



**Matthew R. Bernier**

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May 23, 2018

**VIA ELECTRONIC FILING**

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

Re: *Petition for Limited Proceeding for Approval of a Smart Meter Opt-Out Tariff by Duke Energy Florida, LLC; Docket No. 20180088-EI*

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), its Request for Confidential Classification for certain information provided in its response to Staff's First Data Request, filed on May 3, 2018. This filing includes:

- 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 Justin Brown)

DEF's confidential Exhibit A that is referenced in the above-referenced filing was submitted on May 3, 2018 with DEF's Notice of Intent to Request Confidential Classification and resubmitted on May 11, 2018 (document number 03637-2018) on disc in Excel format.

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

MRB/mw  
Enclosure

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for Limited Proceeding for  
approval of a smart meter opt-out tariff, by  
Duke Energy Florida, LLC

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Docket No. 20180088-EI

Dated: May 23, 2018

**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 its Request for Confidential Classification (“Request”) for the confidential information contained in its response to Staff of the Florida Public Service Commission’s (“Staff”) First Data Request (Nos. 1-16), filed in this docket on May 3, 2018 and resubmitted on May 11, 2018. In support of this Request, DEF states:

1. DEF’s response to Staff’s First Data Request, specifically question 9, contains information that is “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 unredacted copies of all the documents for which DEF seeks confidential treatment. As referenced Composite Exhibit A was submitted separately in a sealed envelope labeled “CONFIDENTIAL” on May 11, 2018

(document number 03637-2018). In the unredacted version, the information asserted to be confidential is highlighted 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.

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 contains sensitive business information, such as labor rates, the disclosure of which would impair the Company’s efforts to contract for goods and services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Justin Brown at ¶ 4. Furthermore, the disclosure of the information would impair DEF’s competitive business interests. *See* § 366.093(3)(e), F.S.; Affidavit of Justin Brown 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.

4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Justin Brown at ¶ 6. The information has not been disclosed to the public, and the Company has treated and continues to treat the information at issue as confidential. *See* Affidavit of Justin Brown at ¶ 6.

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 the Request for Confidential Classification be granted.

Respectfully submitted this 23<sup>rd</sup> day of May, 2018.

*s/Matthew R. Bernier*

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**DIANNE M. TRIPLETT**

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**Duke Energy Florida, LLC**  
Docket No.: 20180088-EI

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 23<sup>rd</sup> day of May, 2018 to all parties of record as indicated below.

*s/Matthew R. Bernier*

\_\_\_\_\_  
Attorney

|                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Kyesha Mapp<br/>Office of General Counsel<br/>Florida Public Service Commission<br/>2540 Shumard Oak Blvd.<br/>Tallahassee, FL 32399-0850<br/><a href="mailto:kmapp@psc.state.fl.us">kmapp@psc.state.fl.us</a></p> | <p>Elisabeth Draper<br/>Henry Merryday<br/>Division of Economics<br/>Florida Public Service Commission<br/>2540 Shumard Oak Blvd.<br/>Tallahassee, FL 32399-0850<br/><a href="mailto:edraper@psc.psc.state.fl.us">edraper@psc.psc.state.fl.us</a><br/><a href="mailto:hmerryda@psc.state.fl.us">hmerryda@psc.state.fl.us</a></p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

# **Exhibit A**

**“CONFIDENTIAL”**

**(submitted on May 11, 2018 -document number 03637-2018)**

# **Exhibit B**

**REDACTED**

**(two copies)**

**Labor Rates**

DEF REDACTED

|                                  | Customer Care Specialist | Work Force Mgmt Spec II | Field Meter Tech (Union) | Meter Route Analyst | Meter Data Collector (Union) | Meter Reader (Union) |
|----------------------------------|--------------------------|-------------------------|--------------------------|---------------------|------------------------------|----------------------|
| Annual Job Value                 |                          |                         |                          |                     |                              |                      |
| Hours Per Year                   |                          |                         |                          |                     |                              |                      |
| Hourly Rate                      |                          |                         |                          |                     |                              |                      |
| <u>Burdens</u>                   |                          |                         |                          |                     |                              |                      |
| Payroll Tax                      |                          |                         |                          |                     |                              |                      |
| Loader Rate (Pension & Benefits) |                          |                         |                          |                     |                              |                      |
| Incentives                       |                          |                         |                          |                     |                              |                      |
| Total Burden Rate                |                          |                         |                          |                     |                              |                      |
| <b>Total Hourly</b>              |                          |                         |                          |                     |                              |                      |



**Labor Rates**

DEF REDACTED

|                                  | Customer Care Specialist | Work Force Mgmt Spec II | Field Meter Tech (Union) | Meter Route Analyst | Meter Data Collector (Union) | Meter Reader (Union) |
|----------------------------------|--------------------------|-------------------------|--------------------------|---------------------|------------------------------|----------------------|
| Annual Job Value                 |                          |                         |                          |                     |                              |                      |
| Hours Per Year                   |                          |                         |                          |                     |                              |                      |
| Hourly Rate                      |                          |                         |                          |                     |                              |                      |
| <u>Burdens</u>                   |                          |                         |                          |                     |                              |                      |
| Payroll Tax                      |                          |                         |                          |                     |                              |                      |
| Loader Rate (Pension & Benefits) |                          |                         |                          |                     |                              |                      |
| Incentives                       |                          |                         |                          |                     |                              |                      |
| Total Burden Rate                |                          |                         |                          |                     |                              |                      |
| <b>Total Hourly</b>              |                          |                         |                          |                     |                              |                      |

## Exhibit C

### DUKE ENERGY FLORIDA Confidentiality Justification Matrix

| DOCUMENT/RESPONSES                           | PAGE/LINE                                                                                                                                                                                                           | JUSTIFICATION                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DEF's Response to Staff's First Data Request | <b>Question 1:</b> All information in columns; “Customer Care Specialist”, “Work Force Mgmt. Spec II”, Field Meter Tech (Union)”, “Meter Route Analyst”, Meter Data Collector (Union)”, and “Meter Reader (Union)”. | §366.093(3)(d), F.S.<br>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.<br><br>§366.093(3) F.S.<br>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. |

**Exhibit D**  
**AFFIDAVIT OF**  
**JUSTIN BROWN**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Petition for Limited Proceeding for  
approval of a smart meter opt-out tariff, by  
Duke Energy Florida, LLC

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Docket No. 20180088-EI

Dated: May 23, 2018

**AFFIDAVIT OF JUSTIN BROWN IN SUPPORT OF  
DUKE ENERGY FLORIDA, LLC'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Justin Brown. 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 Grid Solutions ("GS") Planning & Regulatory Support of the GS Planning & Regulatory Support department. This department is responsible for regulatory filings and outreach related to Duke Energy's grid investments.

3. As the Director GS Planning & Regulatory Support of the Grid Solutions Planning & Regulatory Support department, I am responsible, along with the other members of the department, for the coordination of testimony and supporting materials to substantiate Duke Energy's requests and filings with regulatory bodies.

4. DEF is seeking confidential classification for information provided in response to the Staff of the Florida Public Service Commission's ("Staff") First Data Request filed on May 3, 2018 and resubmitted on May 11, 2018 for this docket. 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 proprietary confidential business information, the disclosure of which would impair the Company's efforts to contract for goods and services on favorable terms.

5. Additionally, the confidential information relates to labor rates. DEF must ensure that sensitive business information such as employee compensations are kept confidential; the disclosure would impair DEF's competitive business interests. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed confidential sensitive business information such as labor rates.


6. Strict procedures are established and followed to maintain the confidentiality of the Company's labor rates, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time since receiving the information in question has the

Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

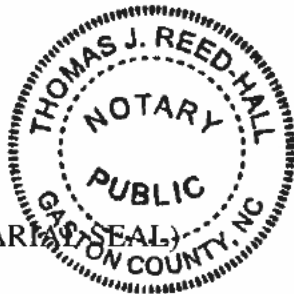
7. This concludes my affidavit.


Further affiant sayeth not.

Dated the 21 day of May, 2018.

  
\_\_\_\_\_  
(Signature)  
Justin Brown  
Director of GS Planning & Reg. Support  
GS Planning & Reg. Support Department  
Duke Energy  
400 South Tryon  
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21<sup>st</sup> day of May, 2018 by Justin Brown. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



  
\_\_\_\_\_  
(Signature)  
Thomas J. Reed-Hall  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
7-31-21  
\_\_\_\_\_  
(Commission Expiration Date)  
\_\_\_\_\_  
(Serial Number. If Any)