

**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: September 30, 2013

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 09-190-4-1**

Pursuant to Section 366.093, Florida Statutes (2012) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 09-190-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On October 21, 2009 ("October 21, 2009 Request") FPL filed a Request for Confidential Classification of the Confidential Information. The October 21, 2009 Request included Exhibits A, B, C, and D. By Order No. PSC-12-0167-CFO-EI, dated April 2, 2012 ("Order 0167"), the Commission granted FPL's October 21, 2009 Request. FPL adopts and incorporates by reference the October 21, 2009 Request and Order 0167.

2. The period of confidential treatment granted by Order 0167 will soon expire. The Confidential Information that was the subject of FPL's October 21, 2009 Request and Order 0167 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 October 21, 2009 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 Gerard J. Yupp, Elizabeth Fuentes, Martin A. Garmendia and Robert B. Sendler. Regarding First Revised Exhibit C, all of the information listed in the October 21, 2009 Request remains confidential; that Exhibit is revised only to make clarifying revisions and to identify new affiants Elizabeth Fuentes and Robert B. Sendler .

5. The Confidential Information continues to be treated by FPL as proprietary and confidential business information, 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 Exhibit D indicate, certain documents provided by FPL contain trade secrets of FPL. Such information is protected by Section 366.093(3)(a), F.S. The materials provided by FPL also contain contractual information, the disclosure of which would impair FPL's ability to contract for goods and services on favorable terms in the future. Such information is protected pursuant to Section 366.093(3)(d), F.S. Much of the information is also competitively sensitive, and could impair the competitive interests of FPL or the provider of the information. Such information is protected pursuant to Section 366.093(3 (e), F.S.

7. The materials also contain competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. Such information is protected by Section 366.093(3)(e), Florida Statutes.

8. Nothing has changed since the Commission entered Order 0167 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

9. 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  
Assistant General Counsel - Regulatory  
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By:  /s/ Maria J. Moncada  
Maria J. Moncada  
Florida Bar No. 0773301

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

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification was served by electronic mail this 30th day of September, 2013 to the following:

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By: /s/ Maria J. Moncada  
Maria J. Moncada

# FIRST REVISED EXHIBIT C

**FIRST REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Work Papers  
**AUDIT:** FPL, Hedging Transactions  
**AUDIT CONTROL NO:** 09-190-4-1  
**DOCKET NO.** 130001- EI

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
2	Filing	12	Y	Pgs. 1 – 5, Lines 4 – 9, Cols. C - F	(a), (d), (e)	G. Yupp
			Y	Pgs. 6 – 12, Lines 4 – 9, Cols. C - F	(a), (d), (e)	
2-1	Filing	12	Y	Pgs. 1 – 5, Lns. 4 – 9, Cols. C - F	(a), (d), (e)	G. Yupp
			Y	Pgs. 6 – 12, Lns. 4 – 9, Cols. C - F	(a), (d), (e)	
9	External Audit	4	Y	Pgs. 1 – 4, All	(a), (e)	E. Fuentes
10-1	Response to Document Request	1	Y	Pg. 1, Lns. 34 -35	(e)	G. Yupp
12	Trial Balance	11	Y	Pg. 1, Lines 9, 17, 24	(d)	M. Garmendia
			Y	Pg. 2, Lines 7, 15, 23		
			Y	Pg. 3, Lines 10, 17		
			Y	Pg. 4, Lines 4, 11, 20		
			Y	Pg. 5, Line 9		
			Y	Pg. 6, Line 20		
			N	Pg. 7,		
			Y	Pg. 8, Line 4, 8		
			N	Pg. 9,		
			Y	Pg. 10, Lines 4, 14, 19		
Y	Pg. 11, Lines 5, 13, 24					
42-1	Risk Management Plan	11	N	Pgs. 1 -5	(e)	G. Yupp
			Y	Pg 6, Lines 15, 18, 20, 22, 23, 25, 26, 34 & 35		
			Y	Pg. 7, Lines 2, 11, 13, 15, 16, 18, 19, 27 & 28		
			Y	Pg. 8, Lines 7, 10, 12, 14, 15, 17, 18, 28 & 29		
			Y	Pg. 9, Lines 2, 6, 8, 9, 11, 12, 22, 23, 26 - 32		
			N	Pgs. 10 - 11		
42-2	Trading & Risk Management Policy	26	Y	Pgs. 1 – 26, All	(e)	G. Yupp
42-3	Trading & Risk Management Policy	78	Y	Pgs. 1 – 78, All	(e)	G. Yupp
42-3/1	Summary of Changes	1	Y	Pg 1, All	(e)	G. Yupp
43-3/2	Summary of Changes	1	Y	Pg. 1, All	(e)	G. Yupp
43	Summary	6	Y	Pg. 1, Lines 29, 31	(d), (e)	G. Yupp
			N	Pg 2		
			Y	Pg. 3, Lines 1 – 3, Cols. A - M		
			Y	Pg. 4, Lines 1 – 3, 7 – 8, 10, 11, 14, 15, 17 - 21		
			Y	Pg. 5, Lines. 11, 13 – 24, 26 - 27		
			Y	Pg. 6, Lines 4 - 5		
43-1	Hedging Gains/ (Losses)	2	Y	Pgs. 1 – 2, Cols. A - E	(d), (e)	G. Yupp

Work paper No.	Description	No. of pgs.	Conf. Y/N	Line No./Col. No.	Line No./Col. No. Florida Statute 366.093(3) Subsection	Affiant
43-1/1	Lehman Brothers	2	N Y	Pg 1, Pg 2, Lines 3, 9, 11, 14 & 20	(d), (e)	G. Yupp
43-1/1-1	Lehman Brothers	1	Y	Pg. 1, Lines 5, 6, 9, 10, 12 - 19	(d), (e)	G. Yupp
43-1/1-2	Lehman Brothers	3	Y	Pg. 1, Cols. A - G	(d), (e)	G. Yupp
			Y	Pg. 2, Cols. A - G		
			Y	Pg. 3, Cols A - B		
43-1/1-3	Lehman Brothers	3	Y	Pgs. 1 – 3, All	(d), (e)	G. Yupp
43-1/1-3/1	Lehman Brothers	1	Y	Pg. 1, Lns 4 - 7	(d), (e)	G. Yupp
43-1/1-3/2	NYMEX	1	N	Pg. 1	(d), (e)	G. Yupp
43-1/1-3/3	Lehman Brothers	1	Y	Pg. 1, All	(d)	G. Yupp
43-1/1-3/4	Lehman Brothers	3	Y	Pg. 1, Cols. A - L	(d), (e)	G. Yupp
			Y	Pgs. 2 – 3 , Cols. A – F, H - L		
43-1/1-4	Lehman Brothers	2	Y	Pgs. 1 -2, All	(d), (e)	G. Yupp
43-1/1-4/2	Yield Curve	1	Y	Pg. 1, Lines 7 – 10, 13 - 22	(e)	G. Yupp
43-1/1-5	Lehman Brothers	3	Y	Pg. 1, Line 22	(d), (e)	G. Yupp
			N	Pg. 2		
			Y	Pg. 3, Cols. A - E		
43-1/1-5/1	Lehman Brothers	2	N	Pg. 1	(d), (e)	G. Yupp
			Y	Pg. 2, Cols. A & I		
43-1/1-6	Lehman Brothers	18	Y	Pgs. 1 – 18, All	(d), (e)	G. Yupp
43-1/1-7	Lehman Brothers	1	N	Pg. 1		
43-1/1-8	Lehman Brothers	1	N	Pg. 1		
43-1/1-8/1	Lehman Brothers	1	N	Pg. 1		
43-1/1-8/2	Lehman Brothers	4	Y	Pg. 1 – 4, All	(e)	R. Sandler
43-1/1-8/3	Lehman Brothers	5	Y	Pg. 1, Lns. 1 – 20, 22 - 25	(e)	R. Sandler
			Y	Pgs. 2 – 5, All		
43-1/1-9	Lehman Brothers	2	Y	Pg. 1, Lns.	(d), (e)	G. Yupp
			N	Pg. 2		
43-1/2	Lehman Brothers	1	Y	Pg. 1, Lines 3 – 5, 10, 18 – 20, 23 – 25, 28 – 32, 34 - 42	(d), (e)	G. Yupp
43-2	Filing	12	Y	Pgs. 1 – 12, Cols. C - F	(a), (d), (e)	G. Yupp
43-2/1	Sample	1	Y	Pg. 1, Cols. A - D	(d)	G. Yupp
43-2/2	Derivative Settlements	9	Y	Pgs. 1 – 9, All	(d), (e)	G. Yupp
43-2/2-1	Purchase Statement	2	Y	Pg. 1, Ln. 3, Cols. A - E	(d)	G. Yupp
			Y	Pg. 2, Ln 3, Cols. A - E		
43-2/2-2	Invoice	1	Y	Pg. 1, Lines 1, 9 – 29 & 35	(d)	G. Yupp
43-2/3	Gas Closing Report	2	Y	Pg. 1, Cols. A - D	(d), (e)	G. Yupp
			Y	Pg. 2, Cols. A - B		
43-2/3-1	Natural Gas Price Computations	2	Y	Pg. 1, Col. A	(d), (e)	G. Yupp
			N	Pg. 2		
43-3	Filing	12	Y	Pgs. 1 – 12, Cols. C - F	(a), (d), (e)	G. Yupp
43-3/1	Sample	1	Y	Pg. 1, Cols. A - D	(d)	G. Yupp

Work paper No.	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
43-3/2	Derivative Settlements	7	Y	Pgs. 1 – 7, All	(d), (e)	G. Yupp
43-3/2-1	Purchase Statement	2	Y	Pg. 1, Cols. A - E	(d)	G. Yupp
			Y	Pg. 2, Cols. A - C		
43-3/2-2	Invoice	1	Y	Pg. 1, Cols. A - F	(d)	G. Yupp
43-3/2-3	NYMEX	1	Y	Pg. 1, Ln. 3	(e)	G. Yupp
43-3/3	M&S Corrections & Adjustments	1	Y	Pg. 1, Col. H	(e)	G. Yupp
43-3/3-1	Financial Instrument	2	Y	Pgs. 1 – 2, Cols. A - C	(d), (e)	G. Yupp
43-4	Representation Letter	1	Y	Pg. 1, Lines 13, 15 & 18	(d)	G. Yupp
43-5	OTC	1	Y	Pg. 1, Col. A	(d)	G. Yupp
43-5/1	OTC	11	Y	Pg. 1 – 11, Cols. A - D	(d)	G. Yupp
43-5/2	OTC	1	Y	Pg. 1, Lines 11 – 13, 20 - 22	(e)	G. Yupp
43-6	Hedging Contracts	2	N	Pgs. 1 - 2		
43-6/1	Hedging Contracts	45	Y	Pgs. 1 – 45, All	(d)	G. Yupp
44-2	Payroll	2	Y	Pg. 1, Cols. C, F – G, I	(e)	G. Yupp
			Y	Pg. 2, Col. B		
44-2/1	Payroll	1	Y	Pg. 1, Cols. A - D	(e)	G. Yupp
44-2/1-1	Payroll	1	N	Pg. 1		
44-2/1-2	Payroll	1	N	Pg. 1		
44-2/1-3	Payroll	1	N	Pg. 1		
44-2/1-4	Payroll	2	Y	Pg. 1 – 2, Col. A	(e)	G. Yupp
44-2/2	Payroll	2	Y	Pg. 1, Lines 8 -12	(e)	G. Yupp
			N	Pg. 2		
44-2/3	Payroll	2	Y	Pg. 1, Lines 6 - 9	(e)	G. Yupp
			N	Pg. 2		
44-2/4	Payroll	2	Y	Pg. 1, Lines 8 - 13	(e)	G. Yupp
			N	Pg. 2		
44-2/5	Payroll	2	Y	Pg. 1, Lines 8 - 13	(e)	G. Yupp
			N	Pg. 2		
44-2/6	Payroll	2	Y	Pg. 1, Lines 8 - 13	(e)	G. Yupp
			N	Pg. 2		
44-2/7	Payroll	2	Y	Pg. 1, Lines 8 - 13	(e)	G. Yupp
			N	Pg. 2		
44-2/8	Payroll	2	Y	Pg. 1, Lines 8 - 13	(e)	G. Yupp
			N	Pg. 2		
44-2/9	Payroll	1	Y	Pg. 1, Cols. A - B	(e)	G. Yupp
44-2/11	Segregation of Duties	1	N	Pg. 1		
44-2/12	Segregation of Duties	8	Y	Pgs. 1 – 8, All	(e)	G. Yupp
44-2/13	Segregation of Duties	4	Y	Pgs. 1 – 4, All	(e)	G. Yupp
44-2/14	Segregation of Duties	6	Y	Pgs. 1 – 6, All	(e)	G. Yupp

Work paper No.	Description	No. of Pages	Conf Y/N	Line No./Col/ No.	Florida Statute 366.093(3) Subsection	Affiant
44- 2/15	Segregation of Duties	1	Y	Pg. 1, All	(e)	G. Yupp
45	Rebalancing	1	Y	Pg. 1, Lines 8, 16 - 17	(e)	G. Yupp
45-1	Rebalancing	1	Y	Pg. 1, Ln, 3, Cols. D - I	(e)	G. Yupp
45-2	Rebalancing	1	Y	Pg. 1, Lines 1 -2, Cols. B, D - K	(e)	G. Yupp
45-2/1	PPS	2	Y	Pgs. 1 – 2, All	(e)	G. Yupp
45-2/1-1	PPS	2	Y	Pgs. 1 – 2, All	(e)	G. Yupp
45-2/1-2	PPS	3	Y	Pgs. 1 – 3, All	(e)	G. Yupp
45-2/2	PPS	3	Y	Pgs. 1 – 3, All	(e)	G. Yupp
45-2/2-1	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/2-2	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/2-3	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/2-4	PPS	2	Y	Pgs. 1 -2, All	(e)	G. Yupp
45-2/3	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/3-1	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/3-2	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/3-3	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/3-4	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/4	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/4-1	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/4-2	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/4-3	PPS	3	Y	Pgs. 1 -3, All	(e)	G. Yupp
45-2/5	Summary of PPS Changes	2	Y	Pg. 1, Lines 22 - 27	(e)	G. Yupp
			Y	Pg. 2, Lines 13 - 18		
45-3	Rebalancing	1	Y	Pg. 1, Lines 10, 11, 23 & 24	(e)	G. Yupp
45-3/1	Rebalancing	1	Y	Pg. 1, All	(d), (e)	G. Yupp
45-3/1-1	Rebalancing	3	Y	Pgs. 1 – 3, All	(d), (e)	G. Yupp
45-3/1-1/1	Rebalancing	3	Y	Pgs. 1 – 3, All	(d), (e)	G. Yupp
45-3/1-1/2	Rebalancing	3	Y	Pgs. 1 -3, All	(d), (e)	G. Yupp
45-3/2	Rebalancing	1	Y	Pg. 1, All	(e)	G. Yupp
45-3/2-1	Rebalancing	3	Y	Pgs. 1 – 3, All	(d), (e)	G. Yupp
45-3/2-2	Rebalancing	3	Y	Pgs. 1 – 3, All	(d), (e)	G. Yupp
45-3/2-3	Rebalancing	1	Y	Pg.1, Lines 8 – 10, 13 – 19, 21, 23 – 30, 32 - 33	(d), (e)	G. Yupp
45-3/2-3/1	Rebalancing	3	Y	Pgs. 1 – 3, All	(e)	G. Yupp
45-3/3	Rebalancing	1	N	Pg. 1		
45-3/3-1	Rebalancing	2	Y	Pgs. 1 -2, All	(e)	G. Yupp
45-3/3-2	Rebalancing	1	Y	Pgs.1, Lines 14 - 16	(e)	G. Yupp
45-3/3-2/1	Rebalancing	2	N	Pg. 1	(e)	G. Yupp
			Y	Pg. 2, Lines 14 - 15		
46-1	VaR	1	Y	Pg. 1, All	(d), (e)	G. Yupp
46-1/1	VaR	35	Y	Pgs. 1 – 35, All	(e)	G. Yupp
47-1	Sample Testing	1	Y	Pg. 1, Cols. E & J	(d), (e)	G. Yupp
47-1/1	Sample Testing	1	N	Pg. 1		
47-1/2	Sample Testing	1	Y	Pg. 1, Lines 5 & 15	(e)	G. Yupp
48	Testimony	4	N	Pgs. 1 - 4		
48-1	Testimony	4	N	Pgs. 1 - 4		

# FIRST REVISED EXHIBIT D

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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 the documents in Exhibit A, which is referenced and incorporated in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 09-190-4-1, for which I am identified 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 data pertinent to FPL's procurement activities and hedging program. Specifically, the documents contain information regarding physical and financial details related to FPL's annual hedging program for natural gas and fuel oil. Additionally, the information contains monthly realized values for FPL's hedge positions and the resulting impact on the cost of natural gas and oil. The disclosure of this information would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain of the information would also place FPL at a competitive disadvantage when coupled with other information that is publicly available. The documents also contain competitively sensitive employee information, including compensation. Public disclosure of compensation information would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. Additionally, this information is private to the employees identified, and disclosure would violate their personal rights of privacy. 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-12-0167-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

SWORN TO AND SUBSCRIBED before me this 25th day of September, 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.

  
Notary Public, State of Florida

My Commission Expires:



FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 130001-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF MARTIN A. GARMENDIA

BEFORE ME, the undersigned authority, personally appeared Martin A. Garmendia who, being first duly sworn, deposes and says:

1. My name is Martin A. Garmendia. I am currently employed by Florida Power & Light Company ("FPL") as Director, Property Accounting. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents in Exhibit A, which is referenced and incorporated in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 09-190-4-1, for which I am identified as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute contractual data, oil financial instruments, fuel status and inventory reports, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future. 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-12-0167-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.

\_\_\_\_\_  
Martin A. Garmendia

SWORN TO AND SUBSCRIBED before me this 25 day of September, 2013, by Martin A. Garmendia, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.



NICOLE ANDREA GREGORY  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE173212  
Expires 2/26/2016

N. Gregory  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 130001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF MIAMI-DADE )

AFFIDAVIT OF ELIZABETH FUENTES

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

1. My name is Elizabeth Fuentes. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Rate Case & Docket Project Management. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents in Exhibit A, which is referenced and incorporated in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 09-190-4-1, for which I am identified as the affiant. Such documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute trade secrets and information regarding FPL's competitive interests. Specifically, the information consists of notes by the Florida Public Service Commission auditors of reports prepared by external auditors regarding FPL's fuel contracts and commodity trades. This information, if made public, would disclose certain competitively sensitive procedures to the detriment of FPL and its customers. 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-12-0167-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.

*Elizabeth Fuentes*  
Elizabeth Fuentes

SWORN TO AND SUBSCRIBED before me this 30th day of September, 2013, by Elizabeth Fuentes, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

*Carolyn Smith*  
Notary Public, State of Florida

My Commission Expires:



FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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 ROBERT B. SENDLER

BEFORE ME, the undersigned authority, personally appeared Robert B. Sandler who, being first duly sworn, deposes and says:

1. My name is Robert B. Sandler. I am currently employed by Florida Power & Light Company ("FPL") as Vice President and Chief Litigation Counsel. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed First Revised Exhibit C, and the documents that are included in First Revised Exhibit A to FPL's First Request for Confidential Classification of Information Obtained in Connection with Audit No. 09-190-4-1, 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 competitively sensitive data, the disclosure of which would impair FPL's competitive business. Specifically, the documents pertain to the provision of legal services, which if disclosed would result in a waiver of the attorney-client privilege. The documents also include information concerning bids or contractual data, the disclosure of which would impair FPL's efforts to procure legal services on favorable terms in the future. 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-12-0167-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.

*[Handwritten signature of Robert B. Sandler]*  
\_\_\_\_\_  
Robert B. Sandler

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of September 2013, by Robert B. Sandler, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

My Commission Expires



*[Handwritten signature of Jacqueline S. Bussey]*  
\_\_\_\_\_  
Notary Public, State of Florida