

**Duke Energy Carolinas, LLC**

**FERC Electric Tariff – Attachment N**

**Carolina Power & Light Company**

**FERC Electric Tariff – Attachment K**

## **Transmission Planning Process – Section 9**

### **9. CONFIDENTIALITY**

**9.1 The Transmission Providers will take appropriate steps to protect CEII information, which is one form of Confidential Information.**

#### **9.2 Identification of Confidential Information**

The confidentiality of information is determined in the first instance by a NCTPC Participant or TAG participant providing the information. Examples of Confidential Information, other than CEII, include commercially sensitive information and customer-related information that is proprietary to a particular wholesale or retail customer. The NCTPC Participant or TAG participant providing Confidential Information must indicate whether the Confidential Information is permitted to be released to the representatives of TAG participants that have abided by the procedures in Section 9.4.3. If the information is Confidential Information only because it is CEII, the NCTPC Participant or TAG participant should indicate that such information may be released to TAG participants eligible to receive CEII.

#### **9.3 Availability of Confidential Information**

9.3.1 The NCTPC Participants will mask all Confidential Information in documents that are released to the public.

9.3.2 Confidential Information will be made available, to the extent not prohibited by law or government policy, to the NCTPC Participants, as limited by the *Participation Agreement*. Each NCTPC Participant is restricted from sharing or giving access to Confidential Information with

any employee, representative, and/or organization directly involved in the sale and/or resale of electricity in the wholesale electricity such that they do not receive preferential treatment or a competitive advantage.

9.3.3 TAG participants may be provided Confidential Information, in accordance with Section 9.4.3/9.4.4, if the providing NCTPC Participant or TAG participant has consented to its release. In cases where the information is Confidential Information only because it is CEII, the TAG participants may be provided such information in accordance with Section 9.4.4.

#### **9.4 Obtaining Confidential Information**

9.4.1 The ITP is tasked with ensuring that no marketing/brokering organizations receive preferential treatment or achieve competitive advantage through the distribution of any transmission-related information in the TAG.

9.4.2 The ITP ensures that the confidentiality of information principles reflected in Order No. 890 as well as any Standards of Conduct or Code of Conduct requirements are being adhered to within the TAG process, to the extent applicable and/or necessary.

9.4.3 If a TAG participant seeks non-CEII Confidential Information, s/he must formally request the data from the ITP and demonstrate that s/he:

9.4.3.1 Is a representative of a TAG Sector Entity that has signed the SERC Confidentiality Agreement or is an Individual that has signed the SERC Confidentiality Agreement.

9.4.3.2 Is listed on Attachment A to a TAG Sector Entity's TAG Confidentiality Agreement as a representative of a TAG Sector Entity or is an Individual that has signed the TAG Confidentiality Agreement.

9.4.4 If a TAG participant seeks CEII, s/he must formally request the data from the ITP and demonstrate that s/he has:

9.4.4.1 Been authorized by FERC to receive the CEII-protected version of Form 715 for both Duke and Progress.

9.4.4.2 Is a representative of a TAG Sector Entity that has signed the SERC Confidentiality Agreement or is an Individual that has signed the SERC Confidentiality Agreement.

9.4.4.3 Is listed on Attachment A of a TAG Sector Entity's TAG Confidentiality Agreement as a representative of a TAG Sector Entity or is an Individual that has signed the TAG Confidentiality Agreement.

9.4.5 The NCTPC ITP will process the above requests, approve/deny the request, and if approved, provide the data to a TAG participant.