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COMMISSION
CLERK

March 8, 2007

- VIA OVERNIGHT DELIVERY -

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Docket No. 070001-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original affidavit of Gerard J. Yupp, which is Exhibit D to Florida Power & Light Company's Request for Confidential Classification of Short Term Capacity Payment Information that was filed on March 1, 2007 in this docket. A copy of Mr. Yupp's affidavit was enclosed with that filing, and I committed at the time to file the original affidavit under separate cover. Please include the enclosed original affidavit with the original of the Request for Confidential Classification in your file for this docket.

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

Sincerely,

John T. Butler

Enclosures

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power) DOCKET NO. 070001-EI
Cost Recovery Clause with Generating)
Performance Incentive Factor) DATED: February 28, 2007

STATE OF FLORIDA)
) AFFIDAVIT OF GERARD YUPP
PALM BEACH COUNTY)

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

1. My name is Gerard Yupp. I am currently employed by Florida Power & Light Company ("FPL") as 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 the document for which I am listed as Affiant in Exhibit C and which is included in Exhibit A to FPL's Request for Confidential Classification of Short Term Capacity Payment Information. The information in said document that FPL asserts in Exhibit C to be proprietary confidential business information contains or constitutes supplier-specific information regarding contract prices, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms. That information also relates to competitive interests of FPL and of suppliers from whom FPL purchases capacity, the disclosure of which would impair FPL's and/or the suppliers' competitive businesses. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such information should remain confidential for a period of at least eighteen (18) months. In addition, it 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 Yupp
Gerard Yupp

SWORN TO AND SUBSCRIBED before me this 28th day of February 2007, by Gerard 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 Monica M. Schaefer
Notary Public, State of Florida

My Commission Expires:

5/1/2010

