

EXHIBIT "D"

AFFIDAVIT

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION

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

Docket No. 100001-EI

STATE OF FLORIDA)

AFFIDAVIT OF GERARD J. YUPP

COUNTY OF PALM BEACH)


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.

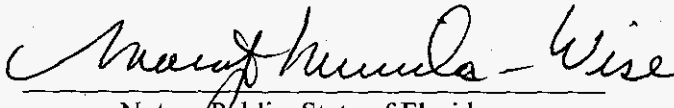
2. I have reviewed the documents and information included in Exhibit D to FPL's Request for Confidential Classification of enhanced hedging program transaction data and counterparty credit activities. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information comprise information concerning bids and other contractual data about FPL's hedging trades with various counterparties. The disclosure of this contractual information would provide other market participants insight into FPL's hedging and procurement practices and impair FPL's ability to hedge on favorable terms, to the detriment of FPL and its customers. Additionally, the data provided includes specific information about FPL's procedures and activities related to managing credit risk exposure to financial counterparties, the disclosure of which would impair the competitive businesses of FPL and its counterparties.

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

SWORN TO AND SUBSCRIBED before me this 29th day of September 2010, 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:



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08276 OCT-10

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