

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 20180009-EI

Submitted for Filing: January 3, 2018

NOTICE OF FILING VERIFIED AFFIDAVIT

Duke Energy Florida, LLC (“DEF”), hereby gives notice of filing the verified Affidavit of Paul Moore in support of DEF’s Second Request for Extension of Confidential Classification, regarding Audit Control Nos. 14-007-2-1 and 14-007-2-2, filed on December 28, 2017, this 3rd day of January, 2018.

s/Matthew R. Bernier

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 3rd day of January, 2018.

s/ Matthew R. Bernier

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Nuclear Cost Recovery Clause

Docket No. 20180009-EI

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**AFFIDAVIT OF PAUL MOORE IN SUPPORT OF
DUKE ENERGY FLORIDA'S SECOND
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Paul Moore. I am employed by Duke Energy Florida, LLC in the capacity of Lead Rates & Regulatory Strategy Analyst. 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 (hereinafter "DEF" or the "Company") behalf and in support of DEF's Second Request for Extension of Confidential Classification (the "Request") concerning portions of Staff Auditors' workpapers created during the drafting of *Audit Control Nos. 14-007-2-1* and *14-007-2-2* (document number 03558-14). The facts attested to in my affidavit are based upon my personal knowledge.

2. DEF is seeking an extension of confidential classification for certain portions of documents and information provided to Staff in response to data requests during Staff's review and included in portions of Staff's workpapers in created during *Audit Control Nos. 14-*

007-2-1 and 14-007-2-2, in Docket No. 20140009-EI. Certain information originally deemed confidential no longer requires confidential treatment due to the passage of time, therefore along with the Request DEF has provided a revised Appendix C. DEF is requesting an extension of confidential classification of portions of the workpapers because they contain confidential financial information, information gleaned from internal audit controls and reports, and information related to the Company's competitive business interests, the disclosure of which would impair DEF's competitive business interests.

3. DEF is requesting an extension of confidential classification of this information because it contains proprietary and confidential information received from third-party vendors pursuant to contractual agreements with those vendors. Those agreements contain non-disclosure provisions that limit the use and forbid the dissemination of the information. The disclosure of this would impair the Company's ability to contract for goods and services on favorable terms. The Company requires this information for use in analyzing the continued feasibility of its projects and to aid its management in long-term planning. The Company and its customers would be harmed if DEF were not able to contract for the use of this information on favorable terms. The disclosure of this information would compromise DEF's competitive business interests and in certain instances violate continuing contractual confidentiality provisions with DEF's vendors, as well as cost numbers and information relating to on-going and future negotiations with its vendors.

4. Additionally, portions of Appendix A reflect the Company's internal strategies for evaluating its projects, risk evaluations, as well as contractual pricing arrangements between DEF and providers of equipment and services required for the LNP and would adversely impact DEF's competitive business interests and impede on-going negotiations if disclosed to the

public. DEF must be able to assure these vendors that sensitive business information, such as the pricing, payment, and quantity terms of their contracts, will be kept confidential. Indeed, most of the contracts at issue contain confidentiality provisions that prohibit disclosure of contractual terms to third parties. If third parties were made aware of confidential contractual terms that DEF has with other parties, they may offer DEF less competitive contractual terms in future contractual negotiations. Without DEF's measures to maintain the confidentiality of sensitive terms in contracts between DEF and these nuclear contractors, the Company's efforts to negotiate and 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 necessary equipment, goods, supplies and real property would be made available to the public and, as a result, other potential sellers of similar materials and services could change their position in their negotiations to the detriment of DEF.

5. Appendix A also includes information gleaned from the Company's internal audit procedures and reports, the release of which would harm DEF's ability to conduct internal audits. Public disclosure of the documents and information in question would compromise DEF's ability to effectively audit the Company's major projects. If the Company were to know that its internal auditing controls and process were subject to public disclosure, it would compromise the level of cooperation needed with auditors to efficiently conduct audits.

6. 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.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 2 day of January, 2018.

Paul Moore

(Signature)

Paul Moore

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 2 day of January, 2018 by Paul Moore. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



Sarah Hirschman Libes
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF105231
Expires 3/23/2018

(AFFIX NOTARIAL SEAL)

Sarah Hirschman Libes

(Signature)

Sarah Hirschman Libes

(Printed Name)

NOTARY PUBLIC, STATE OF FL

3/23/2018

(Commission Expiration Date)

(Serial Number, If Any)