

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-**

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**DATE:** January 5, 2024

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

**FROM:** Lee Smith, Public Utility Analyst IV, Division of Economics

**RE:** Duke Energy Florida, LLC - Docket No. 20190140- EI - Confidentiality Request - Document No. 10958-2019

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On December 19, 2023, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida (DEF or Company) requested a second extension of confidential classification for certain information contained in DEF's Response to Staff's Third Set of Interrogatories and Revised Exhibit D, Affidavit of Gene Flavors, Jr., as appears in Document No. 10958-2019, filed on November 15, 2019.

On November 15, 2019, DEF filed the original Request for Confidential Classification related to this document. DEF's Request was granted by Order No. PSC-2019-0533-CFO-EI on December 19, 2019. Subsequently, on June 17, 2021, DEF filed its First Request for Extension of Confidential Classification for this document. That request was granted by Order No. PSC-2022-0241-CFO-EI on June 27, 2022.

In the current request for extension, the Company maintains that nothing has changed such that the information in this document would no longer continue to be considered confidential under Sections 366.093(3)(d) and (e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) "Information concerning the 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) "Information relating to the competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

Staff has reviewed DEF's Second Request for Extension for Confidential Classification and the information provided in DEF's Response to Staff's Third Set of Interrogatories and Revised Exhibit D, Affidavit of Gene Flavors, Jr., as well as the Company's original confidentiality request (Document No. 06125-2021). Staff believes that the information that is the subject of the confidentiality request meets the criteria for confidentiality contained in Section 366.093(3)(d) and (e), F.S. Therefore, staff recommends that the Company's request for extension of confidentiality of the highlighted information included in Document No. 10958-2019, be approved.



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**DATE:** December 19, 2024

**TO:** Division of Economics, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190140-EI

DOCUMENT NO: 10958-2019

DESCRIPTION: Duke Energy (Hernandez) - (CONFIDENTIAL) Certain information contained within responses to interrogatory Nos. 19 and 20 of staff's 3rd set of interrogatories (Nos. 17-20).

SOURCE: Duke Energy Florida, LLC

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The above confidential material was filed along with a second 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/ Gary L Smith II on January 5, 2024, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.