

Marguerite McLean

060038 - EI

From: Goorland, Scott [Scott.Goorland@fpl.com]
Sent: Tuesday, March 30, 2010 2:15 PM
To: Filings@psc.state.fl.us
Subject: Electronic Filing / Docket 060038-EI / FPL's Annual Certificate of Compliance and External Auditors Report
Attachments: Dkt 060038-EI03.30.10.Cert.of Compliance.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Scott A. Goorland, Esq.
700 Universe Boulevard
Juno Beach, FL 33408
561-304-5639
scott.goorland@fpl.com

b. Docket No. 060038-EI

In Re: Petition for issuance of a storm recovery financing order, by Florida Power & Light Company.

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

d. There are a total of 8 pages.

e. The document attached for electronic filing is Florida Power & Light Company's Annual Certificate of Compliance and External Auditors Report

Scott A. Goorland, Esq.
700 Universe Boulevard
Juno Beach, FL 33408
561-304-5639
scott.goorland@fpl.com

DOCUMENT NUMBER - DATE

02285 MAR 30 e

FPSC-COMMISSION CLERK

3/30/2010

ANNUAL CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that he is the duly elected and acting Manager of FLORIDA POWER & LIGHT COMPANY, as servicer (the "Servicer") under the Storm-Recovery Property Servicing Agreement, dated as of May 22, 2007 (the "Servicing Agreement"), between the Servicer and FPL RECOVERY FUNDING LLC (the "Issuer"), and further certifies on behalf of the Servicer that:

1. A review of the activities of the Servicer and of its performance under the Servicing Agreement during the twelve months ended December 31, 2009 has been made under the supervision of the undersigned pursuant to Section 3.04 of the Servicing Agreement; and
2. To the undersigned's knowledge, based on such review, the Servicer has fulfilled all of its material obligations in all material respects under the Servicing Agreement throughout the twelve months ended December 31, 2009.

Executed as of this 24 day of MARCH.

By:



Name: Paul I. Cutler
Title: Treasurer and Manager

DOCUMENT NUMBER-DATE

02285 MAR 30 09

FPSC-COMMISSION CLERK



Deloitte & Touche LLP
Certified Public Accountants
Suite 400
200 South Biscayne Boulevard
Miami, FL 33131-2310
USA

Tel: +1 305 372 3100
Fax: +1 305 372 3160
www.deloitte.com

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

Florida Power & Light Company
Juno Beach, Florida

We have examined management's assertion, included in the accompanying Management's Report on Assessment of Compliance with SEC Regulation AB Servicing Criteria, that Florida Power & Light Company (the "Company") complied with the servicing criteria set forth in Item 1122(d) of the Securities and Exchange Commission's Regulation AB pursuant to Section 3.04 of the Storm-Recovery Property Servicing Agreement dated May 22, 2007, applicable for FPL Recovery Funding LLC's Senior Secured Bonds, Series A (the "Platform") as of and for the year ended December 31, 2009, excluding criteria 1122(d)(1)(ii), (1)(iii), (1)(iv), (2)(iii), (2)(vi), (3)(iii), (3)(iv), (4)(iii), (4)(v), (4)(ix), (4)(xi), (4)(xii), (4)(xiii) and (4)(xv), which management has determined are not applicable to the activities performed by the Company with respect to the Platform. Management is responsible for the Company's compliance with the servicing criteria. Our responsibility is to express an opinion on management's assertion about the Company's compliance with the servicing criteria based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants, as adopted by the Public Company Accounting Oversight Board (United States), and, accordingly, included examining, on a test basis, evidence about the Company's compliance with the applicable servicing criteria, including tests on a sample basis of the servicing activities related to the Platform, determining whether the Company performed those selected activities in compliance with the servicing criteria during the specified period, and performing such other procedures as we considered necessary in the circumstances. Our procedures were limited to selected servicing activities performed by the Company during the period covered by this report and, accordingly, such samples may not have included servicing activities related to each asset-backed transaction included in the Platform. Further, an examination is not designed to detect noncompliance arising from errors that may have occurred prior to the period specified above that may have affected the balances or amounts calculated or reported by the Company during the period covered by this report. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Company's compliance with the servicing criteria.

In our opinion, management's assertion that the Company complied with the aforementioned applicable servicing criteria as of and for the year ended December 31, 2009 for FPL Recovery Funding LLC's Senior Secured Bonds, Series A is fairly stated, in all material respects.

Miami, Florida
March 26, 2010

Member of
Deloitte Touche Tohmatsu

FORM OF ASSESSMENT OF SERVICING CRITERIA

1. I, Kimberly Ousdahl, the Vice President, Controller and Chief Accounting Officer of the Servicer, am responsible for assessing the Servicer's compliance with the servicing criteria set forth in Item 1122(d) of Regulation AB (the "Servicing Criteria").

2. With respect to each of the Servicing Criteria, I have made the following assessment of the Servicing Criteria in accordance with Item 1122(d) of Regulation AB, with such discussion regarding the performance of such Servicing Criteria during the year ended December 31, 2009 (such fiscal year, the "Assessment Period"):

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
	General Servicing Considerations	
1122(d)(1)(i)	Policies and procedures are instituted to monitor any performance or other triggers and events of default in accordance with the transaction agreements.	Applicable; assessment below.
1122(d)(1)(ii)	If any material servicing activities are outsourced to third parties, policies and procedures are instituted to monitor the third party's performance and compliance with such servicing activities.	Not applicable; no servicing activities were outsourced.
1122(d)(1)(iii)	Any requirements in the transaction agreements to maintain a back-up servicer for the storm-recovery property are maintained.	Not applicable; documents do not provide for a back-up servicer.
1122(d)(1)(iv)	A fidelity bond and errors and omissions policy is in effect on the party participating in the servicing function throughout the reporting period in the amount of coverage required by and otherwise in accordance with the terms of the transaction agreements.	Not applicable; rules of the Florida commission govern performance requirements of persons handling customer collections.
	Cash Collection and Administration	
1122(d)(2)(i)	Payments on storm-recovery property are deposited into the appropriate custodial bank accounts and related bank clearing accounts no more than two business days following receipt, or such other number of days specified in the transaction agreements.	Applicable; assessment below.
1122(d)(2)(ii)	Disbursements made via wire transfer on behalf of an	Applicable; assessment

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
	obligor or to an investor are made only by authorized personnel.	below.
1122(d)(2)(iii)	Advances of funds or guarantees regarding collections, cash flows or distributions, and any interest or other fees charged for such advances, are made, reviewed and approved as specified in the transaction agreements.	Not applicable; per the Indenture Agreement, the Issuer shall not make any loan or advance or credit to, or guarantee. Per the Servicing Agreement, the Servicer is not authorized to make any advances.
1122(d)(2)(iv)	The related accounts for the transaction, such as cash reserve accounts or accounts established as a form of overcollateralization, are separately maintained (e.g., with respect to commingling of cash) as set forth in the transaction agreements.	Applicable, but no current assessment is required; no reserve accounts are held by the Servicer. Reserve and other transaction accounts are maintained and applied by the Trustee in accordance with the Indenture.
1122(d)(2)(v)	Each custodial account is maintained at a federally insured depository institution as set forth in the transaction agreements. For purposes of this criterion, "federally insured depository institution" with respect to a foreign financial institution means a foreign financial institution that meets the requirements of Rule 13k-1(b)(1) of the Securities Exchange Act.	Applicable, but no current assessment required; all "custodial accounts" were maintained by the Trustee and invested in accordance with indenture requirements.
1122(d)(2)(vi)	Unissued checks are safeguarded so as to prevent unauthorized access.	Not applicable; all transfers made by wire transfer.
1122(d)(2)(vii)	Reconciliations are prepared on a monthly basis for all asset-backed securities related bank accounts, including custodial accounts and related bank clearing accounts. These reconciliations are (A) mathematically accurate; (B) prepared within 30 calendar days after the bank statement cutoff date, or such other number of days specified in the transaction agreements; (C) reviewed	Applicable; reconciliations of estimated remittances of storm-recovery charge remittances with actual storm-recovery bond collections are made on an annual basis as required by

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
	and approved by someone other than the person who prepared the reconciliation; and (D) contain explanations for reconciling items. These reconciling items are resolved within 90 calendar days of their original identification, or such other number of days specified in the transaction agreements.	Section 4.03 of the Servicing Agreement; assessment below
	Investor Remittances and Reporting	
1122(d)(3)(i)	Reports to investors, including those to be filed with the Commission, are maintained in accordance with the transaction agreements and applicable Commission requirements. Specifically, such reports (A) are prepared in accordance with timeframes and other terms set forth in the transaction agreements; (B) provide information calculated in accordance with the terms specified in the transaction agreements; (C) are filed with the Commission as required by its rules and regulations; and (D) agree with investors' or the trustee's records as to the total unpaid principal balance and number of pool assets serviced by the Servicer.	Applicable; assessment below.
1122(d)(3)(ii)	Amounts due to investors are allocated and remitted in accordance with timeframes, distribution priority and other terms set forth in the transaction agreements.	Applicable; assessment below.
1122(d)(3)(iii)	Disbursements made to an investor are posted within two business days to the Servicer's investor records, or such other number of days specified in the transaction agreements.	Not applicable; transaction documents do not permit Servicer to disburse payments to investors.
1122(d)(3)(iv)	Amounts remitted to investors per the investor reports agree with cancelled checks, or other form of payment, or custodial bank statements.	Not applicable; bondholders are paid by the Trustee in accordance with terms of the Indenture.
	Pool Asset Administration	
1122(d)(4)(i)	Collateral or security on storm-recovery property is maintained as required by the transaction agreements or related documents.	Applicable; assessment below.
1122(d)(4)(ii)	Storm-recovery property and related documents are safeguarded as required by the transaction agreements.	Applicable; assessment below.

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
1122(d)(4)(iii)	Any additions, removals or substitutions to the asset pool are made, reviewed and approved in accordance with any conditions or requirements in the transaction agreements.	Not applicable; no removals or substitutions of pool assets are contemplated or allowed under the transaction documents.
1122(d)(4)(iv)	Payments on pool assets, including any payoffs, made in accordance with the related storm-recovery property documents are posted to the Servicer's obligor records maintained no more than two business days after receipt, or such other number of days specified in the transaction agreements, and allocated to principal, interest or other items (e.g., escrow) in accordance with the related storm-recovery documents.	Applicable; assessment below.
1122(d)(4)(v)	The Servicer's records regarding the storm-recovery property agree with the Servicer's records with respect to an obligor's unpaid principal balance.	Not applicable; because underlying obligation (storm-recovery charge) is not an interest bearing instrument.
1122(d)(4)(vi)	Changes with respect to the terms or status of an obligor's storm-recovery property are made, reviewed and approved by authorized personnel in accordance with the transaction agreements and related pool asset documents.	Applicable; assessment below.
1122(d)(4)(vii)	Loss mitigation or recovery actions (e.g., forbearance plans, modifications and deeds in lieu of foreclosure, foreclosures and repossessions, as applicable) are initiated, conducted and concluded in accordance with the timeframes or other requirements established by the transaction agreements.	Applicable; assessment below.
1122(d)(4)(viii)	Records documenting collection efforts are maintained during the period any pool asset is delinquent in accordance with the transaction agreements. Such records are maintained on at least a monthly basis, or such other period specified in the transaction agreements, and describe the entity's activities in monitoring delinquent storm-recovery charges including, for example, phone calls, letters and payment rescheduling plans in cases where delinquency is deemed temporary (e.g., illness or unemployment).	Applicable, but does not require assessment. No explicit documentation requirement with respect to delinquent accounts are imposed under the transactional documents due to availability of "true-up" mechanism; and any such documentation is maintained

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
		in accordance with applicable Florida commission rules and regulations.
1122(d)(4)(ix)	Adjustments to interest rates or rates of return for storm-recovery property with variable rates are computed based on the related storm-recovery property documents.	Not applicable; storm-recovery charges are not interest bearing instruments.
1122(d)(4)(x)	Regarding any funds held in trust for an obligor (such as escrow accounts): (A) such funds are analyzed, in accordance with the obligor's storm-recovery property documents, on at least an annual basis, or such other period specified in the transaction agreements; (B) interest on such funds is paid, or credited, to obligors in accordance with applicable storm-recovery property documents and state laws; and (C) such funds are returned to the obligor within 30 calendar days of full repayment of the related storm-recovery property, or such other number of days specified in the transaction agreements.	Applicable, but does not require assessment; Servicer maintains customer deposits in accordance with the Florida commission rules and regulations.
1122(d)(4)(xi)	Payments made on behalf of an obligor (such as tax or insurance payments) are made on or before the related penalty or expiration dates, as indicated on the appropriate bills or notices for such payments, provided that such support has been received by the servicer at least 30 calendar days prior to these dates, or such other number of days specified in the transaction agreements.	Not applicable.
1122(d)(4)(xii)	Any late payment penalties in connection with any payment to be made on behalf of an obligor are paid from the servicer's funds and not charged to the obligor, unless the late payment was due to the obligor's error or omission.	Not applicable; servicer cannot make advances of its own funds on behalf of customers under the transactional documents.

	Servicing Criteria	Applicable Servicing Criteria
Reference	Criteria	
1122(d)(4)(xiii)	Disbursements made on behalf of an obligor are posted within two business days to the obligor's records maintained by the servicer, or such other number of days specified in the transaction agreements.	Not applicable; servicer cannot make advances of its own funds on behalf of customers to pay principal or interest on the bonds. Servicer may make advances of attorney/accountant fees to defend storm-recovery property.
1122(d)(4)(xiv)	Delinquencies, charge-offs and uncollectible accounts are recognized and recorded in accordance with the transaction agreements.	Applicable; assessment below.
1122(d)(4)(xv)	Any external enhancement or other support, identified in Item 1114(a)(1) through (3) or Item 1115 of Regulation AB, is maintained as set forth in the transaction agreements.	Not Applicable; no external credit support or derivatives were employed.

Based on such review, and to the best of my knowledge, the Servicer is in compliance in all material respects with the applicable servicing criteria set forth above for the Assessment Period.

3. The registered public accounting firm's attestation report has been issued in accordance with Section 1122(b) of Regulation AB for such fiscal year.

Executed this 23rd day of March, 2010.

FLORIDA POWER & LIGHT
COMPANY,
as Servicer

Date:

By: Kimberly Ousdahl
Kimberly Ousdahl
Vice President, Controller and Chief
Accounting Officer