

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED-FPSC
13 JUN 14 PM 4:14
COMMISSION
CLERK

In re: DEF's Responses to Staff's Data Request #1 concerning Recall of PV Panels Manufactured by Advanced Solar Photonics on Behalf of Blue Chip Energy LLC..

Docket No. Undocketed

Dated: June 14, 2013

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

**DUKE ENERGY FLORIDA INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

For DN 03337-13 which is in locked storage. You must be authorized to view this document.

Duke Energy Florida, Inc., ("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 provided in DEF's Responses to Staff's Solar Panel Recall Data Request submitted on June 14, 2013. In support of this Request, DEF states:

1. DEF's Responses to Staff's Solar Panel Recall Data Request contains "proprietary business information" under Section 366.093(3), Florida Statutes.
2. The following exhibits are included with this request:
 - (a) Sealed Composite Exhibit A is a package containing an unredacted copy of all the documents for which DEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted by yellow marker.
 - (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.

COM _____
AFD _____
APA _____
ECO _____
ENG _____
GCL
IDM _____
TEL _____
CLK

DOCUMENT NUMBER - DATE

03336 JUN 14 2013

FPSC-COMMISSION CLERK

(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.

3. As indicated in Exhibit C, the information for which DEF requests confidential classification is "proprietary confidential business information" within the meaning of Section 366.093(3), F.S. Specifically, the documents at issue contain names and addresses of customers who have had certain Blue Chip panels installed, the disclosure of which would cause harm to those customers. *Id.* § 366.093(3); Affidavit of Lee Guthrie at ¶ 5. The Company does not disclose information like customer names, addresses, and equipment installation information to the public, because it considers that information confidential and private information that belongs to its customers. Accordingly, such information constitutes "proprietary confidential business information" which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

4. The information identified as Exhibit "A" is intended to be and is treated as confidential by the Company. See Affidavit of Lee Guthrie at ¶ 6. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. See Affidavit of Lee Guthrie at ¶ 6.

5. 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 June, 2013.



DIANNE M. TRIPLETT
Associate General Counsel
Duke Energy Florida, Inc.
Post Office Box 14042
St. Petersburg, Florida 33733-4042
Telephone: 727-820-4692
Facsimile: 727-820-5249
Email: dianne.triplett@duke-energy.com

Attorneys for
Duke ENERGY FLORIDA, INC.