

ORIGINAL

Hopping Green & Sams

Attorneys and Counselors

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COMMISSION CLERK

Writer's Direct Dial No. (850) 425-2359

May 3, 2004

BY HAND DELIVERY

Blanca Bayó
Director, Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0866

Re: Docket No. 040004-GU

Dear Ms. Bayó:

Enclosed please find an original and fifteen copies of:

(1) the Petition of NUI City Gas Company of Florida for approval of its final true-up amount related to the twelve month period ended December 31, 2003; and

05069-04 (2) the direct testimony and exhibit of Gloria Lopez in support of that filing.

If you have any questions with respect to this filing, please contact the undersigned at (850) 425-2359.

Very truly yours,

[Handwritten signature of Gary V. Perko]

Gary V. Perko

- CMP ty
COM S + Loriqty Ct. Rpr
CTR
ECR
GCL ty GVP/mee Enclosures
OPC cc: Parties of Record
MMS
RCA ty
SCR
SEC ty + cover HR.
OTH

RECEIVED & FILED

[Handwritten initials]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05068 MAY-3 04

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Conservation Cost Recovery ) Docket No. 040004-GU  
Clause )  
\_\_\_\_\_ ) Filed: May 3, 2004

**PETITION OF CITY GAS COMPANY OF FLORIDA FOR APPROVAL  
OF CONSERVATION COST RECOVERY TRUE-UP**

City Gas Company of Florida, a division of NUI Utilities, Inc. ("NUI City Gas" or "the Company") hereby petitions the Commission for Approval of the Company's conservation cost recovery true-up for the months January 2003 through December 2003. In support thereof, the Company says:

1. The name of the petitioner and mailing address of its principal office is:

NUI City Gas Company of Florida  
955 East 25<sup>th</sup> Street  
Hialeah, Florida 33013-3498

2. The name and mailing addresses of the persons authorized to receive notices are:

Gary V. Perko  
Hopping Green & Sams  
123 S. Calhoun Street (32301)  
Post Office Box 6526  
Tallahassee, Florida 32314

Gloria Lopez  
Director, Regulatory & Business Affairs  
NUI City Gas Company of Florida  
955 East 25th Street  
Hialeah, FL 33013-3498

3. The final true-up amount (Adjusted Net True-Up) for the months January 2003 through December 2003, is an under-recovery of \$147,346, including interest.

DOCUMENT NUMBER-DATE

05068 MAY-3 04

FPSC-COMMISSION CLERK

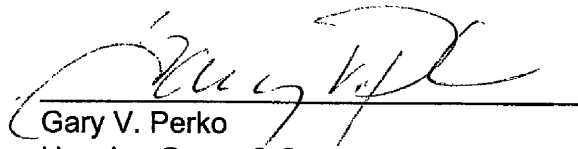
4. The Company's calculation of the true-up amount is consistent with the Commission's methodology, and supported by the Direct Testimony of Gloria Lopez, and Schedules CT-1, CT-2 and CT-3.

WHEREFORE, City Gas Company of Florida requests that its true-up for the months January 2003 through December 2003, be approved.

RESPECTFULLY SUBMITTED this 3rd day of May, 2004.

HOPPING GREEN & SAMS

By:



Gary V. Perko  
Hopping Green & Sams  
P.O. Box 6526  
Tallahassee, FL 32314  
(850) 425-2359

Attorneys for NUI City Gas Company of Florida

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Petition of City Gas Company of Florida supported by the Direct Testimony and Exhibits of Gloria Lopez, has been furnished by U.S. Mail to the following parties this 3rd day of May, 2004.

City Gas Company of Florida  
Gloria L. Lopez  
955 East 25th Street  
Hialeah, FL 33013-3498

Martha Brown  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Florida Division of Chesapeake Utilities  
Thomas A. Geoffroy  
P.O. Box 960  
Winter Haven, FL 33882-0960

Peoples Gas System  
Angela Llewellyn  
P.O. Box 111  
Tampa, FL 33601-0111

Florida Public Utilities Company  
George Bachman  
P.O. Box 3395  
West Palm Beach, FL 33402-3395

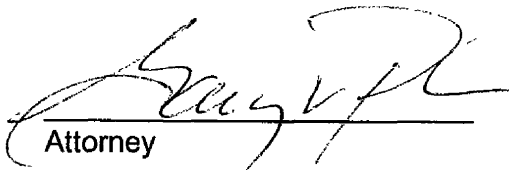
Peoples Gas System  
Matthew Costa  
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Ansley Watson, Jr.  
P.O. Box 1531  
Tampa, FL 33601-1531

Rose Law Firm  
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2548 Blairstone Pines Drive  
Tallahassee, FL 32301

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

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Norman H. Horton, Jr.  
P.O. Box 1876  
Tallahassee, FL 32302-1876

  
Attorney