

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:** April 14, 2022

**TO:** Suzanne S. Brownless, Special Counsel, Office of the General Counsel

**FROM:** Lee Smith, Public Utility Analyst III, Division of Economics

**RE:** Duke Energy Florida- Docket No. 20190140-EI - Confidentiality Request Extension - Document No. 03179-2020, [x-ref DN 03677-2020]

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On April 4, 2022, pursuant to Section 366.093, Florida Statutes (F.S), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida (DEF or Company) requested an extension of confidential classification for certain highlighted information appearing in rebuttal testimonies of Terry Hobbs and Jeff Adix; and Exhibit No. JA-2 of witness Adix rebuttal testimony, dated June 12, 2020. The material that is the subject of the original confidentiality request and this extension request is found in Document No. 03179-2020, and is cross referenced to Document No. 03677-2020.

On July 9, 2020, DEF filed the original Request for Confidential Classification related to this document. DEF's Request was granted by Order No. PSC-2020-0352-CFO-EI on October 9, 2020.

The Company is claiming confidentiality for highlighted information appearing in Document No. 03179-2020 under Section 366.093(3)(d) and (e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to Subsection (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," and subsection (e) "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." The information provided in Document No. 03179-2020 (and Document No. 03677-2020) for which confidential treatment is being sought includes commercially sensitive confidential information concerning contractual obligations reflected in the contract between DEF, ADP CR3, LLC and ADP SF1, LLC. The contract between these parties relates to the accelerated decommissioning activities for the DEF Crystal River Unit 3 Nuclear Plant.

Staff has reviewed the information provided in the rebuttal testimonies of Terry Hobbs and Jeff Adix and Exhibit No. JA-2 of witness Adix rebuttal testimony (Document No. 03179 -2020) (X-REF Document No. 03677-2020), as well as the Company's confidentiality request (Document No. 03176-2020). In staff's opinion, the information that is the subject of the confidentiality request does meet the criteria for confidentiality contained in Section 366.093(3)(b), F.S. Therefore, staff recommends that the request for extension of confidentiality of information included in Document No. 03179-2020 and Document No. 03677-2020 be approved.



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

**DATE:** April 12, 2022

**TO:** Division of Economics, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190140-EI

DOCUMENT NO: 03179-2020

DESCRIPTION: Duke Energy (Hernandez) - (CONFIDENTIAL) Certain information contained in rebuttal testimony of Terry Hobbs; and in rebuttal testimony and exhibits of Jeff Adix.

SOURCE: Duke Energy Florida, LLC

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 /s/ Gary L Smith II on 4/14/2022, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.