



Dianne M. Triplett  
DEPUTY GENERAL COUNSEL

May 21, 2024

**VIA OVERNIGHT 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 Fifth Request for Production of Documents (Nos. 39-50). 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 Jeffrey Kopp)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on April 30, 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

**CERTIFICATE OF SERVICE**

*Docket No. 20240025-EI*

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 21<sup>st</sup> day of May, 2024, to the following:

*/s/ Dianne M. Triplett*  
Dianne M. Triplett

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: May 21, 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 Fifth Request for Production of Documents (Nos. 39-50). DEF’s Notice of Intent to Request Confidential Classification was filed April 30, 2024. 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 Fifth Request for Production of Documents, specifically, Question 47, 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 30, 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.

(d) 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 Fifth Request for Production of Documents, Question 47, includes a full working model used to produce a dismantlement study. The model is proprietary and public disclosure would permit competitors to copy the model. Thus, disclosure would impair competition in the marketplace.

4. 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.

5. 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 21st day of May, 2024.

/s/Dianne M. Triplett

**DIANNE 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 21st day of May, 2024.

/s/ Dianne M. Triplett  
Attorney

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# Exhibit A

**“CONFIDENTIAL”**

**(filed under separate cover on April 30, 2024)**

# **Exhibit B**

**REDACTED**

**(copy-one)**



**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240025-**  
**OPCPOD5-00013256 THROUGH 20240025-OPCPOD5-**  
**00013301**  
**ARE REDACTED IN THEIR ENTIRETY**

# **Exhibit B**

**REDACTED**

**(copy-two)**

**REDACTED**  
**DOCUMENTS BEARING BATES NUMBER 20240025-**  
**OPCPOD5-00013256 THROUGH 20240025-OPCPOD5-**  
**00013301**  
**ARE REDACTED IN THEIR ENTIRETY**

# Exhibit C

## DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's Response to OPC's Fifth Request for Production of Documents (Nos. 39-50) specifically, Question 47.	<b>Question 47:</b> Documents bearing bates numbers 20240025-OPCPOD5-00013256 through 20240025-OPCPOD5-00013301 are confidential in their entirety.	§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.

# **Exhibit D**

## **AFFIDAVIT OF JEFFREY T. KOPP**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: May 21, 2024

**AFFIDAVIT OF JEFFREY T. KOPP IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Jeffrey T. Kopp. 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 1898 & Co., part of Burns & McDonnell Engineering Company, Inc., as the Senior Managing Director of the Energy & Utilities Consulting Department. I oversee more than 250 engineers and consultants who provide consulting services to clients primarily in the electric power generation and electric power transmission industries, but also to other industrial

and commercial clients. The services provided by this group of engineers and consultants include decommissioning cost studies, independent engineering assessments of existing power generation assets, economic evaluations of capital expenditures, new power generation development and evaluation, electric and water rate analysis, electric transmission planning, generation resource planning, renewable power development, and other related engineering and economic assessments.

3. DEF is seeking confidential classification for information contained in response to the Office of the Public Counsel's ("OPC") Fifth Request for Production of Documents, Question 47. 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.

4. Documents produced in response to OPC's Fifth Request for Production of Documents, Question 47, contain confidential information. Specifically, the documents reflect a full working model used to produce a dismantlement study. The model is proprietary and public disclosure would permit competitors to copy the model. Thus, disclosure would impair competition in the marketplace.

5. 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.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
(Signature)  
Jeffrey T. Kopp  
Senior Managing Director  
1898 & Co.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Jeffrey T. Kopp. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature)

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_

\_\_\_\_\_  
(Commission Expiration Date)

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