



Stephanie A. Cuello
SENIOR COUNSEL

July 26, 2024

VIA ELECTRONIC FILING

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

Re: Docket 20240013-EG, Commission review of numeric Conservation goals 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 STAFF's Fifth Set of Interrogatories (Nos. 50-52). 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 Tim Duff)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on July 11, 2024, under separate cover.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1425 should you have any questions concerning this filing.

Respectfully,

/s/ Stephanie A. Cuello

Stephanie A. Cuello

SAC/clg
Attachments

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric Conservation goals by Duke Energy Florida, LLC.

Docket No. 20240013-EG

Dated: July 26, 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 Staff’s Fifth Set of Interrogatories (Nos. 50-52), 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 Staff’s Fifth Set of Interrogatories, specifically, Question 50b, 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 July 11, 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 classification and the specific statutory bases for seeking confidential treatment.

(d) Exhibit D is an affidavit of Tim Duff, 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 Staff’s Fifth Set of Interrogatories, Question 50b, includes internal business information regarding(workpapers and workbooks that contain pricing information, competitive data and information related to competitive interests 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 26th day of July, 2024.

/s/Stephanie A. Cuello

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Attorneys for Duke Energy Florida, LLC

CERTIFICATE OF SERVICE

Docket No. 20240013-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 26th day of July, 2024.

/s/ Stephanie A. Cuello

Attorney

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Exhibit A

“CONFIDENTIAL”

(filed under separate cover on July 11, 2024)

Exhibit B

REDACTED

(copy-one)

REDACTED
DOCUMENTS BEARING BATES NUMBER
20240013-STAFFROG5-00001792
IS REDACTED IN ITS ENTIRETY

Exhibit B

REDACTED

(copy-two)

REDACTED
DOCUMENTS BEARING BATES NUMBER
20240013-STAFFROG5-00001792
IS REDACTED IN ITS ENTIRETY

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

RESPONSE/DOCUMENT	PAGE/LINE	JUSTIFICATION
DEF's Response to Staff's Fifth Set of Interrogatories (Nos. 50-52) specifically, Question 50b.	Question 50b: Document bearing bates numbers 20240013-STAFFROG5-00001792 is confidential in its entirety.	§366.093(3)(c), F.S. The document in question contains confidential security measures, systems, or procedures. §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 TIM DUFF

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Duke Energy Florida, LLC)

Docket No. 20240013-EG

Dated: July 26, 2024

**AFFIDAVIT OF TIM DUFF 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 Tim Duff, who being first duly sworn, on oath deposes and says that:

1. My name is Tim Duff. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, Inc. (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 facts attested to in my affidavit are based upon my personal knowledge.

2. I am the General Manager, Customer Solutions Regulatory Enablement. In this role, I am responsible for the development of strategies and policies related to energy efficiency and all other retail products and services.

3. As the General Manager of Customer Solutions Regulatory Enablement, I also oversee the analytics functions associated with evaluating, tracking, and reporting the performance of Duke Energy's retail products and services related to energy efficiency, demand side management programs and all other retail products and services.

4. DEF is seeking confidential classification for a portion of DEF's Response to Staff's Fifth Set of Interrogatories (Nos. 50-52), specifically question 50b, served on July 11, 2024, in this docket. The confidential information at issue is contained in confidential Exhibit A provided with DEF's Request Confidential Classification provided on July 26, 2024 and is outlined in DEF's Justification Matrix attached to DEF's Request as Exhibit C. DEF is requesting confidential classification of this information because it contains confidential proprietary business information relating to specific algorithms and calculations regarding cost effectiveness modeling that contain pricing information and competitive data. The disclosure of that information to the public would adversely impact DEF and third-party vendors' competitive business interests.

5. Upon receipt of confidential information from utility system equipment and power suppliers, as well as with its own 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 the Company, and restricting the number of, and access to the information and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the ____ day of _____, 2024.

(Signature)
Tim Duff
General Manager
Customer Solutions Regulatory Enablement
Duke Energy
550 South Tryon Street
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day of _____, 2024, by Tim Duff. 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 NORTH
CAROLINA

(Commission Expiration Date)

(Serial Number, If Any)