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 Florida Power & Light Company
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June 2, 2009

VIA HAND DELIVERY

Ms. Ann Cole, 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

RECEIVED-FPSC
 09 JUN -2 PM 3:35
 COMMISSION
 CLERK

Re: Docket No. 090001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") in the above docket are an original and seven (7) copies of FPL's Request for Confidential Classification of Information Provided Pursuant to Audit No. 09-041-4-4. The original includes Exhibits A, B, C, and D.

Exhibit A contains the confidential information that is subject to FPL's request for Confidential Classification and is marked "Exhibit A - Confidential." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains the statutory justification for the request for confidential classification. Exhibit D contains the original affidavits of Robert Onsgard, Osvaldo J. Lom, Mark Warner, Damaris Rodriguez, Gerard J. Yupp, Alissa E. Ballot, and Thomas B. Sanders.

Also included herewith is a computer CD containing FPL's Request for Confidential Classification and Exhibit C. The diskette is HD density, the operating system is Windows XP, and the processing software is Word. Please contact me should you or your Staff have any questions regarding this filing.

COM _____
 ECR 5
 GCL 1+CD
 OPC _____
 RCP _____
 SSC _____
 SGA _____
 ADM _____ Enclosures
 CLK 1 cc: Service List (w/out Exhibits)

Sincerely,

Ilan G. Kaufer on behalf of
 Florida Power & Light Company

DOCUMENT NUMBER-DATE

05484 JUN-2 09

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 090001-EI

FILED: June 2, 2009

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED PURSUANT TO AUDIT NO. 09-041-4-4**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) requests confidential classification of certain information provided to the Florida Public Service Commission (“FPSC” or “Commission”) staff (“Staff”) in connection with its audit of FPL’s 2008 Fuel & Purchased Power Cost Recovery results (Audit Control No. 09-041-4-4; hereinafter the “FCR Audit”) in this docket. In support of its Request, FPL states as follows:

1. During the FCR Audit, Staff requested access to various FPL reports and other documents, portions of which became working papers of the auditors. By letter dated May 12, 2009, Staff indicated its intent to retain certain working papers for which confidential treatment previously had been requested (the “Working Papers”). Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL was given 21 days from the date of that letter, or until June 2, 2009, to file a formal request for confidential classification with respect to the Working Papers. This Request is intended to request confidential classification of the confidential portions of the Working Papers consistent with Rule 25-22.006(3)(a), Florida Administrative Code.

2. The following exhibits are included with and made a part of this request:

a. Composite Exhibit A consists of copies of the Working Papers, on which all information that FPL asserts is entitled to confidential treatment has been highlighted. Composite Exhibit A is submitted separately in a sealed folder marked “CONFIDENTIAL.”

b. Composite Exhibit B consists of an edited version of Exhibit A on which all information FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential classification is sought, and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification.

d. Exhibit D is comprised of the affidavits of Robert Onsgard, Osvaldo J. Lom, Mark Warner, Damaris Rodriguez, Gerard J. Yupp, Alissa E. Ballot, and Thomas B. Sanders.

3. FPL seeks confidential protection for the information highlighted in Exhibit A. The highlighted information is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. The information is intended to be, and has been, treated by FPL as private, and its confidentiality has been maintained.

4. Pursuant to Section 366.093, Florida Statutes, the information highlighted in Exhibit A is entitled to confidential treatment and is 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.

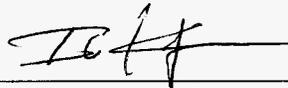
5. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in Exhibit C under the column titled "FLORIDA STATUTE 366.093(3) SUBSECTION." The letters in that column refer to the subsection(s) of Section 366.093(3) that provide justification for FPL's request. Further support for FPL's request for confidential classification of the referenced information is provided through the affidavits that are included as Exhibit D to this Request. As the affidavits included in Exhibit D indicate, the information provided by FPL contains information relating to internal auditing controls and reports of internal auditors. Such information is protected by section 366.093(3)(b), Florida Statutes. Additionally, the information provided by FPL includes information relating to security measures, systems, or procedures. Such information is protected by section 366.076(3)(c), Florida Statutes. The information provided by FPL also includes information concerning bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods and services on favorable terms in the future. Such information is protected by section 366.093(3)(d), Florida Statutes. The information provided by FPL also includes information which is competitively sensitive, and its disclosure would impair the competitive interests of FPL or its vendors. Such information is protected by section 366.093(3)(e), Florida Statutes.

6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Florida Statutes.

WHEREFORE, for the foregoing reasons, Florida Power & Light Company respectfully requests that this Request be granted.

Respectfully submitted,

John T. Butler, Managing Attorney
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700 Universe Blvd. – Law/JB
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Telephone: 561-304-5675
Fax: 561-691-7135

By: 
Ilan G. Kaufer on behalf of
Florida Power & Light Company
Fla. Bar No. 65394

CERTIFICATE OF SERVICE
Docket No. 090001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification (*) has been furnished by hand delivery (**) or U.S Mail on June 2, 2009, to the following:

Lisa Bennett, Esq. **
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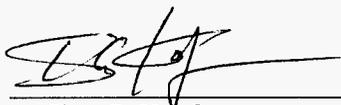
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Co-Counsel for FIPUG

By: 

Ilan G. Kaufer
Fla. Bar No. 65394

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

Exhibit C

Justification Table

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Work Papers
AUDIT: FPL, Fuel Cost Recovery
AUDIT CONTROL NO: 09-041-4-4
DOCKET NO. 090001- EI

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
8-1	Board of Directors Review	4	Y	Pgs. 1- 4, ALL	(e)	A. Ballot
9	Internal Audit List	4	Y	Pgs. 1-4, ALL	(b)	R. Onsgard
9-1	Internal Audit Review	2	Y	Pgs. 1-12, ALL	(b)	R. Onsgard
9-2	Internal Audit Review	2	Y	Pg. 1, ALL	(b)	R. Onsgard
9-3	Internal Audit Review	1	Y	Pg. 1, ALL	(b)	R. Onsgard
9-4	Internal Audit Review	2	Y	Pgs. 1-2, ALL	(b)	R. Onsgard
9-5	Internal Audit Review	1	Y	Pg. 1, ALL	(b)	R. Onsgard
9-6	Internal Audit Review	4	Y	Pgs. 1-4, ALL	(b)	R. Onsgard
10-2	Request	1	Y	Pg. 1, Lns. 9-10	(b)	G. Yupp
41-2/1-2	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-3	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-4	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-5	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-6	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-7	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-8	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-9	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-10	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-11	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-12	Rate Code	1	Y	Pg. 1, Col. 1	(e)	D. Rodriguez
41-2/1-13	Rate Code	3	Y	Pgs. 1-3, Ln. 1	(e)	D. Rodriguez
43-5	Sample Act 151	2	Y N	Pg. 1, Lns. 37, 45 Pg. 2	(d)	G. Yupp
43-5/2	Invoice	1	Y	Pg. 1, Lns. 14, 17, 19-29	(d)	G. Yupp
43-5/2-1A	Pricing Explanation	1	N	Pg. 1		
43-5/2-1	Pricing Verification	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
43-5/2-2	Pricing Verification	1	Y	Pg. 1, Lns. 1-9	(d)	G. Yupp
43-5/2-3	Pricing Verification	1	N	Pg. 1		
43-5/2-4	Pricing Verification	1	N	Pg. 1		
43-5/2-5	Pricing Verification	7	N	Pg. 1		
43-5/3-1	Gas Closing Report	3	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-B Pg. 3, Cols. A-C	(d), (e)	G. Yupp
43-5/3-1/1	Purchase Statement	2	Y	Pg. 1, Col.s A-D Pg. 2, Cols. A-C	(d)	G. Yupp
43-5/3-1/1-1	Invoice	7	Y	Pgs. 1-7, Cols. A-C	(d), (e)	G. Yupp
43-5/3-1/2	Purchase Statement	2	Y	Pgs. 1-2, Cols. A-D	(d)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
43-5/3-1/2-1	Invoice Details	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
43-5/3-1/2-2	Invoice Summary	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
43-5/3-1/3	Purchase Statement	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
43-5/3-1/3-1	Invoice Details	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
43-5/3-1/3-2	Invoice	3	Y	Pgs. 1-3, Cols. A-D	(d), (e)	G. Yupp
43-5/3-1/4	Invoice	3	Y N	Pg. 1, Cols. A-G Pgs. 2-3	(d)	G. Yupp
43-5/3-1/4-1	Invoice	2	Y	Pg. 1, Cols. A-F Pg. 2, Cols. A-H	(d), (e)	G. Yupp
43-5/3-1/4-2	Tariff rates	1	N	Pg. 1		
43-5/3-1/4-3	Invoice Summary	2	Y	Pgs. 1-2, Cols. A-B	(d)	G. Yupp
43-5/3-1/5	Invoice	1	Y	Pg. 1, Cols. A-G	(d)	G. Yupp
43-5/3-1/5-1	Invoice Summary	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
43-5/4-1	Invoice	2	Y	Pg. 1, Cols. A-B Pg. 2, Col. A	(d)	G. Yupp
43-5/4-1/1	Oil Closing Report	1	Y	Pg. 1, Cols. A-F	(d)	G. Yupp
43-5/4-1/2	Invoice	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
43-5/5	Invoice	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
43-6	Sample Acct 151	2	Y N	Pg. 1, Cols. A-C Pg. 2	(d)	G. Yupp
43-6/2A	Fuel Pricing	1	Y	Pg. 1, Lns. 7-8	(d)	G. Yupp
43-6/2-1	Oil Closing Report	2	Y	Pg. 1, Cols. A-F, Lns. 1-3 Pg. 2, Cols. A-E	(d)	G. Yupp
43-6/3-1	Invoice True- Up	2	Y	Pg. 1, Cols. A-B Pg. 2, Cols. A-F	(e)	G. Yupp
43-6/3-1/1	Invoice	2	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-E	(d)	G. Yupp
43-6/6	Invoice	10	Y Y Y Y N Y Y Y	Pg. 1, Cols. A-C Pg. 2, ALL Pgs. 3-5, Cols. A-C Pg. 6, Lns. 3-4 Pg. 7 Pg. 8, Cols. A-D Pg. 9, Cols. A-C Pg. 10, Cols. A-C	(d)	G. Yupp
43-6/8	Invoice	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
43-6/8-1	Oil Closing	1	Y	Pg. 1, Cols. A-F, Lns. 5-8, 10-11	(d)	G. Yupp
43-6/8-2	Oil Closing	2	Y	Pgs. 1-2, Lns. 1-4	(d)	G. Yupp
43-6/8-3	Publication Prices	2	Y Y	Pg. 1, Lns. 1-2, 4-8 Pg. 2, Lns. 3-5	(d)	G. Yupp
43-6/9	Invoice	3	Y	Pg. 1, Cols. A-D Pg. 2, Cols. A-C Pg. 3, ALL	(d)	G. Yupp
43-6/10	Invoice	2	Y	Pg. 1, Cols. A-D Pg. 2, Col. A	(d)	G. Yupp
43-6/10-1	Invoice	2	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-B	(d)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
43-6/10-2	Publication Prices	4	N	Pgs. 1-4		
43-6/11-1	Invoice	2	N	Pgs. 1-2		
43-6/12-1	Oil Closing	2	Y	Pg. 1, Cols. A-F, Lns. 1-6 Pg. 2, Cols. A-F	(d)	G. Yupp
43-6/12-2	Invoice	2	Y	Pg. 1, Cols. A-B Pg. 2, Col. A	(d)	G. Yupp
43-6/13	Invoice	1	Y	Pg. 1, Cols. A-D Pg. 2, Cols. A-E	(d)	G. Yupp
43-6/13-1	Invoice	2	Y	Pg. 1, Cols. A-B Pg. 2, Col. A-C	(d)	G. Yupp
43-6/15	Invoice	1	Y	Pg. 1, Cols. A-B Pg. 2, Cols. A-C	(d)	G. Yupp
43-6/15-1	Pricing Explanation	1	N	Pg. 1	(d)	G. Yupp
43-6/15-2	Pricing Verification	5	Y N Y Y	Pg. 1, Cols. A-D Pgs. 2-3 Pg. 4, Lns. 1-11 Pg. 5, Lns. 1-8	(d)	G. Yupp
43-6/15-3	Oil Closing	1	Y	Pg. 1, Cols. A-F	(d)	G. Yupp
43-6/16-1	Invoice	2	Y	Pg. 1, Cols. A-D Pg. 2, Cols. A-C	(d)	G. Yupp
43-6/16-2	Invoice	1	Y	Pg. 1, ALL	(d)	G. Yupp
43-6/17-1	Invoice	2	Y	Pg. 1, Cols. A-D Pg. 2, Cols. A-C	(d)	G. Yupp
45-1	Reconciliation	1	Y	Pg. 1, Col. A	(d)	G. Yupp
45-1/1	Form 423 Reconciliation	1	Y	Pg. 1, Cols. A-F	(e)	G. Yupp
45-1/1-1	Form 423	1	Y	Pg. 1, Cols. H-R	(e)	G. Yupp
45-1/1-2	Sched. A-5	1	N	Pg. 1		
45-1/1-3	Fossil Fuel	1	Y	Pg. 1, Cols. A-G	(d), (e)	G. Yupp
45-1/1-4	Form 4123	1	Y	Pg. 1, Cols. H-R	(d)	G. Yupp
45-2	Reconciliation	1	Y	Pg. 1, Col. A	(e)	G. Yupp
45-2/1	Form 423 Reconciliation	1	Y	Pg. 1, Cols. A-F	(e)	G. Yupp
45-2/1-1	Form 423	1	Y	Pg. 1, Cols. H-R	(d)	G. Yupp
45-2/1-2	Sched. A-5	1	N	Pg. 1		
45-2/1-3	Fossil Fuel	1	Y	Pg. 1, Cols. A-G	(d), (e)	G. Yupp
46-1	Schedule A-6	2	N	Pgs. 1-2		
46-1/1	Power Deal Lambda	6	Y	Pgs. 1-6, Cols. A-G	(d)	G. Yupp
46-1/1-1	Deal Form	1	Y	Pg. 1, Lns. 1-3	(d)	G. Yupp
46-1/1-2	Deal Form	1	Y	Pg. 1, Lns. 1-4	(d)	G. Yupp
46-1/1-3	Deal Form	1	Y	Pg. 1, Lns. 1-4	(d)	G. Yupp
46-1/1-4	Deal Form	1	Y	Pg. 1, Lns. 1-3	(d)	G. Yupp
46-1/1-5	Deal Form	1	Y	Pg. 1, Lns. 1-4	(d)	G. Yupp
46-1/2	Emmission Allow	1	N	Pg. 1		
46-2	Variable O & M	1	N	Pg. 1		
47-1/1-2	UPS	1	Y	Pg. 1, ALL	(e)	O. Lom
47-1/1-2/1	UPS	1	Y	Pg. 1, ALL	(e)	O. Lom
47-1/1-4/1	UPS	1	Y	Pg. 1, Col.s A-G	(d), (e)	G. Yupp
47-1/1-4/1-1	UPS	1	Y	Pg. 1, Col.s A-F	(d), (e)	G. Yupp
47-1/1-4/1-2	Transmission	1	N	Pg. 1		
47-1/1-4/1-3	Transportation	2	Y	Pg. 1, Cols. A-I Pg. 2, Cols. A-E	(e)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
47-1/1-4/1-4	True Up	1	Y	Pg.1, Col. A-I	(d), (e)	G. Yupp
47-3	Review of UPS Contract	3	N	Pgs. 1-3		
49-1	Schedule A-9	1	N	Pg. 1		
49-1/1	Detail	2	Y Y	Pg. 1, Cols.A-C Pg. 2, Cols. A-E	(d)	G. Yupp
49-1/1-1	Power Deal Lambda	8	Y	Pg. 1, Cols. A-H Pgs. 2-8, Cols. A-G	(d)	G. Yupp
49-2	Interchange Billing	1	N	Pg. 1		
49-2/1	Purchase Statement	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
49-2/2	Invoice	2	N Y	Pg. 1 Pg. 2, Cols. A-D	(d)	G. Yupp
49-2/3	Invoice	2	N Y	Pg. 1 Pg. 2, Cols. A-D	(d)	G. Yupp
49-2/4	Purchase Statement	6	Y	Pgs. 1-6, Cols. A-D	(d)	G. Yupp
49-2/5	Purchase Statement	1	Y	Pg. 1, Ln. 1, Cols. A-D	(d)	G. Yupp
49-2/6	Purchase Statement	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
49-2/7	Purchase Statement	1	Y	Pg. 1, Cols. A-D	(d)	G. Yupp
53-3	Invoice	6	N Y N Y Y	Pg. 1 Pg. 2, Lns. 18-19, 39-40, 42 Pgs. 3-4 Pg. 5, Lns. 24 Pg. 6, Lns. 14, 17, 21-24	(d)	M. Warner
57-1	Vendor List	1	Y	Pg. 1, Ln. 1	(d)	G. Yupp
57-2	Vendor List	1	Y	Pg. 1, Ln. 1	(d)	G. Yupp
57-3	Vendor Statement	1	N	Pg. 1		
58-1/1	Gas Closing	1	Y	Pg. 1, Cols. A-C	(d)	G. Yupp
58-1/1-1	WACOG	1	Y	Pg. 1, ALL	(d), (e)	G. Yupp
58-1/1-2	Invoice	4	Y	Pg. 1, Cols A-C Pg. 2, Cols. A-H, Lns. 1-2 Pg. 3, Cols. A-C, Lns. 1-2 Pg. 4, Col. A	(d), (e)	G. Yupp
58-1/1-2/1	Invoice Summary	1	Y	Pg. 1, Cols. A-B	(d)	G. Yupp
58-1/1-2/2	Shipper Imbalance	2	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-B	(d), (e)	G. Yupp
58-1/2	Monthly Gas Closing	1	Y	Pg. 1, Cols. A-C	(d), (e)	G. Yupp
58-1/2-1	WACOG- May 06	1	Y	Pg. 1, ALL	(d), (e)	G. Yupp
58-1/2-2	Invoice	3	Y	Pg. 1, Cols. A-C Pg. 2, Cols. A-J Pg. 3, Cols. A-C	(d), (e)	G. Yupp
58-1/2-2/1	Invoice Rec.	1	Y	Pg. 1, Cols. A-C	(d), (e)	G. Yupp
58-1/2-2/2	Invoice Summary	1	Y	Pg. 1, Cols. A-B	(d), (e)	G. Yupp
58-1/2-2/3	Shipper Imbalance	4	Y	Pg. 1, Cols. A-D Pg. 2, Cols. A-B Pg. 3, Cols. A-C Pg. 4, Cols. A-C	(d), (e)	G. Yupp
58-1/3	Gas Closing	1	Y	Pg. 1, Cols. A-C	(d), (e)	G. Yupp
58-1/3-1	WACOG	1	Y	Pg. 1, ALL	(d), (e)	G. Yupp
58-1/3-2	Invoice	1	Y	Pg. 1, Cols. A-C	(d)	G. Yupp
58-1/3-2/1	Invoice Summary	1	Y	Pg. 1, Cols. A-B	(d), (e)	G. Yupp
58-1/3-2/1-1	Gas Closing	1	Y	Pg. 1, Cols. A-C	(d), (e)	G. Yupp
58-1/3-2/2	Shipper Imbalance	1	Y	Pg. 1, Cols. A-C	(d), (e)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
58-2	Agreement	2	N Y	Pg. 1 Pg. 2, Lns. 1-2	(d)	G. Yupp
58-2/1	Contract	4	Y	Pg. 1-4, ALL	(d)	G. Yupp
58-2/1-1	Agreement	1	Y	Pg. 1, ALL	(d)	G. Yupp
58-2/1-2	Contract	18	Y	Pg. 1-18, ALL	(d)	G. Yupp
58-2/2	Rates	1	Y	Pg. 1, ALL	(d)	G. Yupp
60-8/1	Request 27	1	N			
60-8/1-1	FRCC Report	54	Y	All	(c)	T. Sanders
60-8/1-2	Exhibit C	11	Y	All	(c)	T. Sanders
60-8/1-3	Exhibit D	12	Y	All	(c)	T. Sanders
60-8/1-4	Exhibit E	15	Y	All	(c)	T. Sanders
60-8/1-5	Exhibit F	55	Y	All	(c)	T. Sanders
60-8/1-6	Exhibit G	25	Y	All	(c)	T. Sanders
60-8/1-7	Exhibit H	13	Y	All	(c)	T. Sanders
60-8/1-8	Exhibit I	11	Y	All	(c)	T. Sanders
60-8/1-9	Exhibit J	20	Y	All	(c)	T. Sanders

Exhibit D

AFFIDAVITS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 090001-EI

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

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. 09-041-4-4. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain competitively sensitive data that, if disclosed, would place FPL at a competitive disadvantage. FPL and Southern Co. share this information, and its disclosure could make data available to the marketplace that would otherwise not be available at this level of detail. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.



Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 27th 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:

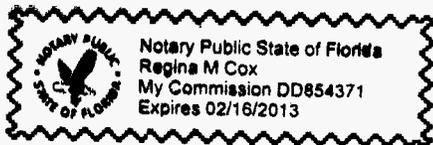


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery) DOCKET NO. 090001-EI
Clause with Generating Performance)
Incentive Factor)
)

STATE OF FLORIDA)
) **AFFIDAVIT OF ROBERT ONSGARD**
COUNTY OF MIAMI-DADE)

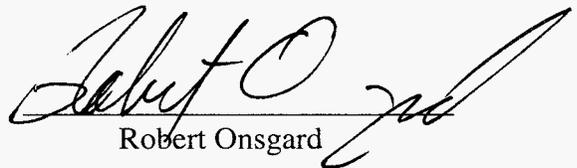
BEFORE ME, the undersigned authority, personally appeared Robert Onsgard who, being first duly sworn, deposes and says:

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

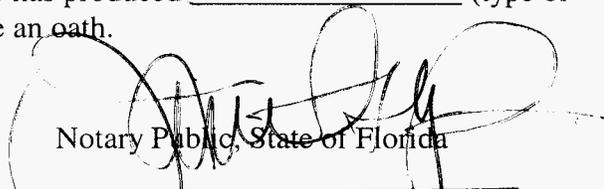
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant that are included in Exhibit A to FPL's Request for Confidential Classification of materials provided pursuant to Audit No. 09-041-4-4. Such documents or materials that I have reviewed and which, 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 or information relating to same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.


Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 27th 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:

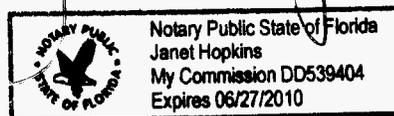


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 090001-EI

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF DAMARIS RODRIGUEZ

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

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

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 09-041-4-4. 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 which if disclosed would impair FPL's competitive advantage. It is FPL's corporate policy not to disclose customer-specific information. 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 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. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.

Damaris Rodriguez

Damaris Rodriguez

SWORN TO AND SUBSCRIBED before me this 28th day of May 2009, Damaris Rodriguez, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

[Signature]

Notary Public, State of Florida

My Commission Expires:

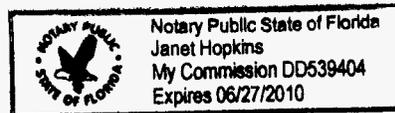


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery))
Clause with Generating Performance) DOCKET NO. 090001-EI
Incentive Factor)
_____)

STATE OF FLORIDA)
MIAMI-DADE COUNTY) **AFFIDAVIT OF THOMAS B. SANDERS**

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

1. My name is Thomas B. Sanders. I am currently employed by Florida Power & Light Company ("FPL") as Transmission Business Manager. 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. 09-041-4-4. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain Critical Energy Infrastructure Information, which includes information relating to FPL's security measures and systems or procedures. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.

Thomas B. Sanders
Thomas B. Sanders

SWORN TO AND SUBSCRIBED before me this 27th day of May 2009, by Thomas B. Sanders, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Loures V. Wongden
Notary Public, State of Florida

My Commission Expires:

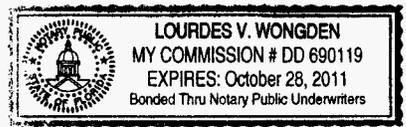


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 090001-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF MARK WARNER

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

1. My name is Mark Warner. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Nuclear Plant Support in the Nuclear Business Unit. 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. 09-041-4-4. The document and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information and negotiated agreements for services of FPL facilities. This information, if made public, would disclose certain procedures to the detriment of FPL and its customers, and would impair FPL's efforts to enter into contracts on commercially favorable terms in the future. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.

Mark E Warner

Mark Warner

SWORN TO AND SUBSCRIBED before me this 28 day of May 2009, by Mark Warner, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.

Leslie J. Whitwell

Notary Public, State of Florida

My Commission Expires:

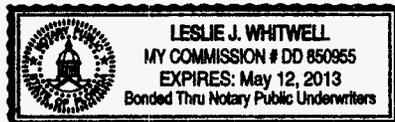


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 090001-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

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 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 which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 09-041-4-4. 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 FPL's efforts to contract for gas and oil procurement on favorable terms for the benefit of its customers in the future, and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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.

[Handwritten signature of Gerard J. Yupp]

Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 27th 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.

[Handwritten signature of Monica M. Schaefer]
Notary Public, State of Florida

My Commission Expires: 5/1/2010

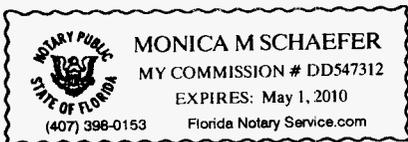


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery) DOCKET NO. 090001-EI
Clause with Generating Performance)
Incentive Factor)
_____)

STATE OF FLORIDA)
) **AFFIDAVIT OF ALISSA E. BALLOT**
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Alissa E. Ballot who, being first duly sworn, deposes and says:

1. My name is Alissa E. Ballot. I currently serve as Vice President & Corporate Secretary of FPL Group, Inc. ("FPL Group") and Vice President & Corporate Secretary of Florida Power & Light Company ("FPL"). I have personal knowledge of the matters stated in this affidavit.

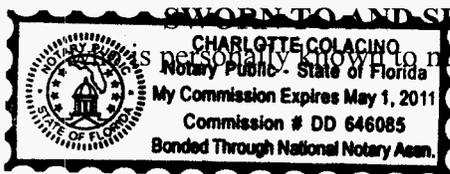
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant that are included in Exhibit A to FPL's Request for Confidential Classification of materials provided pursuant to Audit No. 09-041-4-4, which documents or materials are Florida Public Service Commission auditors' notes ("FPSC Auditors' Notes") relating to actions taken by the FPL board of directors, as set forth in FPL board minutes and consents. Such actions, minutes and consents, and therefore the FPSC Auditors' Notes related thereto, are considered by both FPL Group and FPL to be highly sensitive, proprietary confidential business information. To the best of my knowledge, FPL Group and FPL have maintained the confidentiality of the minutes and consents reflecting the actions taken by the FPL board of directors.

3. Consistent with the provisions of the Florida Administrative Code, the FPSC Auditors' Notes should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL Group or FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL Group and FPL can continue to maintain the confidentiality of FPL's board minutes and consents.

4. Affiant says nothing further.



Alissa E. Ballot



SWORN TO AND SUBSCRIBED before me this 20th day of May 2009, by Alissa E. Ballot, is personally known to me and who did take an oath.



Notary Public, State of Florida

My Commission Expires: May 1, 2011

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: June 2, 2009

TO: Ilan Kaufer, Florida Power & Light Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 090001 or, if filed in an undocketed matter, concerning Audit No. 09-041-4-4, and filed on behalf of Florida Power & Light Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER-DATL
05485 JUN-2 09
FPSC-COMMISSION CLERK

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Internet E-mail: contact@psc.state.fl.us