

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
Conservation goals (Duke Energy Florida, Inc.)

DOCKET NO. 130200-EI
Filed: July 3, 2014

REDACTED

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

Duke Energy Florida ("DEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006, Florida Administrative Code, submits this Request for Confidential Classification for certain information contained in DEF's Response to Staff's Third Request for Production of Documents (Nos. 10-11). Specifically, the documents responsive to Staff's Request No. 11 include confidential customer specific information and other details about customer accounts. In support of this Request, DEF states:

1. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unredacted copy of the Report responsive to Staff's Third Request for Production of Documents (Nos. 10-11) 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 in yellow.

(b) Composite Exhibit B is a package containing two 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.

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AFD 1
APA _____
ECO 2
ENG 2 + redacted
GCL 1
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TEL _____
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COMMISSION
CLERK

Parties updated
7/3/14
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(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.

(d) Exhibit D is an affidavit attesting to the confidential nature of information identified in this request.

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 contain confidential customer specific information provided to DEF, and other details about customer accounts. Disclosure of this information to the public would harm the Company’s customers and adversely impact DEF’s competitive business. *See* § 366.093(3)(d), F.S.; Affidavit of Timothy J. Duff at ¶ 5. DEF must guarantee their customers that confidential customer information, such as name, address and other specific account information, will not be made subject to public disclosure. By disclosing such information, competitors and the public at large would be able to discern private personal information about photovoltaic customers to the detriment of DEF’s competitive business interests and its customers’ privacy interests. *See* § 366.093(3)(e), F.S.; Affidavit of Timothy J. Duff at ¶ 5. 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 Timothy J. Duff at ¶ 6. This information has not been publicly shared since being received, and DEF follows strict procedures to

ensure that access to the information is restricted to those employees who need the information to assist the Company. *See id.*

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.

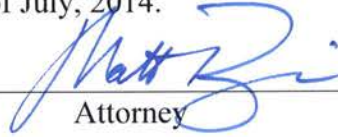
Respectfully submitted this 3rd day of July, 2014.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on the following via electronic mail this 3rd day of July, 2014.


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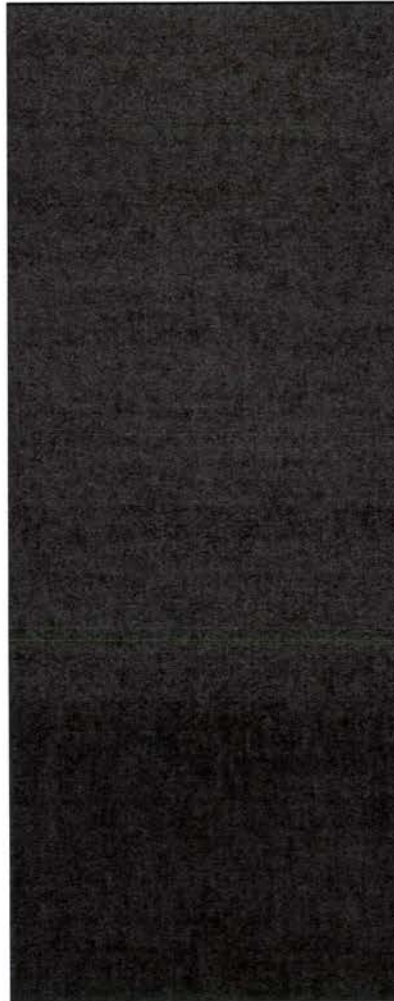
Exhibit B

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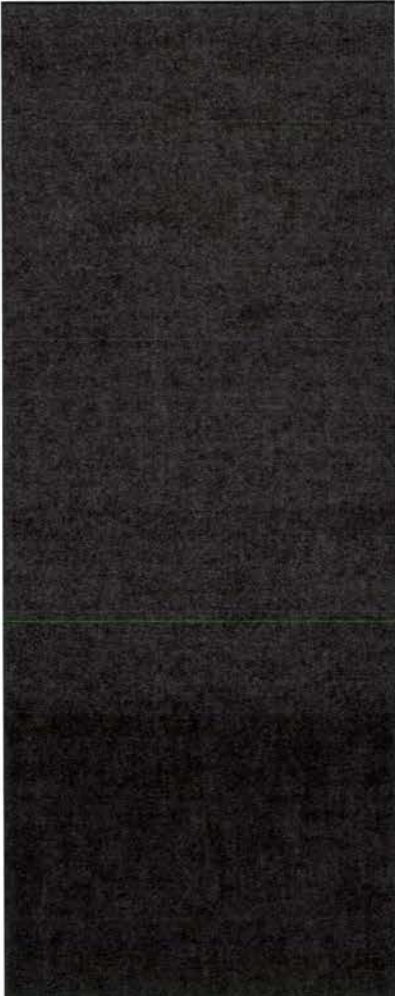
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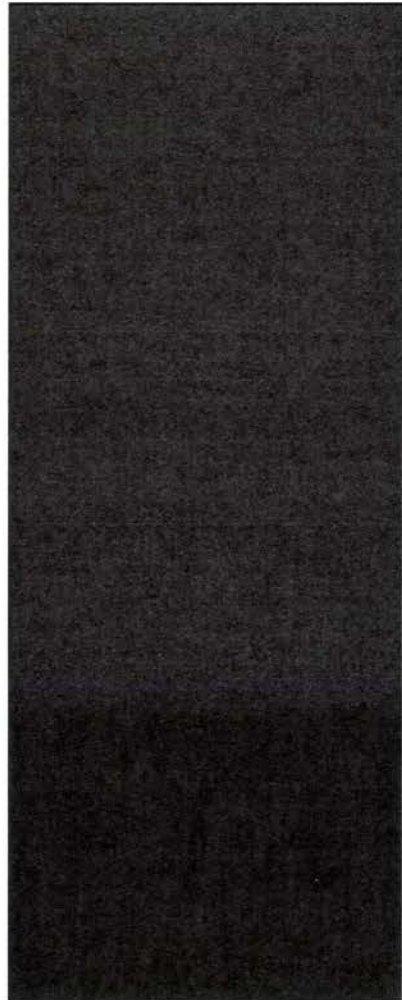
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DEF-DSM-06539

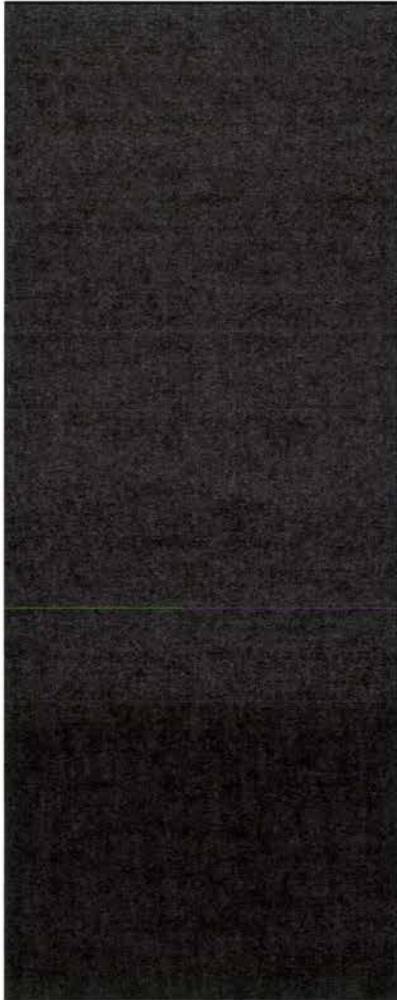
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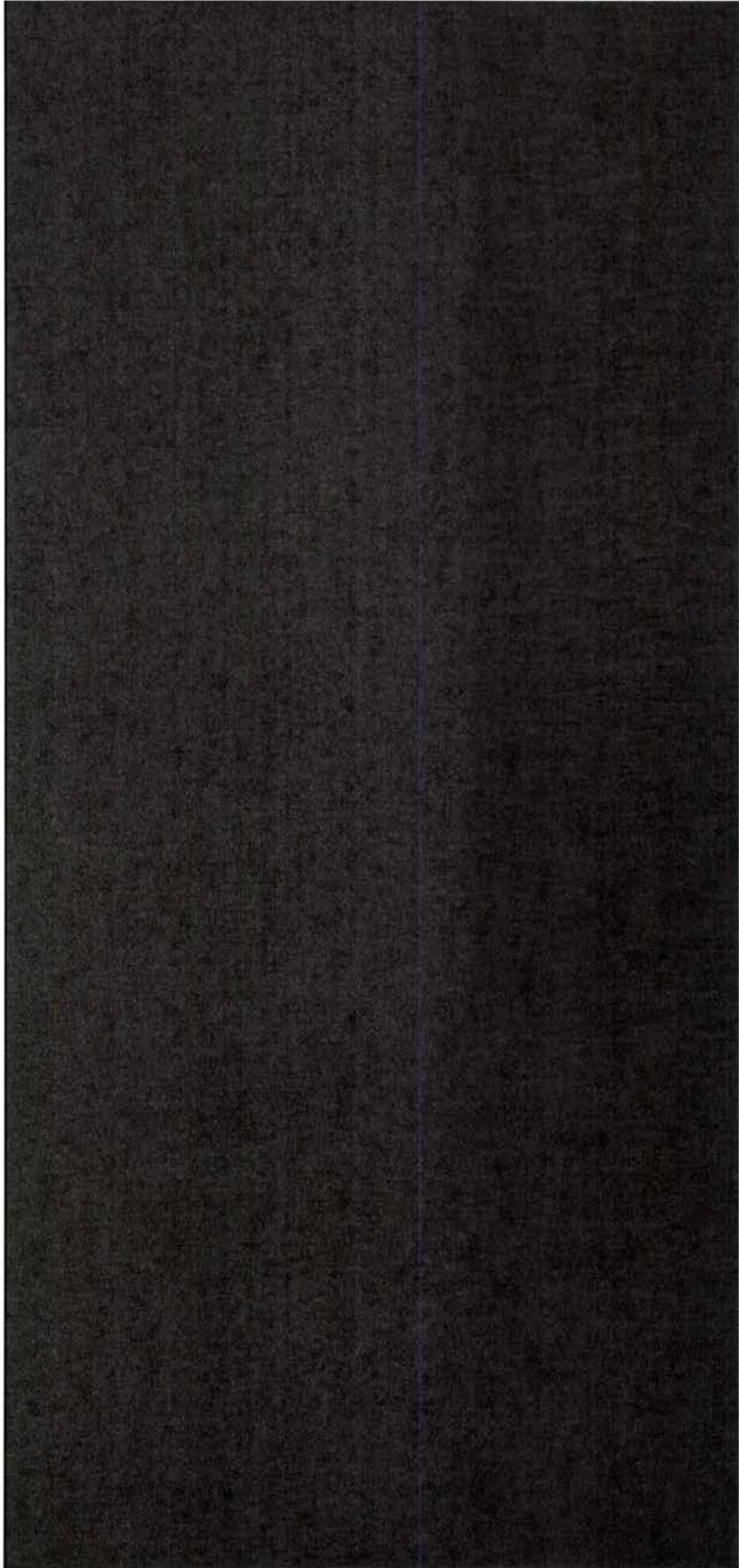
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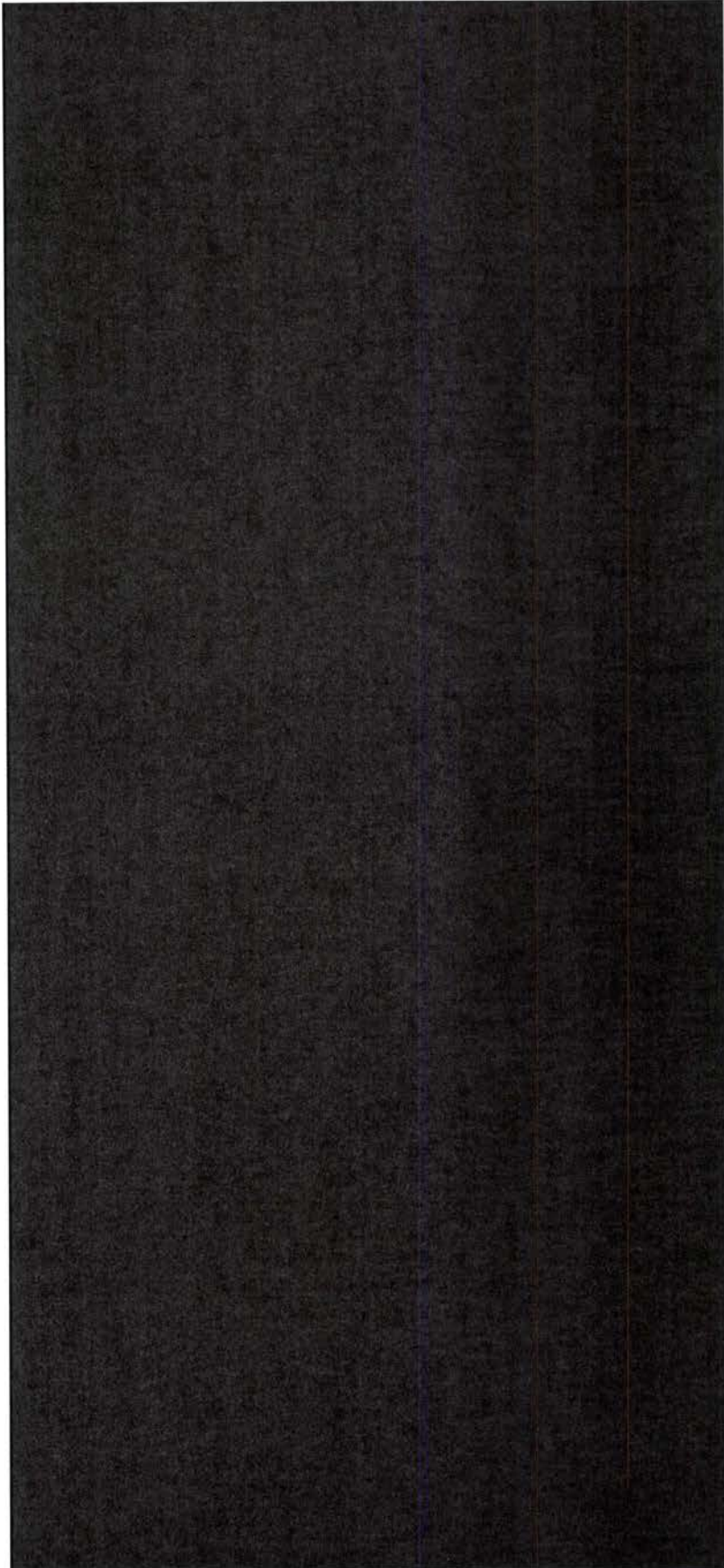


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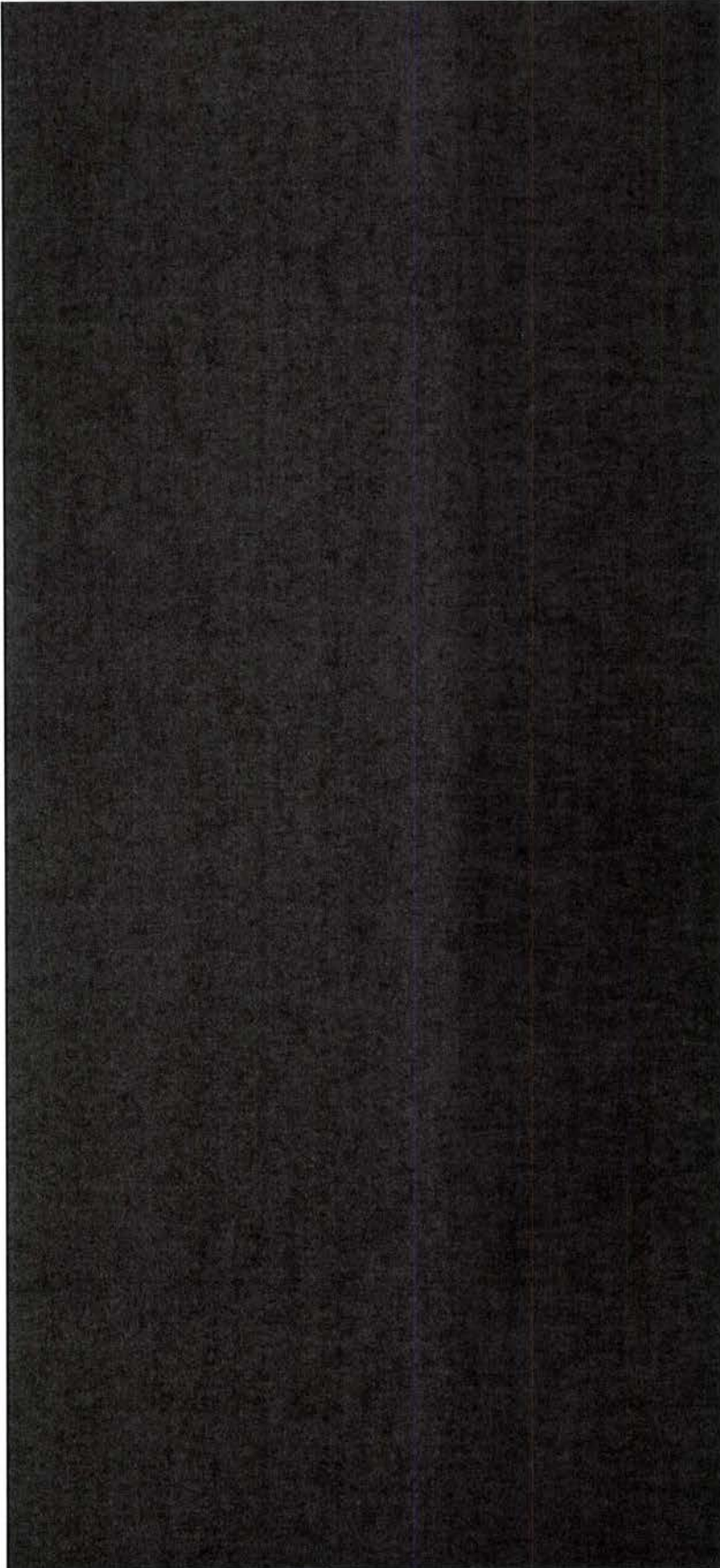
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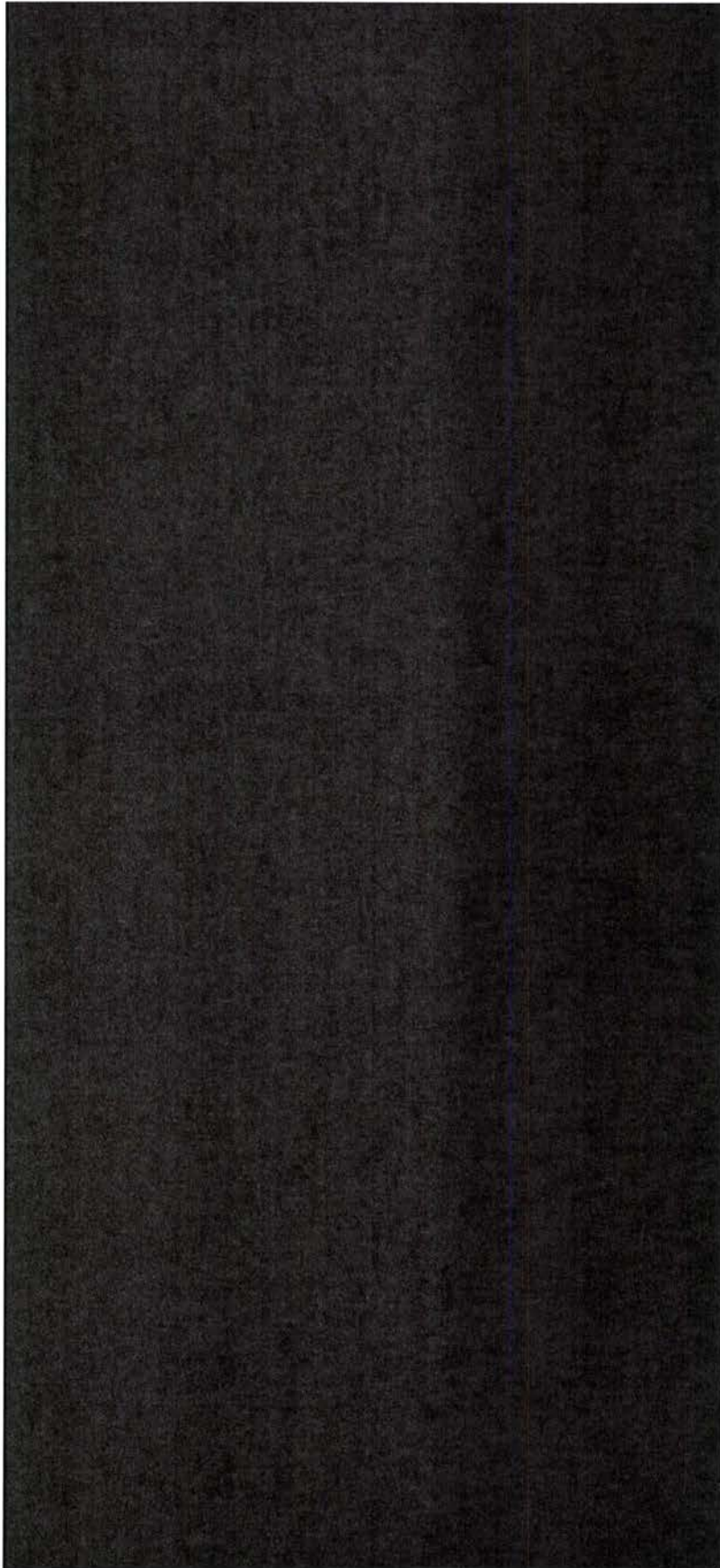
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DEF-DSM-06545



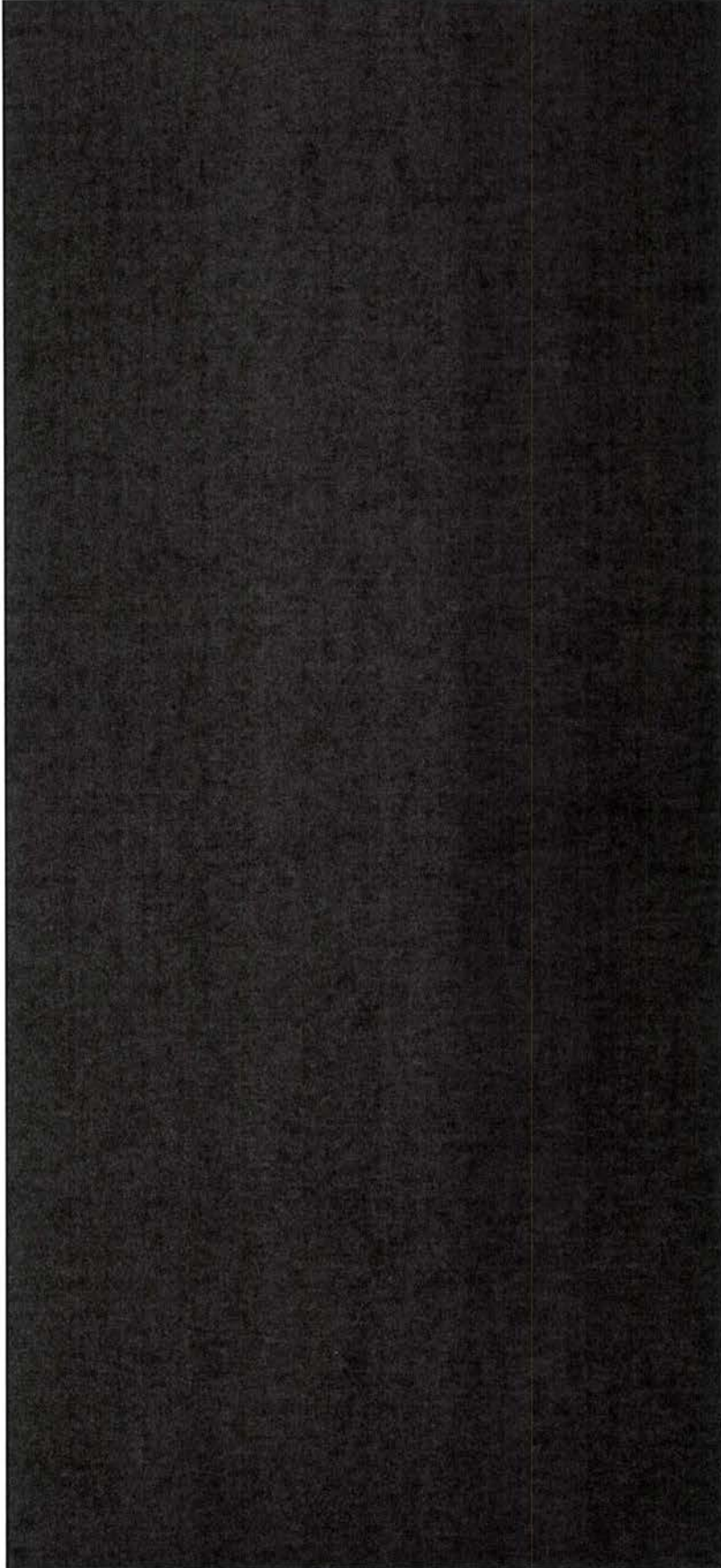
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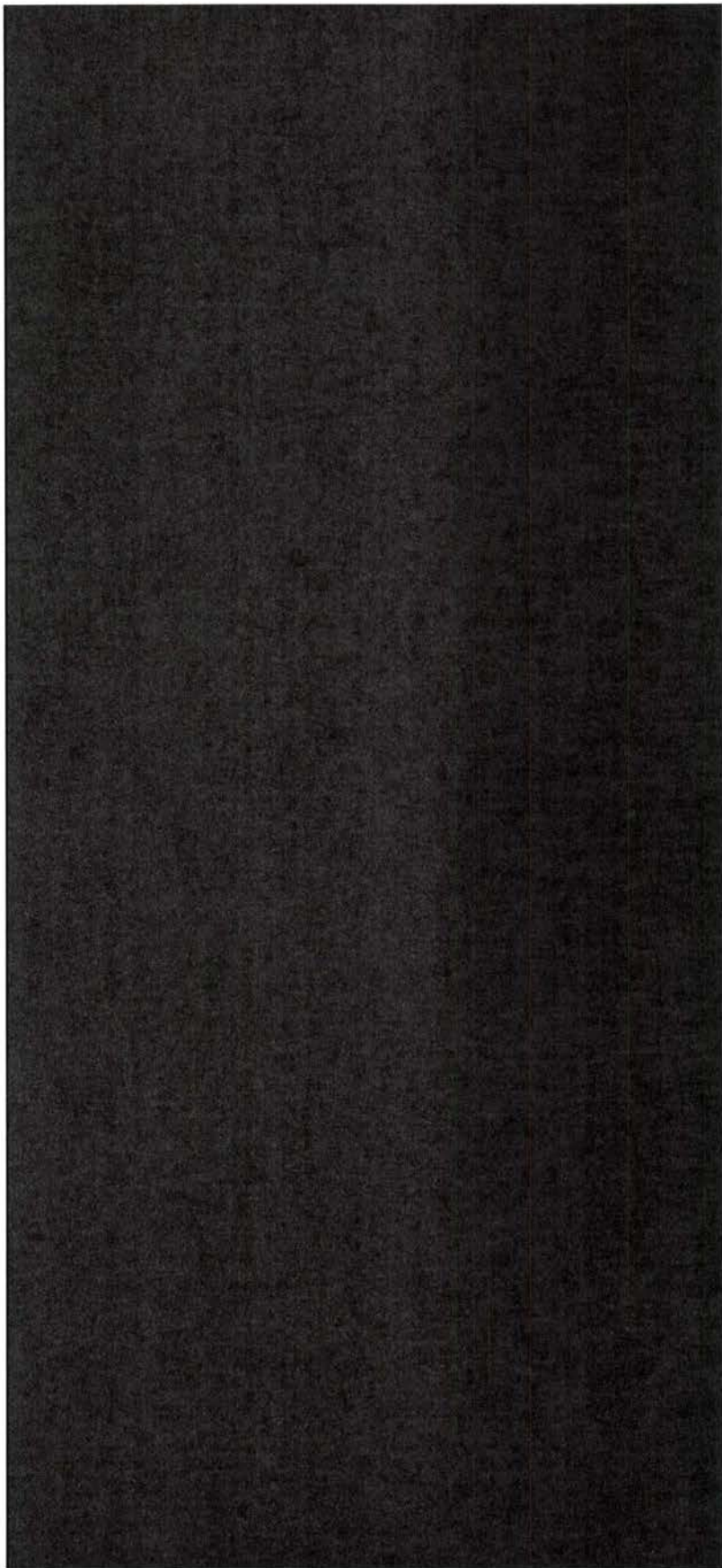
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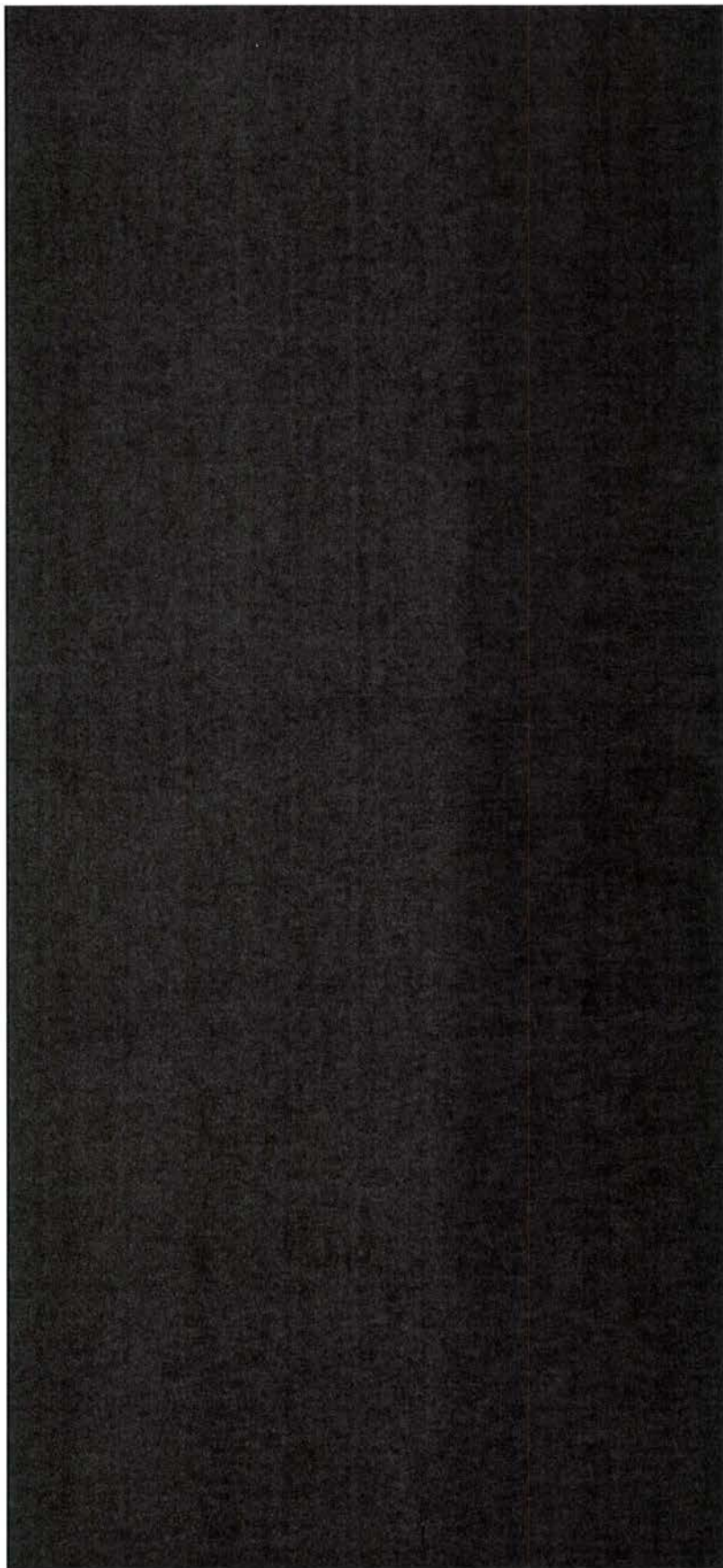
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DEF-DSM-06548



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DEF-DSM-06549



REDACTED

DEF-DSM-06550

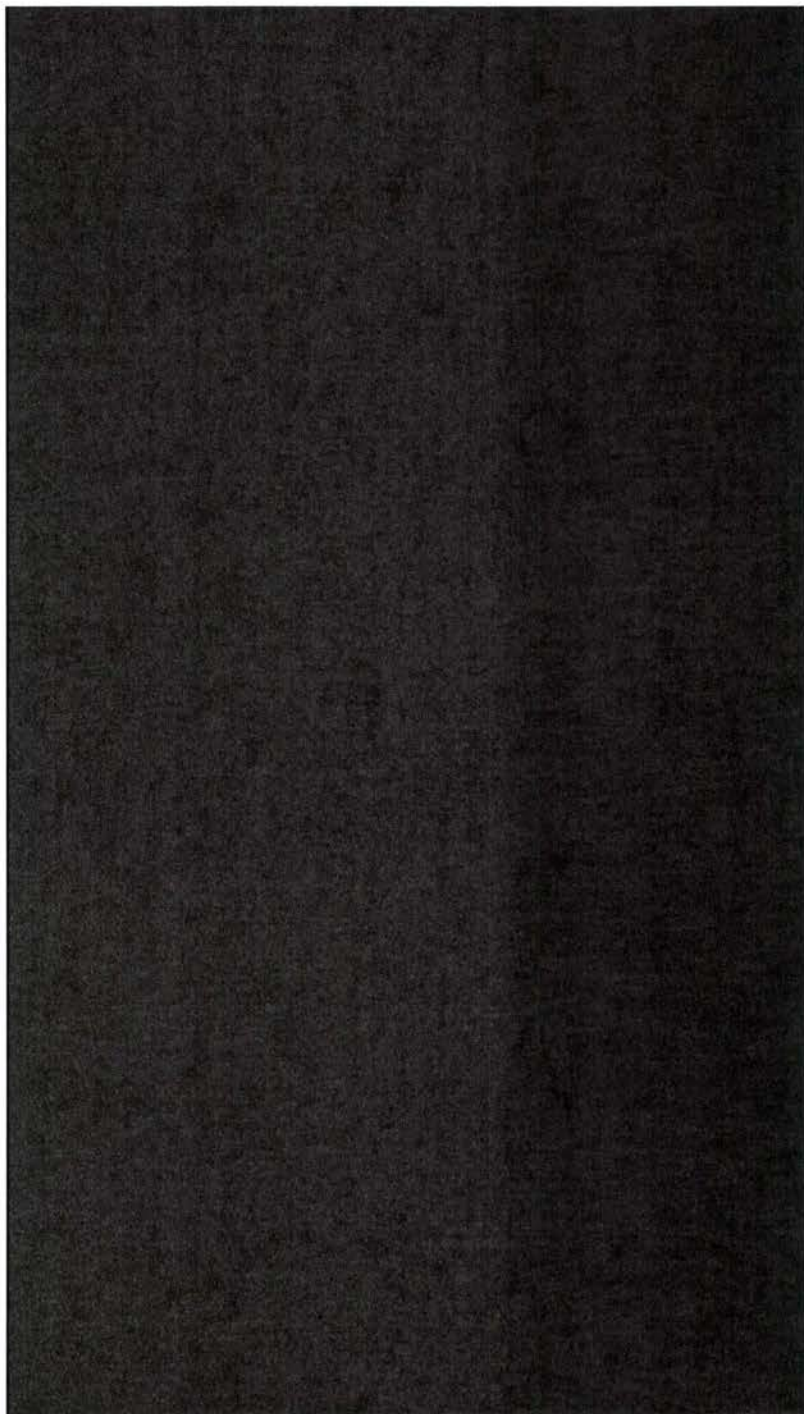


Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
DEF's Response to Staff's Third Request for Production of Documents (Nos. 10-11): Question #11	Customer names and account information contained on pages bearing bates numbers DEF-DSM-06532 through DEF-DSM-06550.	§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair DEF's efforts to contract for goods or services on favorable terms. §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 TIMOTHY J. DUFF

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
Conservation goals (Duke Energy Florida, Inc.)

DOCKET NO. 130200-EI
Filed: July 7, 2014

**AFFIDAVIT OF TIMOTHY J. DUFF IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBERG

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

1. My name is Timothy J. 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 Regulatory Strategy and Analytics. 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 Regulatory Strategy and Analytics, I am also oversee the analytics functions associated with evaluating and tracking the

performance of Duke Energy's retail products and services related to the Demand-Side Management Programs.

4. DEF is seeking confidential classification for portions of its Response to Staff's Third Request for the Production of Documents, Question No. 11. A detailed description of the confidential information at issue is contained and outlined in DEF's Justification Matrix that is attached to DEF's Request for Confidential Classification as Exhibit C.

5. DEF is requesting confidential classification of an Excel spreadsheet that reconciles and discloses customer participant information for DEF's solar pilot programs. The spreadsheet contains proprietary and confidential customer information, the disclosure of which would harm the solar pilot program participants and also adversely impact DEF's competitive business interests. For example, if DEF were to make public the name, address and other specific account information of DEF's solar pilot program participants, competitors and the public at large would be able to discern private information about photovoltaic customers to the detriment of DEF and its customers. This detailed report, if disclosed, would reveal customer specific information which is of value to competing businesses. Such a scenario would harm the Company's competitive interests as well as DEF's customers' privacy interests.

6. Strict procedures are established and followed to maintain the confidentiality of the terms of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company. 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. This concludes my affidavit.

Further affiant sayeth not.

Timothy J. Duff
General Manager
Customer Regulatory Strategy and Analytics
Duke Energy
550 South Tryon Street
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ___ day of July, 2014 by Timothy J. Duff. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

(Signature)

(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC,
STATE OF NORTH CAROLINA

(Commission Expiration Date)

(Serial Number, If Any)