

Matthew R. Bernier Senior Counsel Duke Energy Florida, LLC

September 1, 2015

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. 150001-EI

Dear Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF") DEF's Request for Confidential Classification for certain information provided in the direct testimony of Joseph McCallister filed on September 1, 2015. 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 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

MRB/mw Enclosures Matthew R. Bernier Senior Counsel <u>Matthew.Bernier@duke-energy.com</u>

cc: Certificate of Service

Duke Energy Florida, LLC Docket No.: 150001 CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 1st day of September, 2015 to all parties of record as indicated below.

s/Matthew R. Bernier

Attorney Mike Cassel Ms. Paula K. Brown Suzanne Brownless, Esq Manager, Regulatory Coordination Danijela Janjic, Esq. Aleida Socarras John Villafrate, Esq. Florida Public Utilities Tampa Electric Company Office of General Counsel Company/Florida Division of P.O. Box 111 Chesapeake Utilities Corporation Tampa, FL 33601 Florida Public Service Commission 1750 SW 14th Street, Suite 200 2540 Shumard Oak Blvd. regdept@tecoenergy.com Fernandina Beach, FL 32034 Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us mcassel@fpuc.com Raoul G. Cantero, III, Esq. djanjic@psc.state.fl.us asocarras@chpk.com White & Case, LLP jvillafr@psc.state.fl.us Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Robert Scheffel Wright, Esq. James D. Beasley, Esq. John T. LaVia, III, Esq. Miami, FL 33131-2352 J. Jeffry Wahlen, Esq. c/o Gardner Law Firm rcantero@whitecase.com Ashley M. Daniels, Esq. 1300 Thomaswood Drive Ausley McMullen Law Firm Tallahassee, FL 32308 James W. Brew, Esq. P.O. Box 391 schef@gbwlegal.com Owen J. Kopon, Esq. Tallahassee, FL 32302 ilavia@gbwlegal.com Laura A. Wynn, Esq. jbeasley@ausley.com Stone Matheis Xenopoulos & Brew, PC jwahlen@ausley.com Robert L. McGee, Jr. 1025 Thomas Jefferson Street NW adaniels@ausley.com Gulf Power Company 8th Floor. West Tower **One Energy Place** Washington, DC 20007 Jeffrey A. Stone, Esq. Pensacola, FL 32520-0780 jbrew@smxblaw.com Russell A. Badders, Esq. rlmcgee@southernco.com ojk@smxblaw.com Steven R. Griffin, Esq. laura.wynn@smxblaw.com Beggs & Lane Beth Keating, Esq. Gunster, Yoakley & Stewart, P.A. P.O. Box 12950 John T. Butler, Esq. 215 South Monroe Street, Suite 601 Pensacola, FL 32591 Maria Moncada, Esq. jas@beggslane.com Tallahassee, FL 32301 Florida Power & Light Company rab@beggslane.com bkeating@gunster.com 700 Universe Boulevard (LAW/JB) srg@beggslane.com Juno Beach, FL 33408-0420 Charles J. Rehwinkel john.butler@fpl.com Jon C. Moyle, Jr., Esq. Erik Sayler / John Truitt maria.moncada@fpl.com Moyle Law Firm, P.A. Patty Christensen / J.R. Kelly 118 North Gadsden Street Office of Public Counsel Tallahassee, FL 32301 c/o The Florida Legislature jmoyle@moylelaw.com 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Kenneth Hoffman rehwinkel.charles@leg.state.fl.us Florida Power & Light Company sayler.erik@leg.state.fl.us kelly.jr@leg.state.fl.us 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1858 Christensen.patty@leg.state.fl.us ken.hoffman@fpl.com Truitt.john@leg.state.fl.us

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 150001-EI

Dated: September 1, 2015

DUKE ENERGY FLORIDA'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, submits this Request for Confidential Classification for certain information provided on pages 3, 4, and 5 of the testimony of DEF witness Joseph McCallister dated September 1, 2015. In support of this Request, DEF states:

1. Pages 3, 4, and 5 of the testimony of DEF witness Joseph McCallister contain 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 an unredacted 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 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 basis 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, pages 3, 4, and 5 of the testimony of Joseph McCallister, include information such as forecasted hedging percentages and hedging amounts, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel supply contracts See § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. on favorable terms. 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. § 366.093(3)(e), F.S.; Affidavit of Joseph McCallister at ¶ 5. Additionally, if the information at issue was disclosed, DEF's efforts to obtain competitive energy supply that provides economic value to both DEF and its customers could be compromised by competitors for such commodities changing their purchasing behavior within the relevant markets. Affidavit of Joseph McCallister 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 id.* at \P 6. 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 id.*

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 1st day of September, 2015.

<u>s/Matthew R. Bernier__</u>

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Attorneys for Duke Energy Florida, LLC

Duke Energy Florida CERTIFICATE OF SERVICE Docket No. 150001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 1st day of September, 2015 to all parties of record as indicated below.

	s/Matthew R. Bernier		
	Attorney		
Suzanne Brownless, Esq	Mike Cassel	Ms. Paula K. Brown	
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	1	1	

Exhibit A

"CONFIDENTIAL" (filed under separate cover)

Exhibit B

REDACTED

1	Q.	What is the purpose of your testimony?
2	A.	The purpose of this testimony is to outline DEF's hedging objectives and activities
3		for 2016, and outline DEF's hedging results for January 2015 through July 2015.
4		
5	Q.	Are you sponsoring any exhibits to your testimony?
6	A.	Yes, I am sponsoring the follow exhibits:
7		• Exhibit No (JM-1P) – 2016 Risk Management Plan (filed August 4,
8		2015); and
9		• Exhibit No (JM-2P) – Hedging Results for January 2015 through July
10		2015 (filed August 14, 2015).
11		
12	Q.	What are the objectives of DEF's hedging activities?
13	A.	The objectives of DEF's hedging strategy are to reduce the impacts of fuel price
14		risk and volatility over time, and provide a greater degree of fuel price certainty to
15		DEF's customers.
16		REDACTED
17	Q.	Describe DEF's hedging activities that the Company will execute for 2016.
18	A.	DEF will hedge a percentage of its projected natural gas burns and a portion of the
19		estimated fuel surcharge exposure embedded in DEF's coal river barge
20		transportation agreements. DEF will utilize approved physical and financial
21		agreements. With respect to hedging activity, natural gas represents the largest
22		component of DEF's overall hedging activity given it is the largest fuel cost
23		component. DEF's target hedging percentage ranges are between to percent
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of its current 2016 forecasted calendar annual burns. DEF anticipates to target to hedge a minimum of percent of its forecasted natural gas burn projections for 2016 as outlined in the Risk Management Plan. With respect to coal river barge transportation estimated fuel surcharges, during the balance of 2015 and for calendar year 2016, DEF will target to hedge between and percent of any estimated fuel surcharge exposure in the coal river barge transportation agreements. Hedging in the ranges and targets provided allows DEF to monitor actual fuel burns, updated fuel forecasts, and make any adjustments as needed throughout the year.

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DEF's hedging activities do not involve price speculation or trying to "out-guess" 11 12 the market. All hedging transactions are executed at the prevailing market price that exists at the time the hedging transactions are executed. The results of hedging 13 14 activities may or may not result in net fuel cost savings due to differences between the monthly settlement prices and the actual hedge price of the transactions that 15 were executed over time. The volumes hedged over time are based on periodic 16 17 updated fuel forecasts and the actual hedge percentages for any month, rolling period, or calendar annual period may come in higher or lower than the target 18 19 minimum hedge percentages and hedging ranges because of actual fuel burns versus 20 forecasted fuel burns. DEF's approach to executing fixed price transactions over time is a reasonable and prudent approach to reduce price risk and provide greater 21 22 cost certainty for DEF's customers.

As of August 11, 2015, DEF has hedged approximately percent of its forecasted natural gas burns for 2016. DEF will continue to execute additional hedges for 2016 throughout the remainder of 2015 and during 2016 consistent with its on-going strategy.

Q. What were the results of DEF's hedging activities for January through July 2015?

The Company's natural gas hedging activities for the period of January 2015 8 A. 9 through July 2015 have resulted in hedges being above the closing natural gas 10 settlement prices by approximately \$122.5 million. The Company's overall fuel oil hedging activities have resulted in hedges being above the closing settlement prices 11 12 for the period of January 2015 through July 2015 by approximately \$0.3 million. These overall hedge results were driven primarily by a decrease in natural gas prices 13 after the execution of DEF's 2015 hedging transactions. The hedging activities 14 were executed consistent with DEF's Risk Management Plan. DEF's hedging 15 activity did achieve the objective to reduce the impacts of fuel price risk and 16 volatility, and providing greater fuel price certainty for DEF's customers. 17

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Q. Does this conclude your testimony?

20 A. Yes.

1	Q.	What is the purpose of your testimony?
2	A.	The purpose of this testimony is to outline DEF's hedging objectives and activities
3		for 2016, and outline DEF's hedging results for January 2015 through July 2015.
4		
5	Q.	Are you sponsoring any exhibits to your testimony?
6	A.	Yes, I am sponsoring the follow exhibits:
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8		2015); and
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10		2015 (filed August 14, 2015).
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12	Q.	What are the objectives of DEF's hedging activities?
13	A.	The objectives of DEF's hedging strategy are to reduce the impacts of fuel price
14		risk and volatility over time, and provide a greater degree of fuel price certainty to
15		DEF's customers.
16		REDACTED
17	Q.	Describe DEF's hedging activities that the Company will execute for 2016.
18	A.	DEF will hedge a percentage of its projected natural gas burns and a portion of the
19		estimated fuel surcharge exposure embedded in DEF's coal river barge
20		transportation agreements. DEF will utilize approved physical and financial
21		agreements. With respect to hedging activity, natural gas represents the largest
22		component of DEF's overall hedging activity given it is the largest fuel cost
23		component. DEF's target hedging percentage ranges are between to percent
20		

of its current 2016 forecasted calendar annual burns. DEF anticipates to target to hedge a minimum of percent of its forecasted natural gas burn projections for 2016 as outlined in the Risk Management Plan. With respect to coal river barge transportation estimated fuel surcharges, during the balance of 2015 and for calendar year 2016, DEF will target to hedge between and percent of any estimated fuel surcharge exposure in the coal river barge transportation agreements. Hedging in the ranges and targets provided allows DEF to monitor actual fuel burns, updated fuel forecasts, and make any adjustments as needed throughout the year.

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DEF's hedging activities do not involve price speculation or trying to "out-guess" 11 12 the market. All hedging transactions are executed at the prevailing market price that exists at the time the hedging transactions are executed. The results of hedging 13 14 activities may or may not result in net fuel cost savings due to differences between the monthly settlement prices and the actual hedge price of the transactions that 15 were executed over time. The volumes hedged over time are based on periodic 16 17 updated fuel forecasts and the actual hedge percentages for any month, rolling period, or calendar annual period may come in higher or lower than the target 18 19 minimum hedge percentages and hedging ranges because of actual fuel burns versus 20 forecasted fuel burns. DEF's approach to executing fixed price transactions over time is a reasonable and prudent approach to reduce price risk and provide greater 21 22 cost certainty for DEF's customers.

As of August 11, 2015, DEF has hedged approximately percent of its forecasted natural gas burns for 2016. DEF will continue to execute additional hedges for 2016 throughout the remainder of 2015 and during 2016 consistent with its on-going strategy.

Q. What were the results of DEF's hedging activities for January through July 2015?

The Company's natural gas hedging activities for the period of January 2015 8 A. 9 through July 2015 have resulted in hedges being above the closing natural gas 10 settlement prices by approximately \$122.5 million. The Company's overall fuel oil hedging activities have resulted in hedges being above the closing settlement prices 11 12 for the period of January 2015 through July 2015 by approximately \$0.3 million. These overall hedge results were driven primarily by a decrease in natural gas prices 13 after the execution of DEF's 2015 hedging transactions. The hedging activities 14 were executed consistent with DEF's Risk Management Plan. DEF's hedging 15 activity did achieve the objective to reduce the impacts of fuel price risk and 16 volatility, and providing greater fuel price certainty for DEF's customers. 17

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- Q. Does this conclude your testimony?
- 20 A. Yes.

Exhibit C

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Direct Testimony of Joseph	Page 3, Line 23:	§366.093(3)(d), F.S.
McCallister	target hedging percentages	The document in question
		contains confidential
	Page 4, Lines 2 & 5: target	information, the disclosure of
	hedging percentages.	which would impair DEF's
		efforts to contract for goods or
	Page 5, Line 1: actual	services on favorable terms.
	hedging percentage.	
		§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.

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

Exhibit D AFFIDAVIT OF JOSEPH MCCALLISTER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 150001-EI

Dated: September 1, 2015

AFFIDAVIT OF JOSEPH MCCALLISTER IN SUPPORT OF DUKE ENERGY FLORIDA'S <u>REQUEST FOR CONFIDENTIAL CLASSIFICATION</u>

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 information contained on pages 3, 4, and 5 of my testimony dated August 31, 2015. A detailed description of 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 at competitive prices, however, DEF must protect from public disclosure sensitive business information, such as forecasted volumes and hedging percentages. With respect to the information at issue in this Request, DEF has kept confidential and has not publicly disclosed this confidential information. Absent such measures, suppliers and market competitors would have access to sensitive business information DEF uses to plan and execute its fuel procurement processes. With this non-public information, those suppliers or market competitors could alter their behavior to the detriment of DEF and its customers. Without DEF's measures to maintain the confidentiality of this information, the Company's efforts to obtain competitive fuel supply options that provide economic value to both DEF and its customers could be undermined.

6. 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.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 26 day of August, 2015.

(Signature)

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 26 day of August, 2015 by Joseph McCallister. He is personally known to me, or has produced his ______ driver's license, or his ______ as identification.

Jamieson 0 (Printed Name) NOTARY PUBLIC, STATE OF NC unp 2016 14

(Commission Expiration Date)

(Serial Number, If Any)



(AFFIX NOTARIAL SEAL)