

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-

DATE: June 21, 2023

TO: Suzanne Brownless, Special Counsel, Office of the General Counsel

FROM: Patrick Kelley, Public Utility Analyst I, Division of Economics *PAK*

RE: Confidential Classification of Document No. 03282-2023

On June 5, 2023, Duke Energy Florida, LLC (Duke) filed its initial request for confidential treatment for Document No. 03282-2023 in Docket No. 20230035-EI.¹ This document contains confidential information provided in response to OPC's first set of interrogatories, No. 5 and first set of production of documents (PODs), No. 4. The confidential information consists of listing the name of the industrial customer involved and information associated with the industrial customer's non-fuel revenue for a specific project.

In its initial request for confidentiality, Duke asserts that the responses provided on the temporary territorial variance contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider of the information. Duke further stated that the document also contains confidential information, the disclosure of which would impair Duke's efforts to contract for goods or services on favorable terms.² Specifically, the material contains a non-fuel revenue analysis spanning a ten year period as well as naming the industrial customer. In addition, Duke states that the utility treats the highlighted information provided in Document No. 03514-2023 as confidential.

Staff has reviewed the document and concurs with Duke that the nature of the information continues to meet the requirements set forth in Section 366.093(3)(d) and (e), Florida Statutes, whereby disclosure of this information would impair the competitive business operations of Duke. Therefore, staff recommends that the request by Duke for confidential classification of certain information in Document No. 03282-2023 be approved.

cc: Office of Commission Clerk

¹ Document No. 03514-2023.

² See page 10, paragraph 1 and page 11, chart 1 of Document No. 03514-2023

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DATE: June 19, 2023

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20230035-EU DOCUMENT NO: 03282-2023
DESCRIPTION: Duke Energy; PRECO (Cuello) - (CONFIDENTIAL) Exh A [to notice of intent to request confidential classification regarding] response to OPC's 1st set of interrogatories (Nos. 1-6) and 1st request for PODs (Nos. 1-5).
SOURCE: Duke Energy Florida, LLC d/b/a Duke Energy

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 Patrick Kelley on 6/20/2023, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.