

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 160009-EI

Submitted for Filing: June 23, 2016

**DUKE ENERGY FLORIDA, LLC'S NOTICE OF FILING AFFIDAVITS
IN SUPPORT OF FOURTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC ("DEF" or the "Company"), by and through their undersigned counsel, hereby gives notice of filing the Affidavits of Christopher M. Fallon as Vice President of Nuclear Development, and Mark R. Teague as Managing Director of Major Projects Sourcing, in support of DEF's Fourth Request for Confidential Classification requesting that portions of the Florida Public Service Commission Staff ("Staff") Generated Financial Auditor's Workpapers (the "Workpapers") be classified as confidential.

Respectfully submitted this 23rd day of June, 2016.

/s/ Matthew R. Bernier

MATTHEW R. BERNIER
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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 23rd day of June, 2016.

/s/ Matthew R. Bernier

Attorney

<p>Margo Leathers Kyesha Mapp Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 mleather@psc.state.fl.us kmapp@psc.state.fl.us</p> <p>Kenneth Hoffman Vice President, Regulatory Affairs Florida Power & Light Company 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301-1859 ken.hoffman@fpl.com</p> <p>Jessica Cano Kevin I.C. Donaldson Florida Power & Light Company 700 Universe Boulevard June Beach, FL 33408-0420 jessica.cano@fpl.com kevin.donaldson@fpl.com</p> <p>Jon C. Moyle, Jr. Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com</p> <p>James W. Brew Laura A. Wynn Stone Mattheis Xenopoulos & Brew, P.C. 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, D.C. 20007 jbrew@smxblaw.com law@smxblaw.com</p>	<p>J.R.Kelly Charles J. Rehwinkel Erik L. Saylor Patty Christensen Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399 kelly.jr@leg.state.fl.us rehwinkel.charles@leg.state.fl.us saylor.erik@leg.state.fl.us christensen.patty@leg.state.fl.us</p> <p>Victoria Mendez Christopher A. Green Xavier Alban Kerri L. McNulty City of Miami 444 SW 2nd Avenue, Suite 945 Miami, FL 33130-1910 vmendez@miamigov.com cagreen@miamigov.com xealban@miamigov.com klmcnulty@miamigov.com omorera@miamigov.com</p> <p>Robert Scheffel Wright John T. LaVia III Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com</p> <p>George Cavros 120 E. Oakland Park Blvd, Suite 105 Fort Lauderdale, FL 33334 george@cavros-law.com</p>
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 160009-EI
Submitted for Filing: June 23, 2016

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF
DUKE ENERGY FLORIDA'S FOURTH 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 Business Services, LLC 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 Fourth Request for Confidential Classification. 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 ("Levy").

3. DEF is seeking confidential classification for portions of the Florida Public Service Commission Staff-Generated Financial Auditors' Workpapers (the "Workpapers").

These documents contain confidential contractual cost information, asset disposition information and strategies, and vendor invoice and cost information as well as internal labor

information. This information is competitively sensitive business information the disclosure of which would impair DEF's competitive business interests. A detailed description of the confidential information at issue is contained in confidential Exhibit A to DEF's Request and is outlined in DEF's Justification Matrix that is attached to the Request as Exhibit C.

4. The Company is requesting confidential classification of this information because included in the auditors' Workpapers is wind-down cost information related to the Company's Engineering, Procurement and Construction ('EPC') Agreement and Levy project the disclosure of which would harm DEF's competitive business interests and violate contractual confidentiality agreements. Additionally, the Levy related portions of the Workpapers include long lead equipment disposition strategies and information which if publicly disclosed could impair DEF's competitive business interests and ability in negotiations, and in certain instances violate contractual confidentiality provisions with equipment vendors.

5. Additionally, vendor invoice information is included in the Workpapers and if such information was disclosed to DEF's competitors and/or other potential suppliers, DEF's efforts to obtain competitive service that provide economic value to both the Company and its customers could be compromised by the Company's competitors and/or suppliers changing their offers, consumption, or purchasing behavior within the relevant markets.

6. DEF must also be able to assure its existing and future vendors that sensitive business information, such as the pricing terms of their contracts, will be kept confidential. If other third parties were made aware of confidential contractual terms that DEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations.

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 since negotiating and receiving the information in question has the Company publicly disclosed the information or the terms of the documents 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.

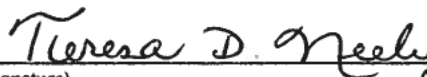
Dated this 22 day of June, 2016.



(Signature)

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

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 22 day of June, 2016 by Christopher M. Fallon. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

TERESA D. NEELY

(Printed Name)

NOTARY PUBLIC, STATE OF NC

9/2/2020

(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)



(Serial Number, If Any)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 160009-EI
Submitted for Filing: June __, 2016

**AFFIDAVIT OF MARK R. TEAGUE IN SUPPORT OF DUKE ENERGY FLORIDA'S
FOURTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 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 Duke Energy Florida, LLC ("DEF" or the "Company") to give this affidavit in the above-styled proceeding on DEF's behalf and in support of DEF's Fourth Request for Confidential Classification regarding portions of the Florida Public Service Commission Staff-Generated Financial Auditors' Workpapers (the "Request"). 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, both regulated and non-regulated.

3. DEF is seeking confidential classification for portions of the Florida Public Service Commission Staff-Generated financial auditors' Workpapers (the "Workpapers"). These documents contain confidential contractual cost information, asset disposition information and strategies, and vendor invoice and cost information as well as internal labor information. This information is competitively sensitive business information the disclosure of which would impair DEF's competitive business interests. A detailed description of the confidential information at issue is contained in confidential Exhibit A to DEF's Request and is outlined in DEF's Justification Matrix that is attached to the Request as Exhibit C.

4. The Company is requesting confidential classification of this information because the EPU project portions of the final auditor's Workpapers contain confidential contractual original cost information and settlement numbers concerning the disposition of EPU assets. Additionally, vendor invoice information is included in the Workpapers and if such information was disclosed to DEF's competitors and/or other potential suppliers, DEF's efforts to obtain competitive service that provide economic value to both the Company and its customers could be compromised by the Company's competitors and/or suppliers changing their offers, consumption, or purchasing behavior within the relevant markets.

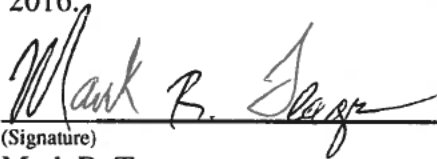
5. DEF must also be able to assure its existing and future vendors that sensitive business information, such as the pricing terms of their contracts, will be kept confidential. If other third parties were made aware of confidential contractual terms that DEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations.

6. 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 negotiating and receiving the contracts and performing the analyses in question has the Company publicly disclosed the information or terms of the documents at issue. DEF has treated and continues to treat the information contained in the subject documents as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

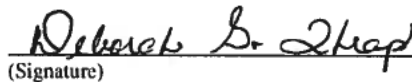
Dated this 21st day of June, 2016.



(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 ___ day of June, 2016 by Mark R. Teague. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

Deborah G. Thrap

(Printed Name)

NOTARY PUBLIC, STATE OF _____

4/25/2017

(Commission Expiration Date)

19970910128

(Serial Number, If Any)