

MESSER CAPARELLO & SELF, P.A.

Attorneys At Law

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September 30, 2008

**BY ELECTRONIC FILING**

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 080004-GU

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company is Florida Public Utilities Company's Preliminary List of Issues and Positions in the above-referenced docket.

Thank you for your assistance in this matter.

Sincerely,

Norman H. Horton, Jr.

NHH:amb

Enclosures

cc: Mr. Marc S. Seagrave  
Parties of Record

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Natural Gas Conservation        )  
Cost Recovery Clause.                    )  
\_\_\_\_\_)

Docket No. 080004-GU  
Filed: September 30, 2008

**FLORIDA PUBLIC UTILITIES COMPANY'S  
PRELIMINARY LIST OF ISSUES AND POSITIONS**

Florida Public Utilities Company ("FPUC"), by and through its undersigned counsel, submits its preliminary list of issues and positions for its consolidated natural gas division in connection with the hearing that is scheduled for November 4-6, 2008, in the above-styled docket.

**ISSUES AND POSITIONS**

**Issue 1:        What are the final conservation cost recovery true-up amounts for the period January 2007 through December 2007?**

FPUC's Position:        \$425,650 (overrecovery)

**Issue 2:        What are the actual/estimated conservation cost recovery true-up amounts for the period January 2008 through December 2008?**

FPUC's Position:        \$409,776 (underrecovery)

**Issue 3:        What are the total conservation cost recovery amounts to be refunded/collected during the period January 2009 through December 2009?**

FPUC's Position:        \$1,840,224 to be refunded.

**Issue 4:        What are the conservation cost recovery factors for the period January 2009 through December 2009?**

FPUC's Position:

Residential	\$0.06803
General Service	\$0.02934
Large Volume Service	\$0.02062
Large Volume Transportation Service	\$0.02062

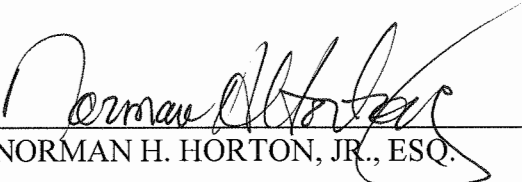
**Issue 5:      What should be the effective date of the new conservation cost recovery factors for billing purposes?**

**FPUC's Position:**      The conservation cost recovery factors should be effective for the period January 2009 through December 2009, and to billings thereafter until other conservation cost recovery factors are approved by the Commission.

Dated this 30<sup>th</sup> day of September, 2008.

Respectfully submitted,

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\_\_\_\_\_  
NORMAN H. HORTON, JR., ESQ.

Attorneys for Florida Public Utilities Company

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by U. S. Mail this 30<sup>th</sup> day of September, 2008 upon the following:

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