

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Underground Conversion Tariff Revisions.

Docket No. 080244-EI

In re: Petition for approval of 2007 revisions to underground residential and commercial distribution tariff, by Florida Power & Light Company.

Docket No. 070231-EI

STATE OF FLORIDA
MIAMI-DADE COUNTY

AFFIDAVIT OF THOMAS R. KOCH

BEFORE ME, the undersigned authority, personally appeared Thomas R. Koch, who, being first duly sworn, deposes and says:

1. My name is Thomas R. Koch. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Financial Forecasting. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed FPL's response to Data Request No. 15, which is Exhibit A to FPL's Request for Confidential Classification (Date Request No. 15). This document contains information on FPL's historical damage claims and litigation costs associated with underground and overhead facilities. FPL considers this information to be proprietary confidential business information because its disclosure would provide litigation adversaries and potential adversaries with inappropriate insight into the nature of FPL's damages and litigation experience and the relative relationship of damage claims and litigation costs for underground and overhead facilities. Such access would impair FPL's competitive business to the disadvantage of both FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of the information contained in the response to Data Request No. 15.

3. Consistent with the provisions of the Florida Administrative Code, FPL's response to Data Request No. 15 should remain confidential for a period of not less than 18 months. In addition, it should be returned to FPL as soon as the information contained therein is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of its response to Data Request No. 15.

4. Affiant says nothing further.

Handwritten signature of Thomas R. Koch over a line.

Thomas R. Koch

COM SWORN TO AND SUBSCRIBED before me this 17 day of September 2008, by Thomas R. Koch, who is personally known to me or who has produced as identification and who did take an oath.

- ECR
GCL
OPC
RCP
SSC
SGA
ADM
CLK

Handwritten signature of Debra A. Dominguez over a line.
Notary Public, State of Florida



Debra A. Dominguez
COMMISSION # DD772017
EXPIRES: APR. 20, 2012
WWW.AARONNOTARY.COM

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