



April 9, 2009

VIA ELECTRONIC FILING

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: FPL Energy, LLC, Docket No. NP09-17-000

Dear Ms. Bose:

On March 31, 2009, the North American Electric Reliability Corporation ("NERC") submitted a Notice of Penalty filing in accordance with Section 215(d)(1) of the Federal Power Act ("FPA") and Part 39.5 of the Federal Energy Regulatory Commission's (the "Commission") regarding FPL Energy, LLC.

It has come to NERC's attention that the Mitigation Plan designated as MP-2007-001794 was not submitted in Attachment b.¹ By this filing, NERC submits the Mitigation Plan and Certification of Completion applicable to this proceeding.

Accordingly, NERC respectfully requests that the Commission supplement the Notice of Penalty with this Mitigation Plan.

Respectfully submitted,

/s/ Rebecca J. Michael

Rebecca J. Michael

*Attorney for North American Electric
Reliability Corporation*

cc: Official service list in NP09-17-000

¹ The Mitigation Plan designated as MP-2007-001794 was superseded by the Mitigation Plan designated as MIT-07-1070 because SERC Reliability Corporation determined that when FPL Energy certified completion of MP-2007-001794 they were not found in compliance with PRC-005-1 Reliability Standard. As a result, SERC Reliability Corporation issued a new Notice of Alleged Violation and Proposed Penalty and Sanction on May 5, 2008.



FPL Energy

AN FPL GROUP COMPANY

Mitigation Plan Submission Form

SERC Reliability Corporation Violation Mitigation Plan Submittal Form (5-24-07)

Confirmation of the violation does not have to be received by the registered entity before a mitigation plan may be submitted, nor does the entity waive the right to contest the notice of violation after it has been received.

Name of registered entity submitting this mitigation plan:
FPL Energy LLC

Date of Submission:
June 21, 2007

Name of technical contact (submitter):
Benjamin Church

Contact Information of the submitter:
(561) 304-5463
benjamin_church@fpl.com

Is this mitigation plan submitted to cover the violation of other entities? If so, whom does it cover? No

Which reliability standard was violated? PRC-005-1

Which specific requirement of the above standard was violated? R2

State the cause of the violation(s). Describe why the entity is/was non-compliant with the requirement cited above: FPL Energy currently maintains and tests all of its generation protection systems. The possible violation of this requirement is that the documentation of its maintenance and testing plan may not have been is not maintained according to NERC requirements.

Provide a description of the action plan the entity will use to mitigate the violation including milestone schedule. Note: Milestones should not be more than three months apart. Extend the table below, if necessary.

Milestone Activity	Target Completion Date
Perform fleet-wide Compliance Gap Analysis	Completed
Update existing maintenance programs and procedures to include protection system equipment	08/01/07

Configure relevant asset management systems to track system protection maintenance activities	09/01/07
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What is the date by which this mitigation plan will be fully implemented and the alleged or confirmed violation(s) corrected? Note: additional sanctions or penalties may be associated with failure to complete the plan on schedule. 12/31/2007

Provide a description of actions taken to prevent a recurrence of this violation:

Activity	Target Completion Date
Created internal compliance team for NERC Reliability Standards and have received Executive buy-in.	Completed
Hired Compliance Manager	Completed
Retained third-party consulting support in performing Gap Analysis and support remediation activities	On-Going
Purchased Enterprise-level Compliance Management Software	Completed
Develop internal map of compliance activities and responsibilities	09/01/07
Create Compliance Documentation Templates	10/15/07
Centralize all compliance-related documentation	11/01/07
Finalize Control and Compliance Documentation for 'non-compliant' elements.	12/31/07

Describe the anticipated impact on the reliability of the Bulk Electric System resulting from the violation and while the mitigation plan is being implemented.

Minimal

Is there any other information related to this violation and/or mitigation plan that you deem necessary or appropriate to provide?

No

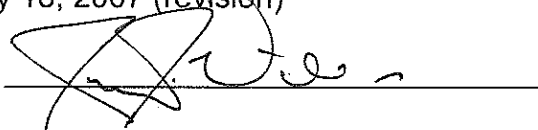
Provide the name, title, and signature, and date of signature of an authorized executive signatory

Name: Juan R Villar

Title: Director Transmission

Date: July 18, 2007 (revision)

Signature





FPL Energy

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Certification of a Completed Mitigation Plan

SERC Reliability Corporation Violation Mitigation Plan Closure Form (Form Revised 8-28-07)

Name of registered entity submitting certification: FPL Energy, LLC.

Date of Certification: September 24, 2007

Name of Standard and the Requirement of which a violation was mitigated: PRC-005-1

Date of completion of the mitigation plan: September 21, 2007

I certify that the mitigation plan for the above named violation has been completed on the date shown above, and that all information submitted information is complete and correct to the best of my knowledge.

Name: Juan R Villar
Title: Director Compliance
Entity: FPL Energy, LLC.
Email: juan_r_villar@fpl.com
Phone: (561) 694-3472

Executive Signature

A handwritten signature in black ink, appearing to be 'J. Villar'.

Date 9/24/07