

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: December 14, 2023

TO: Division of Accounting and Finance, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20230001-EI DOCUMENT NO: 08545-2021 & 09045-2021

DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Highlighted portions of OPC and FIPUG's joint answer brief to order being repealed, Final Order PSC-2020-0368A-FOF-EI. [CLK note: See DN 04023-2022 in Docket 20220001 for Order PSC-2022-0211-CFO-EI granting Duke Energy's request for confidential classification.] [x-ref DN 09045-2021]

SOURCE: Duke Energy Florida, LLC

The above confidential material was filed along with a first request for extension of confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Garret Kelley on 12/15/2023, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: December 15, 2023

TO: Suzanne S. Brownless, Special Counsel, Office of the General Counsel

FROM: Garret Kelley, Public Utility Analyst I, Division of Accounting & Finance

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20230001-EI DOCUMENT NO: 08545-2021 & 09045-2021

DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Highlighted portions of OPC and FIPUG's joint answer brief to order being repealed, Final Order PSC-2020-0368A-FOF-EI. [CLK note: See DN 04023-2022 in Docket 20220001 for Order PSC-2022-0211-CFO-EI granting Duke Energy's request for confidential classification.] [x-ref DN 09045-2021]

SOURCE: Duke Energy Florida, LLC

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida, LLC (DEF or Company) requests an extension of confidential classification of certain information originally filed in Docket No. 20220001-EI, Document No. 08545-2021 dated July 30, 2021, and Document No. 09045-2021 dated August 10, 2021.

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms,” and Subsection (e) “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.”

More specifically, the joint answer brief contains operational, design, and cost information associated with the Mitsubishi steam turbine connected to DEF’s Bartow Unit 4 power plant which is proprietary to Mitsubishi. Disclosure of the information would impair DEF’s ability to contract for goods and services on favorable terms in the future.

Staff has reviewed the extension of confidentiality request. It is staff’s opinion the materials associated with this request continues to meet the criteria for confidentiality contained in Section 366.093(3)(d), F.S. and Section 366.093(3)(e), F.S.