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Steel Hector & Davis LLP 200 South Biscayne Boulevard Suite 4000 Miami, FL 33131-2398 305.577.7000 305.577.7001 Fax www.steelhector.com

ENED-FPSC

John T. Butler 305.577.2939 jtb@steelhector.com

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February 25, 2003

### -VIA FEDERAL EXPRESS-

Blanca S. Bayó Director, Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

#### Re: Docket No. 030001-EI

. . Dear Ms. Bayó:

GCL

OPC MMS

SEC

On February 21, 2003, I sent you for filing in the above docket Florida Power & Light COMP COMP First Set of Interrogatories (No. 8, 9 and 15). At that time, I was not in possession of the original of the affidavit of Frank Irizarry (Exhibit D to the Request) and so included a faxed copy. I am now enclosing for filing the original of Mr. Irizarry's affidavit.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Sincerely, John T. Butler

Enclosure cc: Counsel for Parties of Record (w/o encl.)

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### EXHIBIT D

## **BEFORE THE FLORIDA** PUBLIC SERVICE COMMISSION

| In re: Florida Power & Light Company's<br>Request for Confidential Classification |   | ) | Docket No: 030001-E1<br>Dated: February 21, 2003 |
|---|---|---|--|
|   |   |   |  |
| Set of Interrogatories (NO. 7-16)   |   | ) |  |
| STATE OF FLORIDA  | ) |   |  |
|   | ) |   | AFFIDAVIT OF FRANK IRIZARRY                      |
| COUNTY OF PALM BEACH  |   |   |  |

BEFORE ME, the undersigned authority, personally appeared Frank Irizarry, who, being first duly sworn, deposes and says:

My name is Frank Irizarry. I am currently employed by Florida Power & Light 1. "FPL") as Manager of Business Services in the Power Generation Division. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information. This information, if made public, would afford FPL's competitors an unfair advantage over FPL and would impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

Consistent with the provisions of the Florida Administrative Code, such materials 3. . should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

Affiant says nothing further. 4.

F. A Signature of Affiant TRIZARRY Print Name

SWORN TO AND SUBSCRIBED before me this 21st day of February, 2003, by F.  $I_{120} \cap 4$ , who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Notary Public, State of Florida

My Commission Expires:



Cemmissien DD092941 Expires February 18, 2085