



Matthew R. Bernier  
Associate General Counsel

August 16, 2023

**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. 20230001-EI*

Dear Mr. Teitzman:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC (“DEF”), DEF’s First Request for Extension of Confidential Classification concerning certain information provided in its Response to OPC’s Sixth Set of Interrogatories (Nos. 43-51) and OPC’s Fifth Request to Produce Documents (Nos. 21-24), filed in docket no. 20210001-EI and Revised Exhibit D, Affidavits of Anthony Salvarezza and Arnaldo Garcia. 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

MRB/mw  
Enclosures

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

---

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

---

Docket No. 20230001-EI

Dated: August 16, 2023

**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 this First Request for Extension of Confidential Classification for certain information provided in its response to the Office of the Public Counsel’s (“OPC”) Sixth Set of Interrogatories (Nos. 43-51) and OPC’s Fifth Request to Produce (Nos. 21-24), filed on November 8, 2021 in docket number 20210001-EI.

In support of this Request, DEF states:

1. On November 8, 2021, DEF filed a Request for Confidential Classification for information contained in its response to the Office of the Public Counsel’s (“OPC”) Sixth Set of Interrogatories (Nos. 43-51), specifically question 46, and OPC’s Fifth Request to Produce Documents (Nos. 21-24), specifically questions 21, 22, and 24, as they contain “proprietary confidential business information” under Section 366.093(3), Florida Statutes.

2. DEF’s November 8, 2021 Request was granted by Order No. PSC-2022-0068-CFO-EI on February 18, 2022. The period of confidential treatment granted by that order will expire on August 18, 2023. 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 information contained in its response to the Office of the Public Counsel's ("OPC") Sixth Set of Interrogatories (Nos. 43-51) and OPC's Fifth Request to Produce Documents (Nos. 21-24), identified in Exhibit "A" and Exhibit "C" to the November 8, 2021, Request<sup>1</sup> continues to be "proprietary confidential business information" within the meaning of section 366.093(3), F.S. and continue to require confidential classification. *See* Affidavits of Anthony Salvarezza at ¶¶ 4-6 and Arnaldo Garcia at ¶¶ 3-5, 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* Affidavits of Anthony Salvarezza ¶¶ 4-6 and Arnaldo Garcia at ¶¶ 3-5.

4. Nothing has changed since the issuance of Order No. PSC-2022-0068-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 First Request for Extension of Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of August, 2023.

/s/Matthew R. Bernier

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

---

<sup>1</sup> DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 12586-2021 submitted on November 8, 2021 in docket no. 20210001-EI as if attached hereto

St. Petersburg, Florida 33701  
T: (727) 820-4692  
F: (727) 820-5041  
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  
F: (727) 820-5041  
E: [matthew.bernier@duke-energy.com](mailto:matthew.bernier@duke-energy.com)

**STEPHANIE A. CUELLO**  
Senior Counsel  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301  
T: (850) 521-1425  
F: (727) 820-5041  
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. 20230001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 16<sup>th</sup> day of August, 2023, to all parties of record as indicated below.

/s/Matthew R. Bernier

Attorney

|  |   |  |
|--|---|--|
| <p>Suzanne Brownless<br/>Ryan Sandy<br/>Office of General Counsel<br/>FL Public Service Commission<br/>2540 Shumard Oak Blvd.<br/>Tallahassee, FL 32399-0850<br/><a href="mailto:sbrownle@psc.state.fl.us">sbrownle@psc.state.fl.us</a><br/><a href="mailto:rsandy@psc.state.fl.us">rsandy@psc.state.fl.us</a></p> <p>J. Wahlen / M. Means / V. Ponder<br/>Ausley McMullen<br/>Tampa Electric Company<br/>P.O. Box 391<br/>Tallahassee, FL 32302<br/><a href="mailto:jwahlen@ausley.com">jwahlen@ausley.com</a><br/><a href="mailto:mmeans@ausley.com">mmeans@ausley.com</a><br/><a href="mailto:vponder@ausley.com">vponder@ausley.com</a></p> <p>Kenneth A. Hoffman<br/>Florida Power &amp; Light Company<br/>134 W. Jefferson Street<br/>Tallahassee, FL 32301-1713<br/><a href="mailto:ken.hoffman@fpl.com">ken.hoffman@fpl.com</a></p> <p>Jon C. Moyle, Jr.<br/>Moyle Law Firm, P.A.<br/>FIPUG<br/>118 North Gadsden Street<br/>Tallahassee, FL 32301<br/><a href="mailto:jmoyle@moylelaw.com">jmoyle@moylelaw.com</a><br/><a href="mailto:mqualls@moylelaw.com">mqualls@moylelaw.com</a></p> | <p>W.Trierweiler / P. Christensen/C.<br/>Rehwinkel / M. Wessling<br/>Office of Public Counsel<br/>111 W. Madison St., Room 812<br/>Tallahassee, FL 32399-1400<br/><a href="mailto:christensen.patty@leg.state.fl.us">christensen.patty@leg.state.fl.us</a><br/><a href="mailto:rehwinkel.charles@leg.state.fl.us">rehwinkel.charles@leg.state.fl.us</a><br/><a href="mailto:wessling.mary@leg.state.fl.us">wessling.mary@leg.state.fl.us</a><br/><a href="mailto:Trierweiler.walt@leg.state.fl.us">Trierweiler.walt@leg.state.fl.us</a></p> <p>Paula K. Brown<br/>Regulatory Affairs<br/>Tampa Electric Company<br/>P.O. Box 111<br/>Tampa, FL 33601-0111<br/><a href="mailto:regdept@tecoenergy.com">regdept@tecoenergy.com</a></p> <p>Maria Moncada / David Lee<br/>Florida Power &amp; Light Company<br/>700 Universe Blvd. (LAW/JB)<br/>Juno Beach, FL 33408-0420<br/><a href="mailto:david.lee@fpl.com">david.lee@fpl.com</a><br/><a href="mailto:maria.moncada@fpl.com">maria.moncada@fpl.com</a></p> <p>James Brew / Laura W. Baker<br/>Stone Mattheis Xenopoulos &amp; Brew, P.C.<br/>White Springs/PCS Phosphate<br/>1025 Thomas Jefferson St., N.W.<br/>Eighth Floor, West Tower<br/>Washington, DC 20007<br/><a href="mailto:jbrew@smxblaw.com">jbrew@smxblaw.com</a><br/><a href="mailto:lwb@smxblaw.com">lwb@smxblaw.com</a></p> <p>William C. Garner, Esq.<br/>Law Office of William C. Garner, PLLC<br/>3425 Bannerman Road<br/>Unit 105, No. 414<br/>Tallahassee, FL 32312<br/><a href="mailto:bgarner@weglawoffice.com">bgarner@weglawoffice.com</a></p> | <p>Mike Cassel<br/>Florida Public Utilities Company<br/>208 Wildlight Avenue<br/>Yulee, FL 32097<br/><a href="mailto:mcassel@fpuc.com">mcassel@fpuc.com</a></p> <p>Michelle D. Napier<br/>Florida Public Utilities Company<br/>1635 Meathe Drive<br/>West Palm Beach, FL 33411<br/><a href="mailto:mnapier@fpuc.com">mnapier@fpuc.com</a></p> <p>Beth Keating<br/>Gunster, Yoakley &amp; Stewart, P.A.<br/>FPUC<br/>215 South Monroe Street, Suite 601<br/>Tallahassee, FL 32301<br/><a href="mailto:bkeating@gunster.com">bkeating@gunster.com</a></p> <p>Robert Scheffel Wright<br/>John T. LaVia, III<br/>Florida Retail Federation<br/>Gardner, Bist, Bowden, Dec, LaVia,<br/>Wright, Perry, &amp; Harper, P.A.<br/>1300 Thomaswood Drive<br/>Tallahassee, FL 32308<br/><a href="mailto:schef@gbwlegal.com">schef@gbwlegal.com</a><br/><a href="mailto:jlavia@gbwlegal.com">jlavia@gbwlegal.com</a></p> <p>Peter J. Mattheis / Michael K. Lavanga<br/>Joseph R. Briscar<br/>Nucor c/o<br/>Stone Mattheis Xenopoulos &amp; Brew, PC<br/>1025 Thomas Jefferson Street, NW Eighth<br/>Floor, West Tower Washington, DC 20007<br/><a href="mailto:pjm@smxblaw.com">pjm@smxblaw.com</a><br/><a href="mailto:mkl@smxblaw.com">mkl@smxblaw.com</a><br/><a href="mailto:jrb@smxblaw.com">jrb@smxblaw.com</a></p> |
|--|---|--|

# **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  
ANTHONY SALVAREZZA**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

---

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

---

Docket No. 20230001-EI

Dated: August 16, 2023

**AFFIDAVIT OF ANTHONY SALVAREZZA IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S FIRST  
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Anthony Salvarezza. 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 First 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 General Manager of Regional Services. I am responsible for leading and directing project engineering, project management, outage management, business planning and specialized maintenance in Regulated and Renewable Energy. My major duties and responsibilities include providing safe, reliable, efficient, economic, environmental, and regulatory compliant maintenance activities through the development and implementation of processes and programs.

3. DEF is seeking an extension of confidential classification for certain information contained its Response to OPC's Sixth Set of Interrogatories (Nos. 43-51), specifically question 46 and OPC's Fifth Request to Produce (Nos.21-24), specifically questions 21 and 22. 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 and ability to contract for goods and services on favorable terms.

4. The confidential information at issue relates to proprietary third-party and internal operating procedures and technical information regarding the third-party's proprietary component design and operation parameters, the disclosure of which would impair the third-party's competitive business interests, and if disclosed, the Company's competitive business interests and efforts to contact for goods or services on favorable terms. In order to contract with third party vendors on favorable terms, DEF must keep third-party proprietary information confidential.

5. Further, if DEF cannot demonstrate to its third-party vendors and others that may enter contracts with DEF in the future, that DEF has the ability to protect those third parties' confidential and proprietary business information, third parties will be less likely to provide that information to DEF – harming DEF's ability to prudently operate its business. 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

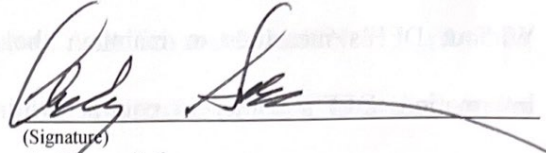
contracts, as third parties may begin to demand a “premium” to do business with DEF to account for the risk that its proprietary information will become a matter of public record, thereby harming DEF’s competitive interests and ultimately its customers’ financial interests.

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.

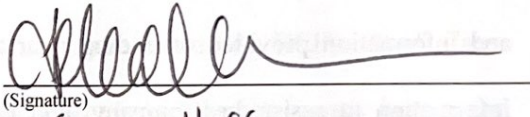
Further affiant sayeth not.

Dated the 2ND day of August, 2023.



(Signature)  
Anthony Salvarezza  
General Manager-Regional Services

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 2nd day of August, 2023 by Anthony Salvarezza. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(Signature)  
Teresa Hess

(AFFIX NOTARIAL SEAL)

(Printed Name)  
NOTARY PUBLIC, STATE OF Florida

7/25/2027  
(Commission Expiration Date)

HH 389559  
(Serial Number, If Any)



**Revised  
Exhibit D**

**AFFIDAVIT OF  
ARNALDO GARCIA**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

---

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

---

Docket No. 20230001-EI

Dated: August 16, 2023

**AFFIDAVIT OF ARNALDO GARCIA IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
FIRST 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 Arnaldo Garcia, who being first duly sworn, on oath deposes and says that:

1. My name is Arnaldo Garcia. 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 Director of Insurance. This section is responsible for placing insurance coverage for Duke Energy and its subsidiaries, including DEF.
3. DEF is seeking an extension of confidential classification for certain information filed in response to OPC's Fifth Request to Produce Documents (Nos. 21-24), specifically question 24, submitted on October 21, 2021, in docket 20210001. 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 and ability to contract for goods and services on favorable terms.

4. The confidential information at issue involves specific Insurance Policy (the "Policy") information. Disclosure of this information 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 material terms of the Policy. Without DEF's measures to maintain the confidentiality of this sensitive business information, DEF's ability to contract with third parties would be undermined to the detriment of DEF's competitive business interests and ultimately to the detriment of its customers' interests.

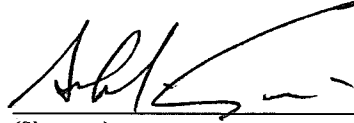
5. Upon receipt of its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the 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.

6. This concludes my affidavit.



Further affiant sayeth not.

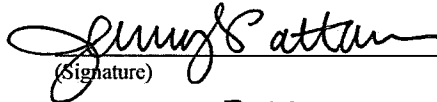
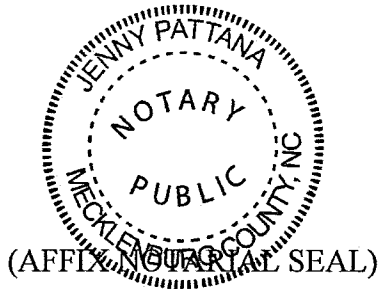
Dated the 9<sup>th</sup> day of August, 2023.



(Signature)

Arnaldo Garcia  
Director, Insurance  
Duke Energy Plaza  
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 9 day of August, 2023 by Arnaldo Garcia. He is personally known to me or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(Signature)

Jenny Pattana

(Printed Name)

NOTARY PUBLIC, STATE OF North Carolina

06/08/2025

(Commission Expiration Date)

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