

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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COMMISSION  
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In re: DEF's Responses to Staff's 2<sup>nd</sup> Data  
Request concerning 2013 Ten-Year Site  
Plan Review

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Docket No. Undocketed

Dated: July 10, 2013

**DUKE ENERGY FLORIDA INC.'S  
NOTICE OF FILING AFFIDAVIT**

Duke Energy Florida, Inc., ("DEF" or "Company"), hereby gives notice of filing the affidavit of Michael Keen in support of DEF's Request for Confidential Classification regarding portions of DEF's Responses to Staff's Second Data Request concerning 2013 Ten-Year Site Plan Review submitted on July 10, 2013.

RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of July, 2013.



DIANNE M. TRIPLETT  
Associate General Counsel  
Duke Energy Florida, Inc.  
Post Office Box 14042  
St. Petersburg, Florida 33733-4042  
Telephone: 727-820-4692  
Facsimile: 727-820-5249  
Email: [dianne.triplett@duke-energy.com](mailto:dianne.triplett@duke-energy.com)

Attorneys for  
Duke ENERGY FLORIDA, INC.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: DEF's Responses to Staff's 2<sup>nd</sup> Data  
Request concerning 2013 Ten-Year Site  
Plan Review

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Docket No. Undocketed

Dated: July 9, 2013

**AFFIDAVIT OF MICHAEL KEEN IN SUPPORT OF  
DUKE ENERGY FLORIDA'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Michael Keen. I am over the age of 18 years old and I have been authorized by Duke Energy Florida, Inc. (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 a Senior Power Originator in the Supply Side Resources Department. This section is responsible for negotiating and procuring power purchases in support of and in compliance with the Company's power supply needs to meet energy demands.

3. As a Senior Power Originator, I am responsible, along with the other members of the section, to ensure that the Company's purchase power agreements are competitively negotiated under the terms and conditions applicable to the Company's forecasted energy needs.

4. DEF is seeking confidential classification for portions its Responses to Staff's Second Data Request pertaining to DEF's 2013 Ten-Year Site Plan. DEF's response to the data request was submitted to Staff contemporaneous with this request on July 10, 2013. The confidential information at issue is contained in confidential Exhibit A to DEF's Request for Confidential Classification 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 the names of the parties with whom the Company is negotiating future purchase power agreements, the disclosure of which could adversely impact DEF's competitive business interests.

5. The aforementioned discovery sought by Staff should be afforded confidential treatment because portions of the responses to this data request, specifically DEF's response to question 11, contains sensitive business information. More specifically, the response to question 11 contains the names of the parties with whom the Company is currently negotiating future purchase power agreements. DEF negotiates with potential power suppliers to obtain competitive contracts for future energy needs that provide economic value to DEF and its ratepayers. With respect to the information at issue in this request, DEF has kept confidential and has not publicly disclosed confidential bids such as the names of bidders, and similar competitive information.

Absent such measures, power suppliers would run the risk that sensitive business information that they provided in their bids to DEF would be made available to the public and, as a result, end up in possession of potential competitors.

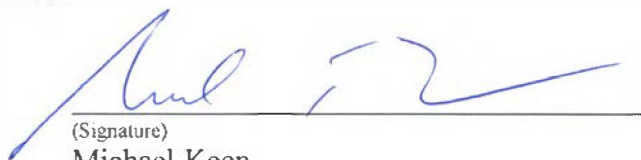
In addition, the disclosure of power supply bidder names, could adversely impact the supplier's competitive business interests. By disclosing such information to the public and competing bidders, the power suppliers' efforts to negotiate competitive power supply contracts could be undermined by competitors changing their behavior in relevant markets. Armed with such information, power suppliers would no longer need to make their best offers to ensure the competitiveness of their negotiations.

6. Strict procedures are established and followed to maintain the confidentiality of the names of the parties with whom the Company is negotiating purchase power agreements. This includes 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 bidding information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 9<sup>th</sup> day of July, 2013.



(Signature)

Michael Keen

Senior Power Originator

Supply Side Resources Department

Duke Energy Florida

Post Office Box 14042

St. Petersburg, FL 33733

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 9<sup>th</sup> day of July, 2013 by Michael Keen. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

*Eileen M Clark*

(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

(Serial Number, If Any)

