



Matthew R. Bernier  
Associate General Counsel

April 18, 2022

**VIA ELECTRONIC FILING**

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

Re: *Fuel and purchased power cost recovery clause with generating performance incentive factor; Docket No. 20220001-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 for certain information provided in response to the Office of Public Counsel’s (“OPC”) Fourth Request to Produce Documents (Nos. 34-39), specifically question 36, filed in docket no. 20200001-EI and Revised Exhibit D, Affidavit of Reginald Anderson. 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*

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Matthew R. Bernier

MRB/mw  
Enclosures

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Fuel and purchased power cost  
recovery clause with generating performance  
incentive factor.

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Docket No. 20220001-EI

Dated: April 18, 2022

**DUKE ENERGY FLORIDA LLC'S  
FIRST 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 its First Request for Extension of Confidential Classification (the “Request”) for certain information provided in response to the Office of Public Counsel’s (“OPC”) Fourth Request to Produce Documents (Nos. 34-39). In support of this Request, DEF states:

1. On February 17, 2020, DEF filed a Request for Confidential Classification (document number 00928-2020), for certain information contained in DEF’s Response to OPC’s Fourth Request to Produce Documents, specifically question 36, as it contains “proprietary confidential business information” under Section 366.093(3), Florida Statutes.

2. DEF’s February 17, 2020 Request was granted by Order No. PSC-2020-0375-CFO-EI on October 16, 2020. The period of confidential treatment granted by that order will expire on April 18, 2022. 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 First Request for Extension of Confidential Classification.

3. DEF submits that the confidential information contained in DEF's Response to OPC's Fourth Request to Produce, question 36, identified in Exhibit "A" and Exhibit "C" to the February 17, 2020, Request<sup>1</sup> 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 Reginald Anderson at ¶ 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 Reginald Anderson ¶¶ 5-6.

4. Nothing has changed since the issuance of Order No. PSC-2020-0375-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. 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 18 months 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.

RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of April, 2022.

*s/Matthew R. Bernier*

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**DIANNE M. TRIPLETT**  
Deputy General Counsel  
299 1<sup>st</sup> Avenue North

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<sup>1</sup> DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 00928-2020 submitted on February 17, 2020 in docket no. 20200001-EI as if attached hereto

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Attorneys for Duke Energy Florida, LLC

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 18<sup>th</sup> day of April, 2022 to all parties of record as indicated below.

*s/Matthew R. Bernier*  
Attorney

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# **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  
REGINALD ANDERSON**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Fuel and purchased power cost  
recovery clause with generating  
performance incentive factor.

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Docket No. 20220001-EI

Dated: April 15, 2022

**AFFIDAVIT OF REGINALD ANDERSON IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Reginald 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 the Vice President of Regulated & Renewable Energy Florida. I am responsible for the overall leadership and strategic direction of DEF's power generation fleet. My major duties and responsibilities include strategic and tactical planning to operate and maintain DEF's non-nuclear generation fleet; generation fleet project and additions recommendations; major maintenance programs; outage and project management; retirement of generation facilities; asset allocation; workforce planning and staffing; organizational alignment and design; continuous business improvements; retention and inclusion; succession planning;

and oversight of hundreds of employees and hundreds of millions of dollars in assets and capital and O&M budgets.

4. DEF is seeking an extension of confidential classification for information contained in DEF's Response to OPC's Fourth Request to Produce Documents (Nos. 34-39), specifically questions 36, filed on February 17, 2020 in docket number 20200001-EI. 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 sensitive business information, the disclosure of which would impair the Company's competitive business interests.

5. The confidential information at issue is confidential proprietary information. In order to contract with third-party vendors and Original Equipment Manufacturers on favorable terms, DEF must keep contractual terms and third-party proprietary information confidential. The information contains drawings, evaluations and information of both DEF and third-party companies, the disclosure of which would impair the Company's competitive business interests and efforts to contract for goods or services on favorable terms. DEF has not publicly disclosed the information. Without DEF's measures to maintain the confidentiality of this sensitive business information, DEF's ability to contract with third parties could detrimentally impact DEF's ability to negotiate favorable contracts, thereby harming its competitive interests, ultimately to its customers' detriment.

6. Upon receipt of 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

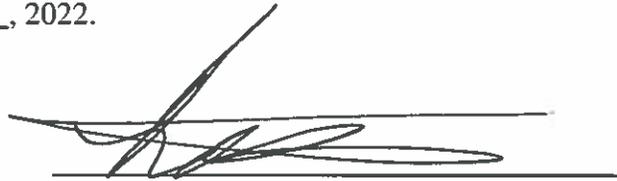
Company, and restricting the number of, and access to the information and contracts. At no time since receiving the information in question has the Company publicly disclosed that information.

The Company has treated and continues to treat the information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

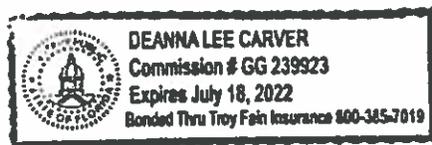
Dated the 14<sup>th</sup> day of April, 2022.



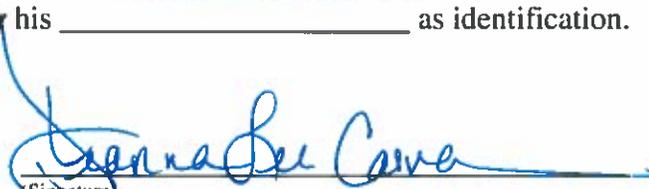
(Signature)

Reginald Anderson  
Vice President,  
Regulated and Renewable Energy Florida  
Duke Energy Florida, LLC  
Florida Regional Headquarters  
St. Petersburg, FL

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 14<sup>th</sup> day of April, 2022 by Reginald Anderson. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(AFFIX NOTARIAL SEAL)



(Signature)

Deanna Lee Carver

(Printed Name)

NOTARY PUBLIC, STATE OF FL

July 18, 2022

(Commission Expiration Date)

(Serial Number, If Any)

*[Faint handwritten text, possibly a signature or address]*

DEANNALEE CARVER  
Commission # GG 239823  
Expires July 18, 2023  
Elected This Term to the Board of Supervisors 2020-2023

