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John T. Butler 305.577.2939 jbutler@steelhector.com

April 16, 2003

-VIA FEDERAL EXPRESS-

Blanca S. Bayó Director, Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re: Docket No. 030001-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Fuel Hedging Information (the "Request"), together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is Word 2000.

I would like to point out a minor format difference between the version of Document GJY-1 that is attached to the prepared testimony of Gerard Yupp, and the version that is attached to the Request itself (Document GJY-1 is the subject of the Request). The first three pages of this document show 2002 totals, whereas subsequent pages show data for individual months. In the version attached to Mr. Yupp's testimony only the first two of the three totals pages, concerning FPL natural gas procurement and heavy fuel oil procurement, have a line with the heading "2002 Hedging Activity Totals"; that line is missing on the third page, which relates to purchases and sales of electricity. To facilitate consistent reference in the Request to the line numbers of confidential information, a "2002 Hedging Activity Totals" line appears on all three of the totals pages in the version of Document GJY-1 that is attached to the Request.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

London

DISTRIBUTION CENTER

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Key West

Koul M. Duhi for JB.
John T. Butler

Caracas

Sincerely,

Enclosure

West Palm Reach

Miami

cc: Counsel for Parties of Record (w/encl.)

Tallahassee

DOOLMENT NUMBER - DATE

3534 APR 178

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)	Docket No. 030001-EI
cost recovery clause with)	Dated: April 16, 2003
generating performance incentive)	·· -
factor.)	

FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF FUEL HEDGING INFORMATION

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information on fuel hedging activities that is contained in Document GJY-1 to the prepared testimony of Gerard Yupp (the "Fuel Hedging Information"). In support of its Request, FPL states as follows:

- 1. FPL filed Mr. Yupp's prepared testimony, including Document GJY-1, on April 1, 2003. Contemporaneously, FPL filed a Notice of Intent to Seek Confidential Classification. Rule 25-22.006, F.A.C. provides that, unless good cause is shown for delay, a party that has filed a notice of intent must then file a request for confidential classification of the information covered by the notice of intent within 21 days. This Request is intended to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006.
 - 2. The following exhibits are included with this Request:
- a. Exhibit A consists of a copy of the Document GJY-1, in which all of the Fuel Hedging Information has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."
- b. Composite Exhibit B consists of two copies of Document GJY-1 in which all of the Fuel Hedging Information has been redacted.

- c. Exhibit C is a table containing a line-by-line and page-by-page identification of Fuel Hedging Information, together with references to the specific statutory basis for the claim of confidentiality and to the affidavit in support of the requested classification.
- d. Exhibit D consists of the affidavit of Mr. Yupp, who is the Manager of Regulated Wholesale Power Trading in FPL's Energy Marketing and Trading Division. The affidavit attests to the asserted bases for confidential classification.
- 3. FPL seeks confidential protection for the Fuel Hedging Information because it comprises trade secrets of FPL, which allow FPL to purchase and sell fuel and electric power on favorable terms for FPL and its customers. The disclosure of that trade-secret information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. *See* § 366.093(3)(a), Fla. Stat (2002). The Fuel Hedging Information also relates to bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms. *See* § 366.093(3)(a), Fla. Stat (2002).
- 4. FPL submits that the highlighted Fuel Hedging Information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law.
- 5. The Fuel Hedging Information in Exhibit A is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

6. Upon a finding by the Commission that the Fuel Hedging Information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), pursuant to Section 366.093(4) such materials should not be declassified for at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

WHEREFORE, FPL respectfully requests that its Request for Confidential Classification of Fuel Hedging Information.

Respectfully submitted,

R. Wade Litchfield, Esq. Senior Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 Telephone: 561-691-7101 Steel Hector & Davis LLP
Attorneys for Florida Power & Light
Company
200 South Biscayne Boulevard
Suite 4000
Miami, Florida 33131-2398
Telephone: 305-577-2939

By: Kerel M. Dubi fer JTB

John T. Butler

Fla. Bar No. 283479

CERTIFICATE OF SERVICE Docket No. 030001-EI

I certify that a copy of the foregoing Request for Confidential Classification of Fuel Hedging Information was served by Federal Express (*) or United States mail on this 16th day of April, 2003, to the following persons:

Wm. Cochran Keating, IV, Esq.(*) Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

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Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32576-2950

By: Loul M. Phi for ATO











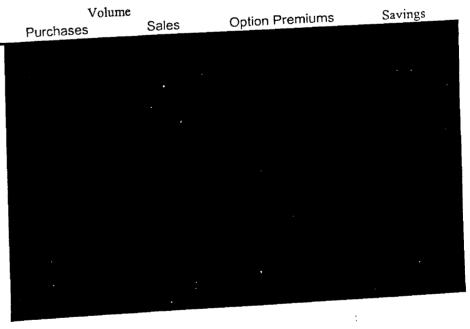


FPL NATURAL GAS PROCUREMENT

/	Instrument
2	2002 Hedging Activity Totals:

- FIXED PRICE TRANSACTIONS
- STORAGE
- PHYSICAL POWER OPTIONS
- **SWAPS**
- SWING SWAPS
- OVER-THE-COUNTER OPTIONS
- GAS OPTIONS
- **FUTURES**
- BROKER FEES 11

- 13 AVERAGE PERIOD OF HEDGE (Days) PHYSICAL AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL













FPL HEAVY FUEL OIL PROCUREMENT

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1	Instrument	Purchases	Sales	Option Premiums	Savings
2	2002 Hedging Activity Totals:				
3454789512	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS GAS OPTIONS FUTURES BROKER FEES				
13	AVERAGE PERIOD OF HEDGE (Days) - PHYSICAL AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL				



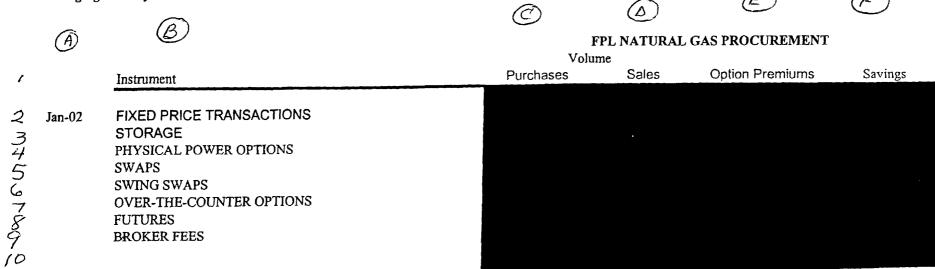






ELECTRICITY - Premiums Only Volume

		Volumo				
1	Instrument	Purchases	Sales	Savings		
a	2002 Hedging Activity Totals:					
34567890112	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS GAS OPTIONS FUTURES BROKER FEES					
13	AVERAGE PERIOD OF HEDGE (Days) - PHYSICAL					















FPL HEAVY FUEL OIL PROCUREMENT

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Purchases	Sales	Option Premiums	Savings

2 Jan-02 FIXED PRICE TRANSACTIONS 3 STORAGE PHYSICAL POWER OPTIONS
PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES



Instrument



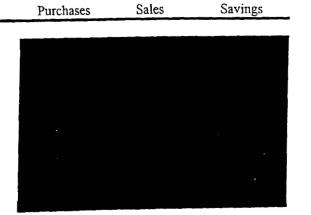




Savings

ELECTRICITY - Premiums Only Volume

23456789	Jan-02	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES
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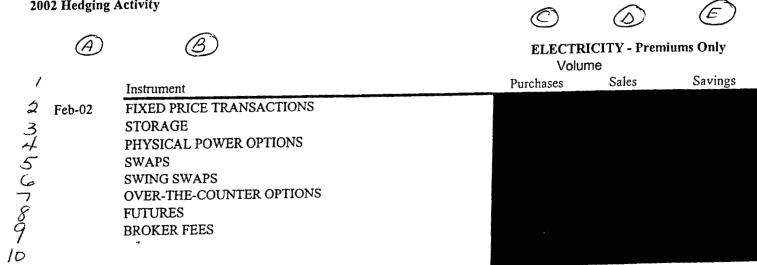




FPL NATURAL GAS PROCUREMENT

			Volum	ne		
			Purchases	Sales	Option Premiums	Savings
/		Instrument				
2	Feb-02	FIXED PRICE TRANSACTIONS				
3		STORAGE				
4		PHYSICAL POWER OPTIONS				
5		SWAPS				
6		SWING SWAPS				
7		OVER-THE-COUNTER OPTIONS				
8		FUTURES				
ğ		BROKER FEES	•			
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2002 Hedging Activity FPL HEAVY FUEL OIL PROCUREMENT Volume Option Premiums Sales Savings Purchases Instrument 234567890 Feb-02 FIXED PRICE TRANSACTIONS **STORAGE** PHYSICAL POWER OPTIONS **SWAPS** SWING SWAPS OVER-THE-COUNTER OPTIONS **FUTURES** BROKER FEES





FPL NATURAL GAS PROCUREMENT

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2345678	Mar-02	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES	·	Purchases	Sales	Option Fremiums	Savings
ğ		BROKER FEES					
10							









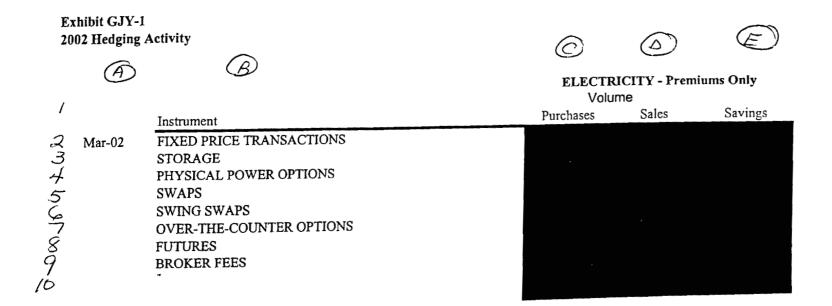




FPL HEAVY FUEL OIL PROCUREMENT

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1	Instrument	 Purchases	Sales	Option Premiums	Savings	
2 Mar-02 34 56 789	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES	Purchases	odies	Option Premiums	Javings	
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Apr-02



BROKER FEES









FPL NATURAL GAS PROCUREMENT

Volume

Instrument	Purchases	Sales	Option Premiums	Savings	
FIXED PRICE TRANSACTIONS					
STORAGE					
PHYSICAL POWER OPTIONS					
SWAPS					
SWING SWAPS					
OVER-THE-COUNTER OPTIONS					
FUTURES					













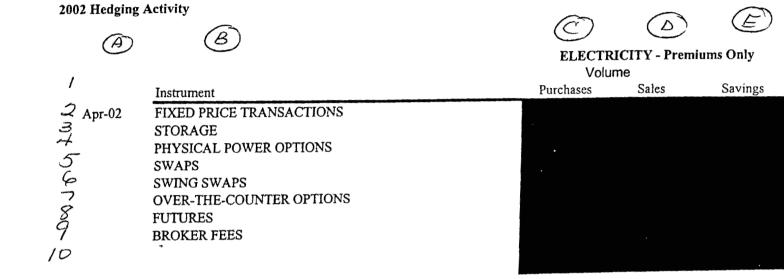
FPL HEAVY FUEL OIL PROCUREMENT

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 Purchases	Sales	Option Premiums	Savings

Apr-02 FIXED PRICE TRANSACTIONS
STORAGE
PHYSICAL POWER OPTIONS
SWAPS
SWING SWAPS
OVER-THE-COUNTER OPTIONS
FUTURES
BROKER FEES

Instrument













FPL NATURAL GAS PROCUREMENT

1		Volum	me		
•	Instrument	Purchases	Sales	Option Premiums	Savings
	FIXED PRICE TRANSACTIONS				
3,	STORAGE				
4	PHYSICAL POWER OPTIONS				
5	SWAPS				
4	SWING SWAPS				
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ý	FUTURES	•			
10	BROKER FEES				
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May-02





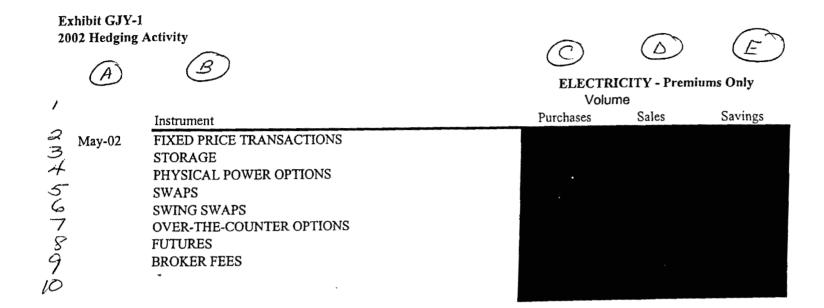






FPL HEAVY FUEL OIL PROCUREMENT

	Volu	me		
Instrument	Purchases	Sales	Option Premiums	Savings
FIXED PRICE TRANSACTIONS				
STORAGE				
PHYSICAL POWER OPTIONS				
SWAPS				
SWING SWAPS				
OVER-THE-COUNTER OPTIONS				
FUTURES				
BROKER FEES				





Jun-02











FPL NATURAL GAS PROCUREMENT

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Instrument	Purchases	Sales	Option Premiums	Savings
FIXED PRICE TRANSACTIONS				
STORAGE				
PHYSICAL POWER OPTIONS				
SWAPS				
SWING SWAPS				
OVER-THE-COUNTER OPTIONS				
FUTURES				
BROKER FEES				



FIXED PRICE TRANSACTIONS

PHYSICAL POWER OPTIONS

OVER-THE-COUNTER OPTIONS

Instrument

STORAGE

SWAPS

FUTURES BROKER FEES

SWING SWAPS









FPL HEAVY FUEL OIL PROCUREMENT

Purchases Sales Option Premiums Savings	FPLH	EAVITO		
Purchases		0-100	Option Premiums	Savings
	Purchases	Sales	Opin	







ELECTRICITY - Premiums Only

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/		Instrument	Purchases	Sales	Savings
234567890	Jun-02	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES			



Jul-02











FPL NATURAL GAS PROCUREMENT

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Instrument	Purchases	Sales	Option Premiums	Savings
FIXED PRICE TRANSACTIONS				
STORAGE				
PHYSICAL POWER OPTIONS				
SWAPS				
SWING SWAPS				
OVER-THE-COUNTER OPTIONS				
FUTURES				
BROKER FEES				













FPL HEAVY FUEL OIL PROCUREMENT

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·		Instrument	Purchases	Sales	Option Premiums	Savings
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1001		SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS				
10		FUTURES BROKER FEES				
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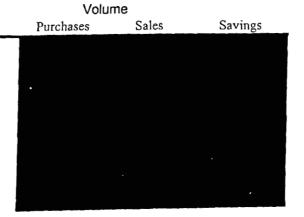






ELECTRICITY - Premiums Only

,		Instrument
234607895	Jul-02	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES
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FPL NATURAL GAS PROCUREMENT

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	Instrument	Purchases	Sales	Option Premiums	Savings
Aug-02	FIXED PRICE TRANSACTIONS				
	STORAGE				
	PHYSICAL POWER OPTIONS				
	SWAPS				
	SWING SWAPS				
	OVER-THE-COUNTER OPTIONS				
	FUTURES BROKER FEES				
	BRUKER FEES				





BROKER FEES



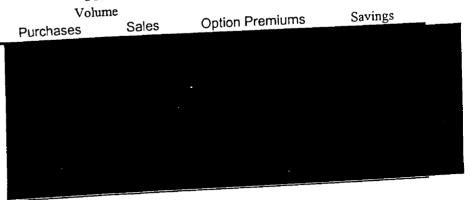






FPL HEAVY FUEL OIL PROCUREMENT

	Instrument	_
Aug-02	FIXED PRICE TRANSACTIONS	
Aug-02	STORAGE	
	PHYSICAL POWER OPTIONS	
-	SWAPS	
	SWING SWAPS	
	OVER-THE-COUNTER OPTIONS	
	FUTURES	



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	Volur	ne	
strument	Purchases	Sales	Savings
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Sep-02











FPL NATURAL GAS PROCUREMENT

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Instrument	Purchases	Sales	Option Premiums	Savings
FIXED PRICE TRANSACTIONS				
STORAGE				
PHYSICAL POWER OPTIONS				
SWAPS				
SWING SWAPS				
OVER-THE-COUNTER OPTIONS				
FUTURES				
BROKER FEES				









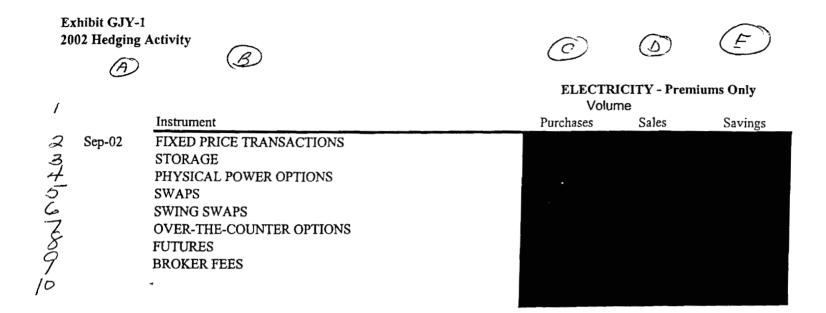




FPL HEAVY FUEL OIL PROCUREMENT

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,	Instrument	Purchases	Sales	Option Premiums	Savings
2 Sep-02 34 5 7 0	FIXED PRICE TRANSACTIONS STORAGE PHYSICAL POWER OPTIONS SWAPS SWING SWAPS OVER-THE-COUNTER OPTIONS FUTURES BROKER FEES				



Oct-02











FPL NATURAL GAS PROCUREMENT

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Instrument	Purchases	Sales	Option Premiums	Savings
FIXED PRICE TRANSACTIONS				
STORAGE				
PHYSICAL POWER OPTIONS				
SWAPS				
SWING SWAPS OVER-THE-COUNTER OPTIONS				
FUTURES				
BROKER FEES				
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Exhibit GJY-1 2002 Hedging Activity









FPL HEAVY FUEL OIL PROCUREMENT

	Volume				
	Instrument	Purchases	Sales	Option Premiums	Savings
Oct-02	FIXED PRICE TRANSACTIONS				
	STORAGE				
	PHYSICAL POWER OPTIONS				
	SWAPS				
	SWING SWAPS				
	OVER-THE-COUNTER OPTIONS				
	FUTURES				
	BROKER FEES				
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234567890

Exhibit GJY-1 (4) 2002 Hedging Activity **A ELECTRICITY - Premiums Only** Volume Savings Purchases Sales Instrument 234567890 FIXED PRICE TRANSACTIONS Oct-02 STORAGE PHYSICAL POWER OPTIONS **SWAPS** SWING SWAPS OVER-THE-COUNTER OPTIONS **FUTURES BROKER FEES**

Nov-02

Instrument

STORAGE

SWING SWAPS

GAS OPTIONS **FUTURES** BROKER FEES

SWAPS



FIXED PRICE TRANSACTIONS

PHYSICAL POWER OPTIONS

OVER-THE-COUNTER OPTIONS









FPL NATURAL GAS PROCUREMENT

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	volume			
	Purchases	Sales	Option Premiums	Savings
_				
1				

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Nov-02











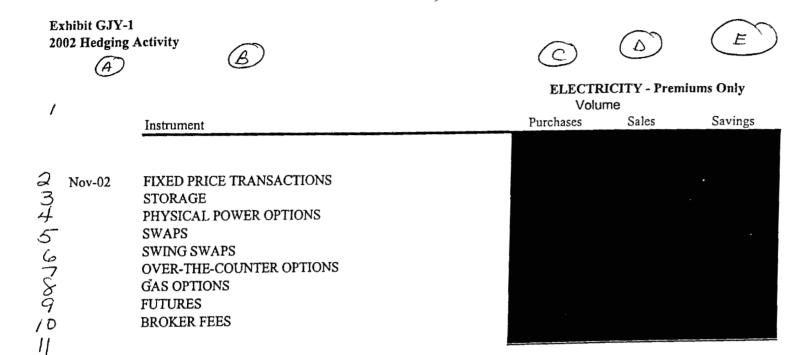


FPL HEAVY FUEL OIL PROCUREMENT

		Volum			
	Instrument	Purchases	Sales	Option Premiums	Savings
2	FIXED PRICE TRANSACTIONS				
	STORAGE				
	PHYSICAL POWER OPTIONS	i			
	SWAPS				
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PHYSICAL POWER OPTIONS
SWAPS
SWING SWAPS
OVER-THE-COUNTER OPTIONS
GAS OPTIONS
FUTURES
BROKER FEES



FUTURES BROKER FEES

Exhibit GJY-1 2002 Hedging Activity A FPL HEAVY FUEL OIL PROCUREMENT Volume Option Premiums Sales Savings Purchases Instrument 23456789011 FIXED PRICE TRANSACTIONS Dec-02 STORAGE PHYSICAL POWER OPTIONS **SWAPS** SWING SWAPS **OVER-THE-COUNTER OPTIONS GAS OPTIONS EUTURES BROKER FEES**

EXHIBIT C

COMPANY:

Florida Power & Light Company

TITLE:

List of Confidential Workpapers

DOCKET NO.:

030001-EI

DOCKET TITLE:

DESCRIPTION

Levelized Fuel Cost Recovery and Capacity Cost Recovery

SUBJECT:

Hedging Activity

DATE:

April 16, 2003

FLORIDA STATUTE

PAGE NO. NO. OF CONF. LINE NO./ 366.093(3)
PAGES Y/N COL. NO. Subsection: AFFIANT

Y Lines 3-12, Col B-E G. Yupp (a), (d)2002 Totals - FPL Natural Gas Procurement 1 Lines 13-14, Col B Y (a), (d)G. Yupp Lines 3-12, Col B-E 2 2002 Totals - FPL Heavy 1 Fuel Oil Procurement Lines 13-14, Col B Υ Lines 3-12, Col B-D G. Yupp 3 2002 Totals - Electricity-1 (a), (d) **Premiums Only** Line 13, Col B 1 Y Lines 2-10, Col C-F G. Yupp January 2002 FPL Natural (a), (d)4 Gas Procurement January 2002 FPL Heavy Y (a), (d) G. Yupp 5 1 Lines 2-10, Col C-F Fuel Oil Procurement Y Lines 2-10, Col C-E G. Yupp 1 (a), (d) January 2002 Electricity-6 Premiums Only Y G. Yupp February 2002 FPL Natural 1 Lines 2-10, Col C-F (a), (d)7 Gas Procurement February 2002 FPL Heavy 1 Y Lines 2-10, Col C-F (a), (d)G. Yupp 8 Fuel Oil Procurement Lines 2-10, Col C-E G. Yupp February 2002 Electricity-1 Y (a), (d) 9 **Premiums Only** March 2002 FPL Natural Y G. Yupp 10 1 Lines 2-10, Col C-F (a), (d) Gas Procurement G. Yupp Y Lines 2-10, Col C-F March 2002 FPL Heavy 1 (a), (d) 11 Fuel Oil Procurement Lines 2-10, Col C-E G. Yupp March 2002 Electricity-1 Y (a), (d)12 **Premiums Only** April 2002 FPL Natural 1 Y Lines 2-10. Col C-F (a), (d)G. Yupp 13 Gas Procurement

EXHIBIT C

FLORIDA STATUTE NO. OF CONF. LINE NO./ 366.093(3) **PAGE PAGES** Subsection: AFFIANT NO. DESCRIPTION Y/N COL. NO. Lines 2-10, Col C-F April 2002 FPL Heavy Y (a), (d) G. Yupp 14 Fuel Oil Procurement Ÿ G. Yupp 15 April 2002 Electricity-1 Lines 2-10, Col C-E (a), (d) Premiums Only Y Lines 2-10, Col C-F G. Yupp May 2002 FPL Natural (a), (d) 16 Gas Procurement Y Lines 2-10, Col C-F G. Yupp May 2002 FPL Heavy Fuel 1 (a), (d) 17 Oil Procurement May 2002 Electricity-1 Y Lines 2-10, Col C-E (a), (d) G. Yupp 18 Premiums Only Y Lines 2-10, Col C-F G. Yupp 19 June 2002 FPL Natural 1 (a), (d) Gas Procurement Y Lines 2-10, Col C-F G. Yupp 20 June 2002 FPL Heavy Fuel 1 (a), (d) Oil Procurement Y 1 Lines 2-10, Col C-E (a), (d) G. Yupp 21 June 2002 Electricity-Premiums Only Lines 2-10, Col C-F G. Yupp July 2002 FPL Natural Gas 1 Y (a), (d) 22 Procurement July 2002 FPL Heavy Fuel 1 Y Lines 2-10, Col C-F (a), (d) G. Yupp 23 Oil Procurement Y G. Yupp July 2002 Electricity-1 Lines 2-10, Col C-E (a), (d) 24 **Premiums Only** Y Lines 2-10, Col C-F G. Yupp 25 August 2002 FPL Natural 1 (a), (d) Gas Procurement Y August 2002 FPL Heavy 1 Lines 2-10, Col C-F (a), (d) G. Yupp 26 Fuel Oil Procurement August 2002 Electricity-Y Lines 2-10, Col C-E G. Yupp 27 1 (a), (d)**Premiums Only** September 2002 FPL Y Lines 2-10, Col C-F (a), (d) G. Yupp 28 Natural Gas Procurement 29 September 2002 FPL 1 Y Lines 2-10, Col C-F (a), (d) G. Yupp

EXHIBIT C

FLORIDA STATUTE

PAGE		NO. OF	CONF.	LINE NO./	366.093(3)	
NO.	DESCRIPTION	PAGES	Y/N	COL. NO.	Subsection	: AFFIANT
	Heavy Fuel Oil Procurement					
30	September 2002 Electricity-Premiums Only	1	Y	Lines 2-10, Col C-E	(a), (d)	G. Yupp
31	October 2002 FPL Natural Gas Procurement	1	Y	Lines 2-10, Col C-F	(a), (d)	G. Yupp
32	October 2002 FPL Heavy Fuel Oil Procurement	1	Y	Lines 2-10, Col C-F	(a), (d)	G. Yupp
33	October 2002 Electricity- Premiums Only	1	Y	Lines 2-10, Col C-E	(a), (d)	G. Yupp
34	November 2002 FPL Natural Gas Procurement	1	Y	Lines 2-11, Col C-F	(a), (d)	G. Yupp
35	November 2002 FPL Heavy Fuel Oil Procurement	1	Y	Lines 2-11, Col C-F	(a), (d)	G. Yupp
36	November 2002 Electricity-Premiums Only	1	Y	Lines 2-11, Col C-E	(a), (d)	G. Yupp
37	December 2002 FPL Natural Gas Procurement	1	Y	Lines 2-11, Col C-F	(a), (d)	G. Yupp
38	December 2002 FPL Heavy Fuel Oil Procurement	1	Y	Lines 2-13, Col C-F	(a), (d)	G. Yupp
39	December 2002 Electricity-Premiums Only	1	Y	Lines 2-11, Col C-E	(a), (d)	G. Yupp

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	Docket No: 030001-E1
Request for Confidential Classification)	
Of Material Provided pursuant to the)	
Levelized Fuel Cost Recovery and Capacity)	
Cost Recovery Final True-Up for January)	
2002 through December 2002)	
STATE OF FLORIDA)	
)	AFFIDAVIT OF GERARD YUPF
COUNTY OF PALM BEACH)		

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

- 1. My name is Gerard Yupp. I am currently employed by Florida Power & Light "FPL") as Manager of Regulated Wholesale Power Trading in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.
- 2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information are comprised of trade secrets of FPL, which allow FPL to purchase and sell fuel and electric power on favorable terms for FPL and its customers. The disclosure of this trade-secret information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. This proprietary confidential business information also relates to bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms. 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 not less than 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.

Signature of Affiant

Gerard J. Yupp

Print Name

SWORN TO AND SUBSCRIBED before me this day of April, 2003, by

Line, 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: 22101

JUDITH N. STEFFEN
Notary Public - State of Florida
My Commission Expires Feb 21, 2004
Commission # CC912663