

# **EXHIBIT D**

# **AFFIDAVIT**

DOCUMENT NUMBER-DATE

02271 APR 29 2020

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: 130001-EI
Date: April 29, 2013

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

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, Wholesale Operations in the Energy Marketing and Trading Division Department. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business concerns bids and other contractual data. Specifically, the documents contain information related to contractual terms, formulas and language of monthly capacity payments made to Southern Company services for power purchased for the Franklin, Harris and Scherer units. Additionally, this information relates to competitive interests of FPL and of suppliers from whom FPL purchases capacity. Public disclosure of this information would impair the efforts of FPL to contract for these goods and services on favorable terms and would also place FPL at a competitive disadvantage when coupled with other information that is publicly available.

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.

[Signature of Gerard J. Yupp]
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 25 day of April 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.

[Signature of Maritza Miranda-Wise]
Notary Public, State of Florida

My Commission Expires:



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