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# Public Service Commission

November 13, 2012

Beth Keating, Esquire  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe Street, Suite 601  
Tallahassee, Florida 32301

## STAFF'S FIRST DATA REQUEST

**Re: Docket No. 120263-EI -- Petition for Approval to Modify Approved Demonstration Project Consisting of Proposed Time of Use and Interruptible Rate Schedules and Corresponding Fuel Rates by Florida Public Utilities Company**

Dear Ms. Keating:

By this letter, the Commission staff requests that Florida Public Utilities Company (FPUC) provide responses to the following data requests so as to better understand the proposed modifications to the approved Demonstration Project:

1. Since the filing of the Annual Status Report in Docket No. 100459-EI by FPUC on August 31, 2012, has the number of program participants by customer class changed in a material or substantial way? If so, please explain.
2. Please provide the date or time period in which the parties reverted to operating under the former terms of the Generation Services Agreement?
3. Given that the City of Marianna has filed an appeal of the order approving the implementation of FPUC's experimental Time of Use (TOU) and interruptible pilot program in Docket No. 100459-EI with the Florida Supreme Court, please explain why it is appropriate to make the proposed changes to TOU and interruptible rate schedules prior to the resolution of the appeal.
4. The following questions pertain to "Attachment B" of the petition:
  - a) Please state the basis (actual or projected) for the energy consumption levels by rate class shown in the top table.
  - b) Please explain and show the calculation of the confidential number shown in the line labeled "Projected Total Savings in 2013."

120263-EI-001

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Ms. Beth Keating, Esquire

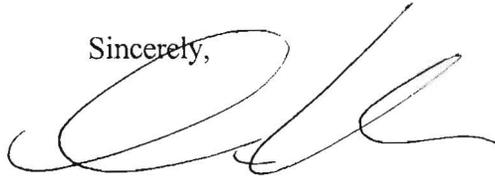
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- c) The appellate proceeding regarding Amendment No. 1 to the contract between FPUC and Gulf Power is pending. Does the estimate of Projected Total Savings in 2013 include savings that would accrue from the implementation of the terms of Amendment No. 1 in addition to savings resulting from reductions in market rates for purchased fuel? If so, please explain why it is appropriate to include the Amendment No. 1 savings since the implementation of Amendment No. 1 is currently pending the outcome of the appellate proceeding.

Please file the original and five copies of the requested information by November 30, 2012, with Ms. Ann Cole, Commission Clerk, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Please feel free to contact me at [cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us) or call me at (850)413-6220 if you have any questions. We appreciate your assistance with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'CK', with a large, sweeping flourish extending to the right.

Caroline Klancke  
Senior Attorney

CK/nah

cc: Office of Commission Clerk