

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

DOCKET NO.: 100437-ET

SERVED: May 24, 2013

COMMISSION
CLERK

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**DUKE ENERGY FLORIDA, INC.'S NOTICE OF FILING
AFFIDAVIT IN SUPPORT OF DUKE ENERGY FLORIDA, INC.'S
SIXTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. ("DEF" or "the Company"), hereby gives notice of filing the affidavit of Garry D. Miller in support of Duke Energy Florida, Inc.'s Sixth Request for Confidential Classification Regarding Supplemental Documents Produced in Response to White Springs' Revised Second Set of Requests for Production of Documents (Nos. 3-12).

Respectfully submitted,



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DOCUMENT NUMBER-DATE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 24th day of May, 2013.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Duke Energy Florida, Inc.

DOCKET NO.: 100437-EI

SERVED: May 24, 2013

AFFIDAVIT OF GARRY D. MILLER IN SUPPORT OF DUKE ENERGY FLORIDA, INC.'S SIXTH REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING SUPPLEMENTAL DOCUMENTS PRODUCED IN RESPONSE TO WHITE SPRINGS' REVISED SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS (NOS. 3-12)

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Garry D. Miller. 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 Sixth Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am employed by Duke Energy Corporation ("Duke Energy") in the Nuclear Engineering Group and I am the Senior Vice President – Nuclear Engineering. As Senior Vice President – Nuclear Engineering, I am responsible for all corporate engineering, design engineering, engineering technical programs, and nuclear fuels functions in Duke Energy's nuclear generation fleet. This includes engineering projects and programs at the Crystal River Unit 3 ("CR3") nuclear power plant located at the Crystal River power plant site in Florida.

3. DEF is seeking confidential classification for portions of responsive documents to White Springs Revised Second Set of Request for Production of Documents requests 1 through

DOCUMENT NUMBER-DATE

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3. A detailed description of the confidential information at issue is contained in confidential Attachment A to DEF's Sixth Request for Confidential Classification and is outlined in DEF's Justification Matrix that is attached to DEF's Sixth Request for Confidential Classification as Attachment C. DEF is requesting confidential classification of these documents because they include confidential and proprietary contractual information, and other information related to the Company's competitive business interests, the disclosure of which would compromise DEF's competitive business interests.

4. Specifically the requests seek information which includes contractual data, and proprietary data of the Company and its contract partners, the disclosure of which would impair the Company's ability to contract on favorable terms in the future. In many instances, the disclosure of this information would also violate contractual confidentiality provisions.

5. The public disclosure of these documents would allow other parties to discover how the Company analyzes risk options, scheduling, and cost, and would impair DEF's ability to contract for such goods and services on competitive and favorable terms. If such information was disclosed to DEF's competitors and/or other potential suppliers, DEF's efforts to obtain competitive equipment and service options that provide economic value to both the Company and its ratepayers could be compromised by the Company's competitors and/or suppliers potentially changing their offers, consumption, or purchasing behavior within the relevant markets.

6. DEF must be able to assure vendors that sensitive business information, such as the terms of their contracts, will be kept confidential. Additionally, as discussed above, some of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. The information at issue relates to competitively negotiated

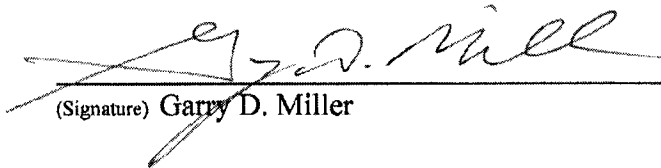
contractual data, such as quantity and pricing of goods and services, and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that DEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations.

7. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality 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. 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.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 21 day of May, 2013.



(Signature) Garry D. Miller

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21 day of May, 2013, by Garry D. Miller. He is personally known to me, or has produced his North Carolina driver's license, or his _____ as identification.

Debra Reese

(Signature)

Debra Reese

(Printed Name)

NOTARY PUBLIC, STATE OF NC

9.6.15

(Commission Expiration Date)

(Serial Number, If Any)

