

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 150009-EI

Submitted for Filing: June 23, 2015

DUKE ENERGY FLORIDA, INC.'S NOTICE OF FILING

Duke Energy Florida, Inc. ("DEF" or the "Company"), hereby gives notice of filing the verified Affidavit of Christopher M. Fallon (Doc. No. 03769-15) in Support of Duke Energy Florida, Inc.'s Fifth Request for Confidential Classification (Doc. No. 03767-15).

Respectfully submitted,

/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

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) 820-4692

Facsimile: (727) 820-5519

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic mail this 23rd day of June, 2015.

/s/ Blaise N. Gamba

Attorney

Martha F. Barrera
Keysha Mapp
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee 32399
Phone: (850) 413-6218
Facsimile: (850) 413-6184
Email: MBarrera@psc.fl.state.us
kmapp@psc.fl.state.us

Charles Rehwinkel
Deputy Public Counsel
Erik Saylor
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
saylor.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
Stone Law Firm
1025 Thomas Jefferson St NW
8th FL West Tower
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807
Email: jbrew@smxblaw.com
ojk@smxblaw.com
laura.wynn@smxblaw.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

Victoria Méndez, City Attorney
Matthew Haber, Assistant City Attorney
The City of Miami
444 S.W. 2nd Avenue, Suite 945
Miami, FL 33130-1910
Email: vmendez@miamigov.com
mshaber@miamigov.com
aida.garcia@miamigov.com

Robert Scheffel Wright
John T. LaVia, III
Gardner Law Firm
1300 Thomaswood Drive
Tallahassee, FL 32308
Phone: (850) 385-0070
Email: Schef@gbwlegal.com
Jlavia@gbwlegal.com

George Cavros, Esq.
120 E. Oakland Park Blvd., Ste. 105
Ft. Lauderdale, FL 33334
Email: George@cavroslaw.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 150009-EI
Submitted for Filing: June __, 2015

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY
FLORIDA, INC.'S FIFTH 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 Fifth Request for Confidential Classification regarding portions of the final audit report of the Florida Public Service Commission Staff ("Staff") Auditors -- the Review of Duke Energy Florida, Inc.'s Project Management Internal Controls for Nuclear Plant Uprate and Construction Project Audit Report No. PA-15-01-001 (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 Project ("LNP" or "Levy").

3. The Company is requesting confidential classification of portions of the information contained in the Levy related sections of the Audit Report because it contains proprietary and confidential business information.

4. Specifically, the sections of the Audit Report covering the LNP contain confidential contractual data, including original cost amounts under DEF's Engineering, Procurement and Construction ("EPC") Agreement, long lead equipment disposition and settlement terms, and other confidential and competitively sensitive contractual information.

5. The Audit Report also contains information which reflects the Company's internal strategies and decisions points for evaluating long lead equipment disposition options. The public disclosure of such information would impair DEF's competitive business interests, and would further be a violation of the confidentiality provisions in the EPC Agreement.

6. If such information was disclosed to DEF's competitors or to other potential suppliers and vendors, DEF's efforts to disposition items currently or to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its customers in the future could be compromised by these third parties changing their offers or negotiating strategies.

7. 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. Absent such measures, DEF would run the risk that sensitive business information regarding what the Company is willing to pay for (or sell) necessary equipment, goods, supplies and real property would be made available to the public and, as a result, other potential sellers or buyers of similar materials and services could change their position in their negotiations to the detriment of DEF.

8. 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.

9. 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 22nd day of June, 2015, by Christopher M. Fallon. He is personally known to me, or has produced his NC 8956778 driver's license, or his _____ as identification.



Evia J. Woolard
(Signature)

Evia J. Woolard
(Printed Name)

NOTARY PUBLIC, STATE OF North Carolina

August 14, 2016
(Commission Expiration Date)

(Serial Number, If Any)