

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 130009-EI


SERVED: July 16, 2013

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**DUKE ENERGY FLORIDA, INC.'S
NOTICE OF FILING AFFIDAVIT**

Duke Energy Florida, Inc. ("DEF"), hereby gives notice of filing the affidavit of Christopher M. Fallon in support of Duke Energy Florida, Inc.'s Seventh Request for Confidential Classification.

Respectfully submitted,



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COM _____
AFD 1
APA 1
ECO _____
ENG 1
GCL 1
 IDM 3
TEL _____
CLK _____

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 16th day of July, 2013.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 130009-EI
Submitted for Filing: July 16, 2013

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY
FLORIDA, INC.'S SEVENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION
REGARDING PORTIONS OF THE RESPONSE TO SACE'S FIRST SET OF
INTERROGATORIES TO DUKE ENERGY FLORIDA, INC. (NOS. 1-15)**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Christopher M. Fallon. I am employed by Duke Energy Corporation ("Duke Energy") in the capacity of Vice President of Nuclear Development. I am over the age of 18 years old and I have been authorized to give this affidavit in the above-styled proceeding on Duke Energy Florida, Inc.'s ("DEF" or the "Company") behalf and in support of DEF's Seventh Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. As Vice President of Nuclear Development, I am responsible for the licensing and engineering design for the Levy nuclear power plant project ("LNP" or "Levy"), including the direct management of the Engineering, Procurement, and Construction ("EPC") Agreement with Westinghouse and Shaw, Stone & Webster (the "Consortium"), and I am responsible for reporting on the LNP to senior management.

3. A detailed description of the confidential information at issue is contained in confidential Attachment A to DEF's Request and is outlined in DEF's Justification Matrix that is attached to DEF's Request as Appendix C.

4. DEF's Response to SACE'S First Set of Interrogatories (Nos. 1-15), specifically No. 6 ("Response"), contains sensitive proprietary and confidential cost information, related to and derived from contractual agreements. Specifically, the Response contains information related to the contractual costs for the construction of LNP 1 & 2. DEF considers this information to be confidential and proprietary in nature, and continues to take steps to protect against its public disclosure, including limiting the personnel who have access to this information. Public release of this information would harm the Company's ability to contract for necessary goods and services by signaling to the parties with whom DEF attempts to contract that the Company will not be able to maintain the confidentiality of the parties' contractual agreements, and in many instances, the disclosure of this information would violate contractual confidentiality provisions.

5. Upon receipt of all this confidential information, 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. At no time has the Company publicly disclosed the information at issue. The Company has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

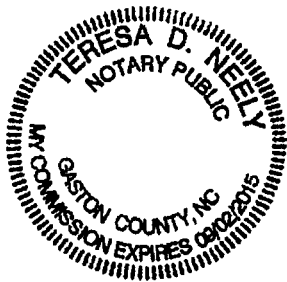
Further affiant sayeth not.

Christopher M. Fallon
(Signature) Christopher M. Fallon

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 11 day of July, 2013, by Christopher M. Fallon. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Teresa D. Neely
(Signature)
TERESA D. NEELY
(Printed Name)
NOTARY PUBLIC, STATE OF NC
9/2/2015
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



(Serial Number, If Any)