FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 6, 2004

RE: Docket No. 030569-GU - Application for rate increase by City Gas Company of Florida.

ISSUE 1: Is City Gas's projected test period of the twelve months ending September 30, 2004 appropriate?
RECOMMENDATION: Yes. With the adjustments recommended by Staff in the following issues, the 2002 and 2004 test years are appropriate.

DEFERRED

ISSUE 2: Are City Gas's forecasts of customers and therms for the September 30, 2004, projected test year appropriate?
RECOMMENDATION: Yes. The projected number of customers and therms by rate class as contained in Minimum Filing Requirement (MFR) Schedule G-2, pages 8 through 11, for fiscal year 2004 are appropriate for setting rates.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY	DISSENTING

REMARKS/DISSENTING COMMENTS:

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ISSUE 3: Is the quality of service provided by City Gas adequate?
RECOMMENDATION: Yes. The quality of service provided by City Gas is satisfactory.

ISSUE 4: Should the projected test year rate base be adjusted to remove inactive service lines that have been inactive for five years or more?
RECOMMENDATION: Yes. Test year Plant in Service, Accumulated Depreciation, and Depreciation Expense should be reduced by $144,925, $144,925, and $10,290 respectively to reflect the 955 inactive service lines that have been inactive for five years or more.

Staff recommends that the Company complete an inactive service line study to determine how many of the 955 service lines should be cut/capped and physically abandoned. The study and retirements should be completed and provided to the Bureau of Safety no later than 24 months from the date of the executed order.

ISSUE 5: Is City Gas's Gas Plant in Service of $198,469,190 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Gas Plant in Service for the projected test year is $198,324,265.

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ISSUE 6: Should any of the following corporate allocations from NUI Corporation to City Gas be adjusted: Common Plant Allocated in the amount of $8,128,136, Accumulated Depreciation - Common Plant Allocated in the amount of $3,821,245, and Common Plant Depreciation and Amortization Expense in the amount of $1,131,596?
RECOMMENDATION: Yes. Common Plant Allocated should be reduced by $1,766,884, Accumulated Depreciation - Common Plant Allocated should be reduced by $119,520, and Common Plant Depreciation and Amortization should be reduced by $302,961, as a result of NUI's projected corporate capital spending reductions due to its pursuit to sell NUI.

In addition, pursuant to Audit Exception No. 3, Common Plant Allocated should be reduced by $570,346, Accumulated Depreciation - Common Plant should be reduced by $65,149, and Common Plant Depreciation and Amortization should be reduced by $15,930 to remove plant unrelated to City Gas.

ISSUE 7: Should any of the following balances be adjusted for non-utility operations: Common Plant in the amount of $2,405,121, Accumulated Depreciation - Common Plant in the amount of $1,153,707, and Depreciation and Amortization Expense in the amount of $131,856?
RECOMMENDATION: Yes. Plant should be reduced $34,748; Accumulated Depreciation should be reduced $14,376; and Depreciation Expense should be reduced $761.

ISSUE 8: Is City Gas's Common Plant Allocated of $5,723,015 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Common Plant Allocated for the projected test year is $3,351,037.

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ISSUE 9: Are City Gas's Acquisition Adjustment, Accumulated Amortization of Acquisition Adjustment, and related Amortization Expense of $1,462,697, $226,472, and $46,740, respectively, appropriate for the projected test year?
RECOMMENDATION: Yes. City Gas's Acquisition Adjustment, Accumulated Amortization of Acquisition Adjustment, and related Amortization Expense of $1,462,697, $226,472, and $46,740, respectively, are appropriate for the projected test year.

ISSUE 10: Is City Gas's Construction Work in Progress (CWIP) of $6,452,439 for the projected test year appropriate?
RECOMMENDATION: Yes. City Gas's Construction Work in Progress (CWIP) of $6,452,439 for the projected test year is appropriate.

ISSUE 11: Is City Gas's Total Plant of $212,107,341 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Total Plant for the projected test year is $209,590,438 .

ISSUE 12: Is City Gas's Accumulated Depreciation of Gas Plant in Service of $84,927,235 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate Accumulated Depreciation of Gas Plant in Service for the projected test year is $84,776,445.

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ISSUE 13: Is City Gas's requested Accumulated Depreciation and Accumulated Amortization of Plant in Service of $87,821,245 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Accumulated Depreciation and Amortization of Plant in Service for the projected test year is $87,471,410.

ISSUE 14: Should an adjustment be made to Interest Accrued in Working Capital?
RECOMMENDATION: Yes. Interest Accrued should be increased by $100,639 to reflect correction to NUI interest payable.

ISSUE 15: Should an adjustment be made to Accrued Taxes Payable and Tax Collections Payable in Working Capital?
RECOMMENDATION: Yes. Taxes Accrued - General should be increased by $242,900 and Tax Collections Payable should be increased by $1,067,188.

ISSUE 16: Have under recoveries and over recoveries related to the Purchased Gas Adjustment and Conservation Cost Recovery been appropriately reflected in the Working Capital Allowance?
RECOMMENDATION: Yes. The Company has appropriately reflected under recoveries and over recoveries in the Working Capital Allowance.

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ISSUE 17: Has City Gas accounted for its Asset Retirement Obligations in accordance with Rule 25-14.014, Florida Administrative Code, Accounting for Asset Retirement Obligations under SFAS 143, such that it is revenue-neutral?
RECOMMENDATION: Yes. City Gas has accounted for its Asset Retirement Obligations in accordance with Rule 25-14.014, Florida Administrative Code, Accounting for Asset Retirement Obligations under SFAS 143, such that it is revenue- neutral.

ISSUE 18: Should an adjustment be made to Working Capital Allowance for the net of Deferred Piping and Accumulated Amortization of Deferred Piping?
RECOMMENDATION: Yes. Working Capital Allowance should be increased by $61,207 for the net of Deferred Piping and Accumulated Amortization of Deferred Piping. This represents an increase to Deferred Piping of $62,306 and an increase to Accumulated Amortization of Deferred Piping of $1,099.

ISSUE 19: Is City Gas's Working Capital of $(864,289) for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Working Capital for the projected test year is $(2,206,033).

ISSUE 20: Is City Gas's Rate Base of $123,421,807 for the September 2004 projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Rate Base for the projected test year is $119,912,995.

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ISSUE 21: Should an adjustment be made to Accumulated Deferred Income Taxes in the capital structure?
RECOMMENDATION: Yes. An adjustment should be made to increase Accumulated Deferred Income Taxes in the capital structure by $4,713,871 to reflect a balance of $11,845,018.

ISSUE 22: What is the appropriate amount and cost rate of the unamortized investment tax credits to include in the capital structure?
RECOMMENDATION: The appropriate amount of unamortized investment tax credits (ITCs) is $536,361. The ITCs should be included in the capital structure at a zero cost rate.

ISSUE 23: Have rate base and capital structure been reconciled appropriately?
RECOMMENDATION: No. The Commission should adjust City Gas's capital structure to match the investor capital ratios to those of NUI Utilities, Inc. The appropriate investor capital ratios are an equity ratio of 43.35%, a long-term debt ratio of 47.55% and a short-term debt ratio of 9.10%.

ISSUE 24: What is the appropriate cost rate for short-term debt for the September 2004 projected test year?
RECOMMENDATION: The appropriate cost rate for short-term debt is 3.9%.

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ISSUE 25: What is the appropriate cost rate for common equity to use in establishing City Gas's revenue requirement?
RECOMMENDATION: The appropriate cost rate for common equity is 11.25%, and the appropriate range is plus or minus 100 basis points.

ISSUE 26: What is the appropriate weighted average cost of capital including the proper components, amounts and cost rates associated with the capital structure?
RECOMMENDATION: The appropriate weighted average cost of capital is 7.36%.

ISSUE 27: Has City Gas properly removed Purchased Gas Adjustment Revenues, Expenses, and Taxes-Other from the projected test year?
RECOMMENDATION: No. The Cost of Gas Adjustment to Operating Revenues should be decreased from $31,127,076 to $30,972,215, an increase to Adjusted Revenues of $154,861. The fallout adjustment to Regulatory Assessment Fees from the increase in revenues is taken up in Issue 51.

ISSUE 28: Should an adjustment be made to correct Projected Total Operating revenues?
RECOMMENDATION: Yes. Projected Total Operating revenues should be decreased by $24,420.

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ISSUE 29: Should test year revenues be increased to offset the amount that the Clewiston Pipeline Extension Project's (Pipeline or project) costs exceed its associated revenues, and, if so, what is the appropriate revenue adjustment?
RECOMMENDATION: Yes. Test year revenues should be increased by $280,288 to offset the amount that the Pipeline's costs exceed its associated revenues.

ISSUE 30: Is City Gas's projected Total Operating Revenues of $37,873,588 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Total Operating Revenues for the projected test year is $38,284,317.

ISSUE 31: Has the Company properly allocated expenses between regulated and non-regulated operations?
RECOMMENDATION: No. City Gas failed to allocate certain costs in its MFRs to non-utility operations. Operations and Maintenance Expense (O&M) should be reduced by $82,475 to remove non-utility expenses.

ISSUE 32: Should an adjustment be made to Account 891, Maintenance of Measuring and Regulating Station Equipment - City Gate Check Stations, for odorant costs?
RECOMMENDATION: Yes. Account 891 should be increased by $15,548 for odorant costs for the 2004 projected test year. A corresponding adjustment to reduce working capital allowance by $7,774 is also appropriate.

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ISSUE 33: Should an adjustment be made to Account 903, Customer Records and Collections, for the projected test year?
RECOMMENDATION: Yes. Account 903, Customer Records and Collections, should be reduced by $117,831.

ISSUE 34: Should an adjustment be made to Account 904, Uncollectible Accounts, and for Bad Debt in the Revenue Expansion Factor?
RECOMMENDATION: Yes. Uncollectible Accounts should be reduced by $255,258 for the projected test year. The appropriate rate for Bad Debt in the Revenue Expansion Factor is 0.013103.

ISSUE 35: Should an adjustment be made to Account 913, Advertising Expense, for the projected test year?
RECOMMENDATION: Yes, an adjustment should be made to reduce Account 913, Advertising Expense, by $210,000 for the projected test year.

ISSUE 36: Should an adjustment be made to Account 912, Demonstration and Selling Expense, and Account 916, Miscellaneous Sales Expense, for the projected test year?
RECOMMENDATION: Yes. An adjustment should be made to reduce Account 912, Demonstration and Selling Expense, by $514,573 and reduce Account 916, Miscellaneous Sales Expense, by $33,191 for the projected test year.

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ISSUE 37: Should an adjustment be made to Account 921, Office Supplies and Expenses, for miscellaneous expenses that were written off in the projected test year?
RECOMMENDATION: Yes. Account 921, Office Supplies and Expenses, should be reduced by $328,367 for the projected test year.

ISSUE 38: Should an adjustment be made to Account 921, Office Supplies and Expenses, for Charitable Contributions?
RECOMMENDATION: Yes. Account 921, Office Supplies and Expenses, should be reduced by $35,633 for Charitable Contributions.

ISSUE 39: Is City Gas's $(2,847) adjustment to Account 921, Office Supplies and Expenses, for American Gas Association membership dues appropriate?
RECOMMENDATION: No. Account 921, Office Supplies and Expenses, should be reduced by an additional $13,178 for American Gas Association membership dues related to charitable contributions and advertising that is not informational or educational in nature.

ISSUE 40: This issue has been dropped.

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ISSUE 41: Should an adjustment be made to Account 925, Injuries and Damages, for the projected test year?
RECOMMENDATION: Yes, Account 925, Injuries and Damages, should be reduced by $336,952.

ISSUE 42: Should an adjustment be made to Account 926, Employee Benefits, for the projected test year?
RECOMMENDATION: Yes. Account 926 - Employee Benefits should be reduced by $50,960 to reflect the removal of a duplicate expense.

ISSUE 43: Should an adjustment be made to Account 928, Regulatory Commission Expense, for Rate Case Expense for the projected test year and what is the appropriate amortization period?
RECOMMENDATION: Yes. Account 928, Regulatory Commission Expense, should be decreased by $5,671, from $165,090 to $159,419; the appropriate rate case expense amortization period is three years; and the appropriate amount of rate case expense from the prior case and this proceeding is $478,256 to be amortized beginning February, 2004.

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ISSUE 44: Are the trend rates used by City Gas to calculate projected O&M expenses appropriate?
RECOMMENDATION: No. The customer growth rates contained in MFR Schedule G-2, page 12 of 34, of 0.18% for fiscal year 2003 and 0.12% for fiscal year 2004 are not appropriate. The appropriate customer growth rates are -0.15% for fiscal year 2003 and -0.56% for fiscal year 2004. In addition, for the projected test year, the Commission should use 2.0% for the general inflation rate instead of the 2.2% proposed by City. Staff recommends that the Commission accept City Gas's payroll trend rates.

ISSUE 45: Has City Gas used the appropriate trend basis for each O&M account?
RECOMMENDATION: No. The customer growth factor should not be applied to the "other" expense portions of O&M Account Nos. 886, 921, 923, 926, 930.2, 931.

ISSUE 46: Should the projected test year O&M expense be adjusted for the effect of any changes to trend rates or bases?
RECOMMENDATION: Yes. Notwithstanding specific adjustments to O&M expense accounts in earlier issues, O&M should be reduced an additional $59,750 as a result of lowering the inflation and customer growth rates, changing the trend bases on select accounts, and recalculating the application of compound rates to be consistent with the Commission methodology used in prior gas rate cases.

ISSUE 47: Is City Gas's O&M Expense of $24,068,151 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of O&M Expense for the projected test year is $22,040,803.

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ISSUE 48: Should an adjustment be made to projected Depreciation Expense for non-utility depreciation that was incorrectly removed?
RECOMMENDATION: Yes. The projected test year Depreciation Expense should be increased by $115,860 to correct the error.

ISSUE 49: What adjustments, if any, should be made to the depreciation expense to reflect the Commission's decision in Docket No. 030222-GU?
RECOMMENDATION: The appropriate adjustment for depreciation expense to reflect the Commission's decision in Docket No. 030222-GU should be a reduction of $243,449.

ISSUE 50: Is City Gas's Depreciation and Amortization Expense of $8,395,317 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Depreciation and Amortization Expense for the projected test year is $7,937,786.

ISSUE 51: Is City Gas's Taxes Other Than Income of $2,216,926 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Taxes Other Than Income is $2,298,239, an increase of $81,313.

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ISSUE 52: Is City Gas's Income Tax Expense of $(403,763), which includes current and deferred income taxes and interest reconciliation, for the projected test year appropriate?
RECOMMENDATION: No. The appropriate income tax expense, including current taxes, deferred income taxes, and interest reconciliation, is $707,170.

ISSUE 53: Is City Gas's projected Total Operating Expenses of $34,276,631 appropriate?
RECOMMENDATION: No. The appropriate amount of Total Operating Expenses for the projected test year is $32,983,985.

ISSUE 54: Is City Gas's projected Net Operating Income of $3,596,957 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate amount of Net Operating Income for the projected test year is $5,300,332.

ISSUE 55: What is the appropriate revenue expansion factor and the appropriate net operating income multiplier, including the appropriate elements and rates for City Gas?
RECOMMENDATION: The appropriate Revenue Expansion Factor is 0.612409, and the appropriate Net Operating Income Multiplier is 1.6329.

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ISSUE 56: Is City Gas's requested annual operating revenue increase of $10,489,305 for the projected test year appropriate?
RECOMMENDATION: No. The appropriate annual operating revenue increase for the projected test year is $5,756,404.

ISSUE 57: Are City Gas's estimated revenues from sales of gas by rate class at present rates for the projected test year appropriate?
RECOMMENDATION: No. The adjustment to correct estimated sales of gas by rate class at present rates for the projected test year is addressed in Issue 28.

ISSUE 58: What is the appropriate cost of service methodology to be used in allocating costs to the rate classes?
RECOMMENDATION: The appropriate methodology is Staff's cost of service methodology adjusted for adjustments made to rate base, operation and maintenance expense, and net operating income.

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ISSUE 59: What are the appropriate Customer Charges?
RECOMMENDATION: Staff's recommended customer charges are as follows:

Rate Class	Staff Recommended Customer Charge
GS-1	$8.00
GS-100	$9.50
GS-220	$11.00
GS-600	$12.00
GS-1,200	$15.00
GS-6,000	$30.00
GS-25K	$80.00
GS-60K	$150.00
GS-120K	$250.00
GS-250K	$300.00
GS-1,250K	$500.00
Gas Lighting	N/A
Natural Gas Vehicles	$15.00
Contract Demand	$400.00

ISSUE 60: What are the appropriate per therm Distribution Charges?
RECOMMENDATION: Staff's recommended per therm Distribution Charges are contained in Attachment 7, pages 1-4, to their December 23, 2003 memorandum.

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ISSUE 61: What is the appropriate Demand Charge?
RECOMMENDATION: The appropriate demand charge is $0.314 per Demand Charge Quantity. Staff's development of the recommended demand charge is shown in Attachment 8 of their memorandum and discussed in Issue 67.

ISSUE 62: What are the appropriate Miscellaneous Service Charges?
RECOMMENDATION: Staff's recommended Miscellaneous Service Charges are shown below:

Type of Miscellaneous Charge	**Staff-Recommended Charge**
Residential Connect	$50.00
Non-Residential Connect	$110.00
Residential Reconnect after non-payment	$37.00
Non-Residential Reconnect after non-payment	$80.00
Change of Account	$20.00
Customer Requested Temporary Disconnection	See Issue 74.
Bill Collection in lieu of Disconnection	$20.00
Late Payment Charge	Greater of $5.00 or 1.5%
Returned Check Charge	Greater of $25.00 or 5%
Copy of Tariff	This charge should be eliminated.

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ISSUE 63: If the Commission grants a revenue increase to City Gas, how should the increase be allocated to the rate classes?
RECOMMENDATION: Staff's recommended allocation of the revenue increase to the rate classes is contained in Attachment 6, page 16 of 16, of their memorandum. This allocation and the per-therm rates that result must be adjusted to reflect a slight difference between the increase upon which the rates were calculated and staff's recommended increase as shown in Issue 56.

ISSUE 64: Should City Gas's proposal to replace its existing rate classes with 11 new volumetric-based rate classes be approved?
RECOMMENDATION: Yes. City Gas's proposal to replace its existing rate classes with 11 new volumetric-based rate classes should be approved.

ISSUE 65: Should City Gas's proposed minimum bill provision for customers using 60,000 therms or more per year be approved?
RECOMMENDATION: Yes. City Gas's proposed minimum bill provision for customers using 60,000 therms or more per year should be approved.

ISSUE 66: To which customer classes should City Gas's Competitive Rate Adjustment Rider be applied?
RECOMMENDATION: The Competitive Rate Adjustment Rider should be applied to all customers that do not receive an alternate fuel discount pursuant to City Gas's Alternate Fuel Discount Rider. The Alternate Fuel Discount Rider is addressed in Issue 69.

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ISSUE 67: Is City Gas's proposal to bill certain of its customers a demand charge based on their Demand Charge Quantity appropriate?
RECOMMENDATION: No. The Commission should not approve City Gas's proposal. In lieu of City Gas's proposal, the Commission should approve a demand charge of $0.314 for rate schedules GS-120K, GS-250K, and GS-1,250K, with a separate Demand Charge Quantity established for the winter season (November through March) and for the summer season (April through October). Staff's development of the recommended demand charge is shown in Attachment 8 of their memorandum. Staff's recommendation does not change City Gas's revenue requirement. This is a rate design issue only.

ISSUE 68: Should City Gas's proposal to eliminate its interruptible rate classes be approved?
RECOMMENDATION: Yes. City Gas's proposal to eliminate its interruptible rate classes should be approved.

ISSUE 69: Should City Gas's proposal to apply its existing Alternate Fuel Discount (AFD) as a rider be approved?
RECOMMENDATION: Yes. City Gas's proposal to apply its existing Alternate Fuel Discount (AFD) as a rider should be approved.

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ISSUE 70: Should City Gas's proposal to lower the eligibility threshold for discounts to customers who have alternate fuel capability from 250,000 to 120,000 therms per year be approved?
RECOMMENDATION: Yes. City Gas's proposal to lower the eligibility threshold for discounts to customers who have alternate fuel capability from 250,000 to 120,000 therms per year should be approved.

ISSUE 71: Should City Gas's proposal to consolidate its sales and transportation customer classifications be approved?
RECOMMENDATION: Yes. City Gas's proposal to consolidate its sales and transportation customer classifications should be approved.

ISSUE 72: Should City Gas's proposal to eliminate its Standby Sales Service provision be approved?
RECOMMENDATION: Yes. City Gas's proposal to eliminate its Standby Sales Service provision should be approved.

ISSUE 73: Should City Gas's proposed new Transportation Supply Service (TSS) rate schedule be approved?
RECOMMENDATION: Yes, with the exception of the tariff language contained in Special Conditions paragraph 3 of the proposed rate schedule, which should be removed.

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ISSUE 74: Is City Gas's proposed new Temporary Disconnect Charge appropriate?
RECOMMENDATION: No. The proposed charge should not be approved.

ISSUE 75: Are City Gas's proposed Daily Imbalance Charges appropriate?
RECOMMENDATION: Yes. City Gas's proposed Daily Imbalance Charges are appropriate.

ISSUE 76: Are City Gas's proposed new monthly charges applicable to Third Party Suppliers appropriate?
RECOMMENDATION: Yes. City Gas's proposed new monthly charges applicable to Third Party Suppliers are appropriate.

ISSUE 77: Are City Gas's proposed new Unauthorized Gas Use provision and the associated per therm charge appropriate?
RECOMMENDATION: Yes. City Gas's proposed new Unauthorized Gas Use provision and the associated per therm charge are appropriate.

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ISSUE 78: Is City Gas's proposal to expand the existing Contract Transportation Service (KTS) rate schedule to include sales service customers appropriate?
RECOMMENDATION: Yes. City Gas's proposal to expand the existing KTS rate schedule to include sales service customers is appropriate.

ISSUE 79: What is the appropriate effective date for City Gas's revised rates and charges?
RECOMMENDATION: The revised rates and charges should become effective for meter readings on or after 30 days following the date of the Commission vote approving the rates and charges.

ISSUE 80: Should any portion of the $2,942,306 interim increase granted by Order No. PSC-03-1217-PCO-GU, issued on October 27, 2003, be refunded to customers?
RECOMMENDATION: No portion of the $2,942,306 interim revenue increase should be refunded.

ISSUE 81: Should City Gas be required to file, within 90 days after the date of the final order in this docket, a description of all entries or adjustments to its annual report, rate of return reports, and books and records which will be required as a result of the Commission's findings in this rate case?
RECOMMENDATION: Yes. The Company should be required to fully describe the entries and adjustments that will be either recorded or used in preparing reports submitted to the Commission.

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ISSUE 82: Should City Gas's energy conservation cost recovery factors approved in Docket No. 030004-GU, Order No. PSC-03-1374-FOF-GU, be realigned to reflect the new rate classes in this case?
RECOMMENDATION: Yes. City Gas should file realigned conservation cost recovery factors using the approved revenue requirement in this case based on new rate classes. See Commission Order No. PSC-00-2536-TRF-EG.

ISSUE 83: Should this docket be closed?
RECOMMENDATION: Yes. This docket should be closed upon the issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.