**EXHIBIT D**

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

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| In re: Fuel and Purchased Power Cost Recovery Clause With Generating Performance Incentive Factor | ) ) ) ) | Docket No: 080001-EI |
| STATE OF FLORIDA | ) | |
| | ) | AFFIDAVIT OF GERARD J. YUPP |
| COUNTY OF PALM BEACH | ) | |

**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 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 documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information are comprised of information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for good and services on favorable terms, and information relating to competitive interests, the disclosure of which would impair the competitive business of FPL.

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.

Gerard J. Yupp

**SWORN TO AND SUBSCRIBED** before me this 3rd day of July, 2008, 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.

Monica M. Schaefer
Notary Public, State of Florida

My Commission Expires:
5/1/2010

MONICA M SCHAEFER
MY COMMISSION # DD547312
EXPIRES: May 1, 2010
(407) 398-0153 Florida Notary Service.com

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