

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Nuclear Cost Recovery Clause

Docket No. 150009-EI
Submitted for Filing: Nov. 2, 2015

**DUKE ENERGY FLORIDA'S MOTION
TO EXTEND CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC (“DEF” or the “Company”), hereby files this Motion to Extend Confidential Classification of certain information contained in Staff’s Audit Report No. 08-087-2-1 and portions of documents produced in response to Audit Control No. 08-087-2-1, i.e., Levy land acquisition information. The specific information identified below continues to be proprietary, confidential business information within the definition of section 366.093(3), Florida Statutes. Therefore, DEF requests that the Commission continue to treat the information as confidential for a period of five (5) years. In support, DEF states as follows:

The Levy land acquisition documents, as explained in the Company’s Request for Confidential Classification filed with the Commission on August 7, 2008, document number 06954-08, hereby incorporated with all exhibits by reference, contains proprietary confidential business information.

The Commission granted DEF’s Request for Confidential Classification regarding these documents in Order No. PSC-14-0201-CFO-EI, dated May 2, 2014, therefore, this request is timely.

As detailed in the August 7, 2008 Request, which DEF hereby incorporates by reference, the confidential audit documents contain land acquisition costs for the Levy Nuclear sites. Both sites were purchased pursuant to contracts that contain confidentiality provisions. By the terms of these contracts, all parties, including DEF, have agreed to protect the proprietary and

confidential information, which is defined to include price, from public disclosure. The release of this information would violate those contracts' confidentiality provisions. The release of this information would also adversely impact DEF's competitive business interests if disclosed to the public.

In Order No. PSC-14-0201-CFO-EI the Commission found that the Levy land acquisition documents contain proprietary confidential business information exempt from disclosure under the public records law pursuant to section 366.093(1) and (3), Florida Statutes. Thus, the Commission is not required to engage in any further analysis or review such as weighing the potential harm to the Company of disclosure of this information.

Moreover, because this contractual information will continue to remain confidential beyond the standard eighteen (18) month time frame provided in section 366.093(3)(d), Florida Statutes, and to ease the administrative burden of receiving multiple requests for extension, DEF requests that the Commission enter an Order granting this information confidential classification for a period of five (5) years.

WHEREFORE, DEF respectfully requests that the Levy land acquisition documents, identified in document number 06955-08 determined by the Commission to be confidential and exempt from public disclosure in Order No. PSC-14-0201-CFO-EI, continue to be classified as confidential and exempt from public disclosure for an additional five (5) years for the reasons set forth above.

Respectfully submitted,

/s/ Dianne M. Triplett

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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 2nd day of November, 2015.

/s/ Dianne M. Triplett

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