

# **EXHIBIT D**

# **AFFIDAVIT**

DOCUMENT NUMBER-DATE

01730 APR-5 20

FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 130001-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, Wholesale Operations in the Energy Marketing and Trading Division Department. 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 Fuel Hedging Information. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information consist of trade secrets of FPL that contain data pertinent to FPL's hedging program. Specifically, the documents contain information regarding FPL's monthly hedging results for natural gas and heavy fuel oil. The disclosure of this trade-secret information would provide other participants in the fuel and financial markets insight into FPL's hedging practices that would allow them to anticipate FPL's trading decisions and impair FPL's ability to negotiate for these commodities, to the detriment of FPL and its customers. Disclosure of this information would also place FPL at a competitive disadvantage when coupled with other information that is publicly available. 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 3rd day of April 2013, by Gerard J. Yupp, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

*Maritza Miranda-Wise*  
Notary Public, State of Florida

My Commission Expires:



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