

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: NUCLEAR COST RECOVERY  
CLAUSE

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Docket No. 150009-EI  
Submitted for Filing: August 7, 2015

**DUKE ENERGY FLORIDA, LLC'S NOTICE OF FILING VERIFIED AFFIDAVITS**

Duke Energy Florida, LLC ("DEF" or the "Company"), hereby gives notice of filing the verified Affidavits of Christopher M. Fallon and Mark R. Teague in Support of its Request for Extension of Confidential Classification Regarding the Information Covered by its Fifth Request for Confidential Classification in Docket No. 130009-EI (Document No. 02827-13).

Respectfully submitted,

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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 mail this 7<sup>th</sup> day of August, 2015.

/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. 150009-EI  
Submitted for Filing: July 29, 2015

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**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY  
FLORIDA, INC.'S REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
REGARDING THE INFORMATION COVERED BY ITS FIFTH REQUEST FOR  
CONFIDENTIAL CLASSIFICATION IN DOCKET 130009-EI (DOCUMENT NO. 02827-13)**

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 Request for Extension of Confidential Classification regarding portions of the Testimonies and Exhibits filed in Docket No. 130009-EI (Document No. 02827-13). The facts attested to in my affidavit are based upon my personal knowledge.

2. Portions of the testimony and exhibits of Mr. Foster as well as portions of the testimony of Mr. Fallon contain confidential, proprietary business and financial information regarding the contract for equipment, materials, and services for the Levy Nuclear Project ("LNP") and the Crystal River Unit 3 ("CR3") Power Uprate Project ("CR3 Uprate" and collectively with LNP the "Nuclear Projects").

3. More specifically, DEF requests continuing confidential classification for the documents identified in Document No. 02827-13, specifically, (1) portions of Mr. Foster's

testimony and attached Exhibit Nos. \_\_\_ (TGF-3) through (TGF-5) and (TGF-7) (collectively the “NFRs”); (2) portions of Mr. Fallon’s testimony and Exhibit No. \_\_\_ (CMF-3); and (3) portions of Mr. Miller’s Exhibit No. \_\_\_ (GM-3). These documents contain contractual information and costs regarding the Nuclear Projects, the disclosure of which would impair DEF’s competitive business interests. Disclosure of these contractual terms and arrangements, including pricing provisions, would harm the Company’s ability to obtain favorable contracts in the future. DEF’s competitors and those third-parties with whom the Company seeks to contract or negotiate would be able to change their behavior in the relevant markets or their contractual negotiating positions, respectively, to the detriment of DEF and its customers. Additionally, release of this information would violate the contractual confidentiality provisions. Additionally, these documents contain information regarding DEF’s Engineering, Procurement and Construction Agreement for the LNP as well as information relating to LNP long lead time equipment disposition. Release of this information regarding the contractual agreements for the Nuclear Projects would impair DEF’s competitive business interests and in many cases violate contractual confidentiality provisions.

4. 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 has DEF publicly disclosed the confidential information contained in the contracts as confidential. Nothing has changed since the Commission granted this information confidential classification to render it stale or public information. Accordingly, the confidential treatment of this information should be continued.

5. This concludes my affidavit.

Further affiant sayeth not.

Dated this 31 day of July, 2015.

Christopher M Fallon

(Signature)

Christopher M. Fallon

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 31<sup>st</sup> day of July, 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)

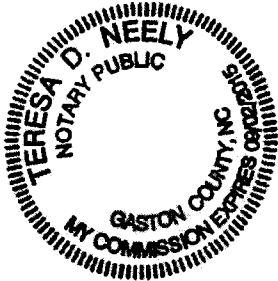
NOTARY PUBLIC, STATE OF NC

9/2/2015

(Commission Expiration Date)

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Nuclear Cost Recovery  
Clause

Docket No. 150009-EI  
Submitted for Filing: July 24, 2015

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**AFFIDAVIT OF MARK R. TEAGUE IN SUPPORT OF DUKE ENERGY  
FLORIDA, INC.'S REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
REGARDING THE INFORMATION COVERED BY ITS FIFTH REQUEST FOR  
CONFIDENTIAL CLASSIFICATION IN DOCKET 130009-EI (DOCUMENT NO. 02827-13)**

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Marcus ("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 Duke Energy Florida, Inc.'s ("DEF" or the "Company") behalf and in support of DEF's Request for Extension of Confidential Classification regarding portions of the Testimonies and Exhibits filed in Docket 130009-EI (Document No. 02827-13). The facts attested to in my affidavit are based upon my personal knowledge.

2. As Managing Director of Major Projects, my role includes providing management oversight in the disposition of the Crystal River Unit 3 ("CR3") Extended Power Uprate ("EPU") assets by ensuring that Supply Chain employees at CR3 follow DEF's processes and procedures. I also have responsibility for the Supply Chain functions for Duke Energy International and with most Duke Energy Corporation ("Duke Energy") Major Projects.

3. Portions of the exhibits of Mr. Garry Miller as well as portions of the testimony and exhibits of Mr. Thomas Foster and portions of the testimony and exhibits of Mr. Christopher Fallon contain confidential, proprietary business and financial information regarding the equipment, materials, and services for the Levy Nuclear Project (“LNP”) and the Crystal River Unit 3 (“CR3”) Power Uprate Project (“CR3 Uprate” and collectively with LNP the “Nuclear Projects”).

4. DEF requests continuing confidential classification for the documents identified in Document No. 02827-13, specifically, (1) portions of Mr. Foster’s testimony and attached Exhibit Nos. \_\_\_ (TGF-3) through (TGF-5) and (TGF-7) (collectively the “NFRs”); (2) portions of Mr. Fallon’s testimony and Exhibit No. \_\_\_ (CMF-3); and (3) portions of Mr. Miller’s Exhibit No. \_\_\_(GM-3). These documents contain contractual information and costs regarding the Nuclear Projects, the disclosure of which would impair DEF’s competitive business interests. Disclosure of these contractual terms and arrangements, including pricing provisions, would harm the Company’s ability to obtain favorable contracts in the future. DEF’s competitors and those third-parties with whom the Company seeks to contract would be able to change their behavior in the relevant markets or their contractual negotiating positions, respectively, to the detriment of DEF and its customers. Additionally, release of this information would violate the contractual confidentiality provisions.

5. More specifically, these documents include close out strategy and disposition information for the EPU project and pricing arrangements and agreements made with third parties that would adversely impact DEF’s interests if disclosed to the public.

6. The Company continues to treat the information contained in the Testimonies and Exhibits as confidential and does not disclose it to the public, its competitors, or those employees within the Company who do not need the information to perform their duties for the Company.



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 has DEF publicly disclosed the confidential information contained in the contracts as confidential. Nothing has changed since the Commission granted this information confidential classification to render it stale or public information. Accordingly, the confidential treatment of this information should be continued.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated this 5<sup>th</sup> day of ~~July~~<sup>August</sup>, 2015.  
*dt*

Mark R. Teague  
(Signature)  
Mark R. Teague

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 5<sup>th</sup> day of ~~July~~<sup>August</sup>, 2015 by Mark R. Teague. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

Deborah G. Thrap  
(Signature)

Deborah G. Thrap  
(Printed Name)

NOTARY PUBLIC, STATE OF NC

4/25/2017  
(Commission Expiration Date)

19970910128  
(Serial Number, If Any)

