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Public Service Commission

December 23, 2010

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COMMISSION
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Beth Keating
Gunster Law Firm
215 South Monroe Street, Suite 618
Tallahassee, FL 32301

STAFF'S FIRST DATA REQUEST

Re: Docket No. 100459-EI - Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

Dear Ms. Keating:

By this letter, the Commission staff requests that Florida Public Utilities Company (FPUC or Company) provide responses to the following data requests.

1. Please explain how and when FPUC will allocate savings to non-participants, i.e., customers that will not take service under the time-of-use (TOU) or interruptible program, resulting from the expected reduction in the demand ratchet provision.
2. Please refer to paragraph 18 of the petition, which states: "[i]t is important to note that if customer participation in the demonstration program is below that established maximum levels, then all remaining targeted annual savings will benefit non-participants." Please explain how non-participants will benefit if customer participation is below the participation levels.
3. With respect to the \$900,000 annual savings, please state in dollars: (a) the savings allocated to the proposed TOU rate, (b) the savings allocated to the proposed interruptible rate, and (c) the savings allocated to non-participants.
4. Is FPUC proposing to lower the 2011 levelized fuel factors that have been approved in Docket No. 100001-EI to reflect any savings resulting from the expected reduction in the demand ratchet provision?
5. Please provide the workpapers that show the calculation of the proposed on- and off-peak fuel factors.

DOCUMENT NUMBER 0411
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6. The petition states that FPUC has allocated approximately 50 percent of the expected savings resulting from the amended Agreement to the proposed TOU fuel rates. Does that allocation of savings result in customers being able to save on the TOU rate even without modifying their consumption behavior?
7. Please provide the workpapers that show the calculation of the proposed on- and off-peak fuel factors for interruptible rate. Please also include a discussion as to how customers are being compensated for choosing to take service on a non-firm rate.
8. Please state and describe the administrative and operational costs the Company is proposing to absorb.
9. What is the basis for the summer on-peak period to be from noon – 6 pm? (for the other IOUs the summer on-peak period is noon – 9:00 pm)
10. How many customers does FPUC - Marianna serve under the GSLD rate?

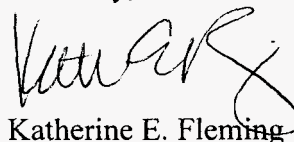
The following questions refer to the amended agreement FPUC and Gulf Power have agreed to in principal:

11. Besides the reduction in the Capacity Purchase quantity, are there any other changes both parties agreed in principal to amend? If yes, please describe each amendment in detail.
 12. Will the term of the original agreement be extended? If yes, please explain and identify the number of years.
 13. Will the agreement for transmission services be affected by the amendment of the agreement? If yes, please explain.
 14. Has the negotiation to amend the contract been concluded?
 15. When will FPUC file for Commission approval of the amended agreement?
 16. Please explain in detail what happens if the discussions with Gulf Power end unsuccessfully or the Commission denies the amended agreement.
 17. Please refer to proposed Tariff Sheet No. 40.0, Terms and Conditions. The first sentence states “. . . after execution of a Special Contract which will be subject to approval by the Commission.” Is FPUC proposing that the Commission approve a contract for every customer taking service under the IS-EXP rate?
 18. Please refer to proposed Tariff Sheet No. 41.0. The on-peak fuel charge for the IS-EXP rate class is lower than the off-peak fuel charge. Is that correct?
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Please file the original and five copies of the requested information by January 6, 2011, with Ms. Ann Cole, Commission Clerk, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Please feel free to call me at (850) 413-6218 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine E. Fleming", written in a cursive style.

Katherine E. Fleming
Senior Attorney
Office of the General Counsel

KEF/sh

cc: Office of Commission Clerk

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