



Matthew R. Bernier
Associate General Counsel
Duke Energy Florida, LLC.

February 14, 2019

VIA ELECTRONIC FILING

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

Re: *Review of Physical Security Protection of Utility Substations and Control Centers;*
Docket No. 20140235-EI

Dear Mr. Teitzman:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Extension of Confidential Classification concerning certain information contained in Staff's Review of Physical Security Protection of Utility Substations and Control Centers, Audit Control No. PA-14-5-003, and Revised Exhibit D, Affidavit of Mark Aysta. The original Request included Exhibits A, B, and C.

There are no changes to the original Request's Exhibit A consisting of the confidential unredacted documents, Exhibit B containing two (2) redacted copies of the confidential document, or Exhibit C containing a justification table in support of DEF's original Request. The aforementioned exhibits remain on file with the Clerk.

Thank you for your assistance in this matter. Please feel free to call me at (850) 521-1428 should you have any questions concerning this filing

Respectfully,

s/Matthew R. Bernier

Matthew R. Bernier
Associate General Counsel

MRB/mw
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Physical Security
Protection of Utility Substations and
Control Centers

Docket No. 20140235-EI

Dated: February 14, 2019

**DUKE ENERGY FLORIDA LLC'S
REQUEST FOR EXTENSION OF 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 Extension of Confidential Classification (the “Request”) for certain information contained in Staff’s Review of Physical Security Protection of Utility Substations and Control Centers Audit Report No. PA-14-05-003 (“Audit Report”) and Staff’s auditors’ workpapers used to prepare the Audit Report. In support of this Request, DEF states:

1. On December 1, 2014, DEF filed a request for confidential classification for certain information contained in Staff’s auditors’ workpapers (Document No. 06532-2014), as it contains sensitive business information such as details of DEF’s Physical Security measures, procedures, and systems for protection of its transmission, distribution, and control center facilities.

2. DEF’s December 1, 2014, Request was granted by Order No. PSC-2015-0105-CFO-EI, on February 16, 2015. The period of confidential treatment granted by that order will expire on February 15, 2019. The information continues to warrant treatment as “proprietary

confidential business information” within the meaning of Section 366.093(3), F.S. Accordingly, DEF is filing its Request for Extension of Confidential Classification.

3. DEF submits that the information contained in Staff’s Audit Workpapers identified in Exhibit “A” and Exhibit “C” to the December 1, 2014 Request¹ continues to be “proprietary confidential business information” within the meaning of section 366.093(3), F.S., and continues to require confidential classification. *See* Affidavit of Mark Aysta at ¶¶ 4-6, attached as Revised Exhibit “D”. This information is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public. Pursuant to section 366.093(1), F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the Public Records Act. *See* Affidavit of Mark Aysta ¶¶ 6-7.

4. Nothing has changed since the issuance of Order No. PSC-2015-0105-CFO-EI, to render the information stale or public such that continued confidential treatment would be inappropriate. Upon a finding by the Commission that this information continues to be “proprietary confidential business information,” it should continue to be treated as such for an additional period of at least 4 years, and should be returned to DEF as soon as the information is no longer necessary for the Commission to conduct its business. *See* §366.093(4), F.S.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this Request for Extension of Confidential Classification be granted and that the information be deemed “proprietary confidential business information” for a period of no less than four (4) years.

¹ DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 06532-2014 submitted on December 1, 2014 in Docket No. 20140235-EI as if attached hereto.

Respectfully submitted this 14th day of February, 2019.

s/Matthew R. Bernier

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CERTIFICATE OF SERVICE

Docket No. 20140235-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 14th day of February, 2019 to all parties of record as indicated below.

s/Matthew R. Bernier
Attorney

Adria Harper
Office of General Counsel
Florida Public Service Commission
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Tallahassee, FL 32399-0850
aharper@psc.state.fl.us

Exhibit A

“CONFIDENTIAL”

(on file)

Exhibit B

REDACTED

(on file)

Exhibit C

**DUKE ENERGY FLORIDA
Confidentiality Justification Matrix
(on file)**

REVISED EXHIBIT D

**AFFIDAVIT OF
MARK AYSTA**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Physical Security
Substations and Control Centers
Protection of Utility

Docket No. 20140235-EI

Dated: February 15, 2019

**AFFIDAVIT OF MARK AYSTA IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

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

2. I am the Managing Director of Enterprise Protective Services in the Administrative Services Department. This section is responsible for the oversight of DEF's physical security protection of substations and control centers.

3. As the Managing Director of Enterprise Protective Services, I am responsible, along with the other members of the section, for DEF's physical security

procedures covering substations and control centers, determining methods to ensure compliance, and reviewing the procedures and implementing new processes as risks and vulnerability assessments warrant.

4. DEF is seeking an extension of confidential classification for certain information contained in Staff's Review of Physical Security Protection of Utility Substations and Control Centers Audit Report No. PA-14-05-003 ("Audit Report") and Staff's auditors' workpapers used to prepare the Audit Report. There are no changes to the information contained in DEF's confidential Exhibit A, redacted Exhibit B, and justification matrix C. The referenced Exhibits are on file with the Clerk. DEF is requesting an extension of confidential classification of this information because it contains proprietary and confidential business information, the disclosure of which would impede DEF's ability to secure its substations and control centers.

5. The confidential information at issue relates to DEF's physical security measures, systems, and procedures DEF has taken action to ensure its substations and control centers are secure. The disclosure of DEF's security measures, systems and procedures would increase its risks and vulnerability and affect the Company's efforts to protect its substations and control centers. If DEF did not take action to protect this proprietary and confidential information, this information would become part of the public domain, subjecting DEF, its customers, and the electric grid in Florida to security risks and increased vulnerability. Such a scenario would limit the Company's ability to effectively secure and maintain its substations and control centers.

6. Strict procedures are established and followed to maintain the confidentiality of the confidential documents and information at issue, including

restricting access to those persons who need the information to assist the Company. Without DEF's measures to maintain the confidentiality of sensitive business procedures, the Company's efforts to maintain physical security could be undermined. At no time has the Company publicly disclosed the confidential information or documents at issue. The Company has treated and continues to treat the information and documents at issue as confidential.

7. Due to the highly sensitive and confidential nature of this information, and because these measures, systems, and procedures are unlikely to materially change a great deal in the near future, DEF has requested that the Commission grant the information confidential protection for a period of at least 4 years.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 12th day of February, 2019.



(Signature)

Mark Aysta

Managing Director of Enterprise Protective Services

Administrative Services Department

Duke Energy

400 South Church

Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12th day of February, 2019 by Mark Aysta. He is personally known to me, or has produced his NC [REDACTED] 0211 driver's license, or his _____ as identification.



(Signature)

Julia R. Hensley

(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF NC

11/6/2021

(Commission Expiration Date)

(Serial Number, If Any)