

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 150009-EI
Submitted for Filing: February 4, 2015

DUKE ENERGY FLORIDA'S NOTICE OF FILING

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

Respectfully submitted,

Dianne M. Triplett
Associate General Counsel
Matthew R. Bernier
Associate General Counsel
DUKE ENERGY FLORIDA, INC.
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5587
Facsimile: (727) 820-5519

/s/ Blaise N. Gamba
James Michael Walls
Florida Bar No. 0706242
Blaise N. Gamba
Florida Bar No. 0027942
CARLTON FIELDS JORDEN BURT
Post Office Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133
Email: mwalls@CFJBLaw.com
bgamba@CFJBLaw.com

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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 4th day of February, 2015.

/s/ Blaise N. Gamba
Attorney

Keino Young
Staff Attorney
Keysha Mapp
Staff Attorney
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee 32399
Phone: (850) 413-6218
Facsimile: (850) 413-6184
Email: kyoung@psc.fl.state.us
kmapp@psc.fl.state.us

Charles Rehwinkel
Deputy Public Counsel
Erik Sayler
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
Email: rehwinkel.charles@leg.state.fl.us
sayler.erik@leg.state.fl.us

Jon C. Moyle, Jr.
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: (850) 681-8788
Email: jmoyle@moylelaw.com

James W. Brew
Owen J. Kopon
Laura A. Wynn
Brickfield Burchette Ritts & Stone, PC
1025 Thomas Jefferson St NW
Eighth FL West Tower
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807
Email: jbrew@bbrslaw.com
owen.kopon@bbrslaw.com
laura.wynn@bbrslaw.com

Florida Power & Light Company
Kenneth Hoffman
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1858
Phone: 850-521-3919/FAX: 850 521-3939
Email: Ken.Hoffman@fpl.com

Florida Power & Light Company
Jessica A. Cano/Bryan S. Anderson
700 Universe Boulevard
Juno Beach, FL 33408
Phone: 561-304-5226
Facsimile: 561-691-7135
Email: Jessica.Cano@fpl.com
Bryan.anderson@fpl.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 150009-EI
Submitted for Filing: February 3, 2015

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE
ENERGY FLORIDA, INC.'S FIRST REQUEST FOR CONFIDENTIAL
CLASSIFICATION REGARDING CITIZENS' SECOND SET OF
INTERROGATORIES AND SECOND REQUEST FOR PRODUCTION OF
DOCUMENTS TO DUKE ENERGY FLORIDA, INC.**

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 First Request for Confidential Classification (the "Request"). 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. DEF's Response to Citizens' Second Set of Interrogatories (Nos. 34-55) and Second Request for Production of Documents (Nos. 41-55), specifically Interrogatory Nos. 37,

38, 39, 41, 42, 45, 49, 55 and documents responsive to Interrogatory No. 46 and documents responsive to Document Request Nos. 42, 43, 45, 47 and 50, contain sensitive proprietary and confidential cost information, information related to the LNP, combined operating license information, ongoing negotiations with vendors and interactions and negotiations with Westinghouse Electric Company, LLC ("Westinghouse"). DEF considers this information to be confidential, competitive business and contractual information, 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 and its vendor's competitive business interests including ongoing and future negotiations. DEF's ability to contract for necessary goods and services in the future could be compromised by signaling to third parties with whom DEF attempts to contract that the Company will not be able to maintain the confidentiality of the parties' contractual agreements.

5. The responsive documents and interrogatories contain financial information related to change orders, contractual amendments, and other contractual data that is subject to confidentiality agreements between DEF and its vendors, including Westinghouse. DEF must be able to assure the other parties to contracts that the sensitive business information contained therein, such as quantity and pricing terms, will remain confidential. The public disclosure of this information 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.

6. If such information was disclosed to DEF's competitors and/or other potential suppliers and vendors, DEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its customers could also be

compromised by the Company's competitors and/or suppliers changing their offers or negotiating strategies.

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.

Christopher M. Fallon
(Signature) Christopher M. Fallon

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 3RD day of February, 2015, 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)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF NC

9/2/2015
(Commission Expiration Date)

