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July 21, 2015

Ms. Carlotta S. Stauffer Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Correction to Document No. 04500-15, Docket No. 150075-EI Re:

Dear Ms. Stauffer:

Yesterday afternoon, Cedar Bay Generating Company, Limited Partnership ("Cedar Bay") filed in the above-referenced docket its Thirteenth Request for Confidential Classification (PSC Document #04500-15). After filing, Cedar Bay noted that it failed to attach the affidavits of Tom Hartman and David Herr as part of "Exhibit D" to Cedar Bay's Thirteenth Request for Confidential Classification.

This letter is to request that you please include the attached affidavits as part of Exhibit D to Cedar Bay's Thirteenth Request for Confidential Classification. If this correction cannot be remedied as described herein, please advise and we will follow the guidelines you deem necessary to correct this omission. We apologize for any inconvenience this may have caused you or your staff.

Sincerely.

John T. LaVia, III

#### COPIES:

Martha Barrera Jon C. Moyle, Jr./Karen Putnal Mr. Ken Hoffman J.R. Kelly / John J. Truitt John T. Butler / Maria J. Moncada

### EXHIBIT D

# BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Petition for Approval of Arrangement To Mitigate Impact of Unfavorable Cedar Bay Power Purchase Obligation
STATE OF FLORIDA )
COUNTY OF PALM BEACH ) AFFIDAVIT OF TOM HARTMAN
<b>BEFORE ME</b> , the undersigned authority, personally appeared Tom Hartman who, being first duly sworn, deposes and says:
1. My name is Tom Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director Business Development 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 A to FPL's Request for Confidential Classification. The documents contain information concerning contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. It also includes proprietary information concerning the competitive interest of FPL and third parties, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the documents consist of negotiated terms between FPL and CBAS Holdings, LLC for the Cedar Bay Transaction, the disclosure of which would impair FPL's ability or position to attain favorable transactions for the benefit of its customers in the future. Likewise, disclosure would impair CBAS Holdings, LLC's ability to negotiate terms with third parties indirectly affected by the Cedar Bay Transaction. Additionally, the document contains an analysis of competitive economic options and strategies. The disclosure of this information would disadvantage FPL customers and would place FPL at a competitive 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 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.
Tom Hartman
SWORN TO AND SUBSCRIBED before me this day of March 2015, by Tom Hartman, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

ANGELA EWERS
MY COMMISSION # FF 210713
EXPIRES: July 16, 2019

Bonded Thru Notary Public Underwrite

Notary Public, State of Florida

My Commission Expires: :2041608

### **EXHIBIT D**

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.
COMMONWEALTH OF PENNSYLVANIA ) COUNTY OF PHILADELPHIA )  AFFIDAVIT OF DAVID HERR
<b>BEFORE ME,</b> the undersigned authority, personally appeared David Herr who, being first duly sworn, deposes and says:
<ol> <li>My name is David Herr. I am currently employed by Duff &amp; Phelps LLC as Managing Director, the Philadelphia City Leader, and the Energy and Mining Industry leader. I have personal knowledge of the matters stated in this affidavit.</li> </ol>
2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be confidential constitute the proprietary business information of a third party related to the third party's competitive interests. The disclosure of this information would disadvantage FPL customers and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. In addition, information designated as confidential consists of or relates to the two valuation reports of tangible and intangible assets performed by Duff & Phelps, Inc. The details of these highly detailed valuation report identify with specificity the proprietary methodology that Duff & Phelps employs in performing such valuations as well as certain commercial terms pursuant to which Duff & Phelps provides such valuations Accordingly, public disclosure would impair the competitive businesses of Duff & Phelps and therefore should be treated confidentially. To the best of my knowledge, FPL and Duff & Phelps have maintained the confidentiality of these documents and materials.
3. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.
4. 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.
5. Affiant says nothing further.  David Herr
SWORN TO AND SUBSCRIBED before me this day of July 2015, by David Herr, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.  My Commission Expires:

LAURA F MALIZIA
Notary Public
PHILADELPHIA CITY, PHILADELPHIA CNTY
My Commission Expires Jul 21, 2016

NOTARIAL SEAL