

MESSER CAPARELLO & SELF, P.A.

Attorneys At Law

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October 10, 2008

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. 080002-EG

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company in this docket is Florida Public Utilities Company's Prehearing Statement. Also enclosed is the document in MS Word 2003 format.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman Horton, Jr.', with a large, sweeping flourish at the end.

Norman H. Horton, Jr.

NHH:amb

Enclosures

cc: Mr. Marc S. Seagrave
Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost)
Recovery Clause.)
_____)

Docket No. 080002-EG
Filed: October 10, 2008

**FLORIDA PUBLIC UTILITIES COMPANY'S
PREHEARING STATEMENT**

Florida Public Utilities Company ("FPU"), by and through its undersigned counsel, submits its prehearing statement for its two electric divisions in connection with the hearing that is scheduled for November 4-6, 2008, in the above-styled docket.

A. WITNESSES

<u>Witness</u>	<u>Subject Matter</u>	<u>Issues</u>
Marc S. Seagrave	Conservation cost recovery true-up	1 - 5

B. EXHIBITS

<u>Exhibit Number</u>	<u>Witness</u>	<u>Description</u>
_____ MSS-1 (Composite)	Seagrave	True-up calculations and Schedules CT-1, CT-2, CT-3, CT-4, CT-5, and CT-6
_____ MSS-2 (Composite)	Seagrave	Projections calculations and Schedules C-1, C-2, C-3, C-4, and C-5

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 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: \$18,012 (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: \$43,660 (underrecovery)

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

FPUC's Position: \$597,991 to be refunded.

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

FPUC's Position: The appropriate conservation cost recovery factor on a consolidated basis is \$.00074.

Issue 5: **What should be the effective date of the 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.

E. QUESTIONS OF LAW

None.

F. POLICY QUESTIONS

None.

G. STIPULATED ISSUES

None.

H. MOTIONS

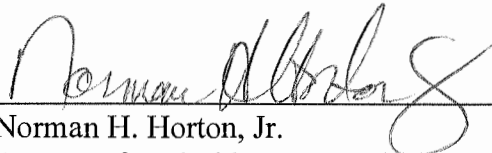
None.

I. OTHER MATTERS

None.

Dated this 10th day of October, 2008.

Respectfully submitted,
MESSER, CAPARELLO & SELF, P.A.
Post Office Box 15579
Tallahassee, Florida 32317

A handwritten signature in cursive script, appearing to read "Norman H. Horton, Jr.", written over a horizontal line.

Norman H. Horton, Jr.
Attorney 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 10th day of October, 2008 upon the following:

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