

August 30, 2012

BY HAND DELIVERY

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

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COMMISSION
CLERK

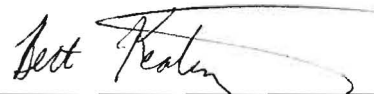
Re: Docket No. 120001-EI: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor

Dear Ms. Cole:

Enclosed for filing, please find the original and 15 copies of a Petition for Approval of Fuel Adjustment and Purchase Power Cost Recovery Revised Estimated/Actual True-Up Amount submitted on behalf of Florida Public Utilities Company, along with the Revised Direct Testimony and Revised Exhibit CDY-2 of Mr. Curtis Young, as well as a new Exhibit CDY-3. Also enclosed for filing is a copy of the referenced filing on CD in native format.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions whatsoever.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

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DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. | DOCKET NO. 120001-EI
| DATED: August 30, 2012

**FLORIDA PUBLIC UTILITIES COMPANY'S
PETITION FOR APPROVAL
OF FUEL ADJUSTMENT AND PURCHASED POWER COST RECOVERY REVISED
ESTIMATED/ACTUAL TRUE-UP AMOUNT**

Florida Public Utilities Company (FPUC or Company), by and through its undersigned counsel, hereby files this Petition asking the Florida Public Service Commission (FPSC or Commission) for approval of FPUC's fuel adjustment and purchased power cost recovery revised estimated true-up amount for the period January 2012 through December 2012. In support of this request, the Company hereby states:

- 1) FPUC is an electric utility subject to the Commission's jurisdiction. Its principal business address is:

Florida Public Utilities Company
1641 Worthington Road, Suite 220
West Palm Beach, FL 33409

- 2) The name and mailing address of the persons authorized to receive notices are:

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

Cheryl Martin
Florida Public Utilities Company
1641 Worthington Road,
Suite 220
West Palm Beach, FL
33409

- 3) Consistent with the requirements for this proceeding, the Company has prefiled the fuel adjustment and purchased power cost recovery true-up forms supplied by the Commission consistent with the requirements for such filings.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

- 4) In accordance with Order No. PSC-12-0061-PCO-EI, issued February 10, 2012, in this Docket, the Company submitted, on August 1, 2012, the Direct Testimony and Exhibit CDY-2 of Mr. Curtis Young in support of the Company's request for approval of the requested actual/estimated true-up amount.
- 5) The Company now finds it necessary to revise its estimated/actual true-up amount to reflect fuel savings experienced by the Company as a result the Commission's approval on July 2, 2012, of Gulf Power Company's mid-course reduction. These savings impacted only the Company's Northwest Division; thus, the Company is submitting, contemporaneously with this Petition, the Revised Testimony of Mr. Curtis D. Young, along with a Revised CDY-2, which includes the corrected amounts pertinent to the Northwest Division.
- 6) The final true-up amounts for the period January 2011 through December 2011 are an under-recovery of \$1,316,601 for the Marianna Division, and an under-recovery of \$545,737 for the Fernandina Beach Division.
- 7) The estimated true-up amounts for the period January 2012 through December 2012 are an under-recovery of \$187,139 for the Marianna Division, and an over-recovery of \$801,347 for the Fernandina Beach Division.
- 8) The Company's total true-up amounts that would be collected or refunded during the period January 2013 through December 2013 are an under-recovery of \$1,503,740 for the Marianna Division, and an over-recovery of \$255,610 for the Fernandina Beach Division.
- 9) In addition, the Company is also submitting a new Exhibit to Mr. Young's testimony for Commission consideration. Exhibit No. CDY-3 reflects the Company's fuel factor calculations with an underlying assumption that the Commission's Orders in Dockets

Nos. 100459-EI and 110041-EI, which are currently being appealed by the City of Marianna, are ultimately upheld, in which case Gulf Power Company would bill the Company in accordance with Amendment No. 1 to the Generation Services Agreement (“PPA”) between Gulf Power Company and FPUC. Exhibit CDY-2 reflects that Gulf Power is currently billing FPUC under the prior, unamended iteration of the PPA, per agreement, in light of the ongoing legal proceedings. FPUC offers Exhibit No. CDY-3 in support of a possible expedited mid-course correction should the Supreme Court affirm the Commission’s Orders in the referenced Dockets, thereby enabling FPUC and Gulf Power to resume performance under Amendment No. 1 to the PPA. As reflected in that Exhibit, the total true-up amount to be collected in 2013 would change to an over-recovery of \$3,248 for the Northwest Division, based upon six months of actual data and six months of estimated data, and assuming reinstatement of Amendment No. 1.

WHEREFORE, FPUC respectfully requests that the Commission approve the Revised estimated true-up amounts for January 2012 through December 2012.

RESPECTFULLY SUBMITTED this 30th day of August, 2012.



Beth Keating
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215 South Monroe St., Suite 601
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(850) 521-1706

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by US Mail this 30th day of August, 2012.

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