



Jessica Cano  
 Attorney  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 304-5226  
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May 28, 2009

**VIA HAND DELIVERY**

Ms. Ann Cole  
 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

RECEIVED-FPSC  
 09 MAY 28 PM 1:19  
 COMMISSION  
 CLERK

Re: Docket No. 090001-EI  
 Fuel and Purchased Power Cost Recovery Clause with Generating  
 Performance Incentive Factor

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification of information provided to Staff pursuant to Audit No. 06-046-4-1.

Included herewith are a Revised Exhibit C and a Revised Exhibit D, which contains four affidavits in support of FPL's request. Also included is a compact disc containing FPL's First Request for Extension of Confidential Classification and Revised Exhibit C in word processing format.

Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

*Jessica Cano*  
 Jessica Cano

COM \_\_\_\_\_  
 BCR \_\_\_\_\_  
 COL 1 <sup>+</sup> Enclosures  
 JPC \_\_\_\_\_ cc: parties of record, w/out exhibit  
 ROP 5  
 SSC \_\_\_\_\_  
 SGA \_\_\_\_\_  
 ADM \_\_\_\_\_  
 CLK 1

DOCUMENT NUMBER-DATE

05302 MAY 28 09

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power Cost )  
Recovery Clause with Generating )  
Performance Incentive Factor )

Docket No. 090001-EI

Filed: May 28, 2009

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 06-046-4-1**

**NOW BEFORE THIS COMMISSION**, through the undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to Rule 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with Audit No. 06-046-4-1 (the "Audit"). In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On May 26, 2006, FPL filed its Request for Confidential Classification of certain materials obtained during the Audit, along with Exhibits A, B, C, and D. FPL adopts and incorporates by reference its May 26, 2006 Request and exhibits.
2. By Order No. PSC-07-0948-CFO-EI, dated November 28, 2007, the Commission granted FPL's May 26, 2006 Request.
3. The period of confidential treatment granted by Order No. PSC-07-0948-CFO-EI will soon expire. Some of the information that was the subject of FPL's May 26, 2006 Request warrants continued treatment as proprietary and confidential business information within the meaning of section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

4. Included herewith and made a part hereof is a Revised Exhibit C to reduce the amount of information for which confidential treatment is sought and to reflect certain new affiants in support of the continued confidential classification of the confidential documents. Also included is a Revised Exhibit D which contains the affidavits of Osvaldo J. Lom, Robert Onsgard, Damaris Rodriguez, and Gerard J. Yupp.

5. FPL submits that the information identified in Revised Exhibit C continues to be proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. Pursuant to section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

6. As the affidavits provided herewith indicate, the information that FPL asserts is proprietary and confidential business information includes internal auditing controls and reports of internal auditors. This information is protected from public disclosure pursuant to section 366.093(3)(b), Florida Statutes. Certain information also concerns bids or other contractual data (protected by section 366.093(3)(d)) and competitive interests, the disclosure of which would impair the competitive business of the provider of the information (protected by section 366.093(3)(e)). Finally, some of the information is related customer specific account information. It is FPL's policy not to disclose customer-specific information, except as required by law, to entities or persons other than the customer absent the customer's consent. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills.

FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. This information is protected pursuant to section 366.093(3)(e), Florida Statutes.

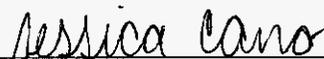
7. FPL requests that this information be accorded continued confidential classification for an additional 18-month period. FPL further requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. See § 366.093(4), Fla. Stat.

**WHEREFORE**, for the above and forgoing reasons, as more fully set forth in the supporting materials and affidavits included herewith and incorporated herein by reference, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler  
Managing Attorney  
Jessica A. Cano  
Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5226  
Facsimile: (561) 691-7135

By:

  
Jessica A. Cano  
Florida Bar No. 0037372

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 090001-EI**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification (without exhibits) was served via hand delivery\* and/or by U.S. mail this 28th day of May, 2009 to the following:

Lisa Bennett, Esq.\*  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Lee L. Willis, Esq.  
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Ausley & McMullen  
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AFLSA/JACL-ULT  
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Tallahassee, FL 32301  
Co-Counsel for FIPUG

By: Jessica Cano  
Jessica A. Cano  
Fla. Bar No. 37372

**REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** FPL, Fuel Clause Audit from Jan. 1 – Dec. 31, 2005  
**AUDIT CONTROL NO:** 06-046-4-1  
**DOCKET NO:** 090001 -EI

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
9	Internal Audit List	4	Y	Col. B	(b)	R. Onsgard
9-1	Internal Audit Review	3	Y	All	(b)	R. Onsgard
9-2	Internal Audit Review	5	Y	All	(b)	R. Onsgard
9-2/1	Internal Audit Review	1	Y	All	(b)	R. Onsgard
9-3	Internal Audit Review	4	Y	All	(b)	R. Onsgard
9-3/1	Internal Audit Review	1	Y	All	(b)	R. Onsgard
9-4	Internal Audit Review	2	Y	All	(b)	R. Onsgard
9-5	Internal Audit Review	3	Y	All	(b)	R. Onsgard
10-1 p. 47	Audit Document / Record Request	1	N			
41-1/2-4	RATE CODES	3	Y	Col. 1	(e)	D. Rodriguez
42-1/2-1	GADS DETAIL	10	N			
43-3	Sample	7	N			
43-3/1	Gas Sample Item	4	N Y	pp 1- 2 p. 3, lines 1-8, Col. C, p. 4, Cols. A-D, lines 2 and 4	(d), (e)	G. Yupp
43-3/1-1	Deal Journal / Invoice Details	2	Y	p. 1, lines 1-8, Col. C, F-H, J and K p. 2, Col. F-K	(d), (e)	G. Yupp
43-3/1-1/1	Invoice	1	Y	Col. C, D, E, F	(d), (e)	G. Yupp
43-3/1-2	Transportation Invoice	3	N			
43-3/1-2/1	Transportation Invoice	3	Y N	p. 1, Col. D p. 2, Col. B, C, E p. 3	(d), (e)	G. Yupp
43-3/2	Invoice	1	N			
43-3/2-1	Invoice	1	N			

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
43-3/2-1/1	Oil Pricing	1	Y	Lines 1-6 G, 21, 9-13 G, 15-20 G, 22-28 G, 30-35 G	(d), (e)	G. Yupp
43-3/2-1/2	Oil Pricing	1	Y	All	(d), (e)	G. Yupp
43-3/3	Invoice	2	Y N	p. 1, lines 1-7 p. 2	(d), (e)	G. Yupp
43-3/3-1	Invoice	1	Y	Lines 1-8, 10	(d), (e)	G. Yupp
43-3/3-1/1	Invoice Pricing	2	N			
43-3/3-2	Invoice Explanation	1	Y	Lines 4, 5	(d), (e)	G. Yupp
43-3/3-2/1	DOR Guideline	3	N			
43-3/4	Accruals	2	N			
43-3/4-1	Invoice Pricing	2	Y N	p. 1, lines 1-8 G, 10-15 G, 17-23 G, 25-30 G p. 2	(d), (e)	G. Yupp
45-2/1	Fuel Inventory	1	N			
45-2/2	Fuel Inventory	1	N			
45-2/2-2	Fuel Inventory	1	N			
45-3/1	Fuel Inventory	1	N			
45-3/1-2	Fuel Inventory	1	N			
45-3/2	Fuel Inventory	1	N			
45-3/2-2	Fuel Inventory	1	N			
45-4/1	Fuel Requisition	3	N			
45-4/1-1	Allocation to Owners	2	Y	p. 1, lines 3-8, lines 11-16 p. 2, all	(e)	G. Yupp
45-4/1-1/1	Receipts Allocation	1	Y	p. 1, lines 4-8, lines 12-16	(e)	G. Yupp
45-4/1-1/2	Cost MMBTU	2	N			
45-4/2	Fuel Requisition	3	N			
45-4/2-1	Allocation of Survey	2	Y	p. 1, lines 4-8, lines 12-16, p. 2, all	(e)	G. Yupp
45-4/2-1/1	Receipts Allocation	1	Y	Lines 5-9, lines 14-17	(e)	G. Yupp
45-4/2-1/2	MMBTU Cost	2	N			
45-4/3	Fuel Requisition	3	N			

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
45-4/3-1	Allocation of Survey	2	Y	p. 1, lines 4-8, lines 12-16 p. 2, all	(e)	G. Yupp
45-4/3-1/1	Receipts Allocation	1	Y	Lines 5-9, lines 13-17	(e)	G. Yupp
45-4/3-1/2	Cost MMBTU	2	N Y	p. 1 p. 2, all	(e)	G. Yupp
45-4/4	Fuel Requisition	3	N			
45-4/4-1	Allocation Survey	2	Y	p. 1, lines 4-8, lines 12-16 p. 2, all	(e)	G. Yupp
45-4/4-1/1	Receipts Allocation	1	Y	Lines 5-6, lines 13-17	(e)	G. Yupp
45-4/4-1/2	Cost MMBTU	2	N			
46-1/1	True Up Information	1	Y	Lines 34-38	(d), (e)	O. Lom
46-1/2	True Up Information	1	Y	Lines 34-38	(d), (e)	O. Lom
46-1/3	Nuclear Sharing	2	Y	Col. A	(d), (e)	O. Lom
46-1/4	Nuclear Sharing	2	Y	Col. A	(d), (e)	O. Lom
46-1/5	True Up Information	1	Y	Col. B and D	(d), (e)	G. Yupp
46-1/5-1	True Up Information Prior Period	1	Y	Lines 4-10 B and C, 26-32 B and C, 39-46 B and C	(d), (e)	G. Yupp
46-1/6	True Up Information	1	Y	Col. B and D	(d), (e)	G. Yupp
46-1/7	True Up Information	1	Y	Col. B and D	(d), (e)	G. Yupp

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
46-1/8	Review of Contracts	1	Y	Lines 6, 17, 19, 20, 21, 22, 33, 34	(d), (e)	G. Yupp
46-1/8-1	Contract Extension	1	N			
48-1	QF Payment Report	1	N			
48-1/1	A8 Worksheet	1	Y	Col. A	(d), (e)	O. Lom
48-1/1-1	Energy Payment Summary and Invoices	6	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 4 p. 5, line 2 p. 6, line 2	(d), (e)	O. Lom
48-1/1-2	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-3	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 3 p. 4, line 2	(d), (e)	O. Lom
48-1/1-4	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 3 p. 4, line 2	(d), (e)	O. Lom
48-1/1-5	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-6	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-7	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-7/1	Energy Payment Summary and Invoices	1	Y	Lines 1, 16	(d), (e)	O. Lom
48-1/1-8	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-9	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, lines 4,5 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-1/1-10	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
48-1/1-11	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
48-2	QF Payment Report	1	N			
48-2/1	A8 Worksheet	1	Y	Col. A	(d), (e)	O. Lom
48-2/1-1	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 3 p. 4, line 2	(d), (e)	O. Lom
48-2/1-2	Energy Payment Summary and Invoices	5	Y	p. 1, line 2 p. 2, line 4 p. 3, line 3 p. 4, line 1 p. 5, line 2	(d), (e)	O. Lom
48-2/1-2/1	Energy Payment Summary and Invoices	2	Y	All	(d), (e)	O. Lom
48-2/1-3	Energy Payment Summary and Invoices	4	Y	p. 1, line 2 p. 2, line 4 p. 3, line 2 p. 4, line 2	(d), (e)	O. Lom
49	Reconcile A5 to 423	3	N			
49-1	Form 423	1	Y	Lines 1, 10-16, 37-38	(d)	G. Yupp
49-1/1	A5	1	N			
49-1/2	Fuel Transactions	2	Y	p. 1, Cols. H-Q p. 2, Cols. H-Q	(d), (e)	G. Yupp
49-1/3	Fuel Transactions	1	Y	Cols. H-Q	(d), (e)	G. Yupp
49-1/4	Inventory Report	1	Y	Lines 1-8, A-B and E-N, line 9 E-L, lines 10-18 A-B and E-N, line 19 E-L, lines 20-23 A-B and E-N, line 24 E-L, lines 25-26 A-B and E-N, line 27 E-L, lines 28-35, lines 36-44 A-B and E-N, lines 45 and 46	(d), (e)	G. Yupp
49-2	Reconcile A5 to 423	1	Y	Lines 1, 10-17b, 39 and 40	(d)	G. Yupp
49-2/1	A5	1	N			
49-2/2	Fuel Transactions	2	Y	p. 1, Cols. H-Q p. 2, Cols. H-Q	(d), (e)	G. Yupp
49-2/3	Fuel Transactions	1	Y	Cols. H-Q	(d), (e)	G. Yupp
49-2/4	Inventory Report	1	Y	Lines 1-8 A-B and E-O, line 9 E-L, lines 10-18 A-B and E-O,	(d), (e)	G. Yupp

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
				line 19 E-L, lines 20-23 A-B and E-O, line 24 E-L, lines 25-26 A-B and E-O, line 27 E-L, lines 28-35, lines 36-44 A-B and E-O, lines 45 and 46		
50	Economy Energy	1	N			
50-1	October Economy Energy	2	N			
50-1/1	October Economy Energy	1	N			
50-1/1-1	Purchases	1	N			
50-1/2	LAMBDA	1	Y	Lines 1-21, Cois. F, H, I, K-N, lines 23-46, Cois. F, H, I, K-N	(d), (e)	G. Yupp
50-1/2-1	Purchase Statement	1	Y	Cois. C-F	(d), (e)	G. Yupp
50-1/2-2	Invoice	2	Y	p. 1, lines 3-5 p. 2, lines 3-5	(d), (e)	G. Yupp
53-1	Natural Gas Procurement	13	Y	pp. 1-13, Cois. C-F	(d), (e)	G. Yupp
53-1/1	Natural Gas Procurement	19	Y	p. 1, Cois. C-F p. 2, Cois. A-D, E, J-P p. 3-18, all p. 19, line 9 and Cois. C and E	(d), (e)	G. Yupp
53-1/1-1	Invoice	4	Y	p. 1, Cois. C-F p. 2, Cois. C-F p. 3, Cois. C-F p. 4, Cois. B-D	(d), (e)	G. Yupp
53-1/1-1/1	Invoice	4	Y	p. 1, line 1, line 2 A, line 6 B, line 14 C, line 18 D, Cois. E-G; p. 2, line 1D, Cois. C, E, and I, p. 3, lines 3-6 A, lines 8-10 B, lines 12-14 B, line 15 C, p. 4, lines 3-6 A, lines 8-10 B, lines 12-14 B, line 15 C	(d), (e)	G. Yupp
53-1/1-2	Swap Deal Entry	3	Y  N	p. 1, lines 1, 3, 5, 10, 15, Cois. A-C p. 2, lines 1, 3, 5, 10, 15, Cois. A-C p. 3	(d), (e)	G. Yupp

Workpaper No.	Description	No. of Pages	Conf YIN	Line No./Col No.	Florida Statute 366.903(3) Subsection	Affiant
53-1/1-3	Confirmation	4	Y	p. 1, lines 1-2, 23, 26-30, and 36 p. 2, lines 1-5 and 32 p. 3, lines 1-2, 23- 26-30 and 36 p. 4, lines 1-5 and 29	(d), (e)	G. Yupp
53-2	Heavy Oil Procurement	13	Y	p. 1-13, Cols. C-F	(d), (e)	G. Yupp
53-2/1	Heavy Oil Procurement	14	Y	p. 1, Cols. C-F pp. 2-14, all	(d), (e)	G. Yupp
53-2/1-1	FPL Derivatives Settlement	7	Y N Y	p. 1, All p. 2, Cols. E-L p. 3, lines 1, 3, 6, 10, 16, and Cols. A and B p. 4 p. 5, line 3 and Cols. C-F p. 6, lines 2, 11-17, 20, 23-26 and 36 p. 7, line 5	(d), (e)	G. Yupp
53-2/1-2	Bank Statement	4	Y N	p. 1, lines 3 and 20 p. 2, lines 24, 28, 29, 33 and 36 pp. 3 and 4	(d), (e)	G. Yupp
53-3	Electricity	13	Y	pp. 1-13, Cols. C-F	(d), (e)	G. Yupp
53-3/1	Electricity	3	Y	p. 1, Cols. C-F pp. 2 and 3, all	(d), (e)	G. Yupp
53-3/1-1	Bank Statement	5	Y	pp. 1-3, All p. 4, line 3, Cols. C-F p. 5, lines 1, 2A, 3B, 10C, 14 and Cols. D-F	(d), (e)	G. Yupp
53-3/1-1/1	Contract Calculation	1	Y	All	(d)	G. Yupp
53-4	EMT Manual	71	Y	All	(e)	G. Yupp
58-1/1-1	May A6	1	N			
58-1/1-1/1	April Detail	2	N			
58-1/1-1/2	Summary Nuclear	1	Y	Line 3, lines 7, 8, 10, Col. A	(d), (e)	O. Lom
58-1/1-2	September A6	2	Y	p. 1, line 4, lines 8, 9, 11, Col. A	(d), (e)	O. Lom
58-1/2	LAMBDA	9	Y	pp. 1-9, Cols. F, H-N	(d), (e)	G. Yupp
58-1/3	Daily Log Sample	2	Y	p. 1, line 1, Cols. A-C p. 2, line 1, Cols. A-C	(d)	G. Yupp
58-1/4	Cost Computation Summary	1	N			
58-1/5	Deal Log Info.	1	N			
58-2/1-1	Gen. Trader Info.	1	Y	All	(e)	G. Yupp

<b>Workpaper No.</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf YIN</b>	<b>Line No./Col No.</b>	<b>Florida Statute 366.903(3) Subsection</b>	<b>Affiant</b>
59-1	Vendor Report	5	Y	pp. 1-5, line 1, Col. A	(d)	G. Yupp
59-2	Vendor Report	1	Y	Line 1, Col. A	(d)	G. Yupp
59-3	Rebates	1	N			

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Capacity Cost Recovery Clause )  
 )  
 )

DOCKET NO. 090001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF MIAMI-DADE )

**AFFIDAVIT OF OSVALDO J. LOM**

**BEFORE ME**, the undersigned authority, personally appeared Osvaldo J. Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor of Purchased Power Contracts. I have personal knowledge of the matters stated in this affidavit.

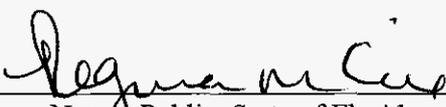
2. With respect to Exhibit C, I have reviewed the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in connection with Audit No. 06-046-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain competitively sensitive contractual data that, if disclosed, would place FPL at a competitive disadvantage. Certain proprietary confidential information concerns billing statements for purchase power from several entities, and the disclosure of this information would injure those entities in the marketplace.

3. No significant changes have occurred since the issuance of Order No. 07-0948-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 its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

  
\_\_\_\_\_  
Osvaldo J. Lom

**SWORN TO AND SUBSCRIBED** before me this 26<sup>th</sup> day of May, 2009, by Osvaldo J. Lom, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:

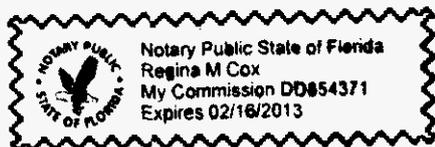


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Capacity Cost Recovery Clause )  
 )  
 )

DOCKET NO. 090001-EI

STATE OF FLORIDA )  
 )  
 )  
COUNTY OF MIAMI-DADE )

AFFIDAVIT OF ROBERT ONGSARD

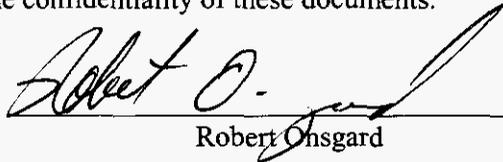
BEFORE ME, the undersigned authority, personally appeared Robert Onsgard who, being first duly sworn, deposes and says:

1. My name is Robert Onsgard. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Internal Auditing. My business address is 9250 West Flagler Street, Miami, Florida 33174. I have personal knowledge of the matters stated in this affidavit.

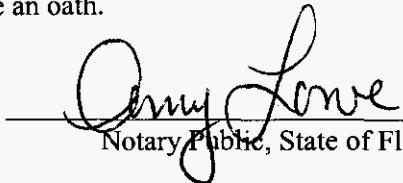
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant that are included in Exhibit A to FPL's Request for Confidential Classification of materials provided pursuant to Audit No. 06-046-4-1. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute internal auditing controls and reports of internal auditors of information relating to same. 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. 07-0948-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 its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

  
Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 26<sup>th</sup> day of May 2009, by Robert Onsgard, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:



EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Capacity Cost Recovery Clause )  
 )  
 )

DOCKET NO. 090001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF MIAMI-DADE )

AFFIDAVIT OF DAMARIS C. RODRIGUEZ

BEFORE ME, the undersigned authority, personally appeared Damaris C. Rodriguez who, being first duly sworn, deposes and says:

1. My name is Damaris C. Rodriguez. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Cost Recovery. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in connection with Audit No. 06-046-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information, including banking account numbers. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is no limited to: customer names, addresses, telephone number, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it except as required by law, to entities or persons other than the customer absent the customer's consent.

3. No significant changes have occurred since the issuance of Order No. 07-0948-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 its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

Damaris C. Rodriguez  
Damaris C. Rodriguez

SWORN TO AND SUBSCRIBED before me this 26 day of May 2009, by Damaris C. Rodriguez, who is personally known to me or who has produced Exhibit (type of identification) as identification and who did take an oath.

Monica Lynn Padron  
Notary Public, State of Florida

My Commission Expires:

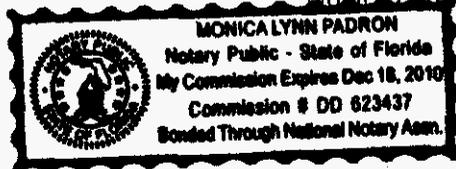


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Capacity Cost Recovery Clause )  
 )  
\_\_\_\_\_ )

DOCKET NO. 090001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF PALM BEACH )

AFFIDAVIT OF GERARD J. YUPP

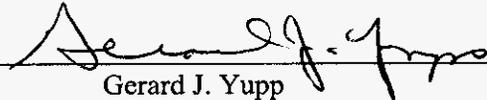
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

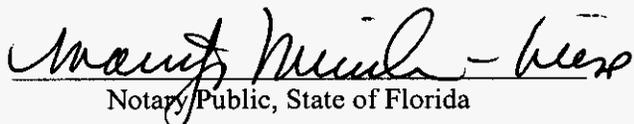
2. With respect to Exhibit C, I have reviewed the documents and information which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 06-046-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information, contain or constitute contractual data such as pricing and other terms, payment records, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain of the information would also place FPL at a competitive disadvantage when coupled with other information that is publicly available.

3. No significant changes have occurred since the issuance of Order No. 07-0948-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 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 26th day of May, 2009, by Gerard J. Yupp, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:

