIA ELECTRONIC FILING**

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

Re: *Fuel and purchased power cost recovery clause with generating performance incentive factor; Docket No. 20230001-EI*

Dear Mr. Teitzman:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC (“DEF”), DEF’s Second Request for Extension of Confidential Classification concerning certain information contained in the Joint Proposed Recommended Order, filed in docket no. 20200001-EI and Revised Exhibit D, Affidavit of Anthony Salvarezza. The original Request included Exhibits A, B, and C (document number 01877-2020).

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*

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Matthew R. Bernier

MRB/mw  
Enclosures

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

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Docket No. 20230001-EI

Dated: October 9, 2023

**DUKE ENERGY FLORIDA LLC'S  
SECOND 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 its Second Request for Extension of Confidential Classification (the “Request”) for certain information contained in the Proposed Recommended Orders (“PRO”), submitted by DEF, the Office of Public Counsel (“OPC”), the Florida Industrial Power Users Group (“FIPUG”), White Springs Agricultural Chemicals d/b/a PCS Phosphate-White Springs (“PCS Phosphate”), and Staff of the Florida Public Service Commission (“Staff”). In support of this Request, DEF states:

1. On April 9, 2020, DEF filed a Request for Confidential Classification (document number 01877-2020), for certain information contained in the PROs submitted by DEF, OPC, FIPUG, PCS Phosphate, and Staff, as they contain “proprietary confidential business information” under Section 366.093(3), Florida Statutes.

2. DEF’s April 9, 2020 Request was granted by Order No. PSC-2020-0376-CFO-EI on October 16, 2020. On April 18, 2022, DEF filed its First Request for Extension of Confidential Classification which was granted by Order No. PSC-2022-0160-CFO-EI. The period of confidential treatment granted by that order will expire on October 27, 2023. 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 Second Request for Extension of Confidential Classification.

3. DEF submits that the confidential information contained in the PROs, identified in Exhibit “A” and Exhibit “C” to the April 9, 2020, Request<sup>1</sup> continues to be “proprietary confidential business information” within the meaning of section 366.093(3), F.S. and continue to require confidential classification. *See* Affidavit of Anthony Salvarezza at ¶ 3, 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* Affidavit of Anthony Salvarezza ¶¶ 3-5.

4. Nothing has changed since the issuance of Order No. PSC-2020-0376-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 Second Request for Extension of Confidential Classification be granted.

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<sup>1</sup> DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 01877-2020 submitted on April 9, 2020 in docket no. 20200001-EI as if attached hereto

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of October, 2023.

*/s/Matthew R. Bernier*

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Attorneys for Duke Energy Florida, LLC

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 9<sup>th</sup> day of October, 2023 to all parties of record as indicated below.

/s/Matthew R. Bernier  
Attorney

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# **Exhibit A**

**“CONFIDENTIAL”**

**(ON FILE)**

# **Exhibit B**

**REDACTED**

**(ON FILE)**

**Exhibit C**

**DUKE ENERGY FLORIDA  
Confidentiality Justification Matrix  
(ON FILE)**



**Revised  
Exhibit D**

**AFFIDAVIT OF  
ANTHONY SALVAREZZA**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No. 20230001-EI

Dated: October 9, 2023

**AFFIDAVIT OF ANTHONY SALVAREZZA 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 Anthony Salvarezza, who being first duly sworn, on oath deposes and says that:

1. My name is Anthony Salvarezza. 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 Second 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 Regional Services. I am responsible for leading and directing project engineering, project management, outage management, business planning and specialized maintenance in Regulated and Renewable Energy. My major duties and responsibilities include providing safe, reliable, efficient, economic, environmental, and regulatory compliant maintenance activities through the development and implementation of processes and programs.

3. DEF is seeking a second extension of confidential classification for certain information contained in the Proposed Recommended Orders (“PRO”), submitted by DEF, the Office of Public Counsel (“OPC”), the Florida Industrial Power Users Group (“FIPUG”), White Springs Agricultural Chemicals d/b/a PCS Phosphate-White Springs (“PCS Phosphate”), and Staff of the Florida Public Service Commission (“Staff”) filed on April 9, 2020 in docket number 20200001-EI. There are no changes to the information contained in DEF’s confidential Exhibit A, redacted Exhibit B, and justification matrix C. The referenced Exhibits are on file with the Clerk. DEF is requesting a second extension of confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company’s competitive business interests.

4. The confidential information at issue is confidential proprietary information. The information contains drawings, evaluations and information of both DEF and third-party companies, the disclosure of which would impair the Company’s competitive business interests and efforts to contract for goods or services on favorable terms. 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, thereby harming its competitive interests, ultimately to its customers’ detriment.

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 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.

6. This concludes my affidavit.

Further affiant sayeth not.

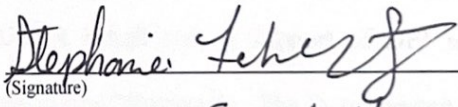
Dated the 5<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
Anthony Salvarezza  
General Manager-Regional Services

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 5<sup>th</sup> day of October, 2023 by Anthony Salvarezza. He is personally known to me or has produced his driver's license, or his \_\_\_\_\_ as identification.



(AFFIX NOTARIAL SEAL)

  
\_\_\_\_\_  
(Signature)  
Stephanie Fahrenholtz  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF Florida  
April 29, 2027  
\_\_\_\_\_  
(Commission Expiration Date)

\_\_\_\_\_  
(Serial Number, If Any)