



Matthew R. Bernier
Associate General Counsel

April 18, 2022

VIA ELECTRONIC FILING

Adam Teitzman, 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. 20220001-EI*

Dear Mr. Teitzman:

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 its Response to the OPC's Second Set of Interrogatories (Nos. 11-26) and OPC's Second Request to Produce Documents (Nos. 5-16). The filing includes the following:

- DEF's Request for Confidential Classification
- Slip-sheet for confidential Exhibit A
- Redacted Exhibit B (two copies)
- Exhibit C (justification matrix), and
- Exhibit D (affidavit of Anthony Salvatorezza-unverified)

DEF's confidential Exhibit A that accompanies the above-referenced was submitted with DEF's Notice of Intent to Request Confidential Classification on March 28, 2022, 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

Matthew R. Bernier

MRB/mw
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 20220001-EI

Dated: April 18, 2022

**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 this Request for Confidential Classification for certain information provided in its response to the Office of the Public Counsel’s (“OPC”) Second Set of Interrogatories (Nos. 11-26) and OPC’s Second Request to Produce Documents (Nos. 5-16), dated March 28, 2022, concurrently with DEF’s Notice of Intent to Request Confidential Classification. This Request is timely. *See* Rule 25-22.006(3)(a)1, F.A.C. In support of this Request, DEF states:

1. DEF’s Responses to OPC’s Second Set of Interrogatories (Nos. 11-26), specifically question 13, and OPC’s Second Request to Produce Documents (Nos. 5-16), specifically questions 5, 7, and 10, contain information that is “confidential proprietary 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. Composite Exhibit A was submitted separately in a sealed envelope labeled “CONFIDENTIAL” on March 28, 2022. In the unredacted versions, 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 bases for seeking confidential treatment.

(d) Exhibit D contains affidavits 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, the information at issue in DEF’s response to Interrogatory No. 13 and Request to Produce Nos. 5, 7, and 10, relates to proprietary third-party drawings, evaluations, and information. Pursuant to contracts, DEF is obligated to maintain the confidentiality of this information, and therefore it qualifies for confidential classification. The disclosure of this information could adversely affect the Company’s ability to contract on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Anthony Salvatore at ¶¶ 4 and 5. Furthermore, disclosure of the information could detrimentally impact DEF’s ability to negotiate favorable contracts, thereby harming its competitive interests, ultimately to its customers’ detriment. *See* § 366.093(3)(e), F.S.; Affidavit of Anthony Salvatore at ¶¶ 4 and 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 Anthony Salvarezza 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 Anthony Salvarezza at ¶ 6.

6. 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 18th day of April, 2022.

s/Matthew R. Bernier

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Attorneys for Duke Energy Florida, LLC

Duke Energy Florida, LLC
CERTIFICATE OF SERVICE
Docket No. 20220001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email this 18th day of April, 2022, to all parties of record as indicated below.

s/Matthew R. Bernier
Attorney

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|--|---|
| <p>Suzanne Brownless Stefanie Jo Osborn Office of General Counsel FL Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us sosborn@psc.state.fl.us</p> <p>J. Wahlen / M. Means Ausley McMullen P.O. Box 391 Tallahassee, FL 32302 jwahlen@ausley.com mmeans@ausley.com</p> <p>Kenneth A. Hoffman Florida Power & Light Company 134 W. Jefferson Street Tallahassee, FL 32301-1713 ken_hoffman@fpl.com</p> <p>Jon C. Moyle, Jr. Moyle Law Firm, P.A. FIPUG 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com mqualls@moylelaw.com</p> <p>Peter J. Mattheis Michael K. Lavanga Joseph R. Briscar Stone, Mattheis, Xenopoulos, & Brew P.C. Nucor 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007 pjm@smxblaw.com mkl@smxblaw.com jrb@smxblaw.com</p> <p>Corey Allain Nucor Steel Florida, Inc. 22 Nucor Drive Frostproof, FL 33843 corey.allain@nucor.com</p> | <p>Anastacia Pirrello / Richard Gentry Office of Public Counsel 111 W. Madison St., Room 812 Tallahassee, FL 32399-1400 pirrello.anastacia@leg.state.fl.us gentry.richard@leg.state.fl.us</p> <p>Paula K. Brown Regulatory Affairs Tampa Electric Company P.O. Box 111 Tampa, FL 33601-0111 regdept@tecoenergy.com</p> <p>Maria Moncada / David Lee Florida Power & Light Company 700 Universe Blvd. (LAW/JB) Juno Beach, FL 33408-0420 david.lee@fpl.com maria_moncada@fpl.com</p> <p>James Brew / Laura W. Baker Stone Mattheis Xenopoulos & Brew, P.C. White Springs/PCS Phosphate 1025 Thomas Jefferson St., N.W. Eighth Floor, West Tower Washington, DC 20007 jbrew@smxblaw.com lwb@smxblaw.com</p> <p>Mike Cassel Florida Public Utilities Company 208 Wildlight Avenue Yulee, FL 32097 mcassel@fpuc.com</p> <p>Michelle D. Napier Florida Public Utilities Company 1635 Meathe Drive West Palm Beach, FL 33411 mnapier@fpuc.com</p> <p>Beth Keating Gunster, Yoakley & Stewart, P.A. FPUC 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 bkeating@gunster.com</p> |
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Exhibit A

“CONFIDENTIAL”

(filed under separate cover on March 28, 2022)

Exhibit B

REDACTED

(two copies)

Exhibit C

DUKE ENERGY FLORIDA Confidentiality Justification Matrix

| DOCUMENT/RESPONSES | PAGE/LINE | JUSTIFICATION |
|--|---|---|
| DEF's Response to OPC's Second Set of Interrogatories (Nos. 11-26), specifically question 13 | <p>Question 13: The information in the first paragraph after “determined the” and before “Finally” , after “temperature was” and before “ RCA p. 1”, after “resulted from” and before “ relative”, after “relatively” and before “The OEM” is confidential. All information in the indented paragraph is confidential.</p> | <p>§366.093(3)(d), F.S. 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.</p> <p>§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.</p> |
| DOCUMENT/RESPONSES | PAGE/LINE | JUSTIFICATION |
| DEF's Response to OPC's Second Request to Produce Documents (Nos. 5-16), specifically questions 5, 7, and 10 | <p>Question 5: documents bearing bates numbers 20220001-DEF-000001 through 20220001-DEF-000556 are confidential in their entirety.</p> <p>Question 7: documents bearing bates numbers 20220001-DEF-000557 through 20220001-DEF-000561 are confidential in their entirety.</p> <p>Question 10: document bearing bates numbers 20220001-DEF-000562 through 20220001-DEF-002029 are confidential in their entirety.</p> | <p>§366.093(3)(d), F.S. 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.</p> <p>§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.</p> |

Exhibit D

AFFIDAVIT OF ANTHONY SALVAREZZA

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
Clause with generating performance incentive
Factor

Docket No. 20220001-EI

Dated: April 18, 2022

**AFFIDAVIT OF ANTHONY SALVAREZZA 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 Anthony Salvarezza, who being first duly sworn, on oath deposes and says that:

1. My name is Anthony Salvarezza. 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 General Manager of Regional Services. I am responsible for leading and directing project engineering, project management, outage management, business planning and specialized maintenance in Regulated and Renewable Energy. My major duties and responsibilities include providing safe, reliable, efficient, economic, environmental, and regulatory compliant maintenance activities through the development and implementation of processes and programs.

3. DEF is seeking confidential classification for certain information provided in its response to the Office of the Public Counsel's ("OPC") Second Set of Interrogatories (Nos. 11-26) and OPC's Second Request to Produce Documents (Nos. 5-16). 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 competitive business interests and ability to contract for goods and services on favorable terms.

4. The confidential information at issue relates to proprietary third-party and technical information regarding the third-party's proprietary component design and operation parameters, the disclosure of which would impair the third-party's competitive business interests, and if disclosed, the Company's competitive business interests and efforts to contract for goods or services on favorable terms. In order to contract with third-party vendors on favorable terms, DEF must keep third-party proprietary information confidential.

5. Further, if DEF cannot demonstrate to its third-party vendors and others that may enter contracts with DEF in the future, that DEF has the ability to protect those third parties' confidential and proprietary business information, third parties will be less likely to provide that information to DEF – harming DEF's ability to prudently operate its business. DEF has not publicly disclosed the information. Without DEF's measures to maintain the confidentiality of this sensitive business information, DEF's ability to contract with third parties could detrimentally impact DEF's ability to negotiate favorable contracts, as third parties may begin to demand a "premium" to do business with DEF to account for the risk that its proprietary

information will become a matter of public record, thereby harming DEF's competitive interests and ultimately its customers' financial interests.

6. Upon receipt of 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 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 ____ day of _____, 2022.

(Signature)
Anthony Salvarezza
General Manager – Regional Services

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day of _____, 2022 by Anthony Salvarezza. He is personally known to me or has produced his _____ driver's license, or his _____ as identification.

(Signature)

(AFFIX NOTARIAL SEAL)

(Printed Name)
NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)

Response:

Please see DEF's Response to Staff's Interrogatory number 2.

13. Please refer to your response to Citizens Interrogatory 36 in Docket 20210001-EI. Explain how the company determined that the January 2021 through April 2021 and May 2021 through July 2021 outages at Bartow CC have the same root cause.

Response:

REDACTED

In the Fall of 2019, in advance of return to service from a planned outage, maintenance high potential (hi-pot) testing on Unit 4B indicated stator winding faults on the CTG. Further investigation revealed two stator winding bars of two different phases had faulted to ground due to a crack in the insulation around the circumference of the bars.

The RCA further determined the

[REDACTED]

Finally, the OEM established the "main contributor" to the elevated stator winding temperatures was "

[REDACTED]

" RCA, p. 1.

What all this means is that the faulted stator bars resulted from

[REDACTED]

relative to the remainder of the OEM's fleet. This failure mode naturally led to the question of what led to the relatively

[REDACTED].

The OEM analyzed the operational life of the unit to confirm or refute as many as eleven (11) secondary level elements. Its review of data noted that the stator slot temperatures dropped in early 2013, while the generator output (MW and MVAR) remained stable. It further found:

[REDACTED]

[REDACTED]

[REDACTED] RCA, p. 2

DEF reasonably applied this investigation and evaluation to the other in-service Bartow Generating units with similar higher stator temperatures. The failure mechanism and results were analyzed by the OEM and DEF engineering with the same conclusion.

14. Please refer to your response to Citizens Interrogatory 46 in Docket 20210001-EI. Provide the date on which the OEM brought the defective part [potential confidential term] to DEF's attention.

Response:

The potential for the component to be defective was originally brought to DEF's attention on April 6, 2009 in Siemens' publication of bulletin PB2-08-5038-GN-EN-01, which recommended inspection of the component at the next outage. This recommendation was revised on March 15, 2013 by Siemens' publication PB3-13-0008-GN-EN-01, which superseded the previous bulletin, and recommended inspection during all Medium and Major inspections and replacement of the component as necessary. This inspection and replacement occurred during the planned outages on all four units during Fall of 2012 and Spring of 2013.

15. Please refer to your response to Citizens Request for Production of Documents 23 in Docket 20210001-EI, bates page 20210001-DEF-000242. Since the service of the response to POD 23, has DEF received the recommendation from Siemens from 4B and 4D?

Response:

As stated in DEF's Response to POD 23 in Docket No. 20210001-EI, the document bearing bates number 20210001-DEF-000242 provides "information from the published outages needs for Generator Minors & Rewinds that was published in the Feb. 2020 refresh". After publication of the document, DEF received the OEM's RCA – that is the "recommendation" being referenced.

16. If the answer to ROG 15 is yes, please identify all documents, including but not limited to correspondence, relating to that that recommendation.

Response:

Documents bearing bates numbers
20220001-DEF-000001
through
20220001-DEF-000556
are confidential in their entirety.

Documents bearing bates numbers
20220001-DEF-000557
through
20220001-DEF-000561
are confidential in their entirety.

Documents bearing bates numbers
20220001-DEF-000562
through
20220001-DEF-002029
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Response:

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