

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Nuclear Cost Recovery Clause

Docket No. 130009-EI
Filed: December 6, 2013

**DUKE ENERGY FLORIDA'S
MOTION TO EXTEND CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, Inc. ("DEF") hereby files this Motion to Extend Confidential Classification of certain information contained in Florida Public Service Commission ("Commission") Order No. PSC-11-0095-FOF-EI, entered in Docket No. 100009-EI on February 2, 2011 (the "Order"). The specific information identified below continues to be proprietary, confidential business information within the definition of section 366.093(3), Florida Statutes. Therefore, DEF requests that the Commission continue to treat the information as confidential for a period of five (5) years. In support, DEF states as follows:

The confidential information contained in the Order was provided to the Commission in DEF's¹ Post-Hearing Statement of Issues and Positions, filed with the Commission on September 10, 2010, in Docket No. 100009-EI (Document No. 07599-10, herein "DEF's Post-Hearing Brief").² DEF also filed its twenty-sixth (26) Request for confidential classification regarding the confidential information included in DEF's Post-Hearing Brief on September 10, 2010 (Document No. 07598-10, the "Request").

On April 8, 2011, Commission Staff returned the confidential information at issue contained in DEF's Post-Hearing Brief, ostensibly rendering the Request moot. However, the confidential information in DEF's Post-Hearing Brief was carried over into the Order.

¹ The Post-Hearing Brief was filed by DEF's predecessor, Progress Energy Florida, Inc.

² Document No. 07599-10 included the confidential information at issue. Document number 07600-10 was the redacted version of DEF's Post-Hearing Brief in its entirety.

As detailed in the Request, which DEF hereby incorporates by reference, the confidential information located on pages 42-45 of the Order³ includes the Capital Costs of the Levy Nuclear Project (“LNP”). Those costs are contractual in nature and derived from the LNP Engineering, Procurement and Construction (“EPC”) agreement. Those contractual figures are confidential by virtue of the terms of the EPC agreement and section 366.093(3)(d), Florida Statutes.

Moreover, because this contractual information will continue to remain confidential beyond the standard eighteen (18) month time frame provided in section 366.093(4), Florida Statutes, and to ease the administrative burden of receiving multiple requests for extension, DEF requests that the Commission enter an Order granting this information confidential classification for a period of five (5) years.

WHEREFORE, DEF respectfully requests that the Commission enter an order classifying the information contained on pages 42-45 of the Order as confidential for a period of five (5) years.

Respectfully submitted,

/s/ Matthew R. Bernier

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³ Pages 17 and 38 also contain information that was considered confidential at the time it was filed. That information was provided in OPC’s post-hearing brief, filed with the Commission on September 10, 2010, document number 07614-10, which was the subject of DEF’s twenty-seventh (27) request for confidential classification. The information contained in OPC’s post-hearing brief was returned on April 11, 2011, rendering the 27th request moot. DEF is not requesting continuing confidential treatment of the information contained on pages 17 and 38 of the Order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 6th day of December, 2013.

/s/ Matthew R. Bernier

Matthew R. Bernier

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