



Dianne M. Triplett
DEPUTY GENERAL COUNSEL

May 14, 2024

VIA ELECTRONIC MAIL

Mr. Adam J. Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket 20240025-EI, Petition for Rate Increase by Duke Energy Florida, LLC

Dear Mr. Teitzman,

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Confidential Classification for certain information provided in its Responses to OPC's Second Request for Production of Documents (Nos. 27-28). The filing includes the following:

- DEF's Request for Confidential Classification
- Slip-sheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C -justification matrix, and
- Exhibit D -affidavit of Luis Rosario

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on April 23, 2024, under separate cover.

Thank you for your assistance in this matter. Please feel free to call me at (727) 820-4692 should you have any questions concerning this filing.

Respectfully,

/s/ Dianne M. Triplett

Dianne M. Triplett

DMT/mw
Attachments

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
for rate increase

DOCKET NO. 20240025-EI

Dated: May 14, 2024

**DUKE ENERGY FLORIDA, LLC'S
REQUEST FOR 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 Request for Confidential Classification for certain information contained in its Response to OPC’s Second Request for Production of Documents (Nos. 27-28), concurrently with DEF’s Notice of Intent to Request Confidential Classification. This Request is timely. See Rule 25-22.006(3)(a)1, E.A.C. In support of this Request, DEF states:

1. Documents responsive to DEF’s Response to OPC’s Second Request for Production of Documents, specifically, Question 28, contain “confidential proprietary business information” under Section 366.093(3), F.S.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all documents for which DEF seeks confidential treatment. Composite Exhibit A was submitted separately in a sealed envelope labeled “CONFIDENTIAL” on April 23, 2024. In the unredacted versions, the information asserted to be confidential is highlighted in yellow.

(b) Composite Exhibit B is a package containing two copies of redacted versions

of the documents for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit C is a table which identifies by page and line the information for which DEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

(c) Exhibit D is an affidavit of Luis Rosario, attesting to the confidential nature of the information identified in Exhibit C.

3. As indicated in Exhibit C, the information for which DEF requires confidential classification is “proprietary confidential business information” within the meaning of § 366.093(3), F.S. Specifically, DEF’s response to OPC’s Second Request for Production of Documents, Question 28, includes internal business information regarding future generation and transmission projects (including detailed information about the location and nature of the projects) and regarding DEF’s strategic plans and regulatory strategies. This information relates to DEF’s competitive business interests, and disclosure would impair DEF’s ability to compete in the marketplace. This information also poses significant security risks to DEF, its customers, and the grid.

3. The information identified in Exhibits A and C is intended to be and is treated as confidential by DEF. *See* Exhibit D. Further, that information has not been disclosed to the public. *See* Exhibit D.

4. It follows that the information identified in Exhibit A and C is proprietary confidential information, which would cause harm to DEF and ratepayers if disclosed and which is exempt from disclosure under the Public Records Act pursuant to § 366.093(3), F.S.

6. Accordingly, DEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

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

RESPECTFULLY SUBMITTED this 14th day of May, 2024.

/s/Dianne M. Triplett

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Attorneys for Duke Energy Florida, LLC

CERTIFICATE OF SERVICE
Docket No. 20240025-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 14th day of May, 2024.

/s/ Dianne M. Triplett
Attorney

| | |
|--|---|
| <p>Jennifer Crawford / Major Thompson / Shaw Stiller Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 JCrawfor@psc.state.fl.us MThomпсо@psc.state.fl.us SStiller@psc.state.fl.us</p> | <p>Walt Trierweiler / Charles J. Rehwinkel / Mary Wessling / Austin Watrous Office of Public Counsel 111 W. Madison St., Rm 812 Tallahassee, FL 32399 rehwinkel.charles@leg.state.fl.us trierweiler.walt@leg.state.fl.us watrous.austin@leg.state.fl.us wessling.mary@leg.state.fl.us</p> |
| <p>Jon C. Moyle, Jr. / Karen A. Putnal Moyle Law Firm, P.A. FIPUG 118 North Gadsden Street Tallahassee, Florida 32301 jmoyle@moylelaw.com kputnal@moylelaw.com</p> | <p>Bradley Marshall / Jordan Luebkekmann Earthjustice LULAC & FL Rising 111 S. Martin Luther King Jr. Blvd. Tallahassee, Florida 32301 bmarshall@earthjustice.org jluebkekmann@earthjustice.org</p> |
| <p>Tony Mendoza / Patrick Woolsey Sierra Club 2101 Webster Street Suite 1300 Oakland, CA 94612 tony.mendoza@sierraclub.org patrick.woolsey@sierraclub.org</p> | <p>Robert Scheffel Wright / John T. LaVia, III Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry & Harper, P.A. Florida Retail Federation 1300 Thomaswood Drive Tallahassee, Florida 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p> |
| <p>Sari Amiel Sierra Club 50 F St. NW, Eighth Floor Washington, DC 20001 sari.amiel@sierraclub.org</p> <p>James W. Brew / Laura Wynn Baker / Sarah B. Newman Stone Mattheis Xenopoulos & Brew, PC PCS Phosphate-White Springs 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 jbrew@smxblaw.com lwb@smxblaw.com sbn@smxblaw.com</p> | <p>Peter J. Mattheis / Michael K. Lavanga / Joseph R. Briscar Stone Mattheis Xenopoulos & Brew, PC NUCOR 1025 Thomas Jefferson Street, NW Suite 800 West Washington, DC 20007-5201 pjm@smxblaw.com mkl@smxblaw.com jrb@smxblaw.com</p> <p>William C. Garner Law Office of William C. Garner, PLLC SACE 3425 Bannerman Road Unit 105, No. 414 Tallahassee, FL 32312 bgarner@wcgloffice.com</p> |

Exhibit A

“CONFIDENTIAL”

(filed under separate cover on April 23, 2024)

Exhibit B

REDACTED

(copy-one)

REDACTED
DOCUMENTS BEARING BATES NUMBER 20240025-
OPCPOD2-00008897 THROUGH 20240025-OPCPOD2-
00009027
ARE REDACTED IN THEIR ENTIRETY

REDACTED
DOCUMENTS BEARING BATES NUMBER 20240025-
OPCPOD2-00009044 THROUGH 20240025-OPCPOD2-
00009100
ARE REDACTED IN THEIR ENTIRETY

Exhibit B

REDACTED

(copy-two)

REDACTED
DOCUMENTS BEARING BATES NUMBER 20240025-
OPCPOD2-00008897 THROUGH 20240025-OPCPOD2-
00009027
ARE REDACTED IN THEIR ENTIRETY

REDACTED
DOCUMENTS BEARING BATES NUMBER 20240025-
OPCPOD2-00009044 THROUGH 20240025-OPCPOD2-
00009100
ARE REDACTED IN THEIR ENTIRETY

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

| RESPONSE/DOCUMENT | PAGE/LINE | JUSTIFICATION |
|---|---|--|
| <p>DEF's Response to OPC's Second Request for Production of Documents (Nos. 27-28) specifically, Question 28.</p> | <p>Question 28: Documents bearing bates numbers 20240025-OPCPOD2-00008897 through 20240025-OPCPOD2-00009027 and bates numbers 20240025-OPCPOD2-0009044 through 20240025-OPCPOD2-00009100 are confidential in their entirety.</p> | <p>§366.093(3)(c), F.S. The document in question contains confidential security measures, systems, or procedures.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> |

Exhibit D

AFFIDAVIT OF LUIS ROSARIO

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Duke Energy Florida, LLC
for rate increase

DOCKET NO. 20240025-EI

Dated: May 14, 2024

**AFFIDAVIT OF LUIS ROSARIO 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 Luis Rosario, who being first duly sworn, on oath deposes and says that:

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

2. I am employed by DEF as Director of Utility Strategy.

3. As Director of Utility Strategy, my duties and responsibilities include, among other things, assisting with strategic initiatives.

4. DEF is seeking confidential classification for information contained in response to

the Office of the Public Counsel's ("OPC") Second Request for Production of Documents, Question 28. A detailed description of 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 confidential classification of this confidential information for the reasons set forth below.

5. Documents produced in response to OPC's Second Request for Production of Documents, Question 28, contain confidential information. Specifically, the documents in question contain detailed information about the location and nature of future generation and transmission projects. Disclosure of that information could pose significant security risks to DEF, its customers, and the grid.

6. Documents produced in response to OPC's Second Request for Production of Documents, Question 28, contain internal sensitive business information regarding future generation and transmission projects. They also contain information relating to DEF's strategic plans and regulatory strategies. Because this information relates to DEF's competitive business interests, disclosure would impair DEF's ability to compete in the marketplace.

7. Upon receipt of 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 DEF. At no time since receiving the information in question has DEF publicly disclosed that information. DEF has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 13th day of May, 2024.



(Signature)

Luis Rosario
Director of Utility Strategy
Duke Energy Florida, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13th day of May, 2024 by Luis Rosario. He is personally known to me or has produced his n/a driver's license, or his n/a as identification.


(Signature)

NATALIA RUTHERFORD
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

8/3/2026
(Commission Expiration Date)

HH 296777
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

