

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 150009-EI
Submitted for Filing: March 18, 2015

DUKE ENERGY FLORIDA'S NOTICE OF FILING

Duke Energy Florida, Inc. ("DEF"), hereby gives notice of filing the Affidavits of Christopher M. Fallon and Mark R. Teague in Support of Duke Energy Florida's Second Request for Confidential Classification.

Respectfully submitted,

/s/ Blaise N. Gamba

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COMMISSION
CLERK

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AFD 1
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ENG 1
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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 18th day of March, 2015.

/s/ Blaise N. Gamba
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 150009-EI
Submitted for Filing: March 18th 2015

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY
FLORIDA, INC.'S SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION
REGARDING PORTIONS OF THE TESTIMONIES AND EXHIBITS FILED AS PART OF
THE COMPANY'S MARCH 2, 2015 TRUE-UP FILING**

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 Second Request for Confidential Classification Regarding Portions of the Testimonies and Exhibits filed as Part of the Company's March 2, 2015 True-up Filing (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. DEF is seeking confidential classification of the following materials filed with the Florida Public Service Commission ("FPSC" or the "Commission") in this above referenced docket: (1) portions of the testimony of Mr. Thomas G. Foster and Exhibit No. __ (TGF-1), (2) portions of my testimony and Exhibit Nos. __ (CMF-1), (CMF-2), (CMF-3), (CMF-4), (CMF-5), and (CMF-6), and (3) portions of the testimony of Mr. Mark R. Teague and Exhibit Nos. __ (MT-4) and (MT-5).

3. Unredacted versions of the testimonies and exhibits at issue are contained in confidential Appendix A to DEF's Request and the confidential portions thereof are outlined in DEF's Justification Matrix that is attached to DEF's Request as Appendix C.

4. DEF is requesting confidential classification of the portions of the testimonies and exhibits of Mr. Foster that contain confidential costs numbers and contractual information for the Levy Nuclear Project ("LNP"), the disclosure of which would compromise DEF's competitive business interests or violate contractual confidentiality provisions.

5. DEF is also requesting confidential classification of the portions of my testimony and Exhibit No. __ (CMF-1) that contains data that is competitively sensitive under the Engineering, Procurement, and Construction contract ("EPC Agreement") with Westinghouse Electric Company and Stone & Webster, Inc. (the "Consortium").

6. Additionally, DEF is requesting confidentiality classification of Exhibits CMF-2, CMF-3, CMF-4, CMF-5 and CMF-6 because these exhibits contain confidential settlement information between the DEF, the Consortium and its vendors regarding the disposition of long lead time equipment ("LLE") for the LNP. This information would adversely impact DEF's competitive business interests, and ongoing LLE disposition process and negotiations regarding wind down of the EPC Agreement, if disclosed to third parties.

7. Moreover, the Company must be able to assure these vendors that sensitive business information will be kept confidential during negotiations. Indeed, the contract at issue contains confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. If third parties were made aware of confidential contractual terms that the Company has with other parties, they may offer DEF less competitive terms in future contractual negotiations. Additionally, revealing LLE disposition terms to third parties may compromise DEF's ability to negotiate additional LLE dispositions on a favorable basis. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and these nuclear contractors, the Company's efforts to obtain competitive contracts for the LNP would be undermined.

8. As stated above, most of the contracts at issue, and specifically the EPC Agreement, contain confidentiality provisions; therefore, DEF is requesting confidential classification of this information to avoid public disclosure that would violate the confidentiality agreements between DEF and the other parties. DEF has kept confidential and has not publicly disclosed the proprietary contract terms and provisions at issue here.

9. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time since developing or entering the contracts in question has DEF publicly disclosed the contracts' terms; DEF has treated and continues to treat the information contained in the subject contracts as confidential.

10. This concludes my affidavit.

Further affiant sayeth not.

Dated this 12 day of March, 2015.



(Signature)

Christopher M. Fallon
Vice President of Nuclear Development
Duke Energy Corporation
526 South Church Street, EC1
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of March, 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)

NOTARY PUBLIC, STATE OF NC

9/12/2015
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



(Serial Number, If Any)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 150009-EI
Submitted for Filing: March 18th, 2015

**AFFIDAVIT OF MARK R. TEAGUE IN SUPPORT OF DUKE ENERGY FLORIDA, INC.'S
SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING PORTIONS
OF THE TESTIMONIES AND EXHIBITS FILED AS PART OF THE
COMPANY'S MARCH 2, 2015 TRUE-UP FILING**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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

1. My name is Mark R. Teague. I am employed by Duke Energy Business Services, LLC ("DEF" or the "Company") and serve as its Managing Director of Major Projects Sourcing in the Supply Chain department. I am over the age of 18 years old and I have been authorized by DEF to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's Second Request for Confidential Classification Regarding Portions of the Testimonies and Exhibits filed as Part of the Company's March 2, 2015 True-up Filing (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. DEF is seeking confidential classification of the following materials filed with the Florida Public Service Commission ("FPSC" or the "Commission") in the above referenced docket: (1) portions of my testimony and exhibits; (2) portions of the testimony and exhibits of Mr. Thomas G. Foster; and (3) portions of the testimony and exhibits of Mr. Christopher M. Fallon.

3. Unredacted versions of the testimonies and exhibits at issue are contained in confidential Appendix A to DEF's Request and the confidential portions thereof are outlined in DEF's Justification Matrix that is attached to DEF's Request as Appendix C.

4. As to the Crystal River Unit 3 ("CR3") Extended Power Uprate ("EPU") project, DEF is requesting confidential classification of the portions of my testimony and exhibits that contain confidential information on the close-out of the EPU project.

5. Specifically, DEF is requesting confidential classification of portions of Exhibits No. ___(MT-4) and (MT-5) to my testimony because these exhibits contain confidential sales price information and DEF's analysis of disposal options. Portions of my testimony also contain confidential contractual terms between DEF and a third party relating to the sale of EPU equipment and materials.

6. Disclosure of any of this information would adversely impact DEF's competitive business interests. The Company must be able to assure third parties that sensitive business information, including negotiated terms and pricing, will be kept confidential. If third parties were made aware of confidential terms and conditions that the Company has with other parties, they may offer DEF less competitive terms or offers in any future negotiations. Without DEF's measures to maintain the confidentiality of sensitive terms between DEF and third parties, the Company's efforts to obtain competitive sales prices for EPU project equipment would be undermined.

7. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist

the Company. At no time since developing or entering the contracts in question has DEF publicly disclosed the contracts' terms; DEF has treated and continues to treat the information contained in the subject documents as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 13th day of March, 2015.

Mark R. Teague
(Signature)

Mark R. Teague
Managing Director of Major Projects Sourcing
400 South Tryon Street
Charlotte, NC 28202

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13 day of March, 2015 by Mark R. Teague. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Rita M Simmons
(Signature)

Rita M Simmons
(Printed Name)

NOTARY PUBLIC, STATE OF NC

February 26, 2018
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



(Serial Number, If Any)