

Matthew R. Bernier
Senior Counsel
Duke Energy Florida, LLC.

April 22, 2016

VIA ELECTRONIC FILING

Ms. Carlotta Stauffer, 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. 160001-EI

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's Request for Confidential Classification filed in connection with its response to Staff's First Set of Interrogatories (Nos. 1-8). The filing includes the following:

- DEF's Request for Confidential Classification
- Slipsheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit of Joseph McCallister)

DEF's confidential Exhibit A that accompanies 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 (850) 521-1428 should you have any questions concerning this filing.

Respectfully,

s/Matthew R. Bernier

Matthew R. Bernier Senior Counsel Matthew.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. 160001-EI

Dated: April 22, 2016

DUKE ENERGY FLORIDA LLC'S REQUEST FOR 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 this Request

for Confidential Classification for certain information provided in response to Staff's First Request

for Interrogatories (Nos. 1-8). In support of this Request, DEF states:

1. DEF's responses to Staff's First Set of Interrogatories, specifically questions 1, 3, 4,

6, and 7 contain "proprietary confidential business information" under Section 366.093(3), Florida

Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unreducted 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 consists of 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 data, such as bid evaluations and fuel supply contracts, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel supply contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Furthermore, the information at issue relates to the competitive interests of DEF and its fuel suppliers, the disclosure of which would impair their competitive businesses. *See* § 366.093(3)(e), F.S.; Affidavit of Joseph McCallister at ¶ 6. 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 Joseph McCallister at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See* Affidavit of Joseph McCallister at ¶ 7.
- 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 22nd day of April, 2016.

s/Matthew R. Bernier

DIANNE M. TRIPLETT Associate General Counsel Duke Energy Florida, LLC. 299 First Avenue North St. Petersburg, FL 33701

T: 727.820.4692 F: 727.820.5041

E: Dianne.Triplett@duke-energy.com

MATTHEW R. BERNIER Senior Counsel Duke Energy Florida, LLC 106 East College Avenue Suite 800 Tallahassee, Florida 32301

T: 850.521.1428 F: 727.820.5041

E: Matthew.Bernier@duke-energy.com

Duke Energy Florida, Inc.

Docket No.: 160001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 22nd day of April, 2016 to all parties of record as indicated below.

Danijela Janjic
John Villafrate
Suzanne Brownless
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
sbrownle@psc.state.fl.us
djanjic@psc.state.fl.us
jvillafr@psc.state.fl.us

James D. Beasley
J. Jeffry Wahlen
Ashley M. Daniels
Ausley McMullen Law Firm
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

Jeffrey A. Stone
Russell A. Badders
Steven R. Griffin
Beggs & Lane
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

James W. Brew
Laura A. Wynn
Stone Matheis Xenopoulos & Brew
1025 Thomas Jefferson Street NW
8th Floor, West Tower
Washington, DC 20007
jbrew@smxblaw.com
law@smxblaw.com

Mike Cassel, Director Regulatory Affairs Florida Public Utilities Company 1750 S 14th Street, Suite 200 Fernandina Beach, FL 32034 mcassel@fpuc.com

Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com

Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com

Charles J. Rehwinkel / Erik Saylor J.R. Kelly / Patty Christensen / Tarik Noriega
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
rehwinkel.charles@leg.state.fl.us
sayler.erik@leg.state.fl.us
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
noriega.tarik@leg.state.fl.us

Robert Scheffel Wright John T. LaVia, III c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com ilavia@gbwlegal.com

Attorney

Ms. Paula K. Brown
Manager, Regulatory Coordination
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
regdept@tecoenergy.com

John Butler Maria Moncada Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com maria.moncada@fpl.com

Kenneth Hoffman Florida Power & Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 ken.hoffman@fpl.com

Jon C. Moyle, Jr. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com

Raoul G. Cantero, III White & Case, LLP Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Miami, FL 33131-2352 rcantero@whitecase.com

Exhibit A

"CONFIDENTIAL"

(submitted under separate cover)

Exhibit B REDACTED

Station: Crystal River 4&5

FALL RFP

									Delivered	Delivered	0&M	SO2	Total \$		
Bid #	Year	Counterparty	Mode	Annual Volume	Btu/lb	% Sulfur SO2/mmBt	Ash %	Mine \$ /ton		\$/mmBtu				Comments	
	2016	Sunrise Coal, LLC													
	2016	Peabody COALSALES, LLC													
	2016	Sunrise Coal, LLC													
	2016	Alpha Coal Sales Co., LLC													
	2016	Alliance Coal LLC													
	2010	Alliance Coal LLC													
	2016	Mabanaft Coal Trading Inc.													
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	2016	Foresight Coal Sales, LLC													
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	2016	Alliance Coal LLC													
	2016	Peabody COALSALES, LLC													
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	2016	Coeclerici Coal Network, Inc.													
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	2016 2016	KenAmerican Resources, Inc. Kolmar Americas Inc.													
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EVALUATION/REVIEW OF SPOT COAL FOR November 1, 2015 - December 31, 2015

(October 2015 Verbal Coal Supply Request)

Docket No. 160001

DEF's Response to Staff's 1st Set of Interrogatories (1-8)

REDACTED

Station:

Crystal River 1&2

CSX COAL Price \$/Ton \$/MmBtu No. Mine Trains FOB Price Delvd Nov Dec Moist Ash Suf LBS Rail Total <u>Vol</u> <u>SO2</u> Sales Co. <u>Producer</u> Start Date End Date <u>Rail</u> Vol <u>Offered</u> <u>%</u> Railcar \$/mmBtu Cost <u>Frgt</u> <u>S02 Adj</u> **Comments** <u>Btu</u> <u>%</u>

REDACTED

DEF Coal Demurrage and Detention - January 2015 - December 2015

Docket No. 160001

DEF's Response to Staff's 1st Set of Interrogatories (1-8)

Q 3

Counterparty	January	February	March	April	May	June	July	August	September	October	November	December	Grand Total
DIXIE OFFSHORE													
EMI PA 1850													
EMI PA 2400													
FLNORTHERN													
IMT													
INGRAM BARGE COMPANY													
PEABODY COAL SALES CO													
Grand Total	\$1,367,416.70	\$60,856.00	\$1,619,921.42	\$71,500.28	\$3,810,553.25	\$790,653.60	\$3,697,615.64	\$389,061.85	(\$285,554.95)	\$2,566,384.37	\$332,643.02	\$1,121,779.82	\$15,542,831.00

RFP# DEF-LT-072715 **REDACTED** Package #1 – Transco's Scott MTN and/or Pine View and/or Station 85 4A Pooling Point RFP# DEF-LT-072715 Analysis Dated: August 26, 2015 VOLUME SUPPLY SOURCE **Estimated Cost** Adder plus Avg DELIVERY POINT Average IFERC Price Adder NYMEX Basis for Term. (20,000 Dth/day @ COMPANY (Seller) NOTES/OTHER Onshore, Offshore or LNG / INDEX (NYMEX LDS / **Estimated Total** Start Termination MIN (Dth/day) MAX (Dth/day) Type of Service Notification Basis for Term or (Discount) to LDS Percentage from Supply Source 8/10/15 close) "0" for NYMEX LDS Package #2 - Southeast Supply Header's (SESH) Centerpoint - Delhi and/or Gulf South - Delhi and/or Columbia Gulf - Delhi and/or Tiger Pipeline VOLUME SUPPLY SOURCE **Estimated Cost** Location (i.e. IFERC "Zone 4" or "N/A" for NYMEX LDS) Price Adder (Discount) to LDS or IF Average IFERC Price Adder Basis for Term or "0" for NYMEX LDS or IF Adder plus Avg. **DELIVERY POINT** NOTES/OTHER COMPANY (Seller) Onshore, Offshore or LNG / **NYMEX Basis** (20,000 Dth/day @ **Estimated Total** MIN (Dth/day) MAX (Dth/day) Start Termination Type of Service Notification Percentage from Supply Source IFERC) 8/10/15 close) Attachment to Duke Energy Florida, Inc. ("DEF") Request For Proposal ("RFP") letter dated July 27, 2015 for Natural Gas Supply. Package #3 - Destin's Midcontinent Express Pipeline and/or Gulf South TERM VOLUME Pricing SUPPLY SOURCE **Estimated Cost** Average Adder plus Avg Average IFERC Location (i.e. IFERC Price Adder (Price Adder **COMPANY (Seller) DELIVERY POINT** Onshore, Offshore or LNG / **NYMEX Basis** (20,000 Dth/day @ NOTES/OTHER INDEX (NYMEX LDS / **Estimated Total** Start Termination MIN (Dth/day) MAX (Dth/day) Type of Service Notification "Zone 4" or "N/A" for Discount) to Basis for Term or (Discount) to LDS Percentage from Supply Source for Term. 8/10/15 close) NYMEX LDS) LDS or IF "0" for NYMEX LDS

Attachment to Duke Energy Florida, Inc. ("DEF") Request For Proposal ("RFP") letter dated July 27, 2015 for Natural Gas Supply.

DEF-16FL-FUEL-00006

In 2015, did DEF participate in any discussions or bid for any firm gas storage capacity?
 Please explain your response and identify the gas storage providers.

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RESPONSE:	REDACTED

DEF engages in ongoing discussions with various gas suppliers, pipelines and storage providers to stay abreast of developments. During 2015, DEF participated in discussions with out-of-state storage contract providers, which are outlined below, and discussed potential in-state storage developments with

DEF has existing onshore high deliverable storage capacity agreements with Bay Gas
Storage Company, LTD ("Bay Gas") and SG Resources Mississippi, LLC ("Southern
Pines") with
deliverable onshore storage capacity agreements continue to be a critical component of
DEF's overall natural gas fuel contract portfolio to support the company's natural gas
generation fleet. With respect
existing Bay Gas and Southern Pines during
2015. Both Bay Gas and Southern Pines
. Outlined below is a summary of the current agreements

	Bay Gas	Southern Pines
Current Term		
Firm Storage Capacity (Dth)		
Fixed Monthly Charge per Dth of Capacity		

I		



As summarized above, the high deliverable onshore storage capacity agreements are a critical component of DEF's overall natural gas fuel contract portfolio to manage the needs of the company's natural gas generation fleet. These agreements provide a greater degree of onshore supply access, provide service to manage daily balancing and operational flexibility needs, and provide for greater reliability to manage storm related supply disruptions.

Station: Crystal River 4&5

FALL RFP

									Delivered	Delivered	0&M	SO2	Total \$		
Bid #	Year	Counterparty	Mode	Annual Volume	Btu/lb	% Sulfur SO2/mmBt	Ash %	Mine \$ /ton		\$/mmBtu				Comments	
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2018	Arch Coal Sales Company, Inc.
2018	Coronado CoalSales
2018 2018	B & W Resources, Inc. Blackhawk Mining LLC
2018	RWE Trading Americas Inc.
2018	Peabody COALSALES, LLC
	,
2018	Arch Coal Sales Company, Inc.
2018	Arch Coal Sales Company, Inc.
2018	Alliance Coal LLC
2018 2018	Peabody COALSALES, LLC Peabody COALSALES, LLC
2018	Kopper Glo Mining, LLC
	-

EVALUATION/REVIEW OF SPOT COAL FOR November 1, 2015 - December 31, 2015

(October 2015 Verbal Coal Supply Request)

Docket No. 160001

DEF's Response to Staff's 1st Set of Interrogatories (1-8)

REDACTED

Station:

Crystal River 1&2

CSX COAL Price \$/Ton \$/MmBtu No. Mine Trains FOB Price Delvd Nov Dec Moist Ash Suf LBS Rail Total <u>Vol</u> <u>SO2</u> Sales Co. <u>Producer</u> Start Date End Date <u>Rail</u> Vol <u>Offered</u> <u>%</u> Railcar \$/mmBtu Cost <u>Frgt</u> <u>S02 Adj</u> **Comments** <u>Btu</u> <u>%</u>

REDACTED

DEF Coal Demurrage and Detention - January 2015 - December 2015

Docket No. 160001

DEF's Response to Staff's 1st Set of Interrogatories (1-8)

Q 3

Counterparty	January	February	March	April	May	June	July	August	September	October	November	December	Grand Total
DIXIE OFFSHORE													
EMI PA 1850													
EMI PA 2400													
FLNORTHERN													
IMT													
INGRAM BARGE COMPANY													
PEABODY COAL SALES CO													
Grand Total	\$1,367,416.70	\$60,856.00	\$1,619,921.42	\$71,500.28	\$3,810,553.25	\$790,653.60	\$3,697,615.64	\$389,061.85	(\$285,554.95)	\$2,566,384.37	\$332,643.02	\$1,121,779.82	\$15,542,831.00

RFP# DEF-LT-072715 **REDACTED** Package #1 – Transco's Scott MTN and/or Pine View and/or Station 85 4A Pooling Point RFP# DEF-LT-072715 Analysis Dated: August 26, 2015 VOLUME SUPPLY SOURCE **Estimated Cost** Adder plus Avg DELIVERY POINT Average IFERC Price Adder NYMEX Basis for Term. (20,000 Dth/day @ COMPANY (Seller) NOTES/OTHER Onshore, Offshore or LNG / INDEX (NYMEX LDS / **Estimated Total** Start Termination MIN (Dth/day) MAX (Dth/day) Type of Service Notification Basis for Term or (Discount) to LDS Percentage from Supply Source 8/10/15 close) "0" for NYMEX LDS Package #2 - Southeast Supply Header's (SESH) Centerpoint - Delhi and/or Gulf South - Delhi and/or Columbia Gulf - Delhi and/or Tiger Pipeline VOLUME SUPPLY SOURCE **Estimated Cost** Location (i.e. IFERC "Zone 4" or "N/A" for NYMEX LDS) Price Adder (Discount) to LDS or IF Average IFERC Price Adder Basis for Term or "0" for NYMEX LDS or IF Adder plus Avg. **DELIVERY POINT** NOTES/OTHER COMPANY (Seller) Onshore, Offshore or LNG / **NYMEX Basis** (20,000 Dth/day @ **Estimated Total** MIN (Dth/day) MAX (Dth/day) Start Termination Type of Service Notification Percentage from Supply Source IFERC) 8/10/15 close) Attachment to Duke Energy Florida, Inc. ("DEF") Request For Proposal ("RFP") letter dated July 27, 2015 for Natural Gas Supply. Package #3 - Destin's Midcontinent Express Pipeline and/or Gulf South TERM VOLUME Pricing SUPPLY SOURCE **Estimated Cost** Average Adder plus Avg Average IFERC Location (i.e. IFERC Price Adder (Price Adder **COMPANY (Seller) DELIVERY POINT** Onshore, Offshore or LNG / **NYMEX Basis** (20,000 Dth/day @ NOTES/OTHER INDEX (NYMEX LDS / **Estimated Total** Start Termination MIN (Dth/day) MAX (Dth/day) Type of Service Notification "Zone 4" or "N/A" for Discount) to Basis for Term or (Discount) to LDS Percentage from Supply Source for Term. 8/10/15 close) NYMEX LDS) LDS or IF "0" for NYMEX LDS

Attachment to Duke Energy Florida, Inc. ("DEF") Request For Proposal ("RFP") letter dated July 27, 2015 for Natural Gas Supply.

DEF-16FL-FUEL-00006

In 2015, did DEF participate in any discussions or bid for any firm gas storage capacity?
 Please explain your response and identify the gas storage providers.

DECDONCE.	DEDACTED
RESPONSE:	REDACTED

DEF engages in ongoing discussions with various gas suppliers, pipelines and storage providers to stay abreast of developments. During 2015, DEF participated in discussions with out-of-state storage contract providers, which are outlined below, and discussed potential in-state storage developments with

DEF has existing onshore high deliverable storage capacity agreements with Bay Gas
Storage Company, LTD ("Bay Gas") and SG Resources Mississippi, LLC ("Southern
Pines") with
deliverable onshore storage capacity agreements continue to be a critical component of
DEF's overall natural gas fuel contract portfolio to support the company's natural gas
generation fleet. With respect
existing Bay Gas and Southern Pines during
2015. Both Bay Gas and Southern Pines
. Outlined below is a summary of the current agreements

	Bay Gas	Southern Pines
Current Term		
Firm Storage Capacity (Dth)		
Fixed Monthly Charge per Dth of Capacity		

T		



As summarized above, the high deliverable onshore storage capacity agreements are a critical component of DEF's overall natural gas fuel contract portfolio to manage the needs of the company's natural gas generation fleet. These agreements provide a greater degree of onshore supply access, provide service to manage daily balancing and operational flexibility needs, and provide for greater reliability to manage storm related supply disruptions.

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
DEF's Response to Staff's First Set of Interrogatories (Nos. 1-8)	Question 1, Attachment bearing bates numbers DEF- 16FL-FUEL-00001 through DEF-16FL-FUEL-00004: all information contained in columns: Bid #, Mode, Annual Volume, Btu/lb, % Sulfur, SO2/mmBt, Ash %, Mine\$/ton, Delivered \$/ton, Delivered, O&M, SO2, Total \$ \$/mmBtu, & Comments. Question 1, Attachment bearing bates number DEF- 16FL-FUEL-00004: all information contained in columns: Sales Co., Producer, Start Date, End Date, Rail, Nov Vol, Dec Vol, No. Trains offered, BTU, Moist %, Ash %, Suf %, LBS SO2, Price \$/ton FOB Railcar, Mine Price \$/mmBtu, Rail Cost and Total Frgt.	\$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.
	Question 3, Attachment bearing bates number DEF-16FL-FUEL-00005: all information contained in columns January through Grand Total; list of contractual monthly demurrage amounts. Question 4, Attachment bearing bates number DEF-16FL-FUEL-00006: list of natural gas bids, seller, delivery point, supply source, terms, volume, pricing, costs and supplier notes in their	

entirety.

Question 7: The remaining portion of the fourth sentence of the first paragraph, after "with".

The remaining portion of the first sentence of the second paragraph, after "with".

The remainder of the third sentence in the second paragraph after "With respect" to "existing"; after "existing" and before "Bay"; after "Pines" and before "Outlined"; the remaining portion of the sentence after "agreements".

In the table between the second and third paragraph; all information under the columns titled "Bay Gas" and Southern Pines", all information in the remaining rows after "Fixed monthly charge per Dth of Capacity".

All information in the third and fourth paragraph.

All information in the table between the fourth and fifth paragraph. All information in the fifth paragraph. All information in the table between the fifth and sixth paragraph.

Exhibit D

AFFIDAVIT OF JOSEPH MCCALLISTER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No. 160001-EI

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

Dated: April 22, 2016

AFFIDAVIT OF JOSEPH McCALLISTER 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 Joseph McCallister, who being first duly sworn, on oath deposes and says that:

1. My name is Joseph McCallister. 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 Fuel Procurement 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 confidential classification for certain responses to Staff's First Set of Interrogatories (Nos. 1-8), specifically questions 1, 3, 4, and 7, submitted on April 22, 2016. 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 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 or services on favorable terms.
- 5. DEF 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, however, DEF must be able to assure fuel suppliers that sensitive business information, such as bid evaluations, pricing, and quantities of fuel, will be kept confidential. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed confidential information pertaining to the RFP bid evaluations for coal, natural gas, natural gas storage, and light oil. Absent such measures, suppliers would run the risk that sensitive business information that they provided in their bids/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 specific information confidential. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and fuel suppliers, the Company's efforts to obtain competitive fuel supply contracts could be undermined.

- 6. Additionally, the disclosure of confidential information in the RFP bid evaluations, could adversely impact DEF's competitive business interests. If such information was disclosed to DEF's competitors, DEF's efforts to obtain competitive fuel supply options that provide economic value to both DEF and its customers could be compromised by DEF's competitors changing their consumption or purchasing behavior within the relevant markets.
- 7. 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.
 - 8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 20 day of April, 2016. Joseph McCallister Director - Natural Gas, Oil and Emissions Fuels Procurement Department Duke Energy 526 South Church Charlotte, NC 28202 THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 20 day of April, 2016 by Joseph McCallister. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification. NOTARY PUBLIC, STATE OF _____ (AFFIX NOTARIAL SEAL) June 14, 2016

(Commission Expiration Date)

(Serial Number, If Any)

Notary Public Mecklenburg County