

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** January 24, 2024

**TO:** Jacob Imig, Attorney, Office of the General Counsel

**FROM:** Marissa Ramos, Public Utilities Supervisor, Division of Engineering *MR LK*

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20220050-EI DOCUMENT NO: 03001-2022

DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Documents provided in response to OPC's 3rd request for PODs (Nos. 35-41).

SOURCE: Duke Energy Florida, LLC

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Duke Energy Florida, LLC (DEF or Company) filed a first request for extension of confidential classification of certain information provided in response to the Office of Public Counsel's (OPC) third request for production of documents (POD), No. 39. DEF requests confidentiality under Section 366.093(3)(d) & (e), F.S., citing "the information at issue includes proprietary and confidential internal presentations, internal management deliberations, costs, and processes and procedures, the disclosure of which would impair the Company's competitive business interests and efforts to contract for goods and services on favorable terms."

The information for which DEF seeks confidentiality can be described as technical information about spending limits for capital expenditures recovered through the Storm Protection Plan and the Storm Protection Plan Cost Recovery Clause. Staff has reviewed the information that DEF has filed, as well as its confidentiality request, and believes the information that is the subject of the request meets the criteria for confidentiality under the sections requested.

cc: Office of Commission Clerk (Docket No. 20220050-EI)



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**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** January 23, 2024

**TO:** Office of the General Counsel, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20220050-EI DOCUMENT NO: 03001-2022

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SOURCE: Duke Energy Florida, LLC

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The above confidential material was filed along with a first request for extension of confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Marissa Ramos on 1/23/24, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.