

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:** July 28, 2022

**TO:** Division of Accounting and Finance, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20220001-EI DOCUMENT NO: 05062-2022

DESCRIPTION: Duke Energy (Cuello) - (CONFIDENTIAL) 423 Form information.

SOURCE: Duke Energy Florida

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The above confidential material was filed along 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 /s/Devlin Higgins on 8.3.22, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

State of Florida



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

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**DATE:** August 3, 2022

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

**FROM:** Devlin Higgins, Public Utilities Supervisor, Division of Accounting & Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20220001-EI DOCUMENT NO: 05062-2022  
DESCRIPTION: Duke Energy (Cuello) - (CONFIDENTIAL) 423 Form information.

SOURCE: Duke Energy Florida

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Duke Energy Florida (DEF or Company) requests confidential classification of certain information filed in the above-referenced docket dated July 28, 2022.

The Company is claiming confidentiality of its information under Section 366.093(3)(d), F.S. Per the Statute, propriety of 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.”

The information at issue relates to claimed proprietary separated fuel commodity cost and fuel transportation cost data, as well as quality-related cost adjustments. This information has historically been treated as confidential. Further, DEF requests that the confidential information contained in the 423 Report be protected from disclosure for a period of 24 months. For the reasons explained in its request, DEF claims this is the minimum time necessary to ensure that purposes for which confidential classification is granted are not contravened and frustrated by a premature subsequent disclosure.

Staff has reviewed the Company’s confidentiality request. It is staff’s opinion that the information subject to this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S.