



John T. Butler
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June 27, 2008

-VIA HAND DELIVERY -

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-PPSC
08 JUN 27 PM 4:53
COMMISSION
CLERK

**Re: Docket No. 080001-EI
Audit control No. 08-003-4-3
Capacity Cost Recovery 2007**

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Information Provided Pursuant to Audit No. 08-003-4-3, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software is Word. Pursuant to Rule 25-22.006, F.A.C., I am also enclosing one highlighted and two redacted copies of the confidential documents that are the subject of this request.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,

John T. Butler

1+Diskette

1 Enclosure
cc: Counsel for parties of record (w/encl.)

1 copy records

an FPL Group company

DOCUMENT NUMBER-DATE

05625 JUN 27 08

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 080001-EI

FILED: June 27, 2008

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED PURSUANT TO AUDIT NO. 08-003-4-3**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with its audit of FPL's Capacity Cost Recovery 2007 (Audit Control No. 08-003-4-3; hereinafter the "CCR Audit") in this docket. In support of its Request, FPL states as follows:

1. During the CCR Audit, Staff requested access to various FPL reports and other documents, portions of which became working papers of the auditors. By letter dated June 6, 2008, Staff indicated its intent to retain certain working papers for which confidential treatment previously had been requested (the "Working Papers"). Pursuant to Rule 25-22.006(3)(a), FPL was given 21 days from the date of that letter, or until June 27, 2008, to file a formal request for confidential classification with respect to the Working Papers. This Request is intended to request confidential classification of the confidential portions of the Working Papers consistent with Rule 25-22.006(3)(a).

2. The following exhibits are included with and made a part of this request:

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a. Composite Exhibit A consists of copies of the Working Papers, on which all information that FPL asserts is entitled to confidential treatment has been highlighted. Composite Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Composite Exhibit B consists of an edited version of Exhibit A on which all information FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential classification is sought, and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification.

d. Exhibit D is comprised of the affidavits of Terry O. Jones, Terry J. Keith, Osvaldo J. Lom and Gerard J. Yupp.

3. FPL seeks confidential protection for the information highlighted in Exhibit A. The highlighted information is proprietary confidential business information within the meaning of Section 366.093(3). The information is intended to be, and has been, treated by FPL as confidential.

4. Pursuant to Section 366.093, the information highlighted in Exhibit A is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review, such as weighing the harm of disclosure against the public interest in access to the information.

5. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in Exhibit C under the column titled "FLORIDA

STATUTE 366.093(3).” The letters in that column refer to the subsection(s) of Section 366.093(3) that provide justification for FPL’s request. Further support for FPL’s request for confidential classification of the referenced information is provided through the affidavits that are included as Exhibit D to this Request.

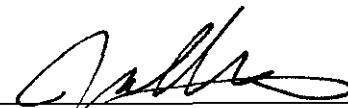
6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4).

WHEREFORE, for the foregoing reasons, Florida Power & Light Company respectfully requests that this Request be granted.

Respectfully submitted,

R. Wade Litchfield, Esq.
Associate General Counsel
John T. Butler, Esq.
Senior Attorney
Law Department
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408-0420
Telephone: 561-5639
Fax: 561-691-7135

By: _____


John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 080001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification of Information Provided Pursuant to Audit No. 08-003-4-3 (*) has been furnished by hand delivery (**) or U.S. Mail on this 27th day of June, 2008 to the following:

Lisa Bennett, Esq.* *
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

J. R. Kelly, Esq.
Steve Burgess, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302

John T. Burnett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, Florida 33733-4042


John W. McWhirter, Jr., Esq.
McWhirter Reeves
Attorneys for FIPUG
400 North Tampa Street, Suite 2450
Tampa, Florida 33602

Norman H. Horton, Jr., Esq.
Floyd R. Self, Esq.
Messer, Caparello & Self
Attorneys for FPUC
P.O. Box 1876
Tallahassee, Florida 32302-1876

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32576-2950

Michael B. Twomey, Esq.
Attorney for AARP
Post Office Box 5256
Tallahassee, Florida 32314-5256

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, NW, Eighth, West Tower
Washington, DC 20007-5201

By 
John T. Butler

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

Exhibit C

Justification Table

DOCUMENT NUMBER-DATE

05625 JUN 27 8

FPSC-COMMISSION CLERK

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Work Papers
AUDIT: FPL, Capacity Cost Recovery 2007 Audit
AUDIT CONTROL NO: 08-003-4-3
DOCKET NO. 080001- EI

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
1	Report	10	N	Pgs. 1-3	(e),(c)	T. Jones
			Y	Pg. 4, Lns. 23-26		
			N	Pg. 5		
			Y	Pg. 6, Lns. 16-19		
			N	Pg. 7		
			N	Pg. 8		
			Y	Pg. 9, Lns. 24-35		
			Y	Pg. 10, Lns. 1-15	(e),(c)	T. Jones
1 Annotated	Report Annotated	10	N	Pgs. 1-3	(e),(c)	T. Jones
			Y	Pg. 4, Lns. 23-26		
			N	Pg. 5		
			Y	Pg. 6, Lns. 16-19		
			N	Pg. 7		
			N	Pg. 8		
			Y	Pg. 9, Lns. 24-35		
			Y	Pg. 10, Lns. 1-15	(e),(c)	T. Jones
41-2/3	Rate Code Verification	2	Y	Pgs. 1-2, Col. 1	(e)	T. Keith
41-2/4	Rate Code Verification	2	Y	Pgs. 1-2, Col. 1	(e)	T. Keith
41-2/5	Rate Code Verification	33	Y	Pgs. 1-33, Col. 1	(e)	T. Keith
41-2/5-1	Rate Code Verification	19	Y	Pgs. 1-19, Lns. 1	(e)	T. Keith
41-2/5-2	Rate Code Verification	1	N	Pg. 1		
41-2/5-3	Rate Code Verification	26	N	Pg. 1	(e)	T. Keith
			Y	Pgs. 2-4, Cols. A-B		
			N	Pg. 5		
			N	Pg. 6		
			Y	Pgs. 7-9, Cols. A-B		
			N	Pg. 10		
			N	Pg. 11		
			Y	Pg. 12, Cols. A-B		
			N	Pg. 13		
			Y	Pgs. 14-16, Cols. A-B		
			N	Pg. 17		
			Y	Pgs. 18-20, Cols. A-B		
			N	Pg. 21		
N	Pg. 22					
N	Pg. 23					
N	Pg. 24					
Y	Pg. 25, Cols. A-B					
N	Pg. 26					
42	Transmission Revenues	1	N			
42-1	Transmission Revenues	1	N			
42-1/1	Transmission Revenues	1	N			
42-1/1-1	Transmission Revenues	1	Y	Pg. 1, Cols. A-C	(d)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
42-1/2	Transmission Revenues	1	N			
42-1/2-1	Transmission Revenues	1	N			
42-1/3	Transmission Revenues	1	N			
42-2	Transmission Revenues	1	N			
42-2/1	Transmission Revenues	1	N			
42-2/1-1	Transmission Revenues	2	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-C	(d)	G. Yupp
42-2/2	Transmission Revenues	1	N			
42-2-1	Transmission Revenues	1	N			
42-2/3	Transmission Revenues	1	N			
44-1	UPS Capacity	2	N			
44-1/1	UPS Capacity	1	N			
44-1/1-1	UPS Capacity	1	N			
44-1/1-2	UPS Capacity	1	N			
44-1/1-2/1	UPS Capacity	2	N			
44-1/1-2/2	UPS Capacity	2	N			
44-1/1-3	UPS Capacity	1	N			
44-1/1-4	UPS Capacity	1	N			
44-1/1-4/1	UPS Capacity	1	Y	Pg. 1, Ln. 1, Cols. A-C, F-I	(e)	O. Lom
44-1/1-4/2	UPS Capacity	3	N			
44-1/2	Transmission	1	Y	Pg. 1, Lns. 4-5	(e)	O. Lom
44-1/2-1	UPS Capacity	2	N	Pg. 1 Pg. 2, Ln. 1	(e)	O. Lom
44-2	UPS Capacity	1	N			
44-2/1	UPS Capacity	1	N			
44-2/1-1	UPS Capacity	1	N			
44-2/1-2	UPS Capacity	1	N			
44-2/1-3	UPS Capacity	1	N			
44-2/1-4	UPS Capacity	1	N			
44-2/1-4/1	UPS Capacity	3	N			
44-2/2	Transmission	1	Y	Pg. 1, Lns. 4-5	(e)	O. Lom
45-1	Qualifying Facility	1	N			
45-3/1	Qualifying Facility	1	N			
45-3/1-1	Qualifying Facility	3	N	Pgs. 1-2 Pg. 3, Lns. 2-3	(e)	O. Lom
45-3/1-1/1	Qualifying Facility	1	N			
45-3/1-1/1-1	Qualifying Facility	3	N			
45-3/2	Qualifying Facility	1	N			
45-3/2-1	Qualifying Facility	3	N	Pgs. 1-2 Pg. 3, Lns. 2-3	(e)	O. Lom
45-3/3	Qualifying Facility	1	N			
45-3/3-1	Qualifying Facility	3	N	Pgs. 1-2 Pg. 3, Lns. 2, 4	(e)	O. Lom
45-3/4	Qualifying Facility	1	N			
45-3/4-1	Qualifying Facility	4	N	Pgs. 1-3 Pg. 4, Lns. 2, 4	(e)	O. Lom
45-3/4-1/1	Qualifying Facility	1	N			
45-3/5	Qualifying Facility	1	N			
45-3/5-1	Qualifying Facility	3	N			
46	NRC Fee	1	N			
46-1	NRC Fee	1	N			
46-1/1	NRC Fee	4	N			

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
46-1/2	NRC Fee	4	N			
46-1/3	NRC Fee	4	N			
46-1/4	NRC Fee	4	N			
46-2	NRC Fee	2	N			
49	Inattentive Guards	1	Y	All	(c)	T. Jones
49-1/1-1	Inattentive Guards	2	N			
49-2	Inattentive Guards	14	Y	All	(c)	T. Jones
49-3	Inattentive Guards	15	Y	All	(c)	T. Jones
49-4	Inattentive Guards	1	Y	All	(c)	T. Jones
49-4/1	Inattentive Guards	1	Y	All	(c)	T. Jones
49-7	Inattentive Guards	1	Y	All	(c)	T. Jones
49-7/1	Inattentive Guards	2	Y	All	(d)	T. Jones
49-7/2	Inattentive Guards	1	Y	All	(d)	T. Jones
49-7/3	Inattentive Guards	1	Y	All	(d)	T. Jones
49-7/4	Inattentive Guards	1	Y	All	(d)	T. Jones
49-7/6	Inattentive Guards	3	Y	All	(d)	T. Jones
49-7/6-1	Inattentive Guards	1	Y	All	(d)	T. Jones
49-7/7	Inattentive Guards	1	Y	Pg. 1, Lns. 9-12	(d)	T. Jones
57	Piping Valve Incident	7	Y	Pg. 1, Lns. 1-5, 11, 15, 43, 54-56	(c), (d)	T. Jones
			Y	Pg. 2, Lns. 1-7, 20-36, 38-40, 49-51	(c), (d)	T. Jones
			N	Pg. 3		
			Y	Pgs. 4-7, ALL	(c), (d)	T. Jones
57-3	Piping Valve Incident	26	Y	All	(c)	T. Jones
57-3/1	Piping Valve Incident	1	Y	All	(c)	T. Jones
57-3/2	Piping Valve Incident	18	Y	All	(c)	T. Jones
57-3/3	Piping Valve Incident	7	Y	All	(c)	T. Jones
57-3/5	Piping Valve Incident	5	Y	All	(c)	T. Jones
57-3/6	Piping Valve Incident	9	Y	All	(c)	T. Jones
57-3/7	Piping Valve Incident	6	Y	All	(c)	T. Jones
57-3/8	Piping Valve Incident	2	Y	All	(c)	T. Jones
57-3/9	Piping Valve Incident	7	Y	All	(c)	T. Jones
57-3/10	Piping Valve Incident	3	Y	All	(c)	T. Jones
57-3/11	Piping Valve Incident	2	Y	All	(c)	T. Jones
57-3/12	Piping Valve Incident	1	Y	All	(c)	T. Jones
57-3/13	Piping Valve Incident	10	Y	All	(c)	T. Jones
57-3/14	Piping Valve Incident	5	Y	All	(c)	T. Jones
57-3/15	Piping Valve Incident	1	Y	All	(c)	T. Jones
57-3/16	Piping Valve Incident	2	Y	All	(c)	T. Jones
57-3/17	Piping Valve Incident	2	Y	All	(c)	T. Jones
57-3/18	Piping Valve Incident	3	Y	All	(c)	T. Jones
57-4	Piping Valve Incident	1	Y	All	(c)	T. Jones
57-4/1	Piping Valve Incident	4	Y	All	(c)	T. Jones
57-6	Piping Valve Incident	28	Y	All	(c)	T. Jones
57-7	Piping Valve Incident	1	Y	All	(d),(c)	T. Jones
57-7/1	Piping Valve Incident	32	Y	All	(d),(c)	T. Jones
57-7/2	Piping Valve Incident	33	Y	All	(d),(c)	T. Jones
57-7/3	Piping Valve Incident	33	Y	All	(d),(c)	T. Jones
57-8	Piping Valve Incident	5	Y	All	(d)	T. Jones
57-9	Piping Valve Incident	1	N			
57-9/1	Piping Valve Incident	6	Y	All	(d)	T. Jones
57-10/5	Piping Valve Incident	6	Y	All	(c)	T. Jones
57-11	Piping Valve Incident	33	Y	All	(c)	T. Jones

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
58	Firing Pins Incident	2	N Y	Pg. 1 Pg. 2, Lns. 2-4	(c), (d)	T. Jones
58-2	Firing Pins Incident	61	Y	All	(c)	T. Jones
58-2/1	Firing Pins Incident	7	Y	All	(c)	T. Jones
58-2/1-1	Firing Pins Incident	2	N			
58-3	Firing Pins Incident	41	Y	All	(c)	T. Jones
58-4/2	Firing Pins Incident	18	N			
58-5	Firing Pins Incident	2	Y	All	(d)	T. Jones
58-6	Firing Pins Incident	1	Y	All	(d)	T. Jones
58-6/1	Firing Pins Incident	2	Y	All	(d)	T. Jones
58-6/2	Firing Pins Incident	7	Y	All	(d)	T. Jones
58-6/3	Firing Pins Incident	1	Y	All	(d)	T. Jones
58-6/5	Firing Pins Incident	3	Y Y Y	Pg. 1, Cols. B-C Pg. 2, Col. B Pg. 3, Cols. B-G	(d)	T. Jones
58-7	Firing Pins Incident	1	N			
58-7/1	Firing Pins Incident	3	Y	All	(d)	T. Jones
58-7/2	Firing Pins Incident	3	Y N	Pg. 1, Cols. D-E Pgs. 2-3	(d)	T. Jones
58-7/3	Firing Pins Incident	3	Y N	Pg. 1, Lns. 5-16, 22-28 Pgs. 2-3	(d)	T. Jones
60	Incremental Security	1	N			
60-1	Incremental Security	26	N			
60-2	Incremental Security	44	N			
60-3	Incremental Security	42	N			
60-4	Incremental Security	74	N			
60-4/1A	Incremental Security	2	N			
60-4/1B	Incremental Security	3	N			
60-4/1	Incremental Security	3	N Y N	Pg. 1 Pg. 2, Lns. 10-13, 18-21 Pg. 3	(d)	T. Jones
60-4/1-2	Incremental Security	10	Y N Y N Y Y N	Pg. 1, Lns. 1-8 Pgs. 2-4 Pg. 5, Ln. 40 Pgs. 6-7 Pg. 8, Lns. 22-23, 27-28, 32-34 Pg. 9, Lns. 5-7, 9-13, 16-17, 21, 27-28, 32 Pg. 10	(d) (d) (d) (d)	T. Jones T. Jones T. Jones T. Jones
60-4/1-4	Incremental Security	14	Y	All	(d)	T. Jones
60-4/2	Incremental Security	3	Y Y Y	Pg. 1, Lns. 10-11, 17-18, 23-24, 28-29 Pg. 2, Lns. 1, 11-12, 18-19, 22-23 Pg. 3, Lns. 3-5, 19-20	(c), (d)	T. Jones
60-4/2-1	Incremental Security	5	Y Y N Y	Pg. 1, Lns. 3-6 Pg. 2, Lns. 7-8, 43 Pgs. 3-4 Pg. 5, Lns. 2-5	(d)	T. Jones
60-4/2-1/1	Incremental Security	2	Y N	Pg. 1, Lns. 1-2, 6, 10, 13-14, 18-19, 23 Pg. 2	(d)	T. Jones

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
60-4/2-1/1-1	Incremental Security	8	N	Pg. 1	(d)	T. Jones
			Y	Pg. 2, Lns. 4-7, 12, 24, 34		
			Y	Pg. 3, Lns. 2, 13, 21-22, 24		
			N	Pgs. 4-5		
			Y	Pg. 6, Lns. 24, 30, 34		
			Y	Pg. 7, Lns. 5, 9, 13, 17		
60-4/2-2	Incremental Security	10	Y	Pg. 1, Lns. 3-5, 7-11	(d)	T. Jones
			Y	Pg. 2, Lns. 6-8		
			Y	Pg. 3, Lns. 6-7		
			Y	Pgs. 4-10, ALL		
60-5	Incremental Security	31	N			
60-5/1	Incremental Security	9	N			
60-5/1-1	Incremental Security	3	N			
60-5/1-1/1-1	Incremental Security	3	N			
60-5/1-1/3	Incremental Security	5	N	Pg. 1	(d)	T. Jones
			Y	Pg. 2, Lns. 4-5, 7-8, 10		
			Y	Pg. 3, Lns. 3-4		
			Y	Pg. 4, Lns. 3-6		
60-5/1-1/4	Incremental Security	6	N	Pgs. 1-2	(d)	T. Jones
			Y	Pg. 3, Lns. 18, 28		
			Y	Pg. 4, Lns. 5, 11-17, 24, 30-35		
			Y	Pg. 5, Lns. 5, 36-37		
			Y	Pg. 6, Lns. 7, 9, 11, 13, 15, 17		
60-5/1-1/5	Incremental Security	1	Y	All	(c)	T. Jones

Exhibit D

AFFIDAVITS

DOCUMENT NUMBER-DATE

05625 JUN 27 8

FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 080001-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF TERRY O. JONES

BEFORE ME, the undersigned authority, personally appeared Terry O. Jones who, being first duly sworn, deposes and says:

1. My name is Terry O. Jones. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Nuclear Operations - Midwest Region in the Nuclear Business Unit. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 08-003-4-3. The document and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information and negotiated agreements for services of FPL facilities. This information, if made public, would disclose certain security procedures to the detriment of FPL and its customers, 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.

3. Consistent with the provisions of the Florida Administrative Code, such materials 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.

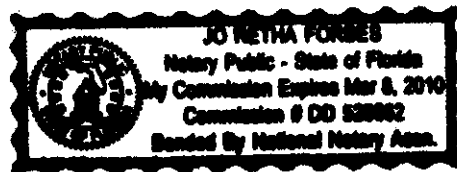
4. Affiant says nothing further.

Terry O. Jones
Terry O. Jones

SWORN TO AND SUBSCRIBED before me this 23 day of June 2008, by Terry O. Jones, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Joetha Forbes - Joetha Forbes
Notary Public, State of Florida

My Commission Expires:



DOCUMENT NUMBER - DATE
05625 JUN 27 08
FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)

DOCKET NO. 080001-EI

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF TERRY J. KEITH

BEFORE ME, the undersigned authority, personally appeared Terry J. Keith who, being first duly sworn, deposes and says:

1. My name is Terry J. Keith. I am currently employed by Florida Power & Light Company ("FPL") as Director of Cost Recovery Clauses in the Regulatory Affairs Department. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 08-003-4-3. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information, including banking account numbers. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials 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.

4. Affiant says nothing further.

Terry J. Keith
Terry J. Keith

SWORN TO AND SUBSCRIBED before me this 23rd day of June 2008, by Terry J. Keith, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Debra A. Dominguez
Notary Public, State of Florida

My Commission Expires: April 20, 2012



DOCUMENT NUMBER-DATE
05625 JUN 27 08
FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 080001-EI

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF OSVALDO J. LOM

BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor of Purchased Power Contracts. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 08-003-4-3, for which I am identified on Exhibit C as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain competitively sensitive data that, if disclosed, would place FPL at a competitive disadvantage. In addition, certain proprietary confidential information concerns billing statements for purchase power from several entities, and the disclosure of this information would injure those entities in the marketplace. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials 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.

4. Affiant says nothing further.



Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 12th day of June 2008, by Osvaldo J. Lom, 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:

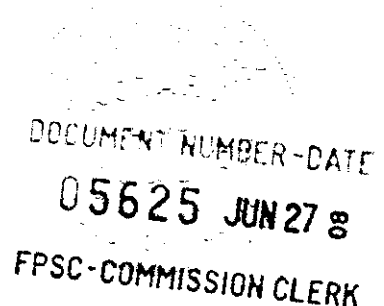
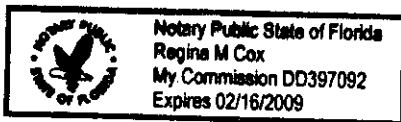


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 080001-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF GERARD J. YUPP

BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 08-003-4-3 for which I am identified on Exhibit C as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract for gas and oil procurement on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain of the information would also place FPL at a disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials 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.

4. Affiant says nothing further.

Handwritten signature of Gerard J. Yupp over a horizontal line, with the name Gerard J. Yupp printed below.

SWORN TO AND SUBSCRIBED before me this 25 day of June 2008, by Gerard J. Yupp, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.

Handwritten signature of Maritza Miranda-Wise over a horizontal line, with the title Notary Public, State of Florida printed below.

My Commission Expires



DOCUMENT NUMBER-DATE
05625 JUN 27 08
FPSC-COMMISSION CLERK

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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Public Service Commission

ACKNOWLEDGEMENT

DATE: June 27, 2008

TO: John T. Butler, Esquire/FPL

FROM: Marguerite H. McLean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080001-EI (DN 05626-08) or, if filed in an undocketed matter, concerning certain information provided to staff in connection with capacity cost recovery 2007 audit (Audit No. 08-003-4-3), and filed on behalf of FPL. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite McLean, Deputy Clerk, at (850) 413-6770.