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August 6, 2009

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COMMISSION
CLERK

Ms. Ann Cole, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket 090001-EI

Dear Ms. Cole:

The enclosed Exhibit D is the original affidavit of Mr. Gerry J. Yupp. A copy of the affidavit was filed with the Request for Confidential Classification of certain information on FPL's 2010 Risk Management Plan in the above docket.

The enclosed affidavit supersedes the copy filed on August 4, 2009.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,


John T. Butler

DOCUMENT NUMBER-DATE
08205 AUG 10 8
FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost)
Recovery Clause with 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 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 of its 2010 Risk Management Plan. The documents and material in Exhibit A which are asserted by FPL to be proprietary confidential business information are comprised of the details of FPL's strategy and plans for hedging fuel purchases in 2010 and beyond. This information constitutes trade secrets of FPL, which allow FPL to hedge its fuel purchases on favorable terms for FPL and its customers. The disclosure of this trade-secret information would provide other market participants insight into FPL's marketing and trading practices as well as internal policy and procedures that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. Additionally, the information contained in the 2010 Risk Management Plan relates to competitive interests and hedging-related bids or other contractual data, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms. 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 eighteen (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

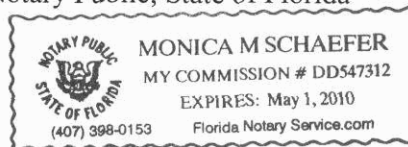
4. Affiant says nothing further.

Gerard J. Yupp
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 4th day of August 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.

Monica M. Schaefer
Notary Public, State of Florida

My Commission Expires: 5/1/2010



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