State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: January 4, 2010

TO: Ann Cole, Commission Clerk, Office of Commission Clerk

FROM: Stephen C. Larson, Assistant to Chairman Argenziano

RE: Communication in Docket 080677-EI

Please place the attached letter in the file for the above noted docket and disseminate copies to all parties of record.

Juno Beach, Florida

December 2009

Governor Charlie Crist

Attorney General Bill McCollum

PSC Chairman Matthew Carter

PSC Commissioner Nancy Argenziano

PSC Commissioner Lisa Polak Edgar

PSC Commissioner Nathan A. Skop

PSC Commissioner David E. Klement

Dear Sirs,

We are 3 current senior level management employees of NextEra Energy Resources. We have wanted to alert you about this for some time now but given the stories we have heard in the hallways of the extreme close relationship between our parent company executives and various select commission staff, before now this letter would have been completely fruitless and exposed us to possible severe retaliation.

Under Next Era's prior management team, former CEO's Lew Hay followed by James Robo, there was a deliberately perpetuated scheme, implemented over the protest of many employees, to use the tax attributes (benefits) that rate payers pay for to shield the production tax credits generated by our massive wind portfolio. Changing our name from FPL Energy to NextEra Energy Resources may in part have been designed to purge and erase the prior bad acts, the totality of which border on being criminal.

One of our group actually sat in on discussions lead by Lew Hay where Mr. Hay discussed this scheme as a strategy and the foundational reason why the company expanded in such a significant way the wind business. No other independent power developer or utility affiliate has enjoyed the benefit of this tax shield and proceeded to use it with such abuse. Normally, a deal is struck with a tax partner to add typically $0.50/ $1.00 thus splitting equally the tax benefits. Such a tax partner can absorb the tax benefits and usually at $0.50/ $1.00 these deals structures are very complicated and time consuming.

Thankfully, with the insistence of our new and current CEO F Mitchell Davidson, we discontinued this deliberate scheme and practice. The current management team is capable of doing these complex deal structures and the new leadership refuses to continue the practice started and perpetuated by the prior two CEOs of this business, Hay and Robo, that many still believed to be criminal.

The attributes that were stripped from the utility rate payers are well in excess of $1 Billion, ironically most of what is being requested in the current FPL rate case. What the company did was take the benefits and flow them through then FPL Energy as revenue - the GAP treatment used to account for the excess proceeds from this elaborate scheme. Florida ratepayers could have done a deal with any developer other than FPL Energy and returned this cash to those properly deserving – the Florida ratepayers.

It makes us wonder what the management and executives of our sister company FPL were doing why this deliberate and criminal scheme was allowed to happen and persist. When this issue was raised by numerous employees over the years they were told to mind their own business and that "the right people at The Commission" knew about it. Unfortunately, the culture of cover up and intimidating employees into being quiet still persists here at the FPL Group of companies and retaliation is a real fear.

We believe these prior practices and the resulting misdeeds warrant increased and expanded scrutiny by the current Commission, the Governor and possibly the FDLE.

Signed: 3 concerned and fearful current employees NextEra Energy Resources