

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 140009-EI
Submitted for Filing: July 23, 2014

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 in Support of Duke Energy Florida, Inc.'s Fifth Request for Confidential Classification Regarding Portions of the information provided in response to Citizens' First Request for Production to Duke Energy Florida, Inc.

Respectfully submitted on this 23rd day of July, 2014:

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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 July, 2014.

/s/ Blaise N. Gamba

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 140009-EI
Submitted for Filing: June 23, 2014

**AFFIDAVIT OF CHRISTOPHER M. FALLON IN SUPPORT OF DUKE ENERGY
FLORIDA, INC.'S FIFTH REQUEST FOR CONFIDENTIAL CLASSIFICATION
REGARDING CITIZENS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO DUKE ENERGY FLORIDA, INC. (NOS. 1-40)**

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, Inc.'s ("DEF" or the "Company") behalf and in support of DEF's Fifth Request for Confidential Classification (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 power plant project ("LNP" or "Levy"), and I am also responsible for reporting on the LNP to senior management.

3. A detailed description of the confidential information at issue is contained in confidential Attachment A to DEF's Request and is outlined in DEF's Justification Matrix that is attached to DEF's Request as Appendix C.

4. DEF's Response to Citizens' First Request for Production of Documents (Nos. 1-40), specifically Nos. 13, 15, 17, 18, 20, 22, 23, 24, 26, 27, 34, and 40, contain sensitive

proprietary and confidential cost information, information related to obtaining the LNP combined operating license, long lead equipment review and disposition, and ongoing negotiations with vendors. Portion of the document are also related to ongoing disputes with Westinghouse Electric Company, LLC. DEF considers this information to be confidential, competitive business and contractual information, and continues to take steps to protect against its public disclosure, including limiting the personnel who have access to this information. Public release of this information would harm the Company's competitive business interests including its ongoing negotiations with vendors and ability to contract for necessary goods and services in the future by signaling to the parties with whom DEF attempts to contract that the Company will not be able to maintain the confidentiality of the parties' contractual agreements, and, in many instances, the disclosure of this information would violate contractual confidentiality provisions and agreements.

5. Some of the documents reflect the Company's internal strategies for evaluating long lead equipment disposition options. If such information was disclosed to DEF's competitors and/or other potential suppliers and vendors, DEF's efforts to obtain competitive nuclear equipment and service options 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 or negotiating strategies.

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.

Christopher M Fallon
(Signature) Christopher M. Fallon

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 23 day of June, 2014, 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)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

9/2/15
(Commission Expiration Date)

