



John T. Butler
 Assistant General Counsel
 Florida Power & Light Company
 700 Universe Boulevard
 Juno Beach, FL 33408-0420
 (561) 304-5639
 (561) 691-7135 (Facsimile)
 John.Butler@fpl.com

REDACTED

August 15, 2012

RECEIVED-FPSC
 12 AUG 15 AM 10: 27
 COMMISSION
 CLERK

- VIA HAND DELIVERY -

Ms. Ann Cole,
 Commission Clerk
 Florida Public Service Commission
 Betty Easley Conference Center
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 05585-12, which
 is in locked storage. You must be
 authorized to view this DN.-CLK

Re: Docket No. 120001-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information Contained in Hedging Activity Report (Exhibit GJY-3). The original includes Exhibits A through D. The copies include Exhibits C and D only.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "EXHIBIT A" - CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains FPL's justification for its Request for Confidential Classification. Exhibit D contains the Affidavit of Gerard Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25.22.006(3)(d), FPL requests confidential treatment of the information in EXHIBIT A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a CD containing FPL's Request for Confidential Classification and Exhibit C.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

- COM
- AED 2+CD
- APA
- ECO
- ENG
- GCL
- IDM Enclosures
- TEL cc: Counsel for Parties of Record (w/o encl.)
- CLK

Sincerely,

 John T. Butler

DOCUMENT NUMBER - DATE

05584 AUG 15 12

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Fuel and purchased power)
cost recovery clause with)
generating performance incentive)
factor.)**

Docket No. 120001-EI

Filed: August 15, 2012

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED IN
THE FUEL HEDGING ACTIVITY REPORT (EXHIBIT GJY-3)**

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 and market comparisons that is contained in FPL's Fuel Hedging Activity Report. In support of its Request, FPL states as follows:

1. Pursuant to Order No. PSC-08-0316-PAA-EI, issued on May 14, 2008, FPL filed its Fuel Hedging Activity Report on August 15, 2012, which will be adopted as exhibit GJY-3 in the testimony of FPL witness Gerry J. Yupp in FPL's August 31, 2012 filing in this docket. FPL's Fuel Hedging Activity Report contains FPL proprietary confidential business information. This request is intended to request confidential classification of information contained in the Fuel Hedging Activity Report.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of the Fuel Hedging Activity Report, in which the confidential information has been highlighted.

b. Exhibit B consists of two copies of the Fuel Hedging Activity Report in which the confidential information has been redacted.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory bases for the claim of confidentiality and to the affidavit in support of the requested confidential classification.

d. Exhibit D consists of the affidavit of Gerard J. Yupp, Senior Director of Wholesale Operations for FPL's Energy Marketing and Trading Division in support of this Request for Confidential Classification.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, F.S., such information is entitled to confidential treatment and it is exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

4. FPL's Fuel Hedging Activity Report contains or constitutes data pertinent to FPL's fuel hedging program, specifically, the physical and financial details related to FPL's year to date hedging results for natural gas and fuel oil. This information constitutes trade secrets of FPL, and is protected by Section 366.093(3)(a), F.S. Additionally, this information, if disclosed would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. This information is protected by Sections 366.093(3)(d) and (e), F.S.

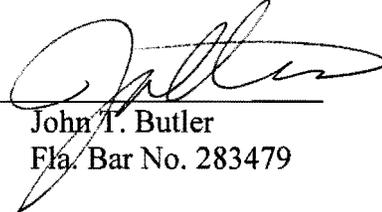
5. Upon a finding by the Commission that the Fuel Hedging Activity Report in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S., pursuant to Section 366.093(4), F.S. such materials should not be declassified for at least eighteen (18) months and 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 confidential classification of the Fuel Hedging Activity Report.

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and General Counsel
John T. Butler, Esq., Assistant General Counsel
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

BY:



John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 120001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification (*) has been furnished by hand delivery (**) or the United States Mail on this 15th day of August 2012 to the following:

Martha F. Barrera, Esq.**
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us

Lisa Bennett, Esq.**
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
lbennett@psc.state.fl.us

James D. Beasley, Esq
J. Jeffrey Wahlen, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Attorneys for PEF
P.O. Box 14042
St. Petersburg, Florida 33733-4042
john.burnett@pgnmail.com
dianne.triplett@pgnmail.com

Samuel Miller, Capt., USAF
USAF/AFLOA/JACL/ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319
Attorney for the Federal Executive Agencies
samuelmiller@tyndall.af.mil

Beth Keating, Esq.
Gunster Law Firm
Attorneys for FPUC
215 So. Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, FL 32591-2950
jas@beggslane.com
rab@beggslane.com

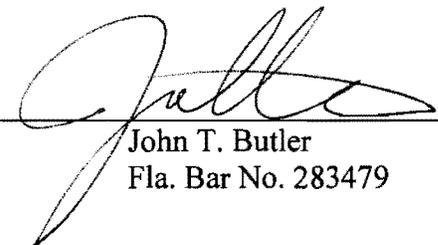
James W. Brew, Esq / F. Alvin Taylor, Esq.
Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
ataylor@bbrslaw.com

Robert Scheffel Wright, Esq.
Gardner, Bist, Wiener, et al., P.A.
Attorneys for Florida Retail Federation
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com

Jon C. Moyle, Esq. and Vicki Kaufman, Esq.
Moyle Law Firm, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301
Counsel for FIPUG
vkaufman@moylelaw.com
jmoyle@moylelaw.com

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
Kelly.jr@leg.state.fl.us
Christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

Michael Barrett
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
mbarrett@psc.state.fl.us

By: 
John T. Butler
Fla. Bar No. 283479

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPY

REDACTED

COM _____
AED _____
APA _____
ECO _____
ENG _____
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IDM _____
TEL _____
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FPSC

DOCUMENT NUMBER - DATE

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FPSC - COMMISSION CLERK

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	A	B	C	D	E	F
	FPL NATURAL GAS PROCUREMENT					
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	YEAR-TO-DATE	FIXED PRICE TRANSACTIONS				
5	(JAN - JULY) 2012	SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						\$ (444,229,860)
9						
10						
11		AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL				

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

DOCUMENT NUMBER-DATE
05584 AUG 15 2012

FPSC-COMMISSION CLERK

CONFIDENTIAL

	A	B	C	D	E	F
			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
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3						
4	YEAR-TO-DATE	FIXED PRICE TRANSACTIONS				
5	(JAN - JULY)	SWAPS				
6	2012	OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						\$ 856,622
9						
10						
11		AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL				

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	January-2012	FIXED PRICE TRANSACTIONS				
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6		OVER-THE-COUNTER OPTIONS				
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CONFIDENTIAL

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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	January-2012	FIXED PRICE TRANSACTIONS				
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			VOLUME (MMBTU)			
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4	February-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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CONFIDENTIAL

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			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	February-2012	FIXED PRICE TRANSACTIONS				
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6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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CONFIDENTIAL

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			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	March-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
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CONFIDENTIAL

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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	March-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
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CONFIDENTIAL

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			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	April-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
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CONFIDENTIAL

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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	April-2012	FIXED PRICE TRANSACTIONS				
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			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	May-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
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3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	May-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
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4	June-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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CONFIDENTIAL

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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	June-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
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CONFIDENTIAL

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			FPL HEAVY FUEL OIL PROCUREMENT			
			VOLUME (BARRELS)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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4	July-2012	FIXED PRICE TRANSACTIONS				
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6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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CONFIDENTIAL

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			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
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3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	July-2012	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
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EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 120001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause
SUBJECT: Fuel Hedging Activity Report
DATE: August 15, 2012

Document	Page No.	Description	No. of Pages	Conf. Y/N	LINE NO./ COL. NO.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIANT
GJY-3	1	Year to Date FPL Natural Gas Procurement Jan-July 2012	1	Y	Col C-E Lines 4-8 & 11, Col F Lines 4-7	(a),(d),(e)	G. Yupp
GJY-3	2	Year to Date FPL Heavy Fuel Oil Procurement Jan-July 2012	1	Y	Col C-E Lines 4-8 & 11, Col F Lines 4-7	(a),(d),(e)	G. Yupp
GJY-3	3	January 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	4	January 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	5	February 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	6	February 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	7	March 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	8	March 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	9	April 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	10	April 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp

Document	Page No.	Description	No. of Pages	Conf. Y/N	LINE NO./ COL. NO.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIANT
GJY-3	11	May 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	12	May 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	13	June 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	14	June 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	15	July 2012 FPL Natural Gas Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp
GJY-3	16	July 2012 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-8, Col C-F	(a),(d),(e)	G. Yupp

EXHIBIT D

AFFIDAVIT

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

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

Docket No. 120001-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

AFFIDAVIT OF GERARD J. YUPP

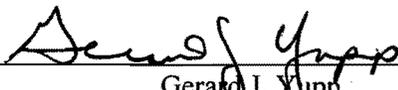
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

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 of the Fuel Hedging Activity Report. The documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding the physical and financial details related to FPL's year to date hedging results for natural gas and fuel oil. This information constitutes trade secrets of FPL. Additionally, this information, if disclosed, would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, would impair the competitive interests of FPL and its vendors, and would 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.


Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 8th day of August 2012, 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:

