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July 13, 2009

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**-VIA HAND DELIVERY -**

Ms. Ann Cole  
 Commission Clerk  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

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

Dear Ms. Cole:

I am enclosing for filing in the above Docket the original and seven (7) copies of Florida Power & Light Company's Supplement to Request for Confidential Classification of Information Provided Pursuant to Mid-Course Correction Data Request Nos. 16 and 19, in Docket No. 080001-EI.

Included herewith is Revised Exhibit D, which contains an affidavit in support of FPL's request. Also included is a compact disc containing FPL's Supplement to Request for Confidential Classification (without the exhibit) in word processing format.

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 ADM \_\_\_\_\_  
 CLK 1

Sincerely,

Ilan G. Kaufer

Enclosures

cc: Counsel for parties of record (w/out exhibit)

DOCUMENT NUMBER-DATE

06979 JUL 13 08

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 090001-EI  
Date: July 13, 2009

**SUPPLEMENT TO REQUEST FOR CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO  
MID-COURSE CORRECTION DATA REQUEST NOS. 16 AND 19**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to Rule 25-22.006(3), Florida Administrative Code, and Section 366.093 of the Florida Statutes, submits this supplement to its Request for Confidential Classification of Information Provided Pursuant to Mid-Course Correction Data Request Nos. 16 and 19, which was served on July 7, 2008 (the "July 7, 2008 Request"). The purpose of this supplement is to provide greater detail on the nature of the information in Data Request Nos. 16 and 19 that FPL considers to be proprietary confidential business information. Attached to this Supplement as Revised Exhibit D is a supplemental affidavit of Gerard J. Yupp that provides and attests to this additional detail.

1. Revised Exhibit D also confirms that nothing has changed since the filing of FPL's July 7, 2008 Request to render the confidential information stale or public, such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for eighteen months period from the date of the Commission's order on this confidentiality request, and that the confidential information be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. See § 366.093(4), Fla. Stat.

DOCUMENT NUMBER-DATE

06979 JUL 13 8

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supplemental affidavit included with this request, Florida Power & Light Company respectfully requests that its July 7, 2008 Request be granted.

Respectfully submitted,

John T. Butler  
Managing Attorney  
Ilan Kaufer  
Attorney for  
Florida Power & Light Company  
700 Universe Boulevard  
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Tele: (561) 304-5675  
Fax: (561) 691-7135

By:



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Ilan Kaufer  
Fla. Bar No. 65394

**CERTIFICATE OF SERVICE**  
**Docket No. 090001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by hand delivery\* or U.S. Mail this 13<sup>th</sup> day of July, 2009, to the following:

Lisa Bennett, Esq.\*  
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Florida Public Service Commission  
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Co-Counsel for FIPUG

By: 

\_\_\_\_\_  
Ilan Kaufer

The exhibit to this Request is not included with the service copies, but a copy of Exhibit D is available upon request.

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 090001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF PALM BEACH )

AFFIDAVIT OF GERARD J. YUPP

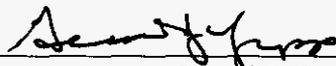
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

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

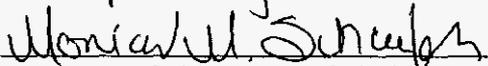
2. With respect to Exhibit C, I have reviewed the documents and information for are included in Exhibit A to FPL's July 7, 2008 Request for Confidential Classification of Information Obtained in Connection with Mid-Course Correction Data Request numbers 16 and 19. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information, contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding FPL's monthly hedge percentages and volumes for natural gas and oil, as well as tolerance bands around FPL's target hedge percentages. Additionally, the information contains monthly realized and mark-to-market values for FPL's hedge positions. The disclosure of this information 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 filing of FPL's July 7, 2008 Request that would 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 7<sup>th</sup> day of July 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:  
5/1/2010

