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August 13, 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 AUG 13 PM 4:40
COMMISSION
CLERK

Re: Docket No. 090009-EI; Nuclear Power Plant Cost Recovery Clause

Dear Ms. Cole:

I am enclosing for filing in the above referenced docket the original, executed affidavit of Steven D. Scroggs, which is Exhibit D to Florida Power & Light Company's Request for Confidential Classification of certain information contained in the Testimony and Exhibit of Dr. William R. Jacobs filed by the Office of Public Counsel. A copy of the affidavit was included with the August 7, 2009 filing.

If there are any questions regarding this transmittal, please contact me at 561-304-5226.

Sincerely,


for Jessica A. Cano

Enclosure

DOCUMENT NUMBER-DATE

08428 AUG 13 09

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Nuclear Power Plant Cost Recovery)
Recovery Clause) DOCKET NO. 090009-EI

STATE OF FLORIDA)
) AFFIDAVIT OF STEVEN D. SCROGGS
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared Steven D. Scroggs who, being first duly sworn, deposes and says:

1. My name is Steven D. Scroggs. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Project Development. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included in FPL's Request for Confidential Classification of information included in the testimony filed by William R. Jacobs and his Exhibit WRJ(FPL)-2, for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed are proprietary confidential business information, containing information concerning bids or other contractual data related to a specific vendor. Disclosure of this information would violate FPL's contract with its vendor, work to the detriment of FPL's competitive interests, and/or impair FPL's efforts to enter into contracts on commercially 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 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.

Steven D. Scroggs

Steven D. Scroggs

SWORN TO AND SUBSCRIBED before me this 7th day of August 2009, by Steven D. Scroggs, ~~who is personally known to me~~ or who has produced _____ (type of identification) as identification and who did take an oath.

Valerie A. Hnasko

Notary Public, State of Florida

My Commission Expires: 5/29/2012



DOCUMENT NUMBER - DATE
08428 AUG 13 08
FPSC-COMMISSION CLERK