

RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

ORIGINAL
FILE COPY

STEPHEN A. ECENIA
KENNETH A. HOFFMAN
THOMAS W. KONRAD
R. DAVID PRESCOTT
HAROLD F. X. PURNELL
GARY R. RUTLEDGE
R. MICHAEL UNDERWOOD
WILLIAM B. WILLINGHAM

POST OFFICE BOX 551, 32302-0551
215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

GOVERNMENTAL CONSULTANTS
PATRICK H. MALOY
AMY J. YOUNG

TELEPHONE (904) 681-6788
TELECOPIER (904) 681-6515

January 27, 1997

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 970002-EG

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Florida Public Utilities Company ("FPU") are the following documents:

1. Original and fifteen copies of the Prehearing Statement of the Florida Public Utilities Company; and
2. A disk containing a copy of the Prehearing Statement.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

William B. Willingham
William B. Willingham

ACK _____
AFA 1
APP _____
CAF _____
CMU _____
CIR WBW/rl
EGG 1 cc: All Parties of Record
LEG 3
LIT _____
REC _____
RPT _____
VLS _____
GNS _____

DOCUMENT NUMBER-DATE

01038 JAN 27 97

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Conservation Cost Recovery) Docket No. 970002-EG
Clause) Filed: January 27, 1997
_____)

PREHEARING STATEMENT OF THE
FLORIDA PUBLIC UTILITIES COMPANY

Florida Public Utilities Company ("FPU"), by and through its undersigned counsel, submits its Prehearing Statement in connection with the hearing that is scheduled for February 19 through 21, 1997 in the above-styled docket.

A. WITNESSES

<u>Witness</u>	<u>Subject Matter</u>	<u>Issues</u>
Peacock	Conservation cost recovery and true-up (Marianna and Fernandina Beach Divisions)	1-2

B. EXHIBITS

<u>Exhibit No.</u>	<u>Witness</u>	<u>Description</u>
_____ MAP-1 (Composite)	Peacock	Schedules C-1, C-2, C-3 and C-4 (Marianna and Fernandina Beach Divisions)
_____ MAP-2 (Composite)	Peacock	Schedule C-5 (Marianna and Fernandina Beach Divisions)

C. BASIC POSITION

FPU has properly projected its costs and calculated its true-up amounts and conservation cost recovery factors. Those amounts and factors should be approved by the Commission.

D. STATEMENT OF EACH QUESTION OF FACT

ISSUE 1: What are the appropriate end-of-period final true-up amounts for the period October, 1995 through September, 1996 for the Marianna and Fernandina Beach divisions?

DOCUMENT NUMBER-DATE

01038 JAN 27 97

FPSC-RECORDS/REPORTING

FPU's Position:

Marianna: \$11,757 over-recovery
Fernandina Beach: \$4,554 under-recovery

Witness: Peacock

ISSUE 2: What are the appropriate conservation cost recovery factors for the period April, 1997 through March, 1998?

FPU's Position

Marianna \$.00081/kwh
Fernandina Beach: \$.00079/kwh

Witness: Peacock

E. QUESTIONS OF LAW

FPU is not aware of any questions of law that are at issue in the above-styled docket.

F. POLICY QUESTIONS

FPU is not aware of any policy questions that are at issue in the above-styled docket.

G. STIPULATED ISSUES

FPU has not stipulated to any issues in the above-styled docket.

H. PENDING MOTIONS

FPU has no motions pending in the above-styled docket.

I. OTHER REQUIREMENTS

At this time FPU is not aware of any requirements set forth in the Order Establishing Procedure with which it cannot comply.

Respectfully submitted this 27th day of January, 1997.

William B. Willingham
WILLIAM B. WILKINGHAM, ESQ.
Rutledge, Eckenia, Underwood,
Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302-0551
(904) 681-6788 (phone)
(904) 681-6515 (fax)

Attorneys for Florida Public
Utilities Company

CERTIFICATE OF SERVICE

I HEREBY certify that a true and correct copy of the foregoing was furnished by United States Mail this 27th day of January, 1997 to:

Lorna Wagner, Esq.
Division of Legal Services
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Gerald L. Gunter Building
Tallahassee, Florida 32399-0850

Lee L. Willis, Esq.
James Beasley, Esq.
Ausley McMullen
P. O. Box 391
Tallahassee, FL 32302

Jeffery Stone, Esq.
Beggs & Lane
P. O. Box 12950
Pensacola, FL 32576-2950

Joseph A. McGlothlin, Esq.
Vicki Kaufman, Esq.
McWhirter Law Firm
117 S. Gadsden Street
Tallahassee, FL 32301

John W. McWhirter, Jr., Esq.
McWhirter Law Firm
P.O. Box 3350
Tampa, FL 33601-3350

Michael Palecki, Esq.
955 East 25th Street
Hialeah, FL 33013-3498

Mr. Frank C. Cressman
P. O. Box 3395
West Palm Beach, FL 33402-3395

Mr. Stuart L. Shoaf
P. O. Box 549
Port St. Joe, FL 32457-0549

Wayne Schiefelbein, Esq.
Gatlin Law Firm
1709-D Mahan Drive
Tallahassee, FL 32308

Ms. Susan D. Cranmer
P. O. Box 13470
Pensacola, FL 32591-3470

Mr. Bill Walker
FPL
215 South Monroe Street
Suite 810
Tallahassee, FL 32301-1859

James A. McGee, Esq.
FPC
P. O. Box 14042
St. Petersburg, FL 33733-4042

Ms. Angela Llewellyn
P. O. Box 111
Tampa, FL 33601-0111

Scheffel Wright, Esq.
P. O. Box 271
Tallahassee, FL 32302

Norman Horton, Jr., Esq.
Messer Law Firm
P. O. Box 1876
Tallahassee, FL 32302

Charles Guyton, Esq.
215 S. Monroe Street
#601
Tallahassee, FL 32301

Office of Public Counsel
111 W. Madison St., #812
Tallahassee, FL 32399-1400

Mr. Jeff Householder
West Florida Natural Gas Co.
Caller Box 1460
Panama City, FL 32402

By: William B. Willingham
WILLIAM B. WILLINGHAM, ESQ.