

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 130001-EI  
Date: August 26, 2013

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 11-006-4-1**

Pursuant to Section 366.093, Florida Statutes (2012) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2011) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") requests its first extension of confidential classification of certain material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 11-006-4-1 ("the Audit"). In support of this request, FPL states as follows:

1. On July 12, 2011 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("July 12, 2011 Request"). By Order No. PSC-12-0112-CFO-EI, dated March 13, 2012 ("Order 0112"), the Commission granted FPL's July 12, 2011 Request. FPL adopts and incorporates by reference the July 12, 2011 Request and Order 0112.

2. The period of confidential treatment granted by Order 0112 will soon expire. The Confidential Information that was the subject of FPL's July 12, 2011 Request and Order 0112 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibit A and Exhibit B to the July 12, 2011 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. Included with this request are First Revised Exhibit C and First Revised Exhibit D. First Revised Exhibit D consists of the affidavits of J. Carine Bullock, Lisa Fuca and Gerard J. Yupp. Regarding First Revised Exhibit C, all of the information listed in the July 12, 2011 Request remains confidential; that Exhibit is revised only to identify Lisa Fuca as a new affiant.

5. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

6. As the affidavits included in First Revised Exhibit D indicate, certain information provided by FPL contains information related FPL's security measures. Such information is protected by Section 366.093(3)(c).

7. Additionally, certain documents contain information contractual data such as pricing and other terms, payment records, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. This information is protected by Section 366.093(d).

8. Also, some documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Certain information in these documents and materials would also place FPL at a disadvantage when

coupled with other information that is publicly available. This information is protected by Section 366.093(3)(e).

9. Nothing has changed since the Commission entered Order 0112 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

10. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat. (2012).

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler  
Associate General Counsel – Regulatory  
Maria J. Moncada  
Principal Attorney  
Florida Power & Light Company  
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By: /s/ Maria J. Moncada  
Maria J. Moncada  
Fla. Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 130001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing First Request for Extension of Confidential Classification (\*) has been furnished by electronic mail this 26th day of August, 2013 to the following:

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/s/ Maria J. Moncada

Maria J. Moncada

\* The exhibits to this Request are not included with the service copies, but a copy of First Revised Exhibits C and D are available upon request.

# **FIRST REVISED EXHIBIT C**

**REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** FPL, Capacity Cost Recovery  
**AUDIT CONTROL NO:** 11-006-4-1  
**DOCKET NO:** 130001-EI  
**DATE:** August 26, 2013

<b>Workpaper No.</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf Y/N</b>	<b>Line No./Column No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Affiant</b>
41-2/1	Recalculation of Bills	2	N			
41-2/2	Recalculation of Bills	2	N			
41-2/3	Recalculation of Bills	3	N			
41-2/4	Recalculation of Bills	1	N			
41-3	Recalculation of Bills	4	N			
44-1	FINS Report 506.075	6	Y	Pg. 1, Cols. G, H, N Pg. 2, Cols. G, J, N Pg. 3, Cols. G, N Pg. 4, Cols. G, N Pg. 5, Cols. G, N Pg. 6, Cols. G, N	(c), (d)	J. C. Bullock
44-1/1	Sample Item 3, 4	1	Y	Pg. 1, Lines 10, 12-15	(c)	J. C. Bullock
44-1/1-1	Sample Item 3, 4	2	Y	Pg. 1, Lines 10-13a, 15-16, 21 Pg. 2, Lines 9, 12, 13, 16-18	(c), (d)	J. C. Bullock
44-1/1-2	Sample Item 3, 4	3	Y	Pg. 1, Lines 9-12, 25-26, 29-36 Pg. 2, Lines 1-5 Pg. 3, Lines 7-10, 13	(c), (e)	J. C. Bullock
44-1/2	Sample Item 8	1	Y	Pg. 1, Lines 9-14	(c)	J. C. Bullock
44-1/2-1	Sample Item 8	1	Y	Pg. 1, Lines 16-20, 23	(c), (e)	J. C. Bullock
44-1/2-2	Sample Item 8	2	Y	Pg. 1, Lines 8-11, 13-14, 24, 28-30 Pg. 2, Lines 21-24	(c), (e)	J. C. Bullock
44-1/3	Sample Item 1	1	Y	Pg. 1, Lines 5a, 9-11a, 13, 18-36	(e)	J. C. Bullock
44-1/3-1	Sample Item 1	1	Y	Line 13	(c), (d)	J. C. Bullock
44-1/3-2	Sample Item 1	1	Y	Lns 11-14	(c), (e)	J. C. Bullock
44-1/3-3	Sample Item 1	1	Y	Col. G	(e)	J. C. Bullock
44-1/3-4	Sample Item 1	1	Y	Lns 1-5	(c), (e)	J. C. Bullock
44-1/4	Sample Item 5, 6	1	Y	Line 8	(c)	J. C. Bullock

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Affiant
44-2	FINS Report 524.220	6	N			
44-2/1	Sample Item Explanation	2	N			
44-2/1-1	Sample Item Explanation	1	Y	Cols. A-B	(c), (d)	L. Fuca
44-2/1-2	Sample Item Explanation	1	N			
44-2/1-3	Sample Item Explanation	1	N			
44-2/1-3/1	Sample Item Explanation	1	N			
44-2/1-3/1-1	Sample Item Explanation	1	N			
44-2/1-3/1-2	Sample Item Explanation	1	N			
44-2/1-3/1-3	Sample Item Explanation	1	N			
44-2/3	Sample Item Explanation	1	N			
44-2/3-1	Sample Item Explanation	4	Y	Pg. 1, Lns. 6 -44 Pg. 2, All Pg. 3, All Pg. 4, Lns. 1 23, 27-28, 33 - 36	(c)	L. Fuca
44-3	FINS Report 549.075	4	Y	Pg. 1, Cols. G, H Pg. 2, Cols. G, L Pg. 3, Col. G Pg. 4, Cols. G, L	(c), (e)	J. C. Bullock
44-3/1	Sample Item 6	1	Y	Lns 8-17	(c)	J. C. Bullock
44-3/2	Sample Item 3, 4	1	Y	Lns 8-16	(c)	J. C. Bullock
44-3/3	Sample Item 5	1	Y	Lns 11-15	(c)	J. C. Bullock
44-3/4	Sample Item 2	1	Y	Lns 8-17	(c)	J. C. Bullock
44-3/5	Sample Item 1	1	Y	Lns 4-12	(c)	J. C. Bullock
44-3/5-1	Sample Item 1	2	Y	Pg. 1, Lines 10-13, 17-29 Pg. 2, Lines 14-15	(c), (d)	J. C. Bullock
44-3/5-2	Sample Item 1	9	Y N Y	Pg. 1, line 3 Pg. 2 Pgs. 3-9, ALL	(c), (d), (e)	J. C. Bullock
45-1	Monthly UPS Summary	1	N			
45-1/1	Journal Entry	1	N			
45-1/1-1	UPS Interest Calculation	1	N			
45-1/1-1/1	True Up Backup	3	N			
45-1/1-1/1-1	Southern Contract	3	N			
45-1/1-1/1-1/1	Alabama Bill	4	N			



Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Affiant
45-1/1-2	Source of Admin Costs	1	N			
45-2	Monthly UPS Summary	1	N			
45-2/1	Ledger Entry	1	N			
	Adjustments by Unit	2	N			
45-2/1-1/1	True Up Backup	1	N			
46-1	Schedule A-12	1	N			
46-1/1	Schedule A-12	1	N			
46-1/2	Invoice	1	Y	Line 12	(d), (e)	G. Yupp
46-1/2-1	Invoice	1	Y	Lns. 6-10, 12-13, 15-24	(d), (e)	G. Yupp
46-1/2-2	Transfer Request	1	N			
46-1/3	Invoice	1	N			
46-1/3-1	Invoice	1	Y	Lns 6-9, 11-12, 14-19, 22-23	(d), (e)	G. Yupp
46-1/3-2	Transfer Request	1	N			
46-1/4	Invoice	1	N			
46-1/4-1	Invoice	1	N			
46-1/4-1/1	Contract Payment	1	N			
46-1/4-1/1-1	Contract Payment	1	N			
46-1/4-2	Transfer Request	1	N			
46-1/5	Invoice	1	N			
46-1/5-1	Invoice	1	Y	Lns. 5-8, 10, 12-17	(d), (e)	G. Yupp
46-1/5-1/1	Contract Payment	1	Y	Col. A	(d), (e)	G. Yupp
46-1/5-1/2	Contract Payment	4	Y	ALL	(d), (e)	G. Yupp
46-1/5-1/2-1	Contract Payment	1	Y	Col. B	(d), (e)	G. Yupp
46-1/5-2	Transfer Request	1	N			
46-1/6	Invoice	1	N			
46-1/6-1	Invoice	1	Y	Lns. 5-8, 10, 12-17	(d), (e)	G. Yupp
46-1/6-1/1	Contract Payment	5	Y	Pg. 1, ALL	(d), (e)	G. Yupp
46-1/6-1/1-1	Contract Payment	1	Y	Col. A	(d), (e)	G. Yupp
46-1/6-2	Transfer Request	1	N			
46-2	Schedule A-12	1	N			
46-2/1	Schedule A-12	1	N			
46-2/2	Invoice	1	N			
46-2/2-1	Invoice	1	Y	Lns. 4-8, 10-11, 13-22	(d), (e)	G. Yupp
46-2/2-2	Transfer Request	1	N			
46-2/3	Invoice	1	N			
46-2/3-1	Invoice	1	Y	Lns. 4-7, 9-10, 12-17, 20-21	(d), (e)	G. Yupp
46-2/3-2	Transfer Request	1	N			
46-2/4	Invoice	1	N			
46-2/4-1	Invoice	1	Y	Lns. 5-8, 10, 12-17	(d), (e)	G. Yupp
46-2/4-2	Transfer Request	1	N			
46-2/5	Invoice	1	N			
46-2/5-1	Invoice	1	Y	Lns. 5-8, 10, 12-17	(d), (e)	G. Yupp
46-2/5-2	Transfer Request	1	N			
47-1	Long Term Purchases	1	Y	Col. G & K	(d), (e)	G. Yupp
47-1/1	Invoice	1	Y	Col. A, Side Note 1-4	(d), (e)	G. Yupp
47-1/1-1	Invoice	2	Y	Pgs. 1-2, Cols. A-B	(d), (e)	G. Yupp
47-1/1-2	Deal Statement	1	Y	Lns. 2, 9-10, Col. A	(d), (e)	G. Yupp
47-1/2	Invoice	1	Y	Col. A, Footnotes 1-3	(d), (e)	G. Yupp

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Affiant
47-1/2-1	Invoice	2	Y	Pgs. 1-2, Ln. 5, Col. A	(d), (e)	G. Yupp
47-1/2-2	Deal Statement	1	Y	Lns. 3, 10-11, col. A	(d), (e)	G. Yupp
47-1/2-3	Contract Payment	2	Y	ALL	(d), (e)	G. Yupp
47-1/3	Invoice	1	Y	Cols. A-D	(d), (e)	G. Yupp
47-1/3-1	Invoice	2	Y	Pgs. 1-2, Ln. 5, Col. A	(d), (e)	G. Yupp
47-1/3-2	Deal Statement	1	Y	Lns. 3, 10-11, Col. A	(d), (e)	G. Yupp
47-1/3-3	Contract Payment	1	Y	ALL	(d), (e)	G. Yupp
47-1/4	Invoice	1	Y	Lns. 14-29	(d), (e)	G. Yupp
47-1/4-1	Invoice	3	Y	Pgs. 1-3, Ln. 5, Col. A	(d), (e)	G. Yupp
47-1/4-2	Deal Statement	1	Y	Lns. 3, 10-11, Col. A	(d), (e)	G. Yupp
47-1/4-3	Contract Payment	1	Y	ALL	(d), (e)	G. Yupp
48-1	Transmission	1	N			
48-1/1	Invoice	1	N			
48-1/1-1	Invoice	2	N			
48-1/1-2	Deal Maintenance Form	1	N			
48-1/2	Transmission Service Billing	1	N			
48-1/2-1	Power Sold	1	N			
48-1/2-2	Billing Detail	1	N			
48-1/2-2/1	Transmission Deal Checkout	1	N			
48-1/2-2/1-1	Deal Form	1	Y	Col. A	(d), (e)	G. Yupp
48-1/2-2/2	Provider Rate Schedule	1	N			
48-2	Transmission	1	N			
48-2/1	Transmission Service Billing	1	N			
48-2/1-1	Power Sold	1	N			
48-2/2	Billing Detail	1	N			
48-2/2-1	Transmission Deal Checkout	1	N			
48-2/2-2	Deal Form	1	Y	Col. A	(d), (e)	G. Yupp
48-3	Account 447.120	1	N			
49 P 2&3	Monthly SJRPP Payments	2	N			
49-1	GL Summary	3	N			
49-1/1	Debt Service	1	N			
49-1/2	Transmission	2	N			
49-1/3	CCRA Payment	2	N			
49-1/4	Dismantlement Accrual	1	N			
49-1/5	Property Tax	1	N			
49-1/5-1	Property Tax	2	N			
49-1/6	Sales Billing	5	N			
49-1/7	SJRPP Invoices	5	N			
49-1/8	Deferred Interest	1	N			
49-2	Monthly SJRPP Payments	2	N			

<b>Workpaper No.</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf Y/N</b>	<b>Line No./Column No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Affiant</b>
49-2/1	Sales Billing Summary	5	N			
49-2/2	SJRPP Invoices	4	N			

# **FIRST REVISED EXHIBIT D**

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 130001-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

**AFFIDAVIT OF J. CARINE BULLOCK**


**BEFORE ME**, the undersigned authority, personally appeared J. Carine Bullock who, being first duly sworn, deposes and says:

1. My name is J. Carine Bullock. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Production Assurance and Business Services. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed First Revised Exhibit C, and the documents that are incorporated and referenced in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 11-006-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning FPL's security measures. Additionally, the documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Some documents also contain or constitute bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future. Specifically, the information relates to services provided for compliance with North American Electric Reliability Corporation Critical Infrastructure Protection requirements and amounts paid to vendors for those services.

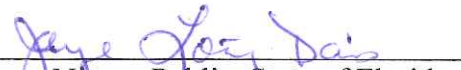
3. Nothing has occurred since the issuance of Order No. PSC-12-0112-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. These materials 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.

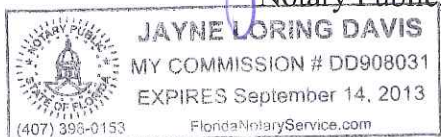
4. Affiant says nothing further.

  
\_\_\_\_\_  
J. Carine Bullock

**SWORN TO AND SUBSCRIBED** before me this 23<sup>rd</sup> day of August 2013, by J. Carine Bullock, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

My Commission Expires 9-14-13

  
\_\_\_\_\_  
Notary Public, State of Florida



FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 130001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF PALM BEACH )

AFFIDAVIT OF LISA FUCA

BEFORE ME, the undersigned authority, personally appeared Lisa Fuca who, being first duly sworn, deposes and says:

1. My name is Lisa Fuca. I am currently employed by Florida Power & Light Company ("FPL") as Specialist, Nuclear Business Operations. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed First Revised Exhibit C, and the documents that are incorporated and referenced in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 11-006-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute Specifically, the documents include data related to security measures and negotiated agreements for the protection of FPL facilities at St. Lucie Plant. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-12-0112-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. These materials 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.

*Lisa Fuca*  
\_\_\_\_\_  
Lisa Fuca

SWORN TO AND SUBSCRIBED before me this 22nd day of August 2013, by Lisa Fuca, who is personally known to me or who has produced Personally Known (type of identification) as identification and who did take an oath.

*Jo Retha Forbes*  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:



FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 130001-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

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 First Revised Exhibit C, and the documents that are incorporated and referenced, in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 11-006-4-1, for which I am listed as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, payment records, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract for capacity and energy on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a 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. Nothing has occurred since the issuance of Order No. PSC-12-0112-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. These materials 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 23 day of August 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:

