

PUBLIX SUPER MARKETS, INC.
Corporate Office
P.O. Box 407
Lakeland, Florida 33802-0407
863.688.1188
publix.com

2520122140894

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November 16, 2012

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-1513
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

ERISA/PUBLIC PENSION
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Re: **Top Hat Plan Filing**

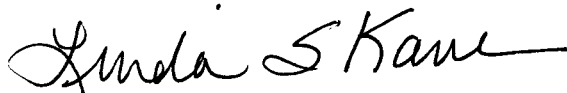
Dear Sir or Madam:

Pursuant to and in accordance with Section 2520.104-23 of the Department of Labor Regulations, this letter is being submitted to report that Publix Super Markets, Inc. (the "Company"), with its principal place of business located at 3300 Publix Corporate Parkway, Lakeland, Florida 33811-3311, EIN 59-0324412 has adopted the Publix Super Markets, Inc. Supplemental Executive Retirement Plan (the "Plan"), effective December 15, 2012.

The Plan is an unfunded plan maintained by the Company primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The Plan is the only top hat plan maintained by the Company. Twenty-seven (27) employees currently participate in the Plan.

In accordance with Section 104(a)(6) of the Employee Retirement Income Security Act of 1974, as amended, and applicable regulations, Plan documents will be provided upon request.

Respectfully submitted,



Linda S. Kane
Vice President of Benefits Administration

c: David E. Rogers, McDermott Will & Emery LLP

Linda Kane
VP of Benefits

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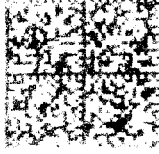
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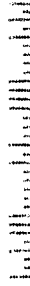


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