

**Marguerite McLean**

080677-EI

**From:** Butler, John [John.Butler@fpl.com]  
**Sent:** Tuesday, February 09, 2010 4:48 PM  
**To:** Filings@psc.state.fl.us  
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**Subject:** Electronic Filing / Docket 080677-EI / FPL's 2.9.10 Transmittal Letter to Ann Cole (Hay letter)  
**Attachments:** 2.9.10 Transmittal ltr to Cole (Hay letter).pdf

## Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 080677-EI  
 In Re: Application for Increase in Rates by Florida Power & Light Company

c. The Document is being filed on behalf of Florida Power & Light Company.

d. There are a total of 4 pages

e. The document attached for electronic filing is Florida Power & Light Company's February 9, 2010 letter to Ann Cole transmitting open letter from Lew Hay, Chairman of FPL Group, Inc. to FPL employees

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FILE NUMBER - DATE

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2/9/2010



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February 9, 2010

**-VIA ELECTRONIC DELIVERY -**

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

**Re: Docket No. 080677-EI**

Dear Ms. Cole:

On behalf of Florida Power & Light Company ("FPL"), I am enclosing for filing in the above docket an open letter from Lew Hay, Chairman of FPL Group, Inc., to FPL employees that was communicated electronically on February 8, 2010. Mr. Hay's letter is in response to anonymous letters dated January 20, 2010 and February 4, 2010. His letter explains the steps FPL is taking to investigate allegations made in the anonymous letters. The letters are contained in Document No. 00858-10 that was posted on the Commission's website for this docket on February 8, 2010.

Sincerely,

*/s/ John T. Butler*

John T. Butler

Enclosures  
cc: Counsel for parties of record (w/encl.)



## A MESSAGE FROM LEW HAY

To all FPL Group employees,

I am writing to you today about a potential matter of employee concern. While we typically do not comment on matters like this, I think you will understand why I am doing so today when you learn the unusual nature of this situation.

On Jan. 20, I received an anonymous letter claiming to represent the views of a group of employees and making generalized allegations regarding two officers of Florida Power & Light Company. A broad investigation was immediately initiated to determine whether there were any specific facts behind the generalities expressed in the letter and, if so, whether there was any validity to them. Approximately 150 confidential interviews were conducted with relevant FPL employees. These employees were informed that the company would not take negative action against anyone who honestly and forthrightly raised legitimate concerns. The investigators and employees interviewed have identified no evidence supporting any of the generalized claims made in the anonymous letter.

On Feb. 4, I received a second anonymous letter, dated Feb. 3, claiming to be from the same group of employees that submitted the Jan. 20 letter. In addition to repeating and expanding on the general allegations made in the Jan. 20 letter, the Feb. 3 letter claimed that "the actions of management ... involve breaking laws, ... and ... may involve fraud ... " It further claimed that the authors failed to respond to the company's internal investigation because of fear of retribution, notwithstanding our assurances to the contrary. This letter is posted on our [internal Web site](#). While this letter raised the level of the allegations, no specific facts or actions were cited to support them.

I have told you all on many occasions that FPL Group is committed to the highest standards of ethical behavior and that we take any allegation of wrongdoing seriously. FPL Group is also committed to a policy of non-retribution for any employee who raises an issue of legitimate concern in a constructive, forthright manner. In light of the serious nature of allegations in the Feb. 3 letter, as well as the unwillingness of its authors to provide specific facts supporting their allegations, additional steps are being taken.

FPL Group is committed to providing accurate information at all times to government agencies, investors and the public at large, and will not tolerate anything less. While we follow rigorous processes, including extensive cross-functional and legal reviews, to develop and validate information we present to our external stakeholders, we also have a well-established policy regarding the evaluation of any allegation of improper conduct related to financial reporting or financial controls. That policy is being followed now and provides for a Review Board (composed of Executive Vice President and General Counsel Charles Sieving, Executive Vice President of Finance and Chief Financial Officer Armando Pimentel, Executive Vice President of Human Resources Jim Poppell and Vice President of Internal Auditing Maria Fogarty) to assess the allegations and recommend a course of action. The Review Board is being overseen by the Audit Committee of the FPL Group Board of Directors.

At the suggestion of the Review Board, a follow-on investigation, to be conducted by a major Florida-based law firm with which FPL Group has no significant relationships, has been initiated. The firm, Carlton Fields, P.A., has been retained to determine whether any of the allegations raised in the Feb. 3 letter have any basis in fact. The Carlton Fields firm will be commencing its investigation immediately.

We do not condone the conduct alleged in the anonymous letters, but we cannot address unsupported and unsubstantiated claims. I urge any employee who believes he or she has any evidence of an FPL Group company providing false or misleading information or who has other information that he or she believes might be relevant to this investigation to contact Paul Calli, Esq., of Carlton Fields, P.A., at 305-530-4065 or 305-530-0055 (fax) without delay or, alternatively, to contact any member of the Review Board. You also can call our Code of Business Conduct and Ethics hotline on a confidential or anonymous basis at 888-██████████. In addition to these reporting options, we also will be posting instructions for reporting on a confidential or anonymous basis to an independently administered, third-party reporting service. I want to stress again that there will be no retribution toward any employee who honestly and forthrightly raises legitimate concerns.

At this point, I cannot tell you how long this investigation will last and, of course, I don't know what its outcome will be. However, I remain committed to communicating with all of you so that we all can continue our outstanding track record of delivering value to our customers and our shareholders.

Lew Hay  
Chairman & CEO  
FPL Group

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