



Matthew R. Bernier
SENIOR COUNSEL
Duke Energy Florida, LLC

January 10, 2017

VIA ELECTRONIC DELIVERY

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Nuclear Cost Recovery Clause; Docket No. 170009-EI

Ms. Stauffer:

Please find enclosed for electronic filing on behalf of Duke Energy Florida, LLC ("DEF"), DEF's First Request for Extension of Confidential Classification concerning portions of information contained in the Company's March 2, 2015 True-Up Filing (document no. 01507-15) filed in Docket No. 150009-EI.

Portions of the documents submitted with the original March 18, 2015 Second Request for Confidential Classification are no longer confidential. Specifically, Exhibit No. ____ (MT-5) appended to the testimony of Mark R. Teague is no longer confidential. The remaining testimony and exhibits submitted under DEF's Second Request for Confidential Classification remain confidential. Therefore, DEF submits a revised affidavit of Mark R. Teague (Revised Exhibit D) supporting DEF's First Request for Extension of Confidential Classification.

Thank you for your assistance in this matter. If you have any questions, please feel free to contact me at (850) 521-1428.

Sincerely,

/s/ Matthew R. Bernier
Matthew R. Bernier

MRB:at
Attachments

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 170009-EI

Dated: January 10, 2017

**DUKE ENERGY FLORIDA LLC'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Duke Energy Florida, LLC (“DEF” or the “Company”), pursuant to Section 366.093, Florida Statutes (“F.S.”), and Rule 25-22.006, Florida Administrative Code (“F.A.C.”), hereby submits this First Request for Extension of Confidential Classification (“Request”) concerning portions of the testimonies and exhibits filed as part of the Company’s March 2, 2015 True-Up Filing. In support of the Request, DEF states as follows:

1. On March 18, 2015, DEF filed its Second Request for Confidential Classification in Docket 150009-EI concerning portions of the testimonies and exhibits filed as part of the Company’s March 2, 2015 True-Up Filing (document no. 01506-15) which includes sensitive business information as it contains confidential proprietary business information.

2. DEF’s March 18, 2015 Request was granted by Order No. PSC-15-0288-CFO-EI on July 15, 2015. The period of confidential treatment granted by that order will expire on January 13, 2017. Some of the information continues to warrant treatment as “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Accordingly, DEF is filing its First Request for Extension of Confidential Classification.

3. DEF submits that certain information contained in the testimony and exhibits provided in DEF’s confidential Exhibit A to the March 18, 2015 Request continue to be “proprietary confidential business information” within the meaning of section 366.093(3), F.S. and continue to require confidential classification. *See* the Affidavit of Mark R. Teague at ¶¶ 3-4,

attached as Revised Exhibit “D”. This information is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public. Pursuant to section 366.093(1), F.S., such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the Public Records Act. *See* the Affidavit of Mark R. Teague at ¶ 5.

4. One Exhibit, specifically Exhibit No. ____ (MT-5) appended to the testimony of Mark R. Teague, originally submitted in DEF’s Second Request for Confidential Classification is no longer confidential and therefore, DEF submits a revised affidavit (Revised Exhibit D) along with this Request. Otherwise, nothing has changed since the issuance of Order No. PSC-15-0288-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Upon a finding by the Commission that this information continues to be “proprietary confidential business information,” it should continue to be treated as such for an additional period of at least 18 months, and should be returned to DEF as soon as the information is no longer necessary for the Commission to conduct its business. See §366.093(4), F.S.

WHEREFORE, for the foregoing reasons, DEF respectfully requests that this First Request for Extension of Confidential Classification be granted.

Respectfully submitted this 10th day of January, 2017.

/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 10th day of January, 2017.

/s/ Matthew R. Bernier

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Revised Exhibit D

Affidavit of Mark R. Teague

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 170009-EI
Submitted for Filing: January __, 2017

**AFFIDAVIT OF MARK R. TEAGUE IN SUPPORT OF DUKE ENERGY FLORIDA, LLC'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
REGARDING PORTIONS OF THE TESTIMONIES AND EXHIBITS FILED
AS PART OF THE COMPANY'S MARCH 2, 2015 TRUE-UP FILING**

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 ("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 DEF's behalf and in support of DEF's First Request for Extension of Confidential Classification Regarding Portions of the Testimonies and Exhibits filed as Part of the Company's March 2, 2015 True-up Filing (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 with most Duke Energy Major Projects.

3. DEF is seeking an extension of confidential classification for certain information contained in DEF's Second Request for Confidential Classification filed with the Florida Public Service Commission ("FPSC" or the "Commission") on March 18, 2015 in Docket 150009-EI. Specifically the Request concerns: (1) portions of my testimony and exhibits; (2) portions of the testimony and exhibits of Mr. Thomas G. Foster; and (3) portions of the testimony and exhibits of Mr. Christopher M. Fallon. Due to the time that has elapsed since DEF's Second Request for Confidential Classification filed on March 18, 2015, one of the exhibits, specifically Exhibit No. ___ (MT-5), is no longer confidential. Therefore, DEF submits this revised affidavit seeking an extension of confidential classification of the testimony and exhibits as listed above because it contains sensitive business information, the disclosure of which would impair the Company's efforts to contract for goods or services on favorable terms and violate DEF's confidentiality agreements with third parties and vendors.

4. Disclosure of any of this information would adversely impact DEF's competitive business interests. The Company must be able to assure third parties that sensitive business information, including negotiated terms and pricing, will be kept confidential. If third parties were made aware of confidential terms and conditions that the Company has with other parties, they may offer DEF less competitive terms or offers in any future negotiations. Without DEF's measures to maintain the confidentiality of sensitive terms between DEF and third parties, the Company's efforts to obtain competitive sales prices for EPU project equipment would be undermined.

5. 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 developing or entering the contracts in question has DEF publicly disclosed the contracts' terms; DEF has treated and continues to treat the information contained in the subject documents as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this 5th day of January, 2017.

Mark R. Teague
(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 5th day of January, 2017 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 _____

4/25/17
(Commission Expiration Date)

19970910128
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

