

100001-EI

# EXHIBIT "D"

# AFFIDAVIT

DOCUMENT NUMBER-DATE

06425 AUG-4 9

FPSC-COMMISSION CLERK

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 100001-EI

STATE OF FLORIDA )  
 )  
COUNTY OF PALM BEACH )

**AFFIDAVIT OF ALISSA E. BALLOT**


**BEFORE ME**, the undersigned authority, personally appeared Alissa E. Ballot who, being first duly sworn, deposes and says:

1. My name is Alissa E. Ballot. I currently serve as Vice President & Corporate Secretary of NextEra Energy, Inc. ("NextEra Energy") and Vice President & Corporate Secretary of Florida Power & Light Company ("FPL"). I have personal knowledge of the matters stated in this affidavit.

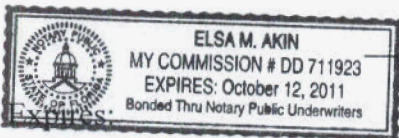
2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Materials Obtained in Connection with Audit No. 10-004-4-1, for which I am listed as the affiant. The documents or materials contain or consist of Florida Public Service Commission auditors' notes ("FPSC Auditors' Notes") relating to actions taken by the FPL board of directors, as set forth in FPL board minutes and consents. Such actions, minutes and consents, and therefore the FPSC Auditors' Notes related thereto, are considered by both NextEra Energy and FPL to be highly sensitive, proprietary confidential business information. To the best of my knowledge, NextEra Energy and FPL have maintained the confidentiality of the minutes and consents reflecting the actions taken by the FPL board of directors.

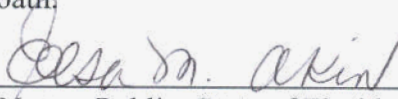
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

  
\_\_\_\_\_  
Alissa E. Ballot

**SWORN TO AND SUBSCRIBED** before me this 2<sup>nd</sup> day of August 2010, by Alissa E. Ballot, who is personally known to me or who has produced Known to me (type of identification) as identification and who did take an oath.



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

DOCUMENT NUMBER-DATE  
06425 AUG-4 2010

My Commission Expires:

FPSC-COMMISSION CLERK

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DOCKET NO. 100001-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 Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 10-004-4-1, 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 natural gas, fuel oil and power 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. 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.

*Gerard J. Yupp*  
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 2nd day of August 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.

*Maritza Miranda-Wise*  
Notary Public, State of Florida

My Commission Expires:





**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Fuel and Purchase Power Cost Recovery ) DOCKET NO. 100001-EI  
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\_\_\_\_\_ )

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

**AFFIDAVIT OF MARTIN A. GARMENDIA**

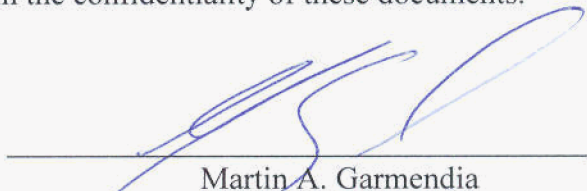
**BEFORE ME**, the undersigned authority, personally appeared Martin A. Garmendia who, being first duly sworn, deposes and says:

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.

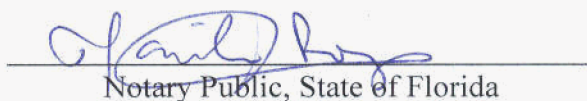
2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Renewed Request for Confidential Classification of Information Obtained in Connection with Audit No. 10-004-4-1, for which I am identified on Exhibit C as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute information on heavy oil hedges, including contractual data, 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. 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.

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

**SWORN TO AND SUBSCRIBED** before me this 2nd day of August, 2010, 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.

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

My Commission Expires:



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DOCKET NO. 100001-EI

STATE OF FLORIDA )  
 )  
MIAMI-DADE COUNTY )

AFFIDAVIT OF DAMARIS RODRIGUEZ

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

1. My name is Damaris Rodriguez. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Cost Recovery Clauses in the Regulatory Affairs Department. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Materials Obtained in Connection with Audit No. 10-004-4-1, 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 customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. 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.

Damaris Rodriguez  
Damaris Rodriguez

SWORN TO AND SUBSCRIBED before me this 2nd day of August 2010, by Damaris Rodriguez, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

[Signature]  
Notary Public, State of Florida

My Commission Expires:

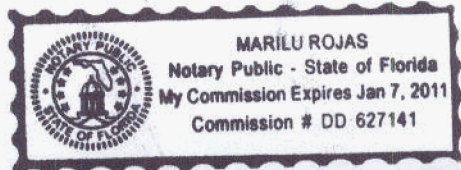




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STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF OSVALDO J. LOM

BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor of Purchased Power Contracts. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 10-004-4-3, 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 competitively sensitive data that if disclosed, would place FPL at a competitive disadvantage. FPL and Southern Co. share certain of this information, and its disclosure could make data available to the marketplace that would otherwise not be available at this level of detail. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

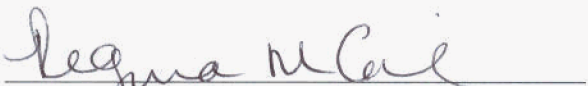
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

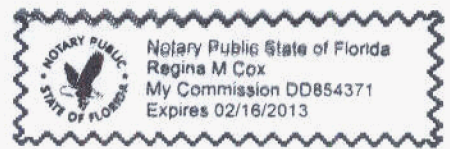


Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 2nd day of August 2010, by Osvaldo J. Lom, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:



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 )  
COUNTY OF MIAMI-DADE )

**AFFIDAVIT OF ANTONIO MACEO**

**BEFORE ME**, the undersigned authority, personally appeared Antonio Maceo who, being first duly sworn, deposes and says:

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents and information that are included in Exhibit A to FPL's Request for Confidential Classification of Materials Obtained in Connection with Audit No. 10-004-4-1, for which I am listed 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 internal auditing controls and reports of internal auditors or information relating to internal auditing reports issued in 2009. 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 at least 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.

Antonio Maceo

**SWORN TO AND SUBSCRIBED** before me this 2nd day of August, 2010, by Antonio Maceo, 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:

