



Dianne M. Triplett
ASSOCIATE GENERAL COUNSEL
Duke Energy Florida, Inc.

July 9, 2015

VIA ELECTRONIC DELIVERY

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket 150148-EI
Duke Energy Florida, Inc.'s Request for Confidential Classification

Dear Ms. Stauffer:

Attached is Duke Energy Florida, Inc.'s ("DEF") Request for Confidential Classification of certain information provided in DEF's Response to OPC's First Request for Production of Documents (Nos. 1-12) in the above-referenced matter. This filing includes:

- Exhibit A (confidential slipsheet only)
- Exhibit B (redacted information)
- Exhibit C (justification matrix)
- Exhibit D (Affidavit of Mark Teague)

DEF's confidential Exhibit A that accompany the above-referenced filing, has been submitted under separate cover.

Thank you for your assistance in this matter. Please feel free to call me at (727) 820-4692 should you have any questions concerning this filing.

Respectfully,

/s/ Dianne M. Triplett

Dianne M. Triplett
Associate General Counsel

DMT/at
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, Inc.
For Approval to Include In Base Rates the Revenue
Requirement for the CR3 Regulatory Asset

Docket No. 150148-EI

Submitted for Filing
July 9, 2015

**DUKE ENERGY FLORIDA, INC.'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. (“DEF” or the “Company”), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification concerning portions of DEF’s Response to OPC’s First Request for Production of Documents filed in this docket on June 18, 2015. DEF previously filed a Notice of Intent to request confidential classification. In support of this request, DEF states:

1. As further explained below, portions of DEF’s Response to Question No. 7 contain “proprietary confidential business information” under section 366.093(3), F.S.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unredacted copy of all the documents 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 copies of 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.

(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 information at issue relates to competitively negotiated contractual data, specifically, the auction contract with Heritage Global Partners Asset Advisory & Auction Services, who conducted a global auction for the remaining Crystal River Nuclear Unit 3 (“CR3”) assets, the disclosure of which would impair the efforts of the Company to negotiate the disposition of auction assets on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Mark Teague at ¶ 7.

4. Furthermore, the information at issue relates to the competitive contractual business interests of the auction company that sold DEF’s CR3 assets, the disclosure of which would impair their competitive businesses. § 366.093(3)(e), F.S.; Affidavit of Mark Teague 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.

5. The information identified as Exhibit “A” is intended to be and is treated as

confidential by the Company. *See* Affidavit of Mark Teague at ¶ 8. The information has not been disclosed to the public, and the Company has treated and continues to treat the contract at issue as confidential. *See* Affidavit of Mark Teague at ¶ 8.

6. 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 9th day of July, 2015.

/s/ Dianne M. Triplett

DIANNE M. TRIPLETT
Associate General Counsel
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, FL 33701
Telephone: (727) 820-4692
Facsimile: (727) 820-5519
Attorney for Duke Energy Florida, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following this 9th day of July, 2015.

/s/ Dianne M. Triplett

Attorney

<p>Keino Young Kelley Corbari Leslie Ames Theresa Tan Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 kyoung@psc.state.fl.us kcorbari@psc.state.fl.us lames@psc.state.fl.us ltan@psc.state.fl.us</p>	<p>Charles Rehwinkel J. R. Kelley Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399-1400 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us</p>
<p>Florida Industrial Power Users Group c/o Moyle Law Firm, P.A. Jon C. Moyle, Jr. Karen A. Putnal 118 North Gadsden Street Tallahassee, Florida 32301 jmoyle@moylelaw.com kputnal@moylelaw.com</p>	<p>PSC Phosphate – White Springs c/o James W. Brew Owen J. Kopon Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007-5201 jbrew@smxblaw.com ojk@smxblaw.com</p>

Exhibit A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

Exhibit B

REDACTED



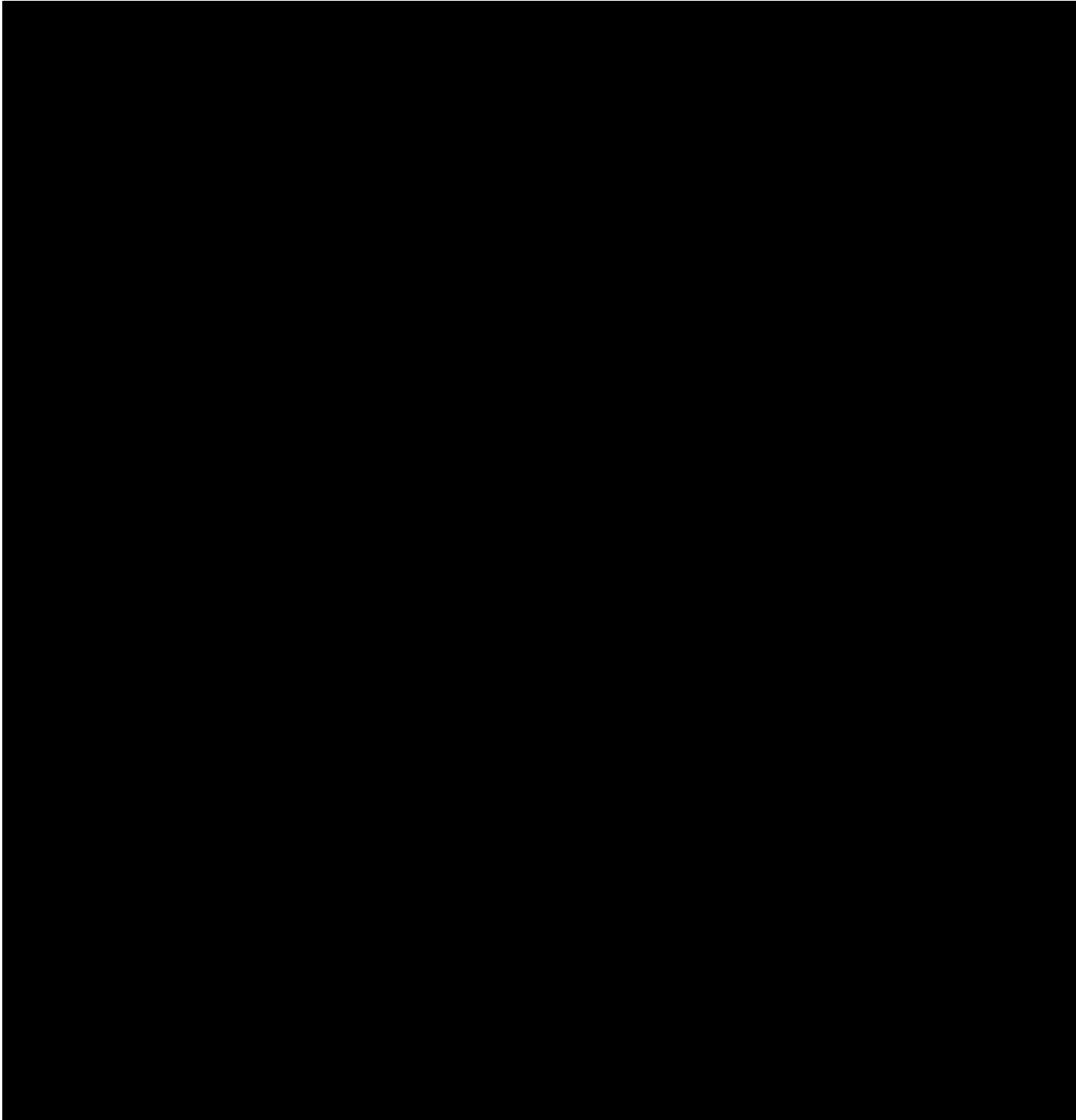
Contract

Contract: 742883

Effective Date: 7/21/14

DUKE ENERGY BUSINESS SERVICES, LLC,
not in its individual capacity, but solely as agent for
DUKE ENERGY FLORIDA, INC. (hereinafter "Owner")

Page 1 of 7





Contract

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Page 2 of 7



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Page 3 of 7



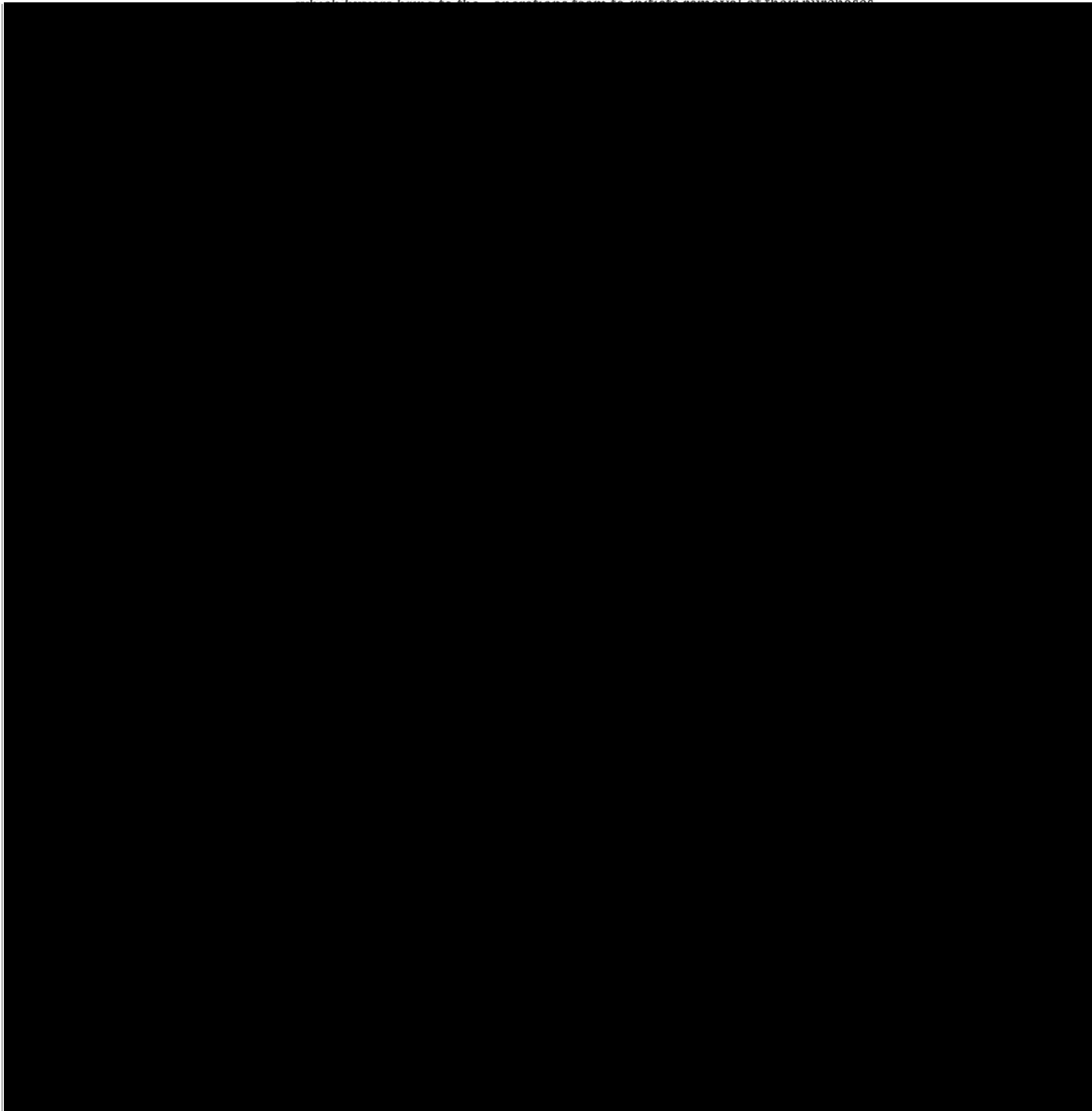
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Page 4 of 7





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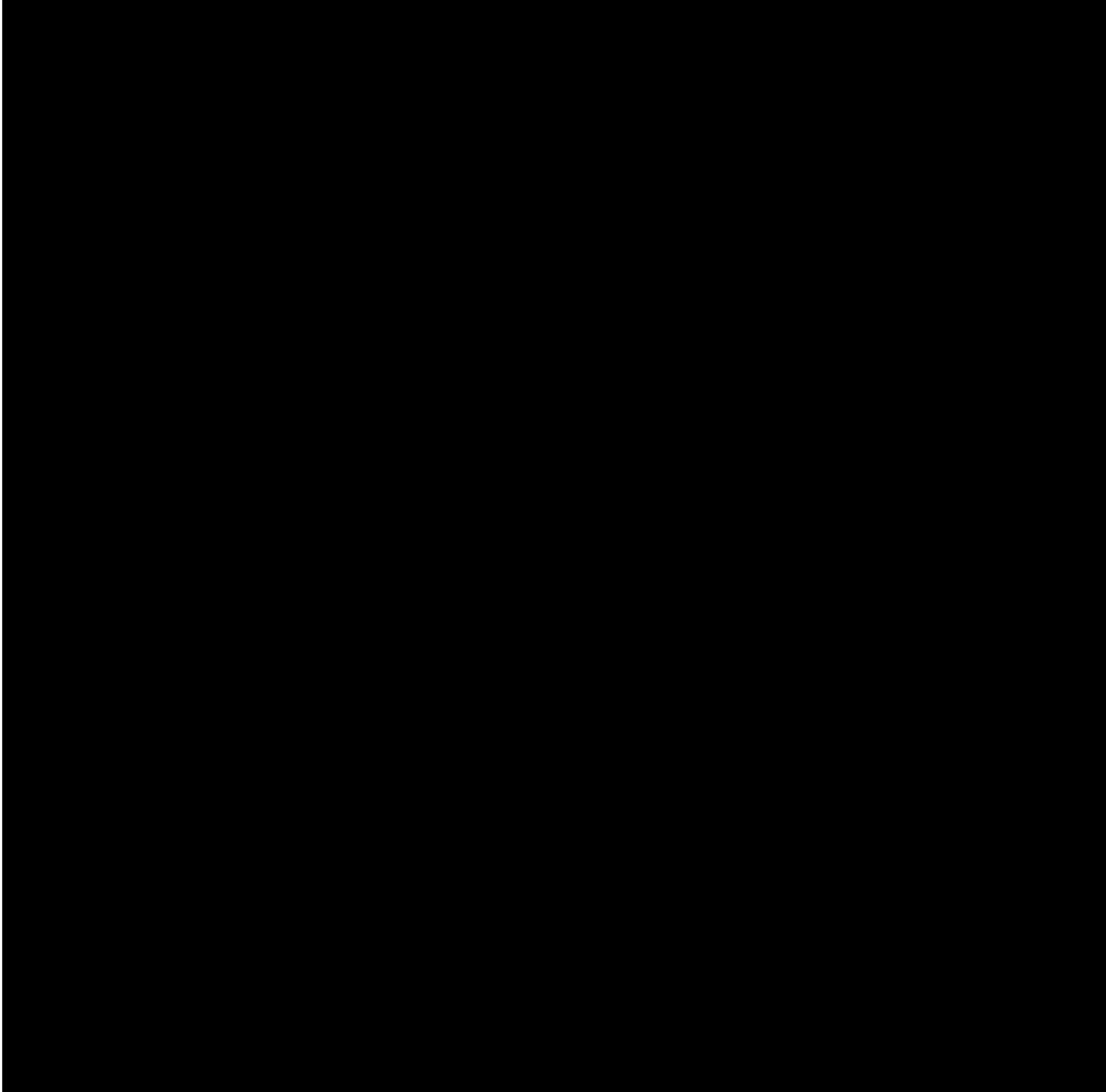
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**DUKE ENERGY FLORIDA – EXHIBIT C - Docket 150148-EI
Confidentiality Justification**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>DEF Response to OPC’s 1st Request for Production of Documents, Question #7</p>	<p>Bates numbers 150148-OPCPOD1-7-000001 through 150148-OPCPOD1-7-000006; Pages 1 through 6 of the auction services contract that details specific provisions of the contract including payment terms, personal contact information, scope of work, marketing plan, logistics, timeline, expenses, fees and marketing budget.</p>	<p>§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.</p> <p>§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.</p>

Exhibit D

AFFIDAVIT OF MARK TEAGUE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Duke Energy Florida, Inc.
For Approval to Include In Base Rates the Revenue
Requirement for the CR3 Regulatory Asset

Docket No. 150148-EI

Submitted for Filing
July 9, 2015

**AFFIDAVIT OF MARK TEAGUE IN SUPPORT OF
DUKE ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Mark Teague. 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 facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Managing Director of Major Projects Sourcing in the Supply Chain Department. This section is responsible for Supply Chain functions for Duke

Energy International and with most Duke Energy Corporation Major Projects, both regulated and non-regulated.

3. As the Managing Director of Major Projects Sourcing, I am responsible, along with the other members of the section, for overseeing the disposition of the Crystal River Nuclear Unit 3 (“CR3”) assets by ensuring that Supply Chain employees at CR3 follow DEF’s processes and procedures.

4. DEF is seeking confidential classification for portions of DEF’s Response to OPC’s First Request for Production of Documents (specifically question #7). The confidential information at issue is contained in confidential Exhibit A to DEF’s Request and is outlined in DEF’s Justification Matrix that is attached to DEF’s Request for Confidential Classification as Exhibit C. DEF is requesting confidential classification of this information because it contains sensitive business information, the disclosure of which would impair the Company’s efforts to contract for goods and services on favorable terms.

5. An attachment to DEF’s Response to OPC’s 1st Request for Production of Documents, Question #7 (specifically Bates numbers 150148-OPCPOD1-7-000001 through 150148-OPCPOD1-7-000006), contains contractual information of the auction contract to sell CR3 assets, such as the payment terms, personal contact information, scope of work, marketing plan, logistics, timeline, expenses, fees, marketing budget, and other contractual terms for the sale of nuclear assets. DEF negotiated with the auction company to obtain a competitive contract to sell the CR3 nuclear inventory that in turn, provides economic value to DEF and its customers. In order to obtain such contracts, however, DEF must be able to assure this auction company that sensitive business

information, such as the pricing terms of their contract, will be kept confidential. With respect to the information at issue in this request, DEF has kept confidential and has not publicly disclosed confidential contract terms such as pricing and similar competitive information. Absent such measures, auction companies would run the risk that sensitive business information that they provided in their contracts with DEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with DEF might decide not to do so if DEF did not keep those terms of their contracts confidential. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and the auction company, the Company's efforts to obtain competitive prices for its assets could be undermined.

6. Additionally, the disclosure of confidential information in DEF's auction contract could adversely impact DEF's competitive business interests. If such information were disclosed to DEF's competitors, DEF's efforts to obtain competitive auction prices that provide economic value to both DEF and its customers could be compromised by DEF's competitors changing their position or purchasing behavior within the relevant markets.

7. Pages 1 through 6 of the auction contract (specifically Bates numbers 150148-OPCPOD1-7-000001 through 150148-OPCPOD1-7-000006), contain sensitive and confidential business information (such as contractually negotiated terms and prices), the disclosure of which would compromise DEF's competitive business interests. Specifically, if DEF's competitors, and potential auction bidders are aware of these contractual provisions, they may adjust their behavior in the market place with respect to

activity such as pricing and the acquisition of the nuclear equipment and inventory. For example, if potential bidders gained knowledge of DEF's marketing approach in response to items being auctioned, they may adjust their bidding behavior or seek contractual terms unfavorable to DEF. Additionally, DEF's competitors who also have nuclear inventory for sale, or competitors who are looking to purchase nuclear equipment, may adjust their behavior in the market by offering nuclear inventory or equipment on more favorable price terms, or negotiating nuclear equipment purchases on less favorable terms for DEF.

8. Upon receipt of confidential information from companies contracting with DEF, 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 or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

9. This concludes my affidavit.

Further affiant sayeth not.

Dated the 7th day of July, 2015.

Mark Teague
(Signature)

Mark Teague
Managing Director of Major Projects Sourcing
Supply Chain Department
Duke Energy Business Services, LLC
400 South Tryon Street
Charlotte, NC.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 7th day of July, 2015 by Mark Teague. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Deborah G. Thrap
(Signature)

Deborah G. Thrap
(Printed Name)

NOTARY PUBLIC, STATE OF _____

4/25/2017
(Commission Expiration Date)

19970910128
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

