



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

April 15, 2021

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. 20210001-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 contained in Hedging Audit Workpapers 2019-070-2-1, originally filed in docket no. 20190001-EI and Revised Exhibit D, Affidavit of Jim McClay. 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
Matt.Bernier@duke-energy.com

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. 20210001-EI

Dated: April 15, 2021

**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 (“Request”) for certain information contained in Staff’s audit work papers pertaining to DEF’s 2019 Hedging Activities Audit (*Audit Control No. 2019-070-2-1*). In support of this Request, DEF states:

1. On September 20, 2019, DEF filed a request for confidential classification of information contained in Staff’s audit work-papers pertaining to the 2019 Hedging Activities Audit, Audit Control No. 2019-070-2-1 (Document No. 08955-2019), as it contains sensitive business information such as internal hedging practices and procedures, hedging volumes and transactions, hedging forecasts, percentages and pricing information.

2. DEF’s September 20, 2019 Request was granted by Order No. PSC-2019-0416-CFO-EI on October 16, 2019. The period of confidential treatment granted by that order will expire on April 16, 2021. 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 portions of Staff's audit work-papers identified in Exhibit "A" and Exhibit "C" to the September 20, 2019 Request¹ continue to be "proprietary confidential business information" within the meaning of section 366.093(3), F.S. and continue to require confidential classification. *See* Affidavit of Jim McClay at ¶ 7, 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 Jim McClay ¶¶ 5-7.

4. Nothing has changed since the issuance of Order No. PSC-2019-0416-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.

¹ DEF hereby incorporates Exhibits A, B, and C to the original Request, Document No. 08955-2019 submitted on September 20, 2019 in docket no. 20190001-EI as if attached hereto

RESPECTFULLY SUBMITTED this 15th day of April, 2021.

s/Matthew R. Bernier

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Attorneys for Duke Energy Florida, LLC

CERTIFICATE OF SERVICE
Docket No. 20210001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 15th day of April, 2021.

s/Matthew R. Bernier

Attorney

<p>Suzanne Brownless Office of General Counsel FL Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us</p> <p>J. Beasley / J. Wahlen / M. Means Ausley McMullen P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com jwahlen@ausley.com mmeans@ausley.com</p> <p>Russell A. Badders Gulf Power Company One Energy Place, Bin 100 Pensacola, FL 32520-0100 russell.badders@nexteraenergy.com</p> <p>Kenneth A. Hoffman Florida Power & Light Company 134 W. Jefferson Street Tallahassee, FL 32301-1713 kenhoffman@fpl.com</p> <p>Jon C. Moyle, Jr. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com mqualls@moylelaw.com</p>	<p>Anastacia Pirrello Office of Public Counsel 111 W. Madison St., Room 812 Tallahassee, FL 32399-1400 pirrello.anastacia@leg.state.fl.us</p> <p>Paula K. Brown Regulatory Affairs Tampa Electric Company P.O. Box 111 Tampa, FL 33601-0111 regdept@tecoenergy.com</p> <p>Maria Moncada Florida Power & Light Company 700 Universe Blvd. (LAW/JB) Juno Beach, FL 33408-0420 maria.moncada@fpl.com</p> <p>James Brew / Laura W. Baker Stone Law Firm 1025 Thomas Jefferson St., N.W. Suite 800 West Washington, DC 20007 jbrew@smxblaw.com lwb@smxblaw.com</p> <p>Mike Cassel Florida Public Utilities Company 208 Wildlight Avenue Yulee, FL 32097 mcassel@fpuc.com</p> <p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p>
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Exhibit A

“CONFIDENTIAL”

(on file)

Exhibit B

(on file)

Exhibit C

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

**REVISED
EXHIBIT D**

**AFFIDAVIT OF
JIM MCCLAY**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20210001-EI

Dated: April 15, 2021

**AFFIDAVIT OF JAMES MCCLAY IN SUPPORT OF
DUKE ENERGY FLORIDA'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 James McClay, who being first duly sworn, on oath deposes and says that:

1. My name is James McClay. 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 Natural Gas Oil and Emissions in the Trading and Dispatch Department. This section is responsible for natural gas, fuel oil and emission allowance activity for the Duke Energy Indiana ("DEI"), Duke Energy Kentucky ("DEK"), Duke Energy Carolinas ("DEC"), Duke Energy Progress ("DEP"), and DEF Systems.

3. As the Director of Natural Gas Oil and Emissions, I am responsible, along with the other members of the section, for the management of the gas and oil procurement,

transportation, hedging activities and administration of gas and oil contracts with various suppliers for DEI's, DEK's, DEC's, DEF's and DEP's electrical power generation facilities.

4. DEF is seeking an extension of confidential classification for information contained in Staff's audit work papers pertaining to DEF's 2019 Hedging Activities Audit (*Audit Control No. 2019-070-2-1*) filed on September 20, 2019, document number 08952-2019, in Docket No. 20190001-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 proprietary confidential sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms.

5. DEF conducts hedging activities and negotiates with potential fuel suppliers to obtain competitive contracts for fuel options that provide economic value to DEF and its customers. In order to obtain such contracts at competitive prices, however, DEF must protect from public disclosure sensitive business information, such as internal hedging practices and procedures, hedging volumes and transactions, hedging forecasts, percentages, and pricing information. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed this confidential information. Absent such measures, suppliers and market competitors would have access to sensitive business information DEF uses to plan and execute its fuel procurement processes. With this non-public information, those suppliers or market competitors could alter their behavior to the detriment of DEF and its customers. Without DEF's measures to maintain the confidentiality of this information, the Company's

efforts to obtain competitive fuel supply options that provide economic value to both DEF and its customers could be undermined.

6. Upon receipt of confidential information from fuel suppliers, and with 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 contracts and information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information and contracts at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 12 day of April, 2021.

Jim McClay

(Signature)

Jim McClay
Director – Natural Gas Oil & Emissions
Duke Energy
526 South Church
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of April, 2021 by Jim McClay. He is personally known to me, or has produced his NORTH CAROLINA driver's license, or his _____ as identification.

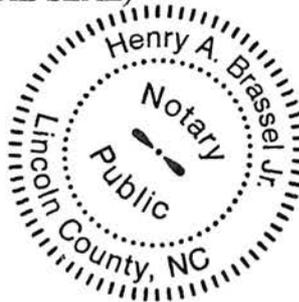
Henry A. Brasel Jr.

(Signature)

HENRY A. BRASEL JR.

(Printed Name)

(AFFIX NOTARIAL SEAL)



NOTARY PUBLIC, STATE OF NC

05/06/2024

(Commission Expiration Date)

200913400069

(Serial Number, If Any)