

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost Recovery Clause

Docket No. 140009-EI  
Submitted for Filing: August 26, 2014

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

Duke Energy Florida, Inc. ("DEF" or the "Company"), hereby gives notice of filing the Affidavit of Christopher M. Fallon in Support of Duke Energy Florida, Inc.'s Eighth Request for Confidential Classification Regarding Portions of hearing exhibits 98, 99 and 101.

Respectfully submitted on this 26<sup>th</sup> day of August, 2014:

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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 26<sup>th</sup> day of August, 2014.

/s/ Blaise N. Gamba

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Nuclear Cost Recovery  
Clause

Docket No. 140009-EI  
Submitted for Filing: August \_\_, 2014

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**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY  
FLORIDA, INC.'S EIGHTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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's ("DEF" or the "Company") behalf and in support of DEF's Eighth 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 Levy nuclear power plant project ("LNP" or "Levy").
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. The Company is requesting confidential classification of hearing exhibits 98, 99, and 101 admitted in evidence at the final NCRC hearing in this docket because these exhibits contain proprietary and confidential equipment contractual terms or budget numbers as well as



cost and project schedule information related to and/or derived from contractual agreements necessary to complete the LNP project . Those agreements contain non-disclosure provisions that limit the use and forbid the dissemination of the information. The disclosure of this information would impair the Company's ability to contract on favorable terms, or at all, for necessary goods and services for the Levy project or other projects. The Company and its customers would be harmed if DEF were not able to ensure the confidentiality of contract terms. Furthermore, dissemination of this information in many cases would violate the contractual confidentiality provisions, most notably the provisions of the LNP EPC Agreement.

5. The information in these exhibits include, among other things, long lead equipment cost information as well as confidential cost and estimate information. Publication of this information would provide DEF's competitors and those that DEF would wish to contract with valuable insight into the Company's strategic planning and estimating process.

6. The hearing exhibits in question contain confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the Company. Without the Company's measures to maintain the confidentiality, the Company's efforts to obtain competitive contacts would be undermined to the detriment of DEF and its ratepayers.

7. 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.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 19<sup>th</sup> day of August, 2013.

Christopher M Fallon

(Signature) Christopher M. Fallon

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 19 day of August, 2014, 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

09/02/15

(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Serial Number, If Any)

