

EXHIBIT D

BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power	)	Docket No: 080001-EI
Cost Recovery Clause With	)	
Generating Performance Incentive Factor	)	
Factor	)	
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 goods and services on favorable terms. This information is also related to competitive interests, and its disclosure 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*  
 \_\_\_\_\_  
 Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 31<sup>st</sup> day of October, 2008 by Gerard J. Yupp, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

- COM \_\_\_\_\_
- ECR   1
- GCL   1
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK \_\_\_\_\_



*Maritza Miranda-Wise*  
 \_\_\_\_\_  
 Notary Public, State of Florida

DOCUMENT NUMBER-DATE  
 10331 NOV-3 8  
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