



Dianne M. Triplett  
DEPUTY GENERAL COUNSEL

June 11, 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 Response to Sierra Club's Fourth Request for Production of Documents (Nos. 22-25). 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 (affidavits of Reginald Anderson)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on May 21, 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: June 11, 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 (“Request”) for certain information contained in its Response to Sierra Club’s Fourth Request for Production of Documents (Nos. 22-25). DEF’s Notice of Intent to Request Confidential Classification was filed May 21, 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 Sierra Club’s Fourth Request for Production of Documents, specifically, Question 23, 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 May 21, 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 DEF 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 includes the affidavit of Reginald D. Anderson, attesting to the confidential nature of the information identified in Exhibit C.

3. As indicated in Exhibits C and D, the information for which DEF requires confidential classification is “proprietary confidential business information” within the meaning of § 366.093(3), F.S. Specifically, the information at issue in DEF’s response to Sierra Club’s Fourth Request for Production of Documents, Question 23, includes pricing and other information relating to contracts for goods and services. Disclosure of this non-public information could alter contractors’ behavior to the detriment of DEF, its customers, and its affiliates. Thus, absent confidential classification, DEF and its affiliates’ efforts to contract for goods and services on favorable terms may be impaired.

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 Exhibits 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 be granted.

RESPECTFULLY SUBMITTED this 11th of June, 2024.

/s/Dianne M. Triplett

**DIANNE TRIPLETT**

Deputy General Counsel

299 1st Avenue North

St. Petersburg, Florida 33701

T: (727) 820-4692

E: [dianne.triplett@duke-energy.com](mailto:dianne.triplett@duke-energy.com)

**MATTHEW R. BERNIER**

Associate General Counsel

106 East College Avenue, Suite 800

Tallahassee, Florida 32301

T: (850) 521-1428

E: [matt.bernier@duke-energy.com](mailto:matt.bernier@duke-energy.com)

**STEPHANIE A. CUELLO**

Senior Counsel

106 East College Avenue, Suite 800

Tallahassee, Florida 32301

T: (850) 521-1425

E: [stephanie.cuello@duke-energy.com](mailto:stephanie.cuello@duke-energy.com)

[FLRegulatoryLegal@duke-energy.com](mailto:FLRegulatoryLegal@duke-energy.com)

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 11th day of June, 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  <a href="mailto:JCrawfor@psc.state.fl.us">JCrawfor@psc.state.fl.us</a>  <a href="mailto:MThomпсо@psc.state.fl.us">MThomпсо@psc.state.fl.us</a>  <a href="mailto:SStiller@psc.state.fl.us">SStiller@psc.state.fl.us</a></p>	<p>Walt Trierweiler / Charles J. Rehwinkel /  Mary Wessling / Austin Watrous  Office of Public Counsel  111 W. Madison St., Rm 812  Tallahassee, FL 32399  <a href="mailto:rehwinkel.charles@leg.state.fl.us">rehwinkel.charles@leg.state.fl.us</a>  <a href="mailto:trierweiler.walt@leg.state.fl.us">trierweiler.walt@leg.state.fl.us</a>  <a href="mailto:watrous.austin@leg.state.fl.us">watrous.austin@leg.state.fl.us</a>  <a href="mailto:wessling.mary@leg.state.fl.us">wessling.mary@leg.state.fl.us</a></p>
<p>Jon C. Moyle, Jr. / Karen A. Putnal  Moyle Law Firm, P.A.  FIPUG  118 North Gadsden Street  Tallahassee, Florida 32301  <a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a>  <a href="mailto:kputnal@moylelaw.com">kputnal@moylelaw.com</a></p>	<p>Bradley Marshall / Jordan Luebke  Earthjustice  LULAC &amp; FL Rising  111 S. Martin Luther King Jr. Blvd.  Tallahassee, Florida 32301  <a href="mailto:bmarshall@earthjustice.org">bmarshall@earthjustice.org</a>  <a href="mailto:jluebke@earthjustice.org">jluebke@earthjustice.org</a></p>
<p>Tony Mendoza / Patrick Woolsey  Sierra Club  2101 Webster Street Suite 1300  Oakland, CA 94612  <a href="mailto:tony.mendoza@sierraclub.org">tony.mendoza@sierraclub.org</a>  <a href="mailto:patrick.woolsey@sierraclub.org">patrick.woolsey@sierraclub.org</a></p>	<p>Robert Scheffel Wright / John T. LaVia, III  Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry &amp;  Harper, P.A.  Florida Retail Federation  1300 Thomaswood Drive  Tallahassee, Florida 32308  <a href="mailto:schef@gbwlegal.com">schef@gbwlegal.com</a>  <a href="mailto:jlavia@gbwlegal.com">jlavia@gbwlegal.com</a></p>
<p>Sari Amiel  Sierra Club  50 F St. NW, Eighth Floor  Washington, DC 20001  <a href="mailto:sari.amiel@sierraclub.org">sari.amiel@sierraclub.org</a></p> <p>James W. Brew / Laura Wynn Baker /  Sarah B. Newman  Stone Mattheis Xenopoulos &amp; Brew, PC  PCS Phosphate-White Springs  1025 Thomas Jefferson Street, NW  Suite 800 West  Washington, DC 20007-5201  <a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a>  <a href="mailto:lwb@smxblaw.com">lwb@smxblaw.com</a>  <a href="mailto:sbn@smxblaw.com">sbn@smxblaw.com</a></p>	<p>Peter J. Mattheis / Michael K. Lavanga /  Joseph R. Briscar  Stone Mattheis Xenopoulos &amp; Brew, PC  NUCOR  1025 Thomas Jefferson Street, NW  Suite 800 West  Washington, DC 20007-5201  <a href="mailto:pjm@smxblaw.com">pjm@smxblaw.com</a>  <a href="mailto:mkl@smxblaw.com">mkl@smxblaw.com</a>  <a href="mailto:jrb@smxblaw.com">jrb@smxblaw.com</a></p> <p>William C. Garner  Law Office of William C. Garner, PLLC  SACE  3425 Bannerman Road  Unit 105, No. 414  Tallahassee, FL 32312  <a href="mailto:wgarner@wcgloffice.com">wgarner@wcgloffice.com</a></p>

# Exhibit A

**“CONFIDENTIAL”**

**(filed under separate cover on May 21, 2024)**

# **Exhibit B**

**REDACTED**

**(copy-one)**

REDACTED

DOCUMENTS BEARING BATES NUMBER 20240025-  
SIERRACLUBPOD4-00004172

THROUGH 20240025-SIERRACLUBPOD4-00004174  
ARE REDACTED IN THEIR ENTIRETY



# **Exhibit B**

**REDACTED**

**(copy-two)**

REDACTED  
DOCUMENTS BEARING BATES NUMBER  
20240025-SIERRACLUBPOD4-00004172  
THROUGH 20240025-SIERRACLUBPOD4-00004174  
ARE REDACTED IN THEIR ENTIRETY

# Exhibit C

## DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's Response to Sierra Club's Fourth Request for Production of Documents (Nos. 22-25), Question 23.	<b>Question 90:</b> Documents bearing bates numbers 20240025-SierraClubPOD4-00004172 through 20240025-SierraClubPOD4-00004174 are confidential in their entirety.	§366.093(3)(d), F.S. The documents in question contain confidential information, disclosure of which would impair DEF's efforts to contract for goods or services on favorable terms.

# **Exhibit D**

## **AFFIDAVIT OF REGINALD D. ANDERSON**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 20240025-EI

Dated: June 11, 2024

**AFFIDAVIT OF REGINALD D. ANDERSON 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 Reginald D. Anderson, who being first duly sworn, on oath deposes and says that:

1. My name is Reginald D. Anderson. 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 Vice President, Power Generation.

3. As Vice President of DEF's Power Generation organization, I am responsible for providing overall leadership and strategic and tactical planning over employees in DEF's Power Generation organization. In this role, I oversee generation projects, major maintenance programs, outage and project management, fleet retirement strategy, and workforce planning (including

departmental staffing and long-term strategies such as organizational alignment, design, retention, and inclusion). I am responsible for billions of dollars in assets including capital and operating and maintenance budgets, and I lead the development of regional succession planning.

4. DEF is seeking confidential classification for information contained in response to the Sierra Club's Fourth Request for Production of Documents, Question 23. A detailed description of the confidential information at issue is contained in Exhibit A to DEF's Request and is outlined in DEF's Confidentiality 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 Sierra Club's Fourth Request for Production of Documents, Question 23, contain confidential information. Specifically, those documents contain pricing and other information relating to contracts for goods and services. Disclosure of this non-public information could alter contractors' behavior to the detriment of DEF, its customers, and its affiliates. Thus, absent confidential classification, DEF and its affiliates' efforts to contract for goods and services on favorable terms may be impaired.

6. 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.

7. This concludes my affidavit.

Further affiant sayeth not.

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

\_\_\_\_\_  
(Signature)  
Reginald D. Anderson  
Vice President, Power Generation  
Duke Energy Florida, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Reginald D. Anderson. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

(AFFIX NOTARIAL SEAL)

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

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

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

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