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January 28, 2007

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**-VIA OVERNIGHT DELIVERY -**

Ms. Ann Cole, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 080001-EI**

Dear Ms. Cole:

The enclosed Exhibit D is the original affidavit of Mr. Thomas Hartman. A copy of the affidavit was filed with the Second Request for Extension of Confidential Classification Granted by Order No. PSC-06-0637-CFO-EI in Docket No. 060001. The enclosed affidavit supersedes the copy filed on January 28, 2007.

If there are any questions, please contact me at 561-304-5226

Sincerely,

*Kerol M. P. P. P.*  
Jessica Cano *Jur JC.*

- CMP \_\_\_\_\_
- COM \_\_\_\_\_ Enclosure
- CTR \_\_\_\_\_ cc: Counsel for Parties of Record (w/out encl.)
- ECR 1 \_\_\_\_\_
- GCL 1 \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH M.L. \_\_\_\_\_

DOCUMENT NUMBER-DATE  
00707 JAN 29 08  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery ) DOCKET NO. 080001-EI
Clause with Generating Performance Incentive Factor )

STATE OF FLORIDA )
) AFFIDAVIT OF THOMAS HARTMAN
PALM BEACH COUNTY )

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

1. My name is Thomas Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director of Business Management for the Resource Assessment and Planning business unit. 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. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute pricing and other contract terms in contracts for the purchase of capacity and energy between Southern Company Services, Inc. and FPL from Scherer Unit 3, Harris Unit 1 and Franklin Unit 1. Disclosure of those contractual terms would impair FPL's ability to contract on favorable terms. Disclosure of this information also would impair the competitive interests of FPL and Southern Company Services, Inc. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

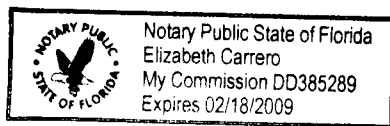
3. No significant changes have occurred since the issuance of Order No. PSC-06-0637-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct business so that FPL can continue to maintain confidentiality of these documents.

4. Affiant says nothing further.

[Handwritten signature of Thomas Hartman]

Thomas Hartman

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



[Handwritten signature of Elizabeth Carrero]
Notary Public, State of Florida

DOCUMENT NUMBER-DATE

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