

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-

DATE: September 10, 2020

TO: Kurt Schrader, Senior Attorney, Office of the General Counsel
Shaw Steller, Senior Attorney, Office of the General Counsel

FROM: Donald Phillips, Engineering Specialist I, Division of Engineering *DP PC LK*

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20200153-EI DOCUMENT NO: 05385-2020

Duke Energy (Bernier) - (CONFIDENTIAL) Information provided in response to staff's 1st set of interrogatories (Nos. 1-12) and 1st request for PODs (Nos. 1-2).

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida, LLC (DEF or Company) requests confidential classification of certain information filed in the Company's response to staff's first set of interrogatories (ROG) and staff's first request for production of documents (POD) in the above referenced docket. The Company is claiming confidentiality of information provided in response to ROGs Nos. 7 and 9, and POD No. 1 under Section 366.093(3)(d) and Section 366.093(3)(e), F.S.

Per the Statute, proprietary confidential business information includes, but is not limited to: Subsection (d) "[i]nformation 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," and Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The information provided in the ROGs and POD for which confidential treatment is being sought can be described as land lease information, including rental agreement, annual rental prices, and cost per acre.

Staff has reviewed the information DEF filed in the discovery responses. It is staff's opinion that the information that is the subject of this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S. and Section 366.093(3)(e), F.S.

DP/jp

cc: Office of Commission Clerk (Docket No. 20200153-EI)



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

DATE: September 2, 2020

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO(s): 20200153-EI DOCUMENT NO(s): 05385-2020
DESCRIPTION: Duke Energy (Bernier) - (CONFIDENTIAL) Information provided in response to staff's 1st set of interrogatories (Nos. 1-12) and 1st request for PODs (Nos. 1-2).
SOURCE: Duke Energy Florida

The above confidential material was filed with a request for 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 Donald Phillips on September 10, 2020, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.