

Diamond Williams

100002 - EG

From: beth.keating@akerman.com
Sent: Friday, October 01, 2010 12:44 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 100002-EG
Attachments: 20101001123914991.pdf

Attached for filing, please find Florida Public Utilities Company's Preliminary Statement of Issues and Positions.

Beth Keating

Shareholder
Akerman Senterfitt | 106 East College Avenue | 12th Floor | Tallahassee, FL 32301
Dir: 850.521.8002 | Main: 850.224.9634 | Fax: 850.222.0103
Beth.Keating@akerman.com

A. Person Responsible for this Filing:

Beth Keating
Akerman Senterfitt
106 East College Ave, Suite 1200
Tallahassee, FL 32301
(850) 224-9634
(850) 521-8002 (direct)
(850) 222-0103 (fax)
beth.keating@akerman.com

B. Docket NO. 100002-EG: Energy Conservation Cost Recovery Clause

C. Filed on behalf of: Florida Public Utilities Company

D. Pages: 5

E. Florida Public Utilities Company's Preliminary Statement of Issues and Positions

V Card | Bio | akerman.com



**BOCA RATON • DALLAS • DENVER • FT. LAUDERDALE • JACKSONVILLE • LAS VEGAS • LOS ANGELES • MADISON • MIAMI
NEW YORK • PALM BEACH • ORLANDO • TALLAHASSEE • TAMPA • TYSONS CORNER • WASHINGTON, D.C. • WEST PALM BEACH**

CONFIDENTIALITY NOTE: The information contained in this transmission may be privileged and confidential information, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

CIRCULAR 230 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

DOCUMENT NUMBER-DATE

08242 OCT-10

FPSC-COMMISSION CLEAR

10/1/2010



Beth Keating

Akerman Senterfitt
106 East College Avenue
12th Floor
Tallahassee, FL 32301
Tel: 850.224.9634
Fax: 850.222.0103

October 1, 2010

VIA Electronic Filing

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 100002-EG; Energy Conservation Cost Recovery Clause

Dear Ms. Cole:

Attached for filing, please find an electronic copy of the Preliminary Statement of Issues and Positions of Florida Public Utilities Company.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634
Fax: (850) 222-0103

Enclosures

cc: Parties of Record

akerman.com
{TL259099;1}

DOCUMENT NUMBER-DATE
08242 OCT-1 2010
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Energy Conservation Cost)
Recovery Clause.)
_____) Docket No. 100002-EG
) Filed: October 1, 2010

**FLORIDA PUBLIC UTILITIES COMPANY
PRELIMINARY STATEMENT OF ISSUES AND POSITIONS**

Florida Public Utilities Company ("FPUC") hereby submits this preliminary statement of issues and positions:

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: What are the final conservation cost recovery true-up amounts for the period January 2009 through December 2009?

FPUC: An under-recovery of \$24,452.

ISSUE 2: What are the total conservation cost recovery amounts to be collected during the period January 2011 through December 2011?

FPUC: FPUC seeks to recover \$830,844.

ISSUE 3: What are the conservation cost recovery factors for the period January 2011 through December 2011?

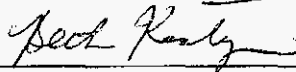
FPUC: The Company asks for approval of a consolidated levelized conservation cost recovery factor for this period of \$.00115 per KWH

ISSUE 4: What should be the effective date of the new conservation cost recovery factors for billing purposes?

FPUC: The factor should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2011 through December 2011. Billing cycles may start before January 1, 2011 and the last cycle may be read after December 31, 2011, so that each customer is billed for twelve months regardless of when the adjustment factor became effective

Docket No. 100002-EG
October 1, 2010

RESPECTFULLY SUBMITTED this 1st day of October, 2010.



Beth Keating
Akerman Senterfitt Attorneys at Law
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
(850) 224-9634

Docket No. 100002-EG
October 1, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S.

Mail to the following parties of record this 1st day of October, 2010:

Florida Public Utilities Company Thomas A. Geoffroy/Curtis Young P.O. Box 3395 West Palm Beach, FL 33402-3395	Jon C. Moyle, Jr., Esq. Vicki G. Kaufman, Esq. Keefe, Anchors, Gordon & Moyle 118 North Gadsden St. Tallahassee, FL 32301
Katherine Fleming, Esq. Theresa L. Tan, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399	Office of Public Counsel Patricia Christensen c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400
Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601-0111	John T. Burnett, Esq. Progress Energy Florida, Inc. P.O. Box 14042 St. Petersburg, FL 33733-4042
Paul Lewis, Jr. Progress Energy Florida, Inc. 106 E. College Ave., Suite 800 Tallahassee, FL 32301	James D. Beasley, Esq. J. Jeffrey Wahlen, Esq. Ausley & McMullen P.O. Box 391 Tallahassee, FL 32302
Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steve R. Griffin, Esq. Beggs & Lane P.O. Box 12950 Pensacola, FL 32591-2950	Kenneth Rubin, Esq. Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420
R. Wade Litchfield Vice President/Assoc. Gen. Counsel Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420	John W. McWhirter, Jr., Esq. McWhirter Law Firm P.O. Box 3350 Tampa, FL 33601-3350
Ms. Susan Ritenour Secretary and Treasurer Gulf Power Company One Energy Place Pensacola, FL 32520-0780	James W. Brew, Esq. Brickfield, Burchette, Ritts & Stone, P.C. Eighth Floor, West tower 1025 Thomas Jefferson Street, NW Washington, DC 20007
Randy B. Miller	

Docket No. 100002-EG
October 1, 2010

White Springs Agricultural Chemicals, Inc. P.O. Box 300 15843 Southeast 78 th St. White Springs, FL 32096	
---	--



Beth Keating
Akerman Senterfitt, Attorneys at Law
106 East College Avenue, Suite 1200
Tallahassee, FL 32301