

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Public Utilities Company.

DOCKET NO. 080366-GU
ORDER NO. PSC-09-0375-PAA-GU
ISSUED: May 27, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF PROPOSED AGENCY ACTION ORDER
APPROVING IN PART A GAS RATE INCREASE
AND
REQUIRING ADDITIONAL FILINGS AND HOLDING REVENUES SUBJECT TO
REFUND IN THE EVENT THE PLANNED MERGER IS CONSUMMATED

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

I. BACKGROUND

This proceeding commenced on December 17, 2008, with the filing of a petition for a permanent rate increase by Florida Public Utilities Company (FPUC or Company). The Company is engaged in business as a public utility providing distribution and transportation of gas as defined in Section 366.02, Florida Statutes (F.S.), and is subject to our jurisdiction. FPUC serves gas customers through two divisions: the Central Florida Division, consisting of portions of Seminole, Marion and Volusia Counties; and the South Florida Division, consisting of portions of Palm Beach, Broward and Martin Counties. Together, FPUC provides service to over 51,000 residential and commercial customers.

FPUC requested an increase in its retail rates and charges to generate \$9,917,690 in additional gross annual revenues. This increase would allow the Company to earn an overall rate of return of 8.74 percent or an 11.75 percent ROE (range 10.75 percent to 12.75 percent). The Company based its request on a projected test year ending December 31, 2009. In its petition, FPUC stated that this test year is the appropriate period to be utilized because it best represents expected future operations for use in analyzing the request for rate relief. FPUC has elected to

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have its petition for rate relief processed under the proposed agency action (PAA) procedure authorized by Section 366.06(4), F.S.

We last granted FPUC a \$5,865,903 rate increase by Order No. PSC-04-1110-PAA-GU.¹ In that order, we found the Company's jurisdictional rate base to be \$59,171,674 for the projected test year ended December 31, 2005. The allowed rate of return was found to be 7.62 percent for the test year using an 11.25 percent return on equity (ROE).

FPUC also requested an interim rate increase in its retail rates and charges to generate \$984,054 in additional gross annual revenues. Based on FPUC's calculations, the increase would allow the Company to earn an overall rate of return of 7.66 percent or a 10.25 percent ROE, which is the minimum of the currently authorized ROE range of 10.25 percent to 12.25 percent. The Company based its interim request on a historical test year ended December 31, 2007. By Order No. PSC-09-0123-PCO-GU, issued March 3, 2009, we granted the interim rate increase. The interim rates became effective for all meter readings made on or after 30 days from the date of the vote approving the interim increase. In the same order, we suspended the Company's proposed final rates and associated tariff revisions pending a final decision in this docket.

The Office of Public Counsel (OPC) intervened in this proceeding.²

Customer Meetings were held in West Palm Beach on March 26, 2009, and in Ocala and Deltona on April 2, 2009. A total of four customers spoke at the three meetings.

This Order addresses FPUC's requested permanent rate increase. We have jurisdiction pursuant to Sections 366.06(2) and (4), and 366.071, F.S.

II. TEST PERIOD

A. Projected Test Period

FPUC has requested that the projected test period for the 12 months ending December 31, 2009, be used as the test year. The Company used actual data for the 2007 historical base test year. This data served as a basis for developing its 2009 projected test year request. The 2008 projected test year was based on actual data through April 2008 plus projected data for the remainder of 2008. The projected 2009 test year was based on the projected level of customers, related revenues, expenses updated for cost changes and trending, capital expenditures, and the projected cost of capital. The projections through 2009 were reviewed by our auditors and analyzed by our staff.

¹ See Order No. PSC-04-1110-PAA-GU, issued November 8, 2004, in Docket No. 040216-GU, In re: Application for rate increase by Florida Public Utilities Company.

² See Order No. PSC-09-0010-PCO-GU, issued January 5, 2009, in Docket No. 080366-GU, In re: Petition for rate increase by Florida Public Utilities Company.

The purpose of the test year is to represent the financial operations of a company during the period in which the new rates will be in effect. We find that the projected test period for the 12 months ending December 31, 2009, with our appropriate adjustments, is representative of the period in which the new rates will be in effect and is appropriate.

However, we are aware of the announcement of a merger with Chesapeake Utilities Corporation (Chesapeake), proposed to take place in the fourth quarter of 2009. Such merger could make the rates we are proposing in this Order to be inappropriate. Therefore, later in this Order, we have allowed for certain contingency provisions should the merger be consummated.

B. Bills and Therms

FPUC projected usage per customer for the 2009 test year separately for South Florida and Central Florida by rate class. The Company used monthly data from December 2004 through July 2008 to estimate the historical relationship between gas use per customer, normal weather conditions, natural gas prices (for certain rate classes), and time. These forecast assumptions appear to be appropriate. Based upon our staff's evaluation of the econometric equations used to produce the projected usage per customer, we also find that the projected usage per customer is appropriate for use in this case.

FPUC projected customer growth separately for South Florida and Central Florida by rate class. In Mr. Schneidermann's direct testimony, he states that most customer classes have experienced an increase in the number of customers since the previous rate case, but the rate of increase has declined in recent years. He says the Company also considered the recent troubles in the housing market and general economy, and that the Company is using a conservative estimate to assume that the number of customers will not decrease between 2008 and 2009. Based on a review of the 2009 projections by our staff, FPUC's South Florida and Central Florida General Managers, as well as the Company's Director of Marketing and Sales, we find the projections to be reasonable extensions of historical growth patterns.

After evaluating the Company's historical data and its projections for 2009, and taking the current economic climate into consideration, we find that the projected bills and therms are appropriate.

III. QUALITY OF SERVICE

Customer Meetings were held in West Palm Beach on March 26, 2009, and in Ocala and Deltona on April 2, 2009. The purpose of the meetings was to gather information from customers regarding the Company's quality of service and its request for a permanent rate increase. Two customers spoke at the West Palm Beach meeting, two customers spoke at the Deltona meeting, and no customers attended the Ocala meeting. There were no quality of service complaints expressed at the meetings. All of the residential customers who spoke at the meetings expressed concern over the rate increase. Also, a customer at the Deltona meeting was upset that the Company would not allow him to enter into a payment plan for the balance on his account.

In further investigation of quality of service, our staff analyzed all complaints taken by our Division of Service, Safety, and Consumer Assistance for the calendar year 2008. There were a total of 40 complaints, 30 involving billing complaints, and 10 involving service. All but three complaints were resolved in a timely manner. The number of complaints per customer compares favorably with other large Florida natural gas utilities. Also, we note that FPUC has not experienced an outage that falls under the reporting requirements of our Bureau of Safety since its last rate case, in 2004.

Considering all of the above, we find that FPUC's quality of service is satisfactory.

IV. RATE BASE

A. Allocations Attributable to Non-Regulated Business and Common Plant

The Company reviews its individual plant accounts each year to determine the appropriate allocations for non-regulated business and common plant. The Company's projected 2009 test year Minimum Filing Requirements (MFRs) data for plant in service, accumulated depreciation reserve, and depreciation expense were prepared using the 2008 allocation factors for non-regulated business and common plant. The 2009 allocation factors were not available at the time of filing.

The Company provided the 2009 allocation factors in response to our staff's data request. To reflect the 2009 allocation factors, plant in service and accumulated depreciation reserve shall be increased by \$81,565 and \$79,623, respectively. Also, depreciation expense shall be increased by \$17,740.

B. Allocation of Common Electronic Data Processing (EDP) Equipment

In Audit Finding No. 12, our staff auditors found that there was an error in the allocation of common EDP equipment. As a result, the allocations to the electric and natural gas divisions were understated and the allocation to the propane division was overstated. The corrections required for the test year are increases to plant in service and the accumulated depreciation reserve of \$90,819 and \$52,067, respectively. Also, depreciation expense shall be increased by \$9,616 to correct this error. The Company concurs with these adjustments.

C. Adjustments to Rate Base and Depreciation Expense and Amortization Expense for Bare Steel Replacement Program

The Company's bare steel replacement program was approved by this Commission in the Company's last rate case by Order No. PSC-04-1110-PAA-GU, issued November 8, 2004.³ That Order stated:

The bare steel replacement program as proposed by the Utility would replace all of the utility's existing bare steel mains and service lines with plastic pipe. Bare steel mains and service lines do not appear to have effective cathodic protection

³ In Docket No. 040216-GU, In re: Application for rate increase by Florida Public Utilities Company, p.8.

on them. Included in this total is approximately five miles of cast iron mains. Some of these mains and service lines have experienced corrosion and corrosion-related gas leaks.

The utility's proposed program would replace all existing mains over a 75-year period beginning in 2005, at a total cost of \$28,315,380, amortized at \$377,538 per year. We find that the replacement period shall be shortened to 50 years to reflect the average useful life of the equipment. This change results in a yearly increase in amortization expense of \$188,770 for a total of \$566,308. Accumulated amortization for the projected test year is also increased by \$94,385.³

According to the Company, the Department of Transportation, Pipeline and Hazardous Materials Safety Administration, and the Commission's Bureau of Safety are both in the process of developing rulemaking to address distribution integrity management. This emphasizes the need not only to continue the bare steel replacement program, but to enhance this program to include steel tubing replacements, recognizing the possible increased hazard from steel tubing.

The Company estimates that the total cost of the program is \$37,386,365, from \$28,315,380, as approved in the last rate case, an increase of \$9,070,985. This increase is mainly due to greater material and installation costs associated with the replacement of steel pipe with plastic. Adding steel tubing to the replacement program accounts for only \$642,660 of the program's total increased cost.

In the current rate case, the Company included an annual amortization of \$623,106 for the bare steel mains, services, and steel tubing replacement program. The annual expense reflects the revised total cost of the replacement program and the Company's requested 60-year amortization period. These changes would increase the annual amortization expense from \$566,308, as approved in the last rate case, to \$623,106, or an increase of \$56,798.

In the last rate case, the Company proposed a 75-year amortization period for the bare steel replacement program. Now, the Company is proposing a 60-year amortization period. Pursuant to Order No. PSC-04-1110-PAA-GU, we find that the Company's revised bare steel replacement program shall be approved with the exception that the amortization period shall remain at 50 years to reflect the average useful life of the equipment. This change results in a yearly increase in amortization expense of \$181,419 over the program approved in the last rate case. It requires an adjustment to decrease the Company's plant in service and depreciation reserve by \$67,503 and \$716, respectively. It also requires an adjustment to increase amortization expense by \$124,621 and decrease depreciation expense by \$1,841.

Further, the Company shall file a report with our Division of Economic Regulation within 90 days of our final order in this rate case, showing the dollar amount and feet of plastic mains and services installed in 2005, 2006, 2007, and 2008, to replace the bare steel pipe retired in those same years. Thereafter, the Company shall file an annual status report by March 31 of each year showing the dollar amount and feet of plastic mains, services, and tubing installed during the previous calendar year to replace bare steel pipe and tubing retired that year.

D. Area Expansion Program (AEP) Deficiency

FPUC extends its facilities to provide service in accordance with the provisions of Rule 25-7.054, F.A.C. The rule requires extensions to be made at no cost to the customer when the capital investment necessary to extend the Company's facilities is less than the allowable construction cost. The allowable construction cost is equal to four times the estimated gas revenues from the facilities less the cost of gas. In the event the cost exceeds the allowable construction cost, the Company requires the customer(s) to make an advance in aid of construction, which has to be made up-front.

The AEP is an alternate method of recovering capital construction costs that are in excess of estimated four-year base revenues that are to be derived from a defined main extension project. While Rule 25-7.054, F.A.C., is designed to address individual customers, the AEP is designed to address a group of customers that are part of an expansion project. The AEP allows the Company to add a surcharge that is billed to each participating customer until the excess construction cost is paid in full or a maximum period of 10 years, whichever comes first.

FPUC's existing AEP was originally approved in Docket No. 941291-GU.⁴ The current program does not provide for a true-up mechanism at any point during the 10-year allowable collection period. Additionally, the program does not allow the AEP per therm surcharge rate to be changed once the in-service date has been established.

FPUC currently has 44 active AEP projects of which 38 are projected to have excess construction cost balances as of December 31, 2008. Due to the current economic conditions that have affected the new construction housing market, the Company does not anticipate the excess construction cost balances of these projects to be recovered prior to the end of the 10-year allowable collection period. The Company has conducted an analysis of all 44 active AEP projects. The analysis showed that without an adjustment to the per therm surcharge, the unrecovered excess construction costs at the end of the 10-year collection period of each project, in total, will exceed \$4,000,000.

The Company proposes to deal with this shortfall in two ways. First it proposes to increase the allowable surcharge rate, which is discussed below. Under the Company's proposed increase, the unrecovered excess construction cost balances would be reduced to \$2,461,202 based on its original filing. However, the Company corrected the original filing in response to our staff's Data Request No. 70, increasing the unrecovered excess construction cost, after the proposed increase in the surcharge, from \$2,461,202 to \$2,478,621, or an increase of \$17,419. The Company proposes to transfer the remaining balance of \$2,478,621 to plant in service, increasing rate base as filed in the current rate proceeding. In the Company's last rate proceeding, we did not address the unrecovered excess construction cost balances associated with the AEP

⁴ Order No. PSC-95-0162-FOF-GU, issued February 7, 1995, in Docket No. 941291-GU, In Re: Petition for approval of modification to tariff provisions governing main and service extensions by Florida Public Utilities Company.

FPUC is also proposing a new AEP, based on its experience in managing the existing AEP projects over the last 14 years. The Company's proposal for the new AEP, which is designed in part to reduce the underrecovery of cost in the future, is discussed below.

We believe that the AEP allows customers access to natural gas that they otherwise would not have been able to receive. Adding additional customers to the system helps spread common costs over a larger base, helping all customers.

Therefore, the unrecovered cost associated with the existing AEPs shall be allowed in rate base and recovered over the life of the property, and plant in service and accumulated depreciation reserve shall be increased by \$2,478,621 and \$31,998 respectively. This requires an adjustment to increase plant in service by \$17,419, to correct the error in the Company's filing.

E. Account 252 - Customer Advances

Audit Finding No. 1 noted that FPUC made an error in Account 252 - Customer Advances for Construction forecast for 2009. The 2009 forecast was calculated by taking the 2007 historical average amount and applying the combined customer growth and inflation factor of 1.0274. The Company should have used the 2008 forecast average amount and the 2009 customer growth and inflation factor of 1.0274.

Therefore, Account 252 - Customer Advances for Construction shall be increased by \$87,449 for the projected 2009 test year. The Company concurs with this adjustment.

F. Working Capital Allowance

In response to our staff's Data Request No. 49, the Company noted that the projected amounts shown in the MFRs represent the incorrect years for workman's compensation insurance. The corrected 13-month average for workman's compensation insurance for the 2009 test year is \$88,748, compared to the Company's original filing of \$106,340. Therefore, to correct this error, working capital shall be decreased by \$17,592 for the 2009 test year.

Also, in response to our staff's Data Request No. 90, the Company noted that it had erroneously included \$8,436 of Account 1210 -- Non-Utility Property in working capital for the 2009 test year. To correct this error, working capital shall be decreased by \$8,436.

The total of these two adjustments is a decrease to working capital of \$26,028.

G. Rate Base

Based on our above-noted adjustments, the appropriate 13-month average rate base for the 2009 projected test year shall be reduced from \$73,747,220 to \$73,262,885, as shown on Schedule 1.

V. COST OF CAPITAL

A. Accumulated Deferred Income Taxes (ADITs)

FPUC included ADITs of \$2,773,818 in its 2009 projected test year capital structure. FPUC stated that ADITs arise from the normalization procedures of accrual accounting. The Company stated that its proposed treatment of ADITs capitalizes the tax benefit and amortizes the balance to income in equal installments over the life of the capital. The unamortized balance of ADITs is carried as a deferred liability. The Company also noted that it is common to subtract the balances of deferred tax liabilities from the rate base or to include the liability in the capital structure at zero cost for purposes of determining regulated prices. The Company noted that the latter is the longstanding methodology adopted by this Commission, and it is the approach taken by FPUC in this filing.

We agree with the methodology used by FPUC to calculate the appropriate amount of ADITs to include in the Company's 2009 projected test year. Therefore, the appropriate amount of ADITs to include in the capital structure is \$2,773,818.

B. Investment Tax Credits (ITCs)

FPUC included ITCs of \$115,553 in its projected 2009 test year capital structure at a 9.38 percent cost rate. FPUC stated that ITCs arise from the normalization procedures of accrual accounting. The Company stated that its proposed treatment of ITCs capitalizes the tax benefit and amortizes the balance to income in equal installments over the life of the capital. The unamortized balance of ITCs is carried as a deferred liability. The Company also noted that it is common to include the liability in the capital structure for purposes of determining regulated prices. The Company stated that this treatment has been recognized by this Commission in the past, and it is the approach taken by FPUC in this filing.

We agree with the methodology used by FPUC to calculate the appropriate amount of ITCs to include in the Company's 2009 projected test year. We determined the appropriate cost rate for ITCs based on our approved capital structure and the ROE approved below. Therefore, the appropriate amount of ITCs to include in the capital structure is \$115,553 at a cost rate of 8.72 percent.

C. Short-Term Debt

FPUC proposed a short-term debt cost rate of 4.71 percent based on the London Interbank Offer Rate (LIBOR) plus 156 basis points. The Company used a U.S. Federal Funds (Fed Funds) interest rate of 2.98 percent to estimate LIBOR. The Company noted that LIBOR has traded at an average of 17 basis points above the Fed Funds rate since January 2001. Therefore, the Company added 17 basis points to the Fed Funds rate to estimate a LIBOR rate of 3.15 percent. Next, the effective interest rate spread on outstanding daily balances, 80 basis points, was added to the 3.15 percent LIBOR rate to produce a cost rate of 3.95 percent. The Company then added 76 basis points to account for fees associated with the unused credit line,

direct charges, and charges for outstanding balances. The use of this methodology produced the Company's recommended short-term debt cost rate of 4.71 percent.

We disagree with FPUC's proposed cost rate for short-term debt of 4.71 percent. The Company acknowledged that the Fed Funds rate was one percent at the time of the filing, and it is expected to hold steady over the near term due to the current slowdown in economic activity. Based on this Fed Funds rate, we find the appropriate estimate of the cost rate for short-term debt to be 2.73 percent, using FPUC's proposed methodology.

D. Long-Term Debt

FPUC proposed a cost rate for long-term debt of 7.90 percent. This cost rate is based on FPUC's five outstanding first mortgage series bonds that were issued over the 1988-2001 period. These issues have maturity dates ranging from 2018 to 2031 and carry coupon interest rates ranging from 4.90 percent to 10.03 percent. The Company's embedded cost rate is determined according to contemporary accounting conventions and accounts for the 2009 amortization schedule of issuance costs. The average net outstanding balance of long-term debt for 2009 also reflects unamortized issuance costs and sinking fund schedules. FPUC stated that the Company does not expect to issue additional long-term debt prior to 2010.

After review of FPUC's MFRs and supporting documentation, we find that FPUC's proposed cost rate of 7.90 percent accurately reflects the Company's long-term debt cost rate.

E. Return on Common Equity (ROE)

FPUC requested an ROE of 11.75 percent. The Company's currently-allowed ROE of 11.25 percent was authorized in Order No. PSC-04-1110-PAA-GU.

To support its proposed ROE, FPUC proffered a witness that provided the results of four capital valuation methods applied to two groups of companies identified as comparable in risk to FPUC. These methods include the Capital Asset Pricing Model (CAPM), Discounted Cash Flow (DCF) analysis, Risk Premium (RP) model, and an assessment of realized market returns. Because the PAA procedures were used, no other parties filed testimony in this docket regarding ROE.

1. ROE Models

Based on the statutory principles for determining the appropriate rate of return for a regulated utility set forth by the U.S. Supreme Court in its Hope and Bluefield decisions, the Company developed two groups of comparable risk utilities to determine the ROE for FPUC.⁵ The first group, "Sample 1," consisted of eight mid-sized natural gas distribution companies (LDCs). These companies were selected based on business line and financial performance. FPUC also analyzed each company based on the following criteria: equity participation in total

⁵ Federal Power Commission v. Hope Natural Gas Company, 320 U.S. 591 (1944) and Bluefield Water Works & Improvement Company v. Public Service Commission of West Virginia, 262 U.S. 679 (1923).

capital, coefficient of variation in earnings per share over five- and ten-year periods, CAPM beta, and variation in market returns. This criteria was also applied to the second group, "Sample 2," which is comprised of 11 mid-sized electric utilities (IOUs). FPUC identified the companies in each group using data from Value Line Investment Survey (Value Line), Ibbotson Associates (Morningstar), and web-based services such as Yahoo Finance, UBS Financial Services, and Zacks Financial Services.

FPUC's witness used a single-stage DCF model in analyzing each group. The DCF model defines the cost of capital as the sum of the adjusted dividend yield and expectations of future growth in cash flows to investors, including dividends and future appreciation in share prices. The results of this analysis ranged from 13.13 percent to 14.97 percent for the LDCs and from 9.57 percent to 13.17 percent for the IOUs. These results included an adjustment for flotation costs of 6 percent or approximately 25 to 33 basis points. Based on this analysis, FPUC concluded a DCF-based ROE of 12.84 percent.

FPUC's witness also employed the CAPM in his analysis. The CAPM is a risk premium model that uses as inputs a risk-free rate, an overall return for the market, and beta. Beta is a measure of systematic risk, which is risk that cannot be diversified away. FPUC applied the CAPM to both groups of comparable companies. The results of this model ranged from 9.56 percent to 13.26 percent for the LDCs, and from 9.57 percent to 13.39 percent for the IOUs. These results included an adjustment for flotation costs of 6 percent or approximately 25 to 33 basis points. Based on this analysis, FPUC concluded a CAPM-based ROE of 11.42 percent.

The next approach FPUC's witness employed was an RP analysis. The underlying concept of the RP approach is that differences in perceptions of risks among financial assets such as equities and debt are revealed in differences between historical market returns. Thus, the Company stated that these differences can serve as a surrogate for the compensation of risk over future timeframes. The results of this approach ranged from 11.20 percent to 13.40 percent for both groups. These results included an adjustment for flotation costs of 6 percent or approximately 25 to 33 basis points. These results also included a small-size premia adjustment of 200 basis points. Based on this analysis, FPUC concluded an RP-based ROE of 12.30 percent.

Finally, FPUC's witness employed an assessment of realized market returns, or historical earned returns, over 5- and 10-year periods for both groups as well as for broader indices of companies in the natural gas and electric industries. The approach based on realized market returns assumes that if historical earned returns guide expectations of future returns, historical returns provide a useful benchmark and, within reasonable bounds, reflect the opportunity cost of capital. The results of this assessment ranged from 9.81 percent for the natural gas industry to 10.40 percent for the electric industry. These results included an adjustment for flotation costs of 6 percent or approximately 25 for the natural gas companies and 33 basis points for the electric companies. FPUC concluded an ROE of 10.11 percent using this approach.

Based on the results of its analyses, FPUC determined a range of equity returns of 10.11 percent to 12.84 percent for the four approaches. The average of these indicated returns is 11.67 percent. The Company argued that its models were applied to mid-sized companies that, while

not large, have much larger market capitalization than FPUC. It is the Company's view that the cost of equity is higher for small firms, other factors held constant. For these reasons, FPUC recommended the ROE be set at a level of 11.75 percent or higher.

2. Commission Analysis

The Company's ROE analysis relied heavily on dated information for estimates of the necessary inputs. The CAPM analysis relied on betas from 2007 and market returns based on historical, earned returns from 1970 through 2007. The timeframe relied on to determine the risk-free rate was not specified. There is considerable academic research documenting that risk premiums based on historical, earned returns are poor predictors of current market expectations. This deficiency also extends to the results of the RP model as it too relied on historical, earned returns.

The growth rate assumed in the DCF analysis for the LDCs was 10.14 percent. It is important to keep in mind that the ROE recognized for purposes of setting rates in this proceeding should be in line with the risk associated with the provision of regulated services. In the current economic environment, we do not believe an annual rate of growth in earnings this high is a reasonable approximation of the growth in earnings investors expect from regulated operations.

It is generally accepted that earned or realized returns can and do differ significantly from investor-required returns. Investors' required returns are a function of investors' expectations of risk and return going forward. Just because a particular investment earned a 5 percent or 15 percent return last year does not mean investors expect the same investment to earn a return of 5 percent or 15 percent the following year.

There is little doubt the recent disruption in the capital markets has exerted some degree of upward pressure on the current expectations of the market risk premium. However, we find this incremental increase in required return, whatever the appropriate amount may be, shall be applied to a contemporary estimate of the investor-required return. FPUC's witness identified a group of LDCs that he believes are comparable in risk to FPUC. Excluding the three LDCs with ROEs set in the mid 1990's, these utilities have authorized ROEs ranging from a low of 9.95 percent to a high of 10.70 percent. The average ROE for this group is 10.24 percent. We do not find the investor-required return for FPUC is 150 basis points greater than the average authorized return for the group of companies the Company identified as comparable in risk to FPUC.

3. Conclusion

We find that an authorized ROE of 10.85 percent is appropriate. This return is above the relevant average ROE for the group of LDCs the Company identified as comparable in risk to FPUC to compensate for the recent disruption in the capital markets. We believe this level of return also compensates for the financial risk associated with FPUC's capital structure. For the reasons discussed above, the authorized ROE for FPUC shall be set at 10.85 percent, with a range of plus or minus 100 basis points.

F. Capital Structure

In its MFRs, FPUC filed a projected capital structure on both a 13-month average and year-end basis. Although the Company used a 13-month average capital structure for purposes of its request for a rate increase, the Company made an argument to support consideration of a year-end capital structure for purposes of this proceeding. FPUC's stated reason for requesting the year-end capital structure is to reflect the issuance of new shares of common equity in mid-year 2009. Use of a year-end capital structure produces an overall cost of capital that is 20 basis points greater than the rate of return indicated by a 13-month average capital structure. This incremental difference represents approximately \$240,000 in annual revenue requirements. The equity ratio using FPUC's alternatively proposed year-end capital structure is 52.75 percent, which is 4.62 percentage points higher than the 13-month average capital structure equity ratio of 48.13 percent.

The Company acknowledged that use of a year-end capital structure is a departure from our long-standing policy of using a 13-month average capital structure. By using a projected test year, the Company's projected equity issuance would be partially recognized in the rate setting process. However, we find that the Company shall use a 13-month average capital structure such that it corresponds with its 13-month average rate base, so that all the components are consistent. Furthermore, we do not find that FPUC has demonstrated sufficient extenuating circumstances, such as extraordinary growth or inflation, to merit a divergence from the standard practice of using a 13-month average capital structure. For these reasons, we find that FPUC shall use a 13-month average capital structure, to be consistent with its use of a 13-month average rate base and our past practice as approved in Order No. 10449.⁶

Additionally, the Company used a capital structure excluding the unregulated subsidiary Flo-Gas balances in the capital structure for purposes of its request for a rate increase. However, FPUC argued in support of including the unregulated subsidiary Flo-Gas balances in the capital structure, because it believes these funds cannot be earmarked for specific purposes. FPUC stated that this treatment places the Company's unregulated propane operations at a competitive disadvantage to other propane companies as justification for the inclusion of unregulated Flo-Gas balances in the capital structure. In reconciling rate base and capital structure, our practice regarding non-utility investment is stated below:

. . . we believe all non-utility investment should be removed directly from equity when reconciling the capital structure to rate base unless the utility can show, through competent evidence, that to do otherwise would result in a more equitable determination of the cost of capital for regulatory purposes. In the case of Gulf, we believe that the non-utility investment should be removed from equity. This will recognize that non-utility investments will almost certainly increase a utility's cost of capital since there are very few investments that a utility can make that are of equal or lower risk. Removing non-utility investments directly from equity

⁶ Order No. 10449, issued December 15, 1981, in Docket No. 810035-TP, In re: Petition of Southern Bell Telephone and Telegraph Company for a rate increase.

recognizes their higher risks, prevents cost of capital cross-subsidies, and sends a clear signal to utilities that ratepayers will not subsidize non-utility related costs.⁷

Based on these reasons, FPUC shall continue to remove non-utility investments directly from equity, recognizing their higher risks and preventing cross subsidization through the cost of capital. This treatment is consistent with our past practice and our treatment in FPUC's most recent rate cases.⁸

G. Cost of Capital

For its projected test year capital structure, FPUC allocated investor capital amounts from its consolidated 13-month average capital structure to its gas division. FPUC specifically identified customer deposits, deferred taxes, and investment tax credits for the gas division in developing the capital structure. The Utility's resulting overall cost of capital calculation was 8.74 percent, which was based on an equity ratio as a percentage of investor-supplied capital of 48.13 percent and an ROE of 11.75 percent.

As discussed above, the appropriate amount of ADITs to include in FPUC's capital structure is \$2,773,818, and the appropriate amount of ITCs to include in the capital structure is \$115,553 at a cost rate of 8.72 percent. Also, the rates for short-term debt, long-term debt, and ROE are 2.73 percent, 7.90 percent, and 10.85 percent, respectively.

The net effect of our adjustments is a reduction in the overall cost of capital from the 8.74 percent return requested by the Company to a return of 8.17 percent. Based upon the proper components, amounts, and cost rates associated with the capital structure for the test year ending December 31, 2009, we find that the appropriate weighted average cost of capital for FPUC is 8.17 percent, as shown on Schedule 2.

VI. NET OPERATING INCOME

A. Non-Regulated Business Expense

The Company allocated the incorrect amount of payroll for merchandise and jobbing customers to its non-regulated operations in 2007 and 2008. In both years, warranty programs were counted as separate customers in addition to being counted as merchandise and jobbing customers. This resulted in an overstatement of the number of non-regulated customers. Also, the time studies used by the Company were based on historical periods that did not take into account the dramatic slowdown in the housing and construction industry that began in late 2007. To correct for these errors, the Company increased the expenses allocated to Account 912.1 -- Demonstrating and Selling expenses for its regulated natural gas operations in 2008 and 2009 by

⁷ Order No. 23573, issued October 3, 1990, in Docket No. 891345-EI, In re: Petition of Gulf Power Company for an increase in its rates and charges, p. 21.

⁸ Order No. PSC-04-1110-PAA-GU, issued November 8, 2004, in Docket No. 040216-GU, In re: Application for rate increase by Florida Public Utilities Company; and Order No. PSC-08-0327-FOF-EI, issued May 19, 2008, in Docket No. 070304-EI, In re: Petition for rate increase by Florida Public Utilities Company.

an estimated \$100,000. The Company indicated that it would record the actual amount required for this adjustment based on updated customer counts and time studies late in 2008.

In Audit Finding No. 4, our staff auditors noted that subsequent to the filing, FPUC calculated the actual effect based on updated customer counts and time studies in December 2008, which increased regulated natural gas expenses for 2008 by \$24,881. The Company trended the payroll costs in this account at 5.5 percent from 2008 to 2009. This produced a 2009 projected test year amount of \$26,249, versus the \$100,000 the Company had estimated.

In light of these circumstances, Account 912.1 – Demonstrating and Selling expenses shall be reduced by \$73,751 for the projected 2009 test year. The Company concurs with this adjustment.

B. Franchise Fees

The Company failed to remove both franchise fee revenue and franchise fee expense from its projected 2009 test year operations. Franchise fees are billed as a separate line item on the customers' bills. Franchise fees are not considered a general expense applicable to all of the Company's customers. The appropriate franchise fee rate is applied to only those customers' bills that reside within the franchising entity's boundaries. Therefore, neither the revenues nor the expenses related to franchise fees shall be included in the income statement for ratemaking purposes. Both operating revenues and taxes other than income shall be reduced by \$1,441,002 for the 2009 projected test year. Since these amounts offset each other, there is no effect on the amount of net operating income.

C. Gross Receipts Tax

The Company failed to remove both gross receipts tax revenue and gross receipts tax expense from its projected 2009 test year operations. Although the gross receipts tax is applicable to all of the Company's customers, it is billed as a separate line item on the customers' bills. Therefore, neither the revenues nor the expenses related to the gross receipts tax shall be included in the income statement for ratemaking purposes. Both operating revenues and taxes other than income shall be reduced by \$2,315,886 for the projected 2009 test year. Since these amounts offset each other, there is no effect on the amount of net operating income.

D. Inflation Trend Factor

FPUC used nationally known sources to derive its Consumer Price Index (CPI) trend factor of 2.7 percent. Because the trend factor was developed from mid-2008 data, the dramatic fall in energy prices and the economy were not foreseen. Although the CPI has fallen since 2008, the State's National Economic Estimating Conference in February 2009 forecast that the CPI will reach 2.6 percent in 2010 and afterwards will not fall below 2.7 percent going out to 2019. Therefore, we find FPUC's trend factor of 2.7 percent is reasonable for use in this docket.

E. Account 903 - Customer Records and Collections?

Audit Finding No. 3 disclosed that the December 2007 invoice from the entity that prepares and mails the bills was not accrued at year end. The December invoice, which totaled \$42,018, was charged to a clearing account. The clearing account was allocated among the operations with 54 percent, or \$22,690, being charged to natural gas. The December 2007 amount was trended up by 8.15 percent to arrive at \$24,539 for 2009. Based on the above, we find Account 903 – Customer Records and Collections shall be increased by \$24,539 for the 2009 projected test year. The Company concurs with this adjustment.

F. Account 904 - Uncollectible Accounts

The Company calculated Account 904 - Uncollectible Accounts expense for the 2009 test year based on the 2008 expense increased for the projected 2009 write-offs. The 2009 write-offs were expected to increase due to anticipated higher customer bills driven by the Purchased Gas Adjustment (PGA) clause. The Company reasoned that a projected increase in customer bills, due to a higher PGA, coupled with the inability to increase customer deposits until at least twelve months of higher bills had been rendered, would cause the write-off of bad debts to increase.

The Company's calculation was based on an average of two typical bills. The typical bills were for a residential customer using 25 therms and for a commercial customer using 200 therms. The average of these two bills was estimated for the 12 months ended September 30, 2008, and the 12 months ended September 30, 2009. The Company determined that there was an 111 percent increase in the amount to be written off, net of the deposit, between the two periods. The deposit amount was held constant for both periods to reflect the Company's inability to increase customer deposits in step with the increase in the typical bill. The Company applied the 111 percent increase to the 2008 uncollectible expense to determine the 2009 amount. In addition, it applied 2 percent for customer growth, plus 10 percent to reflect the effects of the current economic downturn. The Company's total proposed projected Uncollectible Accounts expense for 2009 is \$639,175, which is an increase of \$369,187 over 2008.

Traditionally, uncollectible expense has been calculated based on total historical write-offs expressed as a percentage of total revenue. This percentage is then applied to the test year revenue to determine the uncollectible expense. If revenue increases in the test year then the allowed uncollectible expense will also increase.

Although we are aware of the current economic conditions and the impact that it is having on uncollectible accounts, we find that using total actual write-offs and total actual revenue gives a more complete view of uncollectible accounts expense as opposed to only reviewing typical bills. Therefore, we have used the year 2008 average net write-off and increased this percentage by 10 percent to recognize the effect of the current downturn in the economy. The 2008 net write-off percentage was .46 percent and when increased by 10 percent equals .51 percent. The year 2008 reflects the most recent known conditions and appears reasonable when compared with other years. For example, the net write off percentage for 2006 was also .46 percent. Applying the .51 percent net write-off percentage to the 2009 projected

test year revenues of \$102,416,152, we calculate an uncollectible accounts expense of \$522,322 for the test year. This necessitates an adjustment to decrease Account 904 - Uncollectible Accounts expense by \$116,853.

We note that this adjustment is for ratemaking purposes only. For surveillance, annual report, and other reporting purposes, the Company's actual bad debt expense shall be reported.

G. Misclassified Travel Expenses

Audit Finding No. 9 revealed that there were transactions inappropriately allocated between the different companies and divisions. Invoices totaling \$2,610 were found in 2007 expenses that were allocated 75 percent or \$1,957 to natural gas and should have been charged to electric. Using the compounded inflation factor for 2007 to 2009 of 6.97 percent, we increased the 2007 amount of \$1,957 to a 2009 amount of \$2,093. Therefore, Account 912 - Demonstration and Selling expenses shall be decreased by \$2,093 for the test year. The Company concurs with this adjustment.

H. Account 913 - Promotional Advertising Expense

In Audit Finding No. 2, our staff auditors noted that FPUC paid \$52,000 in 2007 for a contract with St. Joe Arvida homes. Because the advertisement only includes the FPUC logo, it does not meet the requirements of Rule 25-17.015(5), F.A.C., for recovery through the Energy Conservation Cost Recovery clause (ECCR). Since it does not qualify for recovery through the ECCR, the Company charged this contract to Account 913 - Promotional Advertising expense. The amount was trended to \$56,238, in the 2009 forecast.

In its response to the Audit Finding, the Company stated that the \$56,238 forecast for 2009 expenses should be included in the Company's base rate request because the advertising was valuable, cost effective, and beneficial to all customers. Further, while the FPUC logo was relatively small, the effort made by the developer in utilizing the advertising dollars was very effective. The money went into training the developer's sales staff and promoting natural gas in Victoria Park. The Company contends that the advertising was more successful than FPUC's broad-based conservation advertising campaign across a greater number of customers.

In Order No. PS-07-0671-PAA-GU, issued August 21, 2007, concerning an investigation into the 2005 earnings of FPUC, we stated:

The audit disclosed that a \$52,000 payment was made to St. Joe/Arvida Homes for co-op advertising. This payment was booked as a promotional advertising expense. The ad promoted the sale of new homes in the St. Joe development at Victoria Park in the Deland, Florida area. The only reference to FPUC is a small generic FPUC logo in the lower left hand corner of the ad. The ad does not contain any safety, conservation, instructional or informational material regarding the use of natural gas. It appears that the sole purpose of the ad is to induce the public to purchase homes in Victoria Park.

. . . Our general policy regarding advertising expenses is to allow advertising that contains informational and instructional material. This type of advertising primarily conveys information as to what the utility urges or suggests customers should do in utilizing gas service to protect health and safety, to encourage environmental protection, to utilize their gas equipment safely and economically, or to conserve natural gas. Advertising that is considered to be institutional, goodwill, promotional or image-enhancing is usually not allowed for revenue requirement purposes.⁹ We find that the Victoria Park ad does not meet the criteria for inclusion as an advertising expense for the purposes of determining the amount of overearnings for 2005. Therefore, advertising expenses shall be reduced by \$52,000.¹⁰

Based on the above, Account 913 - Promotional Advertising expense shall be reduced by \$56,238 for the 2009 test year.

I. Account 920 - Administrative and General Salaries for Officer's Salaries

Audit Finding No. 5 noted that the forecast for Account 920 - Administrative and General Salaries, included an increase of 11.5 percent for 2008 and 2009. The increase was based on a study done during the last rate case for the electric division that showed that the officers' salaries were lower than the rest of the industry. However, the Board of Directors gave the officers an eight percent increase in 2008, and a three percent increase has been authorized for 2009. The Company has revised its estimated salaries for these three employees from \$871,971 to \$786,212 for the year 2009. The difference of \$85,759 times the 52 percent allocation to natural gas results in a decrease of \$44,595.

Account 920 - Administrative and General Salaries shall be decreased by \$44,595 for the projected 2009 test year. The Company agreed with these findings based on the known facts at the time of the audit (report dated March 4, 2009). However, the Company did point out that the Board of Directors could award additional compensation to these executives for 2009.

J. Account 935 – Maintenance of General Plant

In the test year, the Company included the cost associated with the new flooring for the corporate office. The anticipated cost for flooring is \$100,000, based on a vendor quote. The total allocation was based on a four-year recovery period. The \$25,000 annual cost, based on the four-year recovery period, was allocated to natural gas based on common plant allocation factors, and totals \$13,500.

In response to a data request, the Company disclosed that the new floor has an eight-year life. The Company used the four-year recovery period because this is the period it expects the new rates to be in effect. We find that the flooring shall be amortized over the eight-year life of

⁹ Order No. PSC-94-1519-FOF-GU, issued December 9, 1994, in Docket No. 940620-GU, In re: Application for a rate increase by Florida Public Utilities Company. [Citation appears in Order No. PSC-07-0671-PAA-GU].

¹⁰ Order No. PSC-07-0671-PAA-GU, issued August 21, 2007, in Docket No. 070107-GU, In re: Investigation into 2005 earnings of the gas division of Florida Public Utilities Company.

the floor. This results in an adjustment to decrease Account 935 – Maintenance of General Plant by \$6,750.

K. Storm Damage Accrual

The Company is requesting an annual storm damage accrual of \$87,000 and a total for Account 924 - Property Insurance of \$214,531 for the 2009 test year. FPUC began making accruals of \$18,000 per year to the storm damage reserve in 1996 and accumulated a balance of \$59,070 before ceasing the accruals in January 2003. In its 2005 rate case, FPUC did not request permission to make further accruals to its storm damage reserve, and we did not allow any accrual in the setting of new rates.¹¹

The only charge made to the storm damage reserve from 1996 until 2004 was a charge of \$62,430 related to Hurricane Floyd in 1999. Over an eight-year period (1996–2003), the average annual charge to the storm damage reserve was \$7,804.

On December 28, 2004, FPUC filed a petition seeking authority to implement a Storm Cost Recovery Clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, and Jeanne that struck its service territory in 2004. In Order No. PSC-05-1040-PAA-GU, we determined that the amount of storm costs for the three storms was \$543,602. Also in that proceeding, we ordered that \$117,773 of overearnings for the year 2002, be credited to the storm damage reserve account to establish a reserve amount for future storms.

In Order No. PSC-07-0671-PAA-GU, we found that:

Given the \$534,602 of storm damage sustained by the Company during 2004, the current balance in the storm damage reserve is inadequate to offset damages from any future storms. Therefore, we find that the establishment of an adequate storm damage reserve is a reasonable disposition of the remaining amount of the 2005 excess earnings.

. . . The remaining amount of the 2005 excess earnings shall be applied to the storm reserve to cover future storm-related costs.¹²

The net amount recorded to the storm damage reserve as a result of the 2005 overearnings was \$612,774.

In the matter of FPUC's 2006 earnings, we determined that the excess earnings of \$176,144 would be applied to increase the storm reserve balance. We further noted that the

¹¹ Order No. PSC-05-1040-PAA-GU, issued October 25, 2005, in Docket No. 041441-GU, In re: Petition for approval of storm cost recovery clause to recover storm damage costs in excess of existing storm damage reserve, by Florida Public Utilities Company.

¹² Order No. PSC-07-0671-PAA-GU, issued August 21, 2007, in Docket No. 070107-GU, In re: Investigation into 2005 earnings of the gas division of Florida Public Utilities Company.

annual storm reserve accrual could be an issue in the Company's forthcoming rate case in Docket No. 080366-GU.¹³

The Company's storm reserve balance as of September 30, 2008, was \$788,918, and has been collected from customers through the Company's overearnings. This amount is in excess of the storm damage of \$543,602, which was incurred as a result of Hurricanes Charley, Frances, and Jeanne that struck its service territory in 2004. The storm damages in 2004 represent one of the worst years for storm damage for the utility industry in Florida's history.

FPUC did not file a study in support of its request to establish an annual storm damage accrual of \$87,000 or a target level for the reserve. Instead, the Company estimated the replacement basis for all mass property items, which are subject to some level of damage, to be \$164 million. It then chose one-half-of-one percent of the \$164 million as its target reserve level of \$820,118. Comparing the current reserve balance of \$788,918 to the target leaves a reserve deficiency of \$31,200. The Company then spread this \$31,200 over eight years to arrive at \$3,900 per year. It added the \$3,900 deficiency to an average annual storm damage of \$83,000, based on actual storm damage for the 8-year period of 2000 through 2008. The Company arrived at \$87,000 per year as its required accrual for storm damage.

The Company's total 2009 projection for Account 924 - Property Insurance was based on the \$87,000 annual accrual for storm damage discussed above, plus historical transactions for this account in 2007, adjusted for inflation. Also, any previous storm damage cost in the account was removed. However, in its calculations, the Company failed to remove \$81,080 related to electric operations from the account.

We find that the Company shall begin to build its storm reserve through an annual accrual process rather than through one-time entries resulting from excess earnings. However, we further find that the current balance may be near its optimal level given the current reserve balance of \$788,918, compared to the \$543,206 of storm damage that was incurred as a result of three hurricanes in 2004. Based on the above, we find the appropriate annual accrual amount to be \$6,000, with a target level of \$1,000,000. These amounts can be reviewed again in the Company's next rate case.

Also, we find that Account 924 - Property Insurance shall be decreased by \$81,080 to eliminate the expenses related to electric operations. To reflect our approved storm damage accrual of \$6,000, Account 924 - Property Insurance shall be decreased by \$81,000 from the Company's requested \$87,000. This results in a total adjustment to decrease Account 924 - Property Insurance by \$162,080. Also, working capital shall be increased by \$81,040.

L. Account 926.5 - Employee Benefits Medical

The Company's projections for Account 926.5 - Employee Benefits Medical were based on information provided by its insurance carrier. The insurance carrier estimated increases in the

¹³ Order No. PSC-08-0697-PAA-GU, issued October 20, 2008, in Docket No. 080514-GU, In re: Investigation into 2006 earnings of the gas division of Florida Public Utilities Company.

Company's medical costs of 11.5 percent for 2008, 6.5 percent for 2009, and 15 percent for 2010 through 2012. The Company projected its 2008 medical costs based on an increase of 11.5 percent over the 2007 actual amount consistent with the information provided by the insurance carrier. However, even though the insurance carrier provided a specific estimate of a 6.5 percent increase for the year 2009, the Company based its projection on the average increase expected over the 4-year period from 2009 through 2012.

The Company explained the 2009 increase by stating that:

It is appropriate to request the additional adjustment for recovery of the average medical expense expected during the next four years as this period is historically used to represent the time period between rate cases.

The Company's adjustment is based on increases in medical cost that will occur during the three years beyond the end of the test year. However, the Company has not recalculated all of the elements that make up its operations for this same period. This produces an adjusted test year with information related to rate base, net operating income, and capital structure based on time periods that do not match.

In Audit Finding No. 7, our staff auditors expressed concerns as to whether FPUC should be allowed to project its insurance costs to 2012. All other expenses were projected through 2009.

We find that the test year medical costs shall be based on the specific estimate of a 6.5 percent increase for the year 2009 provided by the Company's insurance carrier. The Company's 2008 medical cost is projected to be \$958,713. Increasing this amount by 6.5 percent produces \$1,021,029, which is a decrease of \$235,805 compared to the Company's original filing.

M. Rate Case Expense

The Company originally requested \$844,080 in rate case expense, amortized over four years. As a part of its analysis, our staff requested an updated expense through February 28, 2009, with supporting documents as well as an estimated amount to complete the case. The Company submitted a revised estimate of rate case expense through completion of the PAA process of \$606,643.

The components of the Company's estimated rate case expense are as follows:

	Original Filing	Rate Case Expense Actual as of 2/28/2009	Additional Estimated	Total Revised
Consultants	\$576,250	\$369,762	\$73,079	\$442,841
Legal Fees	107,500	12,430	30,319	42,749
Travel Expenses	34,080	1,790	10,700	12,490
Paid Overtime	39,000	422	33,000	33,422
Other Expenses	<u>87,250</u>	<u>15,840</u>	<u>56,300</u>	<u>72,140</u>
Total	<u>\$844,080</u>	<u>\$400,244</u>	<u>\$203,398</u>	<u>\$603,643</u>

Based upon review of the requested actual expenses and supporting documentation and of the estimated expenses, we find those expenses are reasonable.

In previous rate cases involving FPUC, we have allowed one half of the balance of unamortized rate case expense to be included in working capital as a part of rate base. We have a long-standing policy in electric and gas rate cases of excluding unamortized rate case expense from working capital, as demonstrated in a number of prior cases.¹⁴ The rationale for this position was to adopt a sharing concept whereby the cost of a rate case would be shared between the ratepayer and stockholder, i.e., include the expense in the O&M expenses, but not allow a return on the unamortized portion. This approach recognizes that both the stockholders and the ratepayers benefit from a rate proceeding. It espouses the belief that customers should not be required to pay a return on funds expended to increase their rates.

While this is the approach that has been used in electric and gas cases, water and wastewater cases have included unamortized rate case expense in working capital, based on a simple average. The difference stems from a statutory requirement that water and wastewater rates be reduced at the end of the amortization period.¹⁵ While unamortized rate case expense is not allowed to earn a return in working capital for electric and gas companies, it is offset by the fact that rates are not reduced after the amortization period ends.

In Docket No. 910778-GU, the issue was argued fully and we reaffirmed our long-standing policy of excluding unamortized rate case expense from working capital in electric and gas rate cases.¹⁶ Order No. PSC-92-0580-FOF-GU stated that unamortized rate case expense is excluded from working capital "in an effort to reflect a sharing of rate case expenses between the stockholders and the ratepayers since both benefit from a rate case proceeding." The inclusion of

¹⁴ Order No. 14030, issued January 25, 1985, in Docket No. 840086-EI, In Re: Application of Gulf Power Company for authority to increase its rates and charges; Order No. 16313, issued July 8, 1986, in Docket No. 850811-GU, In Re: Petition of Peoples Gas System, Inc. for authority to increase its rates and charges in Hillsborough County; Order No. 23573, issued October 3, 1990, in Docket No. 891345-EI, In Re: Application of Gulf Power Company for a rate increase.

¹⁵ Rule 25-30.4705, F.A.C.

¹⁶ Order No. PSC-92-0580-FOF-GU, issued June 29, 1992, in Docket No. 910778-GU, In re: Petition for a rate increase by West Florida Natural Gas Company, p. 15.

unamortized rate case expense in working capital in FPUC's case is an exception to our long-standing policy.

FPUC was initially allowed to include rate case expense in working capital in its 1993 rate proceeding.¹⁷ At that time, we found that the exclusion of the unamortized portion of rate case expense from working capital is a partial disallowance and concluded that rate case expense is a necessary cost of doing business. The order included a concurring opinion by Commissioner Laredo, where it was stated that:

. . . his decision was based solely on the facts and circumstances involved with this case. He emphasized this result should not be standing Commission policy and that no precedential value should be assigned to his concurrence.¹⁸

Based on the above, we find that the appropriate rate case expense is \$603,643, amortized at the rate of \$150,911 over four years. This results in a reduction to Account 928 – Regulatory Commission expenses of \$60,109. In addition, none of the unamortized rate case expense shall be included in working capital for the projected test year. As a result, working capital shall be reduced by \$324,270.

N. Accumulated Depreciation and Depreciation Expense

We approved our staff's recommendation for the new depreciation study filed by the Company in Docket No. 080548-GU.¹⁹ The approved rates have the following effect on depreciation expense for the 2009 test year:

Increase in Depreciation Expense for Natural Gas Assets	\$178,133
Increase in Depreciation Expense for Shared Common Assets allocated to Natural Gas	21,383
Increase in Depreciation Expense for Non-Regulated Assets (Decrease in depreciation on non-regulated plant creates increase for regulated operations)	3,381
Decrease in Depreciation Expense for AEP Assets	(2,460)
Increase in Depreciation Expense for Bare Steel Replacement Program	3,748
Increase in Depreciation for Land Recovery Rights	1,411
Total Increase in Depreciation Expense	<u>\$205,596</u>

The approved depreciation rates have the following effect on the accumulated depreciation reserve for the 2009 test year:

¹⁷ Order No. PSC-94-0170-FOF-EI, issued February 10, 1994, in Docket No. 930400-EI, In re: Application for a rate increase for Marianna Electric Operations by Florida Public Utilities Company, p. 10.

¹⁸ Ibid, pp. 10-11.

¹⁹ Order No. PSC-09-0229-PAA-GU, issued April 13, 2009, in Docket No. 080548-GU, In re: 2008 depreciation study by Florida Public Utilities Company.

Table 2 - Accumulated Depreciation Reserve

Increase in Depreciation Reserve for Natural Gas Assets	\$97,007
Increase in Depreciation Reserve for Shared Common Assets allocated to Natural Gas	54,380
Decrease in Depreciation Reserve for Non-Regulated Assets (Decrease in depreciation on non-regulated plant creates decrease for regulated operations)	(31,326)
Decrease in Depreciation Reserve for AEP Assets	(1,230)
Increase in Depreciation Reserve for Bare Steel Replacement Program	<u>123</u>
Total Increase in Depreciation Reserve	<u>\$118,954</u>

O. Vacant Positions

In its original filing, the Company included projected expenses of several new or vacant positions to be filled by the beginning of the 2009 projected test year. A review of the pre-filed testimony supporting the positions and written job descriptions for each job shows that the addition of these positions is appropriate. However, we find that an adjustment shall be made to reflect the timing of when these positions will be filled.

In response to our staff's Data Request No. 91, the Company provided the status of each of the original open positions including actual salary. Nine of the eleven positions that still remain open as of April 2009 were described as expecting to be filled in two to six months. If the Company does take an additional six months to fill these positions they would only be filled for approximately three months of the 2009 projected test year. There is no certainty that these positions will be filled at all.

Based on the above, we find that 75 percent of the projected salaries, or \$190,505 associated with these positions, shall be removed from the test year expenses. This decrease shall be distributed to the following accounts as follows:

Account 870	\$32,625
Account 880	32,625
Account 887	21,763
Account 892	21,763
Account 903	37,500
Account 912	35,646
Account 925	8,583
Total	\$190,355

P. Account 408.1 – Taxes Other Than Income Taxes

Audit Finding No. 10 states that FPUC is constructing a building for the South Florida Operations Facility that is not scheduled to be placed in service until mid-2010. However, the associated property taxes for this building, in the amount of \$114,079, were included in the 2009 projected test year.

The Company discussed the property tax expense in its direct testimony as follows:

We now anticipate completion of the facility in 2010, however, we feel it is appropriate to seek recovery of the increase [in property taxes] as it is an uncontrollable increase the Company will incur over most of the period that the new rates will be in effect. The anticipated increase in property tax relating to the building is expected to be \$114,079, . . . however as an alternative, the Commission may feel it is more appropriate to combine this tax expense with the special recovery of the new office building as an alternative.

The Company has requested that we consider granting special rate relief for recovery of the South Florida Operations Center, to be effective after the in-service-date of the facility which is expected to be in September of 2010. We find that Account 408.1 - Taxes Other Than Income Taxes shall be reduced by \$114,079, and we will address this expense in the new South Florida Operations Facility rate relief issue discussed below.

Q. Taxes Other Than Income Taxes Due to Common Plant Allocations

In Audit Finding No. 8, our staff auditors noted that property taxes associated with common plant were not allocated consistent with the allocation of the common plant. In its response to the audit finding, the Company agreed with the concept of this finding, but recommended using a slightly different percentage in the calculation. The Company recommended using the 2008 net plant of each division excluding vehicles. The Company noted that vehicles are not part of its property tax base. We agree. Therefore, Account 408.1 – Taxes Other Than Income Taxes shall be decreased by \$53,265 for the test year, based on the percentage recommended by the Company.

Our staff auditors also noted in Audit Finding No. 8 that property taxes associated with non-regulated plant, located in the natural gas divisions, were not allocated consistent with the allocation of the non-regulated plant. In its response to the audit finding, the Company agreed with the concept of this finding, but again recommended using the 2008 net plant allocated to non-regulated excluding vehicles. The Company noted that vehicles are not part of its property tax base. Again, we agree. Account 408.1 – Taxes Other Than Income Taxes shall be reduced by \$13,098 for the test year, based on the percentage recommended by the Company.

The total of these two adjustments results in a decrease in Account 408.1 – Taxes Other Than Income Taxes of \$66,363 for the test year.

R. Income Tax Expense

Based on our adjustments above, we find the requested total income tax expense of a negative \$1,529,681 (current, deferred, and ITCs) shall be increased by \$344,852, resulting in an adjusted total of a negative \$1,184,829 for the 2009 projected test year as shown on Schedule 3.

Amount Requested	(\$1,529,681)
Commission Adjustments:	
Effect of Other Adjustments	281,830
Interest Synchronization	<u>63,022</u>
Total Adjustments	<u>344,852</u>
Commission Adjusted Amount	<u>(\$1,184,829)</u>

S. Net Operating Income

Based on all the above, we find the appropriate Net Operating Income to be \$740,020, as shown on Schedule 3.

VII. REVENUE REQUIREMENTS

A. Revenue Expansion Factor and Net Operating Income Multiplier

The only change in the Net Operating Income Multiplier filed by the Company is the rate used for bad debt, as discussed above. A comparison between the Company and our findings is shown below:

Line No.	Description	Company	Commission
1	Revenue Requirement	100.00%	100.00%
2	Gross Receipts Tax Rate	0%	0%
3	Regulatory Assessment Rate	.50%	.50%
4	Bad Debt Rate	.73%	.51%
5	Net Before Income Taxes	98.77%	98.99%
	(1)-(2)-(3)-(4)		
6	State Income Tax Rate	5.50%	5.50%

Line No.	Description	Company	Commission
7	State Income Tax (5x6)	5.43%	5.44%
8	Net Before Federal Income Tax (5-7)	93.34%	93.55%
9	Federal Income Tax Rate	34.00%	34.00%
10	Federal Income Tax (8x9)	31.73%	31.81%
11	Revenue Expansion Factor (8)-(10)	61.60%	61.74%
12	Net operating Income Multiplier 100%/Line 11	1.62330	1.6197

B. Annual Operating Revenue Increase

Based on our calculations above, we calculate the appropriate annual operating revenue increase to be \$8,496,230, as shown on Schedule 5 for the projected test year.

VIII. COST OF SERVICE AND RATE DESIGN

A. Revenues From Sales of Gas by Rate Class

A review of the Company's calculations and estimated revenues from sales of gas by rate class at present rates for the projected test year shows that they are appropriate, and no adjustment is necessary.

B. Cost of Service Methodology to Be Used in Allocating Costs

The appropriate cost of service methodology to be used in allocating costs to the various rate classes is reflected in the cost of service study contained in Schedule 6, pages 1-21. The purpose of a cost of service study is to allocate the total costs of the utility system among the various rate classes. The results of the cost of service study are used to determine how any revenue increase granted by this Commission will be allocated to the rate classes. Once this determination is made, rates are designed for each rate class that recover the total revenue requirement attributable to that class. In rate design, the customer charge is typically determined first, with the per-therm energy charge being the fall-out charge.

The Company's proposed cost of service study is contained in MFR Schedule H. Our study differs in several respects from the Company's filed study. The study reflects our

adjustments to rate base, rate of return, revenues, expenses, and resulting operating revenue increase as shown above.

C. Customer Charges

The customer charge is a fixed charge that applies to each customer's bill, regardless of the quantity of gas used for the month. The customer charge is typically designed to recover costs such as metering and billing that are incurred whether any gas is consumed or not.

Our approved customer charges are contained in the table below. The table also shows the current customer charges and the Company-proposed charges.

Proposed Rate Class	Current Customer Charges	Company-Proposed Customer Charge	Commission Approved Customer Charge
RS	\$8.00	\$12.00	\$11.00
GS-1/GSTS-1	\$15.00	\$20.00	\$20.00
GS-2/GSTS-2	\$15.00	\$33.00	\$33.00
LVS/LVTS	\$45.00	\$90.00	\$90.00
IS/ITS	\$240.00	\$240.00	\$280.00
RS-GS	\$18.72	\$22.45	\$21.25
CS-GS	n/a	\$36.31	\$35.81

The approved customer charge for the IS/ITS class is higher than FPUC's proposed charge based on the customer unit cost shown in the cost of service (\$276.99). For any given revenue requirement for a rate class, increasing the customer charge decreases the per therm charge. In addition, the customer charge is a small percentage of monthly bills for IS/ITS customers, who are large volume customers, compared to other rate classes, and therefore setting the customer charge at cost is reasonable.

We approved the rate design for the residential standby generator service (RS-GS) rate in Docket No. 080072-GU.²⁰ The level of the RS-GS customer charge and the size of the initial block of usage that includes no per therm charge (0-19.80 therms) is derived to yield the same revenue for an average residential or generator customer. The current RS-GS customer charge is based on an average residential consumption of 22.17 therms and was based on FPUC's 2004 rate case, Docket No. 040216-GU. In his testimony, FPUC witness Schneidermann stated that the monthly average residential consumption fell to 19.8 therms per month. Based on the approved residential customer charge (\$11) and our per therm charge as shown below (51.792 cents per therm) a residential customer using 19.8 therms will pay \$21.25 (without the cost of gas). Therefore, based on the approved rate design for the RS-GS rate, the approved RS-GS customer charge is \$21.25. The rate design for the proposed new Commercial Standby Generator Service (CS-GS) rate is discussed below.

²⁰ See Order No. PSC-08-0643-TRF-GU, issued October 6, 2008, in Docket No. 080072-GU, In re: Petition for approval of residential standby generator rate schedule, by Florida Public Utilities Company.

D. Per Therm Non-Fuel Energy Charges

The non-fuel energy charge (energy charge) is the variable per-therm charge, and recovers FPUC's cost of providing distribution service. The energy charge does not include the actual gas commodity, as that is shown separately on the bill and determined in the annual PGA proceedings. The energy charges are calculated to recover the class revenue requirement that remains after subtracting the revenues generated by the approved customer charges.

The table below shows the energy charges that were in effect prior to the interim increase, the interim charges (effective March 12, 2009), the FPUC proposed charges, and our approved charges. All charges are shown in cents per therm.

Rate Schedule	Prior to Interim	Interim	FPUC Proposed	Commission Approved
RS	48.340	51.938	52.786	51.792
GS-1	32.107	33.668	41.265	40.000
GSTS-1	32.107	33.589	41.265	40.000
GS-2	32.107	33.668	41.265	40.000
GSTS-2	32.107	33.589	41.265	40.000
LVS	23.809	24.921	37.897	36.041
LVTS	23.809	24.883	37.897	36.041
IS	10.039	10.546	27.106	23.484
ITS	10.039	10.493	27.106	23.484
GLS/GLSTS	17.689	18.429	25.552	24.623
RS-GS	0 (0-22.17 therms) 48.340 (< 22.17 therms)	n/a	0 (0-19.80 therms) 52.786 (< 19.80 therms)	0 (0-19.80 therms) 51.792 (< 19.80 therms)
CS-GS	n/a	n/a	0 (0-39.52 therms) 41.265 (< 39.52 therms)	0 (0-39.52 therms) 40.000 (< 39.52 therms)

Schedule 7, page 1 of 6, shows a summary of the current and our approved customer and energy charges for all rate schedules. Schedule 7, pages 2 through 6, show comparisons of monthly residential and commercial bills at various consumption levels. A residential customer using 20 therms per month paid \$27.02 (including May 2009 PGA and conservation costs) prior to interim rates going into effect. Under the approved RS rates, the customer would see a \$3.69 increase.

E. Miscellaneous Service Charges

The miscellaneous service charges are fixed charges that are paid when a specified activity occurs. The miscellaneous service charges are designed to recover the Company's costs associated with the specific activity.

FPUC incurs higher costs to connect or reconnect a commercial customer compared to a residential customer. When connecting a customer, FPUC typically first performs a pressure test on the line to ensure that there is no gas leakage. Then, FPUC tests each gas appliance on the premises to ensure the equipment operates properly and in a safe manner. Commercial customers are served by larger lines, and the pressure test takes longer. A large commercial customer may also have more specialized equipment, adding to the time required to perform a connection or reconnection.

The Company also proposed to eliminate from its tariff the processing fee associated with accepting credit cards or debit cards for customers who choose this payment method. In its last rate case, FPUC received approval to accept credit and debit card payments for \$3.50 per transaction. The charge was designed for the Company to recover its bank and overhead costs associated with processing credit card payments. However, FPUC explained that VISA and MasterCard have rules in place that do not allow the taker of a credit card, i.e., FPUC, to charge a transaction fee. Therefore, FPUC contracted with an independent third party to process optional payments by credit and debit cards. The third party's transaction fee is also \$3.50. However, since the fee goes towards a third party vendor, not FPUC, the fee does not need to be in FPUC's tariff. Most electric or gas companies have contracted with an outside vendor to process payment by credit or debit card.

Based on our review of the cost support filed by FPUC for its proposed miscellaneous charges, we find that FPUC's proposed charges are reasonable, and they shall be approved as shown in the table below. The table also shows the present miscellaneous service charges and the Company-proposed charges.

Miscellaneous Service Charge	Present Miscellaneous Service Charge	Company Proposed Service Charge	Commission Approved Service Charge
Establishment of Service - Regularly Scheduled			
RS, RS-GS	\$42.00	\$52.00	\$52.00
GS-1, GS-2, CS-GS, GSTS-1, GSTS-2	\$60.00	\$75.00	\$75.00
LVS, LVTS, IS, ITS	\$90.00	\$112.00	\$112.00
Establishment of Service - Same Day or Outside Normal Business Hours			
RS, RS-GS	\$56.00	\$69.00	\$69.00
GS-1, GS-2, CS-GS, GSTS-1, GSTS-2	\$79.00	\$96.00	\$96.00
LVS, LVTS, IS, ITS	\$119.00	\$144.00	\$144.00
Change of Account			
Regularly Scheduled	\$19.00	\$23.00	\$23.00
Same Day or Outside Normal Business Hours	\$24.00	\$29.00	\$29.00
Reconnection After Disconnection for Non-Pay - Regularly Scheduled			
RS, RS-GS	\$60.00	\$81.00	\$81.00
GS-1, GS-2, CS-GS, GSTS-1, GSTS-2	\$78.00	\$104.00	\$104.00
LVS, LVTS, IS, ITS	\$108.00	\$141.00	\$141.00
Reconnection After Disconnection for Non-Pay - Same Day or Outside Normal Business Hours			
RS, RS-GS	\$74.00	\$98.00	\$98.00
GS-1, GS-2, CS-GS, GSTS-1, GSTS-2	\$97.00	\$125.00	\$125.00
LVS, LVTS, IS, ITS	\$137.00	\$173.00	\$173.00
Bill Collection in Lieu of Disconnection for Non-Pay			
All rate classes	\$16.00	\$25.00	\$25.00

Miscellaneous Service Charge	Present Miscellaneous Service Charge	Company Proposed Service Charge	Commission Approved Service Charge
Trip Charge			
Regularly Scheduled	\$19.00	\$23.00	\$23.00
Same Day or Outside Normal Business Hours	\$24.00	\$29.00	\$29.00

F. Temporary Disconnection Charges

FPUC proposed two new miscellaneous service charges for temporary disconnection at the customers' request. This charge covers the cost of shutting off a customer's utilities when necessary to have other services performed such as termite tenting and similar situations that require the utilities to be turned off. The proposed charge for this service is \$29 for regularly scheduled service performed within the Company's regular business hours, and \$35 for same day service performed outside of the Company's normal business hours (this is a premium service offered at a higher charge to cover the cost of overtime paid to an employee working beyond their normal work schedule to provide this service).

Our review of the cost information submitted in schedule E-3 by the Company shows that the proposed charge for standard and premium service is cost-based and appropriate. Therefore, FPUC shall be allowed to charge the charges set out above.

G. Stratification of the Current Commercial General Service (GS/GST) Rate Class Into Two Rate Classes (GS-1/GSTS-1 and GS-2/GSTS-2)

Currently, small to medium-sized commercial customers take service under the GS rate class, which is available to customers who use 0-5,999 therms per year. Large volume customers who use more than 6,000 therms per year take service under the LVS rate. Sales customers take service under the GS class, while transportation customers take service under the GST class. Sales and transportation customers pay the same base rates.

The GS-1/GSTS-1 rate schedule will be available to commercial customers who use 0-599 therms per year, and the GS-2/GSTS-2 rate schedule will be available to commercial customers who use 600 to 5,999 therms per year. FPUC proposed a \$20 customer charge for the GS-1/GSTS-1 class and a \$33 customer charge for the GS-2/GSTS-2 class. Both classes will pay the same per therm rate. The lower GS-1 customer charge is intended to reduce the financial impact on the smaller commercial customers. A lower customer charge benefits small users, since the customer charge constitutes a larger component of the bill.

In addition to customer impact considerations, there is a cost basis to stratify the GS class into two classes. FPUC stated that customer costs vary between commercial customers due to the size of the meter required. The GS-2 customers are expected to have higher peak requirements due to higher sales, which would require a larger meter, regulator, and meter set

pipng compared to the smaller use GS-1 customers. We find that the proposed replacement of the existing GS rate class with two classes (GS-1 and GS-2) is appropriate and it is approved.

H. Residential Standby Generator Service (RS-GS)

In Docket No. 080072-GU, FPUC received approval for a new RS-GS schedule.²¹ The rate is available for residential customers whose only gas appliance is a gas-fired electric generator to provide service when electric service to the customer's premises is interrupted. Prior to receiving approval for the RS-GS rate in October 2008, residential customers with generators were taking service under the residential rate. At the end of 2007, FPUC provided service to 432 generator-only residential customers under the residential rate. Since the RS-GS rate became effective in October 2008, FPUC stated that 14 new customers have requested service under that rate schedule. Generators are optional equipment and their installation costs range from \$6,000 to \$20,000, depending on the size of the generator.

In July 2008, FPUC provided customer notice of its proposed RS-GS rate schedule to the generator-only customers. Eighteen out of 432 customers objected to the new rate. We determined that the residential rate does not provide for the appropriate cost recovery of generator-only customers, and therefore approved the RS-GS rate for new customers effective September 16, 2008. However, in light of customer comments received, we ordered that current generator-only customers remain on the residential rate until the resolution of FPUC's next rate case, which is this docket. A bill impact analysis provided by FPUC in Docket No. 080072-GU showed that the monthly gas bill for generator-only customers would increase between \$0 and \$10.72, depending on usage, if they were to be transferred from the residential to the RS-GS rate.

The increase in bills for some generator-only customers is due to the rate design of the current RS-GS rate, which provides for a higher monthly customer charge (\$18.72) than the residential customer charge (\$8). However, the higher \$18.72 customer charge includes an initial block of usage (0-22.17 therms) that has no per-therm base rate charge. Thus, a generator-only customer who uses 1 therm or 22.17 therms per month pays \$18.72. Usage above 22.17 therms is billed at the residential therm charge. As discussed above, the approved RS-GS customer charge is \$21.25. The cost of gas is recovered through a separate PGA factor. If the customer uses no gas during the billing period, he will not be charged for gas. The customer charge represents the minimum bill that has to be paid whether any gas is used or not. The level of customer charge and the size of the initial block were derived to yield the same revenue for an average residential or generator-only customer. That is the same rate design we approved for the Peoples Gas System's (Peoples Gas) generator-only rate schedules.²²

Customer Education Campaign:

FPUC explained that customers occasionally contact the Company during a storm event because the generator does not start when needed for back-up power. Only after FPUC travels to

²¹ See Order No. PSC-08-0643-TRF-GU, issued October 6, 2008, in Docket No. 080072-GU, In re: Petition for approval of a residential standby generator rate schedule, by Florida Public Utilities Company.

²² See Order No. PSC-07-0530-TRF-GU, issued June 26, 2007, in Docket No. 070260-GU, In re: Petition for approval of standby generator rate schedules RS-SG and CS-SG, by Peoples Gas System.

the customer's premises does it sometimes find that the generator does not start because the customer is not running or exercising the generator for 15 minutes every week as required by the manufacturer. FPUC explained that it plans on mailing an educational bill insert to its customers who own generators about the required weekly running of the generator before this year's hurricane season starts. Under this new RS-GS rate design, FPUC believes that once the customer understands that he is already paying through the customer charge for a certain amount of usage, the customer will exercise the generator. Running the generator on a weekly basis as required by the manufacturer will ensure the safety of the generator, alleviate customer frustration during a storm event, and will free up FPUC personnel who will otherwise have to make a trip to the premises. FPUC projects that its educational program will result in increased generator usage that will most likely, on average, equal or exceed the minimum bill requirement for the RS-GS rate.

We ordered FPUC in Docket No. 080072-GU to include a generator-only rate classification as part of its cost of service study in Docket No. 080366-GU. FPUC stated that it reviewed the facilities needed to serve a generator-only customer, and concluded that they are comparable to the facilities required to serve a residential customer with other gas appliances. FPUC explained that the Company used to install 1/2 inch gas service lines and 125 cubic feet per hour (cfh) meters to serve residential customers. These installations were not large enough to deliver sufficient gas quantities to serve a full-house generator. However, FPUC stated that the Company now uses 3/4 inch service lines, and 250 cfh meters for all residential customers. These larger facilities are able to serve most residential generators. Customers who require very large generator installations are required to pay a contribution-in-aid-of-construction to cover the cost of the upgraded service line facilities.

Conclusion:

In a rate case all costs, rates, and charges are subject to review and change. We find that this rate case proceeding is the appropriate time to transfer all residential generator-only customers who currently take service under the residential rate to the RS-GS rate schedule approved in Docket No. 080072-GU. We further find that there is no basis to continue to allow generator-only customers to remain in the residential class, while requiring new customers to take service under the RS-GS rate. In addition, when we approved generator-only rate schedules for Peoples Gas in Docket No. 070260-GU, we approved the transfer of all residential and commercial generator-only customers who were taking service under the residential or commercial rate to Peoples Gas' new generator-only rate schedules.

I. Commercial Standby Generator Service (CS-GS) Rate Schedule

FPUC proposed a new commercial standby generator service (CS-GS) rate schedule for commercial customers who are using natural gas for the purpose of fueling a generator to provide electricity to the premises during power outages and whose only gas appliance is the generator. Typical commercial customers using standby generators are restaurants or hospitals. Commercial customers with a generator and other gas appliance(s) will continue to take service under the otherwise applicable commercial rate. FPUC received approval for residential standby

generator rate schedule (RS-GS) in Docket No. 080072-GU.²³ We also approved residential and commercial generator rate schedules for Peoples Gas.²⁴

FPUC's proposed rate structure for commercial standby generator-only customers reflects the rate design approved for the RS-GS rate and for the Peoples Gas generator rate schedules. FPUC proposed a \$36.31 customer charge and an initial block of usage (0-39.52 therms) that includes no per-therm base rate charge. Based on our approved revenue increase, the appropriate customer charge is \$35.81. The \$35.81 charge is derived to yield the same revenue as a GS-1 customer who uses 39.52 therms per month. The customer charge represents the minimum charge that will have to be paid every month. Usage above 39.52 therms is billed at the GS non-fuel energy charge. In both cases, cost of gas is recovered through a separate PGA factor. If the customer uses no gas during the billing period, he will not be charged for gas.

FPUC stated that the typical usage of a commercial generator rated at 1,900 cubic feet being exercised for 15 minutes weekly is 39.52 therms per month. FPUC stated that the proposed rate design is to encourage commercial customers to run their generators once a week as required by the manufacturer. As also discussed above, FPUC explained that customers contact the Company during a storm event when the generator does not start when needed for back-up power, which requires FPUC to travel to the site. FPUC then determines that the generator does not start because the customer is not running the generator as required by the manufacturer to ensure the generator starts when needed. In addition, FPUC explained that customers may run the generator, however, it is done so under no load. Therefore, when there is an actual power failure, and the generator will try to keep up with electrical demand, the generator may not perform in a safe and reliable manner.

FPUC explained that it plans on educating its commercial generator customers through a bill insert prior to the start of hurricane season about the required maintenance, and that the monthly customer charge provides for no per-therm charge for usage up to 39.53 therms. FPUC believes that if a customer understands that he is already paying through the customer charge for a certain amount of usage, the customer will exercise the generator as required by the manufacturer to ensure the generator starts when needed.

Under FPUC's proposal, all current generator-only customers will be transferred to the new CS-GS rate. FPUC currently serves 159 commercial generator only customers. The current generator-only customers take service under FPUC's GS rate, and pay a monthly \$15 customer charge and 32.1076 cents per therm energy charge. That reflects the current GS charges, prior to any increase approved in this docket. As shown above, the approved GS-1 customer charge is \$20, and the per-therm charge is 40.000 cents per therm.

Based on the above, we find that FPUC's proposed CS-GS rate is appropriate and it is approved.

²³ See Order No. PSC-08-0643-TRF-GU, issued October 6, 2008, in Docket No. 080072-GU, In re: Petition for approval of residential standby generator rate schedule, by Florida Public Utilities Company.

²⁴ See Order No. PSC-07-0530-TRF-GU, issued June 26, 2007, in Docket No. 070260-GU, In re: Petition for approval of standby generator rate schedules RS-SG and CS-SG, by Peoples Gas System.

J. Gas Lighting Service Transportation Service (GLSTS) Rate Schedule

The Company previously offered transportation services for gas lights under the commercial transportation rate schedules. This new tariff separates gas lighting transportation service into its own category. This proposed tariff complies with Rule 25-7.0335(1) F.A.C., which states that gas companies must offer a transportation service option for every commercial rate plan.

This proposed tariff allows commercial gas lighting customers another option to purchase their gas from a gas marketer. The \$4.50 administrative charge covers the estimated expense of having FPUC's Energy Logistics staff coordinate the reporting, nominations, and balancing of gas supplies with other parties on behalf of the transportation customers. This charge was established in FPUC's 2004 rate case, in Docket No. 040216-GU, and FPUC decided not to increase the previously approved charge.

K. Area Expansion Surcharge

Upon receiving a request to extend facilities, the Company assesses numerous conditions, such as the potential customer's credit worthiness and projected revenue generated from the extension. As provided for in Rule 25-7.054, F.A.C., the Company compares four times the expected annual revenue generated by the extension (Maximum Allowable Construction Cost or MACC) to the projected construction costs. If the construction costs are less than the MACC, the extension is provided free of cost to the customer. If the construction costs exceed the MACC, FPUC will require the customer to pay a Contribution in Aid of Construction (CIAC), also referred to as the Excess Construction Costs (ECC).

The AEP is an alternative method to collecting all ECC incurred from extending such facilities via a CIAC. The AEP allows customers to pay the CIAC over a time period of up to ten years, as opposed to collecting the total balance up-front. On or before May 1 of each year, the Company files a report with this Commission reconciling AEP facilities costs and surcharge revenues on an annual and total date. Any revenues collected by the Company in excess of the installed cost are refunded to the customers, and the AEP is terminated.

Current Tariff Overview:

We approved FPUC's AEP in 1995.²⁵ Currently, the recovery process is a cents-per-therm surcharge levied to customers served by AEP facilities on a monthly basis. This method has proven extremely volatile due to variables such as predicted therm usage embedded in the AEP surcharge equation. If the Company over-predicts the therm usage of any class, the Company may be unable to recapture the full ECC, placing the burden on FPUC, and ultimately other ratepayers in the next rate case. Additionally, the current program places an unfair burden on customers who use more gas than those who have very low or no gas use. A user with multiple gas appliances is impacted to a much greater extent than a customer who installs a

²⁵ Order PSC-95-0162-FOF-GU, issued February 7, 1995, in Docket No. 941291-GU, In re: Petition for approval of modification to tariff provisions governing main and service extensions by Florida Public Utilities Company.

standby natural gas generator that is used rarely, even though the investment to bring gas to each customer is the same.

Proposed Modifications to AEP:

The Company proposed changing the AEP surcharge from a cents-per-therm charge to a fixed monthly per premises dollar amount. This consists of a three step process. First, for a requested extension of services, the Company will calculate the AEP Recovery Amount. Then, FPUC will divide the AEP Recovery Amount by the total estimated number of therms subject to the AEP surcharge. This is the Unitized AEP Recovery Amount. Finally, to determine an individual customer's initial surcharge, the Company will multiply the Unitized AEP Recovery Amount by the projected average monthly usage by rate schedule. This value is the Initial AEP Surcharge. This is the individual customer's CIAC required for an extension of services.

Upon completion of the initial five-year period from the in-service date of the AEP facilities extension, FPUC proposed an adjustment to allow for a recalculation of the outstanding AEP Recovery Amount, using a similar method as described above. This adjustment will permit FPUC to compare the actual ECC to the originally-calculated ECC and change the fixed monthly surcharge, either up or down. It has been the Company's experience that build-out for most projects are completed in four years or less. Historically, 41 out of the total 45 AEP projects were never fully collected in our approved ten-year timeframe. Allowing the Company to reassess the surcharge at the five-year point allows for better matching of revenues and costs. We approved similar methods for a recalculated AEP Surcharge and a true-up for Chesapeake Utilities Corporation²⁶ and St. Joe Natural Gas.²⁷ We believe that this approach may prevent further lags in uncollected ECC.

The Company requested to use the maximum authorized rate of return for determination of future AEP costs. In response to our staff's Second Data Request, the Company claims its proposed approach will be conservative by raising the "hurdle" rate for approval of an AEP project, in order to ensure the successful outcome in terms of covering ECC within the ten-year allowable collection period. We are not aware of any regulated gas utilities which use the currently authorized maximum rate of return for such calculations. FPUC has not demonstrated any critical need for using the maximum authorized rate of return for calculating AEP costs. Therefore, we find that FPUC shall use the rate of return mid-point for all AEP cost estimates.

Conclusion:

Based on the above, we find that FPUC's requested changes to its AEP, with the exception of the requested rate of return to be used in AEP calculations shall be approved. FPUC shall use the mid-point of its approved rate of return for AEP calculations. The proposed methodology of collection appears much more precise in determining, monitoring, and capturing

²⁶ Order PSC-07-0427-TRF-GU, issued May 15, 2007 in Docket No. 060675-GU, In Re: Order Approving in Part Petition for Authority to Implement Phase Two of Experimental Transitional Transportation Service Pilot Program and for Approval of New Tariff to Reflect Transportation Service Environment

²⁷ Order PSC-04-0436-PAA-GU, issued July 8, 2008, in Docket No. 070592-GU, In Re: Order Granting Rate Increase by St. Joe Natural Gas Company, Inc.

the ECC incurred by Company. The proposed AEP modifications shall become effective on the effective date discussed below, along with all other tariffs approved in this docket. FPUC requested an earlier effective date, but now agrees that the effective date shall be as discussed below.

L. Proposed Increase to All Existing Area Expansion Surcharges to Lower the Projected Unrecovered Excess Construction Cost Balances

FPUC is proposing a partial true-up of costs and revenues for existing AEP projects, by implementing an additional surcharge on customers served by the AEP projects. This surcharge represents a change in FPUC's policy, in that the original AEP contracts did not contemplate a true-up in AEP charges. However, as noted above, we approved the concept of a true-up mechanism for AEP projects for Chesapeake Gas Company and St. Joe Gas Company, in which the costs and revenues are reviewed during the 10-year period and adjusted as necessary to meet the revenue target. FPUC has also requested a true-up provision for future projects which was addressed above. Unrecovered costs from AEP projects are transferred to the applicable capital plant construction account, and ultimately to the base rates of all FPUC customers. FPUC proposed increasing the surcharges to all existing 41 AEP participants to lower the projected unrecovered excess construction costs balances. This change would only apply to any AEP facilities constructed prior to January 1, 2009. As discussed above, FPUC proposed a true-up mechanism for future AEP projects which should eliminate or significantly reduce any shortfalls for future AEP projects.

FPUC currently has 41 AEP projects with projected ECC balances totaling \$3,913,429, through December 2008. If the programs are continued unaltered through their ten-year timeline, the uncollectable balance would amount to \$3,081,798. The Company stated the ECC shortfall is due to unpredictable events such as market downturns, increased appliance efficiency and housing market fluctuations which altered the predictive powers for FPUC to determine therm use. FPUC proposed to transfer \$2,478,621 to plant-in-service accounts. The proposed increased AEP Surcharge would recover the remaining \$603,177.

The Company originally asked to increase the AEP surcharge to \$0.50 per therm for all customers. It has since modified its request to differentiate the charge by prorated rate class, to comply with the current Commission approved method. The Company seeks to increase the cents-per-therm AEP Surcharge for the Residential class to \$0.50 per therm, the General Service class to \$0.33, the Large Volume class to \$0.25 and the Gas Lighting to \$0.18. FPUC chose \$0.50 for the residential class as a reasonable surcharge, stating that bills would be competitive in conjunction with any other approved rate increase in this docket. The ratio among classes index the Residential class at 100 percent, the General Service class at 66.4 percent, the Large Volume Service class at 49.2 percent and the Gas Lights class at 36.6 percent. FPUC derived these surcharge values using the same method currently approved by this Commission for allocating and structuring AEP Surcharges among rate classes.

We find that the proposed AEP true-up shall be approved, and \$603,177 will be assessed to the customers who enjoy the benefits of the plant expansions paid for through the AEP, and not collected through higher rates to the general body of ratepayers. Currently, the Residential

AEP Surcharge has a range of \$0.10 to \$0.35 per therm, depending on the particular AEP project. Pending the approval of the proposed \$0.50 per therm, residential AEP customers would see an AEP Surcharge increase of \$0.40 to \$0.15 per therm, respectively. For an average 20 therm residential monthly bill, this is approximately a \$5.00 increase.

In conclusion, the movement and division of outstanding ECC between the current AEP customers and the base rate payers appears more equitable than moving any additional costs to rate base, while not imposing an unreasonable burden on current AEP customers. This true-up will allow FPUC to close up to 19 open AEP projects and decrease the ECC on many more. Therefore, FPUC's proposed true-up to its AEP surcharge is approved, and FPUC shall implement the proposed true-up for all existing outstanding AEP customers.

M. Effective Date for FPUC's Revised Rates and Charges

All new rates and charges shall become effective for meter readings on or after 30 days from April 21, 2009. FPUC shall file revised tariffs to reflect the approved final rates and charges for administrative approval within five (5) business days of issuance of the PAA Order. Pursuant to Rule 25-22.0406(8), F.A.C., customers shall be notified of the revised rates in their first bill containing the new rates. A copy of the notice shall be submitted to our staff for approval prior to its use.

IX. INTERIM RATES

By Order No. PSC-09-0123-PCO-GU, issued March 3, 2009, we authorized the collection of interim rates, subject to refund, pursuant to Section 366.071, F.S. The approved interim revenue requirement was \$27,075,841, which represents an increase of \$984,054 or 4.18 percent. The interim collection period was March 2009 through May 2009.

According to Section 366.071, F.S., any refund should be calculated to reduce the rate of return of the utility during the pendency of the proceeding to the same level within the range of the newly authorized rate of return. Adjustments made in the rate case test period that do not relate to the period interim rates are in effect should be removed. Rate case expense is an example of an adjustment which is recovered only after final rates are established.

In this proceeding, the test period for establishment of interim rates is the 12-month period ending December 31, 2007. FPUC's approved interim rates did not include any provisions for pro forma or projected operating expenses or plant. The interim increase was designed to allow recovery of actual interest costs, and the lower limit of the last authorized range for ROE.

To establish the proper refund amount, we have calculated a revised interim revenue requirement utilizing the same data used to establish final rates for the 2009 projected test year. Items, such as rate case expense and the storm damage accrual, were excluded because these items are prospective in nature and did not occur during the interim collection period. Using the principles discussed above, we find the revenue requirement for the interim collection period to be \$31,740,788. Because the \$27,075,841 revenue requirement, granted in Order No. PSC-09-

0123-PCO-GU, for the December 2007 interim test year is less than the revenue requirement for the interim collection period of \$31,740,788, no refund is required. Further, upon issuance of the Consummating Order in this docket, the corporate undertaking shall be released.

X. ADJUSTMENTS TO ANNUAL REPORTS, RATE OF RETURN REPORTS, AND BOOKS AND RECORDS

FPUC shall file, within 90 days after the date of the final order in this docket, a description of all entries or adjustments to its annual report, rate of return reports, and books and records which will be required as a result of our findings in this rate case.

XI. SOUTH FLORIDA OPERATIONS CENTER

The Company's current South Florida Operations Center is located on the site of a former Manufactured Gas Plant. It will have to be relocated prior to commencing any clean up of the existing site. The relocation will have to be permanent since the current site was rezoned for usages which are inconsistent with the current use of the site.

The new South Florida Operations Center was an issue in the Company's last rate case in Docket No. 040216-GU. In that case, the Company had requested to include \$2,500,000 for the purchase of land for the new center, in the projected test year 2005. In Order No. PSC-04-1110-PAA-GU, we stated:

The utility planned to purchase land in Palm Beach County in mid-2004 for the new location of its operations center, at a cost of \$2,500,000. However, the utility has now indicated that the anticipated cost of the land is \$4,200,000 due to a substantial increase in demand for this type of property. The utility further indicated that the total cost would be approximately \$4,500,000, including \$300,000 in attorney's fees, closing costs, and other costs. The utility did not indicate that the proposed operations center would be occupied by the end of the projected test year, or that construction of the center would have even begun.

. . . we find that this land shall be considered non used and useful for the purpose of setting rates in this case and the \$2,500,000 shall be removed from rate base.

. . . Once the new operations building is placed in service, as well as the existing center retired, the utility may seek recovery in its next rate case.

In the present rate case, the Company did not include the cost of the new South Florida Operations Center as a part of the requested rate relief. Although the Company has purchased a 6.22-acre site located in the Town of Lake Park, the operations center is not expected to be completed until October 2010, or ten months after the end of the projected 2009 test year. The Company has been negotiating with three developers/builders to act as its agent to develop and to manage the site development and construction. The Company has also entered into an agreement with an Architectural/Engineering firm. The expected design fee is \$186,500. The

projected cost of site development and construction has been independently estimated at \$4,744,000.

Due to the large amount of expenditures for the construction of the operations center, the Company has requested that we consider granting special future rate relief. The Company estimated the revenue requirement associated with the operations center to be \$909,488. The Company proposed two alternatives for consideration that would provide rate relief without the need for a "separate costly and time consuming rate proceeding."

The first alternative would be to calculate a flat percentage increase as a part of the present proceeding, that would be added to base rates based on the information that is available in the testimony, exhibits, and MFRs, in this proceeding. This rate increase would become effective upon completion of the operations center.

The Company's second proposed alternative would be for this Commission to conduct a limited proceeding at the conclusion of the operations center construction. The limited proceeding would specifically address the effects on rate base and net operating income relating to the incremental cost associated with the new operations center, and the cost of the limited proceeding.

We believe that there is a great deal of uncertainty as to the completion date and total cost of the new operations center. The current estimate calls for the completion of the center in 18 months or 10 months from the end of the 2009 projected test year. We also believe that the cost estimates for the operations center will change during the next approximate 18 months. Therefore, we find it is not appropriate to approve the Company's first alternative of granting a step rate increase now to be added to customer bills when the center is operational.

The Company's second alternative of the filing of a limited proceeding is also problematic. FPUC, or any other utility, may petition this Commission for a limited proceeding. However, there can be no guarantee now that we will agree that a limited proceeding is appropriate at the time the petition is filed. We could, among other things, determine that the issue of the overall earnings level should be addressed, based on the circumstances at the time of the proceeding. While limiting the cost of proceedings before this Commission is desirable, we see no need to take action at this time with respect to approving the use of a limited proceeding in the future.

Therefore, the step increase for the new South Florida Operations Center is denied at this time, and we will take no other action with respect to possible proceedings for this matter in the future.

XII. CONTINGENCY PROVISIONS IN EVENT PROPOSED MERGER WITH CHESAPEAKE IS CONSUMMATED

As stated earlier in this Order, FPUC and Chesapeake have announced their intention to merge with a closing expected in the fourth quarter of 2009. Such merger could make the rates

we are proposing in this Order to be inappropriate. To allow for this contingency, this docket shall remain open, and in the event the merger is consummated, the following conditions shall apply:

1. a new docket will be opened;
2. the Company shall file MFRs and testimony (reflecting at a minimum, the effect of the merger, the synergies of the merger, and the change in capital structure), within 180 days from the date the merger is consummated, based on a 2011 test year; and
3. the increased revenues granted by this Order shall be held subject to refund from the date that the merger is consummated.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Public Utilities Company's application for increased rates and charges is hereby approved in part as set forth in the body of this Order. It is further

ORDERED that all findings set forth herein are approved. It is further

ORDERED that all matters contained in the attachments and schedules attached hereto are incorporated herein by reference. It is further

ORDERED that the provisions of this Order are issued as proposed agency action, and shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that Florida Public Utilities Company is authorized to collect increased revenues of \$8,496,230. It is further

ORDERED that no refund of the interim rate increase approved by Order No. PSC-09-0123-PCO-GU, issued March 3, 2009, shall be required. It is further

ORDERED that upon issuance of the Consummating Order in this docket, the corporate undertaking shall be released. It is further

ORDERED that Florida Public Utilities Company shall file revised tariffs reflecting the increased rates and charges, the change in rate structure, and all other provisions approved in this Order and all other documents described herein. It is further

ORDERED that the rate increase shall be effective on billings rendered for all meter readings taken on or after June 4, 2009. It is further

ORDERED that Florida Public Utilities Company shall file a report with the Commission's Division of Economic Regulation, within 90 days of the final order in this rate case, showing the dollar amount and feet of plastic mains and services installed in 2005, 2006, 2007, and 2008, to replace the bare steel pipe retired in those same years. It is further

ORDERED that, thereafter, Florida Public Utilities Company shall file an annual status report by March 31 of each year showing the dollar amount and feet of plastic mains, services and tubing installed during the previous calendar year to replace bare steel pipe and tubing retired that year. It is further

ORDERED that Florida Public Utilities Company shall file, within 90 days after the date of the final order in this docket, a description of all entries or adjustments to its annual report, rate of return reports, and books and records which will be required as a result of our findings in this rate case. It is further


ORDERED that the bad debt adjustment is for ratemaking purposes only, and that for surveillance, annual report, and other reporting purposes, Florida Public Utilities Company shall report its actual bad debt expense. It is further

ORDERED that in the event the merger with Chesapeake Utilities Corporation is consummated: a new docket will be opened; Florida Public Utilities Company shall file MFRs and testimony based on a 2011 test year within 180 days from the date the merger is consummated: and the increased revenues granted by this Order shall be held subject to refund from the date that the merger is consummated as set forth in the body of this Order. It is further

ORDERED that if no substantially affected person files a protest within 21 days of the date of the Proposed Agency Action Order, a Consummating Order shall be issued and the docket shall remain open for the review of any merger with Chesapeake Utilities Corporation, and for the filing of the appropriate notices and tariffs.

By ORDER of the Florida Public Service Commission this 27th day of May, 2009.

ANN COLE
Commission Clerk

By: 
Dorothy E. Menasco
Chief Deputy Commission Clerk

(S E A L)

RRJ

DISSENTS BY: CHAIRMAN CARTER AND COMMISSIONER ARGENZIANO

CHAIRMAN CARTER dissents without opinion.

COMMISSIONER ARGENZIANO dissents without opinion.

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 17, 2009.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

FLORIDA PUBLIC UTILITIES COMPANY
DOCKET NO. 080366-GU
13-MONTH AVERAGE CAPITAL STRUCTURE
DECEMBER 2009 TEST YEAR

SCHEDULE 2

<u>Company As Filed</u>	(\$) <u>Amount</u>	<u>Ratio</u>	Cost <u>Rate</u>	Weighted <u>Cost</u>
Common Equity	31,130,696	42.21%	11.75%	4.96%
Long-term Debt	25,861,386	35.07%	7.90%	2.77%
Short-term Debt	7,363,771	9.99%	4.71%	0.47%
Preferred Stock	320,500	0.43%	4.75%	0.02%
Customer Deposits	6,181,495	8.38%	6.13%	0.51%
Deferred Income Taxes	2,773,818	3.76%	0.00%	0.00%
Tax Credits - Zero Cost	0	0.00%	0.00%	0.00%
Tax Credits - Weighted Cost	115,553	0.16%	9.38%	0.01%
Total	73,747,219	100.00%		8.74%

Equity Ratio 48.13%

<u>Commission Adjusted</u>	(\$) <u>Amount</u>	(\$) <u>Specific Adjustments</u>	(\$) <u>Pro Rata Adjustments</u>	(\$) <u>Commission Adjusted</u>	<u>Ratio</u>	<u>Cost Rate</u>	<u>Weighted Cost</u>
Common Equity	31,130,696	0	(233,125)	30,897,571	42.17%	10.85%	4.58%
Long-term Debt	25,861,386	0	(193,665)	25,667,721	35.04%	7.90%	2.77%
Short-term Debt	7,363,771	0	(55,144)	7,308,627	9.98%	2.73%	0.27%
Preferred Stock	320,500	0	(2,400)	318,100	0.43%	4.75%	0.02%
Customer Deposits	6,181,495	0	0	6,181,495	8.44%	6.13%	0.52%
Deferred Income Taxes	2,773,818	0	0	2,773,818	3.79%	0.00%	0.00%
Tax Credits - Zero Cost	0	0	0	0	0.00%	0.00%	0.00%
Tax Credits - Weighted Cost	115,553	0	0	115,553	0.16%	8.72%	0.01%
Total	73,747,219	0	(484,335)	73,262,884	100.00%		8.17%

Equity Ratio 48.13% 48.13%

<u>Interest Synchronization</u>	(\$) <u>Adjustment Amount</u>	<u>Cost Rate</u>	(\$) <u>Effect on Interest Exp.</u>	(\$) <u>Effect on Income Tax</u>
<u>Dollar Amount Change</u>				
Long-term Debt	(193,665)	7.90%	(15,300)	5,902
Short-term Debt	(55,144)	2.73%	(1,505)	581
Customer Deposits	0	6.13%	0	0
				<u>6,483</u>
<u>Cost Rate Change</u>				
Short-term Debt	7,363,771	-1.98%	(145,803)	56,243
Tax Credits - Weighted Cost	115,553	-0.66%	(768)	296
				<u>56,539</u>
TOTAL				<u><u>63,022</u></u>

FLORIDA PUBLIC UTILITIES COMPANY
DOCKET NO. 080366-GU
NET OPERATING INCOME
DECEMBER 2009 TEST YEAR

SCHEDULE 3

	Operating Revenues	O&M Gas Cost	O&M Other	Depreciation and Amortization	Taxes Other Than Income	Total Income Taxes	(Gain)/Loss on Disposal of Plant	Total Operating Expenses	Net Operating Income
Adjusted per Company	27,918,917	0	19,003,804	4,499,008	5,609,864	(1,529,681)	0	27,582,995	335,922
<u>Commission Adjustments:</u>									
4 Updated Allocations	0	0	0	17,740	0	(6,676)	0	11,064	(11,064)
5 Allocation of EDP Equipment	0	0	0	9,616	0	(3,619)	0	5,997	(5,997)
6 Bare Steel Replacement Program	0	0	0	122,780	0	(46,202)	0	76,578	(76,578)
18 Non-Regulated Business Operations	0	0	(73,751)	0	0	27,753	0	(45,998)	45,998
19 Franchise Fees	(1,441,002)	0	0	0	(1,441,002)	0	0	(1,441,002)	0
20 Gross Receipts Tax	(2,315,886)	0	0	0	(2,315,886)	0	0	(2,315,886)	0
21 Trending	0	0	0	0	0	0	0	0	0
22 Customer Records and Collections	0	0	24,539	0	0	(9,234)	0	15,305	(15,305)
23 Uncollectible Accounts Expense	0	0	(116,853)	0	0	43,972	0	(72,881)	72,881
24 Travel Expense	0	0	(2,093)	0	0	788	0	(1,305)	1,305
25 Promotional Advertising	0	0	(56,238)	0	0	21,162	0	(35,076)	35,076
26 Administrative and General Expense	0	0	(44,595)	0	0	16,781	0	(27,814)	27,814
27 Corporate Office Flooring	0	0	(6,750)	0	0	2,540	0	(4,210)	4,210
28 Storm Damage Accrual	0	0	(162,080)	0	0	60,991	0	(101,089)	101,089
29 Employee Benefits	0	0	(235,805)	0	0	88,733	0	(147,072)	147,072
30 Rate Case Expense	0	0	(60,109)	0	0	22,619	0	(37,490)	37,490
31 Depreciation Study	0	0	0	205,596	0	(77,366)	0	128,230	(128,230)
32 Vacant Positions	0	0	(190,505)	0	0	71,687	0	(118,818)	118,818
33 South Florida Operations Center	0	0	0	0	(114,079)	42,928	0	(71,151)	71,151
34 Common Plant Allocations	0	0	0	0	(66,363)	24,972	0	(41,391)	41,391
35 Income Tax Expense	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
Interest Synchronization	0	0	0	0	0	63,022	0	63,022	(63,022)
Total Commission Adjustments	(3,756,888)	0	(924,240)	355,732	(3,937,330)	344,852	0	(4,160,986)	404,098
36 Commission Adjusted NOI	24,162,029	0	18,079,564	4,854,740	1,672,534	(1,184,829)	0	23,422,009	740,020

SCHEDULE 4

FLORIDA PUBLIC UTILITIES COMPANY
 DOCKET NO. 080366-GU
 DECEMBER 2009 PROJECTED TEST YEAR
NET OPERATING INCOME MULTIPLIER

Line No.	(%) <u>As Filed</u>	(%) <u>Commission Adjusted</u>
1 Revenue Requirement	100.0000	100.0000
2 Gross Receipts Tax	0.0000	0.0000
3 Regulatory Assessment Fee	(0.5000)	(0.5000)
4 Bad Debt Rate	<u>(0.7300)</u>	<u>(0.5100)</u>
5 Net Before Income Taxes	98.7700	98.9900
6 Income Taxes (Line 5 x 37.63%)	<u>(37.1672)</u>	<u>(37.2499)</u>
7 Revenue Expansion Factor	<u>61.6028</u>	<u>61.7400</u>
8 Net Operating Income Multiplier (100%/Line 7)	<u>1.6233</u>	<u>1.6197</u>

SCHEDULE 5

FLORIDA PUBLIC UTILITIES COMPANY
DOCKET NO. 080366-GU
DECEMBER 2009 PROJECTED TEST YEAR
REVENUE REQUIREMENTS CALCULATION

<u>Line No.</u>	<u>As Filed</u>	<u>Commission Adjusted</u>
1. Rate Base	\$73,747,220	\$73,262,885
2. Overall Rate of Return	<u>8.74%</u>	<u>8.17%</u>
3. Required Net Operating Income (1)x(2)	6,445,507	5,985,578
4. Achieved Net Operating Income	<u>335,922</u>	<u>740,020</u>
5. Net Operating Income Deficiency (3)-(4)	6,109,585	5,245,558
6. Net Operating Income Multiplier	<u>1.62330</u>	<u>1.61970</u>
7. Operating Revenue Increase (5)x(6)	<u><u>\$9,917,690</u></u>	<u><u>\$8,496,230</u></u>

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 1 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

SCHEDULE A
 CALCULATION OF FINAL RATES

PROJECTED TEST YEAR: 12/31/2009

SPLIT GS CHARGES

	TOTAL	RS	GS/GSTS	LV/LVTS	IS/ITS	GLS/GLSTS
APPROVED TOTAL TARGET REVENUES	36,415,147	15,222,302	7,056,364	12,658,629	1,352,259	125,592
LESS:OTHER OPERATING REVENUE & TAXES	5,919,233	3,174,598	1,080,195	1,476,273	171,247	16,920
LESS:CUSTOMER CHARGE REVENUES						
FINAL CUSTOMER CHARGES		11.00	29.08	90.00	280.00	0.00
TIMES:NUMBER OF BILLS	52,137	47,235	3,565	1,282	13	42
EQUALS:CUSTOMER CHARGE REVENUES	8,907,523	6,234,982	1,243,993	1,384,869	43,680	0
LESS:OTHER NON-THERM-RATE REVENUES						
EQUALS:PER-THERM TARGET REVENUES	21,588,391	5,812,722	4,732,176	9,797,488	1,137,333	108,672
DIVIDED BY:NUMBER OF THERMS	55,522,630	11,223,250	11,830,427	27,184,610	4,842,992	441,352
EQUALS:PER-THERM RATES(UNRNDED)		0.517917868	0.400000437	0.360405691	0.234840903	0.246226233
PER-THERM RATES(RNDED)		0.51792	0.40000	0.36041	0.23484	0.24623
PER-THERM-RATE REVENUES(RNDED RATES)	21,588,524	5,812,746	4,732,171	9,797,605	1,137,328	108,674
SUMMARY: APPROVED TARIFF RATES		RS	GS-1&2 / GSTS-1&2	LV/LVTS	IS/ITS	GLS/GLSTS
CUSTOMER CHARGES		11.00	29.08	90.00	280.00	-
ENERGY CHARGES						
NON-GAS (DOLLARS PER THERM)		0.51792	0.40000	0.36041	0.23484	0.24623
PURCHASED GAS ADJUSTMENT		0.70000	0.70000	0.70000	0.70000	0.70000
TOTAL (INCLUDING PGA)		1.21792	1.10000	1.06041	0.93484	0.94623
SUMMARY:PRESENT TARIFF RATES						
CUSTOMER CHARGES		8.00	15.00	45.00	240.00	0.00
ENERGY CHARGES						
NON-GAS (DOLLARS PER THERM)		0.48340	0.32107	0.23809	0.10039	0.17689
PURCHASED GAS ADJUSTMENT		0.70000	0.70000	0.70000	0.70000	0.70000
TOTAL (INCLUDING PGA)		1.18340	1.02107	0.93809	0.80039	0.71769

Notes:
Transportation Service accounts are responsible for additional charges due to the extra services which are provided by FPU.
 The Pool Manager Service charge remains at \$100.00 per month per Pool Manager.
 The GS rate is approved to be replaced by a GS-1 and GS-2 rate. The Customer Charges are approved at \$20 / customer per month for GS-1 and the GS-2 monthly Customer Charge per customer is approved to be 163% above the GS-1 proposed Customer Charge based on the index ratios between GS-2 and GS-1 on Schedule E-7.
 As such the GS-2 approved Customer Charge is \$33.00 per customer per month.
 To demonstrate the overall effect on GS customers the weighted average projected GS-1 and GS-2 Customer Charge of \$29.08 / customer per month is used on this schedule.
 The weighted average projected composite GS Customer Charge is based on 1,074 GS-1 customers at \$20.00 and 2,491 GS-2 Customers at \$33.00.

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 4 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

SCHEDULE A
 CALCULATION OF FINAL RATES

PROJECTED TEST YEAR: 12/31/2009

	TOTAL	RS	GS-1&2 / GSTS-1&2	LV/LVTS	IS/ITS	GLS/GLSTS
PROPOSED TOTAL TARGET REVENUES	36,415,147	15,222,302	7,058,364	12,858,829	1,352,259	125,592
LESS: OTHER OPERATING REVENUE & TAXES	5,919,233	3,174,598	1,080,195	1,476,273	171,247	16,920
LESS: CUSTOMER CHARGE REVENUES						
PROPOSED CUSTOMER CHARGES		11.00	29.08	90.00	280.00	-
TIMES: NUMBER OF BILLS	52,137	47,235	3,565	1,282	13	42
EQUALS: CUSTOMER CHARGE REVENUES	8,907,523	6,234,982	1,243,993	1,384,869	43,680	-
LESS: OTHER NON-THERM-RATE REVENUES						
EQUALS: PER-THERM TARGET REVENUES	21,588,391	5,812,722	4,732,176	9,797,488	1,137,333	108,672
DIVIDED BY: NUMBER OF THERMS	55,522,630	11,223,250	11,830,427	27,184,610	4,842,992	441,352
EQUALS: PER-THERM RATES (UNROUNDED)		0.51791767	0.40000044	0.36040569	0.23484080	0.24622623
PER-THERM RATES (ROUNDED)		0.51792	0.40000	0.36041	0.23484	0.24623
PER-THERM-RATE REVENUES (ROUNDED RATES)		5,812,746	4,732,171	9,797,605	1,137,328	108,674
SUMMARY: PROPOSED TARIFF RATES						
CUSTOMER CHARGES		11.00	29.08	90.00	280.00	-
ENERGY CHARGES						
NON-GAS (DOLLARS PER THERM)		0.51792	0.40000	0.36041	0.23484	0.24623
PURCHASED GAS ADJUSTMENT (April 09)		0.70000	0.70000	0.70000	0.70000	0.70000
TOTAL (INCLUDING PGA)		1.21792	1.10000	1.06041	0.93484	0.94623
SUMMARY: PRESENT TARIFF RATES						
CUSTOMER CHARGES		8.00	15.00	45.00	240.00	-
ENERGY CHARGES						
NON-GAS (DOLLARS PER THERM)		0.48340	0.32107	0.23809	0.10039	0.01769
PURCHASED GAS ADJUSTMENT		0.70000	0.70000	0.70000	0.70000	0.70000
TOTAL (INCLUDING PGA)		1.18340	1.02107	0.93809	n/a	0.71769

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 5 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

SCHEDULE B
 FINAL RATE DESIGN

PROJECTED TEST YEAR: 12/31/2009
 WITNESS: SCHNEIDERMANN

	TOTAL	RS	GS-1&2 / GSTS-1&2	LV/LVTS	IS/ITS	GLS/GLSTS		
TOTAL CURRENT BASE REVENUES	22,225,975	9,967,462	4,448,135	7,201,038	531,262	78,078	-	-
TOTAL PROPOSED BASE REVENUES		12,047,704	5,976,168	11,182,357	1,181,013	108,672	-	-
CURRENT OTHER OPERATING REV	2,312,116	1,749,747	230,336	288,325	43,708			
PROPOSED OTHER OPERATING REV	2,542,177	1,937,358	249,539	305,462	45,879	3,939	-	-
INCREASE OTHER OPERATING REV	226,291	187,611	19,204	17,137	2,170	169	-	-
GR TAX REVENUES	1,936,054	596,864	436,509	764,332	125,368	12,981		
FF REVENUES	1,441,002	640,377	394,147	406,478	-	-		
TOTAL CURRENT REVENUES	27,915,147	12,954,449	5,509,127	8,660,174	700,339	91,059	-	-
TOTAL PROPOSED REVENUES	36,415,147	15,222,302	7,056,364	12,658,629	1,352,259	125,592	-	-

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 6 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

PROJECTED TEST YEAR: 12/31/2009

FINAL RATE DESIGN
 SCHEDULE B

	TOTAL	RS	GS-1&2 / GSTS-1&2	LV/LVTS	IS/ITS	GLS/GLSTS
I. PRESENT RATES (projected test year @ present rates)						
Gas Sales (due to growth)	22,225,975	9,967,462	4,448,135	7,201,038	531,262	78,078
Other Operating Revenue	2,315,886	1,749,747	230,336	288,325	43,708	3,770
Gross Recp + FF Tax	3,377,056	1,237,240	830,656	1,170,810	125,368	12,981
Total	27,918,917	12,954,449	5,509,127	8,660,174	700,339	94,828
ATTENDANT INCREASE IN TAXES	(1,184,829)	(419,249)	(243,862)	(457,851)	(58,111)	(5,756)
RESULTING NET OPERATING INCOME	740,020	1,088,253	338,435	(526,084)	(170,668)	10,083
RATE OF RETURN	1.01%	4.20%	2.24%	-1.86%	-4.75%	2.83%
INDEX		4.16	2.22	-1.84	-4.70	2.80
II. REVENUES IF SET AT EQUAL RATES OF RETURN (projected test year @ approved rates - equal rates of return)						
Gas Sales (due to growth)	30,495,914	11,447,704	5,876,168	11,782,357	1,281,013	108,672
Other Operating Revenue	2,542,177	1,937,368	249,539	305,462	45,879	3,939
Gross Recp + FF Tax	3,377,056	1,237,240	830,656	1,170,810	125,368	12,981
Total	36,415,147	14,622,302	6,956,364	13,258,629	1,452,259	125,592
TOTAL REVENUE INCREASE	8,496,230	1,667,853	1,447,237	4,598,455	751,921	30,764
PERCENT INCREASE OVER BASE RATES	38.23%	16.73%	32.54%	63.86%	141.53%	39.40%
RATE OF RETURN	8.17%	8.17%	8.17%	8.17%	8.17%	8.17%
INDEX		0.41	0.41	0.41	0.41	0.41
III. FINAL REVENUES (projected test year @ approved rates - ADJUSTED)						
Gas Sales (due to growth)	30,495,914	12,047,704	5,976,168	11,182,357	1,181,013	108,672
Other Operating Revenue	2,542,177	1,937,368	249,539	305,462	45,879	3,939
Gross Recp + FF Tax	3,377,056	1,237,240	830,656	1,170,810	125,368	12,981
Total	36,415,147	15,222,302	7,056,364	12,658,629	1,352,259	125,592
TOTAL REVENUE INCREASE	8,496,230	2,267,853	1,547,237	3,998,455	651,921	30,764
PERCENT INCREASE OVER BASE RATES	38.23%	22.75%	34.76%	55.53%	122.71%	39.40%
RATE OF RETURN	8.17%	9.60%	8.58%	6.86%	6.45%	8.17%
INDEX		1.17	1.05	0.84	0.79	1.00

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 7 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

RATE OF RETURN BY CUSTOMER CLASS
 SCHEDULE C

PROJECTED TEST YEAR: 12/31/2009

	TOTAL	RS	GS / GSTS	LV/LVTS	IS/ITS	GLS/GLSTS		
REVENUES (projected test year @ proposed rates - equal rates of return)								
Gas Sales (due to growth)	30,495,914	11,447,704	5,876,168	11,782,357	1,281,013	108,672	-	-
Other Operating Revenue (proposed rates)	2,542,177	1,937,358	249,539	305,462	45,879	3,939	-	-
Gross Recp + FF Tax	3,377,056	1,237,240	830,656	1,170,810	125,368	12,981	-	-
Total	36,415,147	14,622,302	6,956,364	13,258,629	1,452,259	125,592	-	-
EXPENSES:								
Purchased Gas Cost	-	-	-	-	-	-	-	-
O&M Expenses	18,079,564	8,359,816	3,351,802	5,837,780	483,599	46,568	-	-
Depreciation Expenses	3,622,061	1,307,415	740,648	1,384,589	172,355	17,054	-	-
Amortization Expenses	1,232,679	444,946	252,061	471,211	58,657	5,804	-	-
Taxes Other Than Income—Fixed	1,912,771	690,431	391,128	731,186	91,019	9,006	-	-
Taxes Other Than Income—Revenue	3,516,651	1,482,836	678,916	1,219,343	123,487	12,069	-	-
Total Expns excl. Income Taxes	28,363,726	12,285,444	5,414,555	9,644,109	929,117	90,501	-	-
PRE TAX NOI:	8,051,421	2,336,858	1,541,809	3,614,520	523,142	35,092	-	-
ATTENDANT INCREASE IN TAXES	3,250,672	638,124	553,715	1,759,377	287,686	11,770	-	-
INCOME TAXES:	2,065,843	218,875	309,853	1,301,526	229,575	6,015	-	-
NET OPERATING INCOME:	5,985,578	2,117,983	1,231,957	2,312,994	293,567	29,077	-	-
RATE BASE:								
RATE OF RETURN	8.17%	8.17%	8.17%	8.17%	8.17%	8.17%	-	-
\$ CHANGE IN BASE REVENUES	8,269,939	1,480,242	1,428,033	4,581,318	749,751	30,595	-	-
% CHANGE IN BASE REVENUES	37.21%	14.85%	32.10%	63.62%	141.13%	39.19%	-	-
FINAL REVENUES (projected test year @ approved rates - adjusted for LV and IS)								
Gas Sales (due to growth)	30,495,914	12,047,704	5,976,168	11,182,357	1,181,013	108,672	-	-
Other Operating Revenue (proposed rates)	2,542,177	1,937,358	249,539	305,462	45,879	3,939	-	-
Gross Recp + FF Tax	3,377,056	1,237,240	830,656	1,170,810	125,368	12,981	-	-
Total	36,415,147	15,222,302	7,056,364	12,658,629	1,352,259	125,592	-	-
EXPENSES:								
Purchased Gas Cost	-	-	-	-	-	-	-	-
O&M Expenses	18,079,564	8,359,816	3,351,802	5,837,780	483,599	46,568	-	-
Depreciation Expenses	3,622,061	1,307,415	740,648	1,384,589	172,355	17,054	-	-
Amortization Expenses	1,232,679	444,946	252,061	471,211	58,657	5,804	-	-
Taxes Other Than Income—Fixed	1,912,771	690,431	391,128	731,186	91,019	9,006	-	-
Taxes Other Than Income—Revenue	3,516,651	1,482,836	678,916	1,219,343	123,487	12,069	-	-
Total Expns excl. Income Taxes	28,363,726	12,285,444	5,414,555	9,644,109	929,117	90,501	-	-
PRE TAX NOI:	8,051,421	2,936,858	1,641,809	3,014,520	423,142	35,092	-	-
INCREASE NOI:	5,245,558	1,400,169	955,261	2,468,639	402,495	18,994	-	-
ORIGINAL NOI:	740,020	1,088,253	338,435	(526,084)	(170,668)	10,083	-	-
INCOME TAXES:	2,065,843	448,436	348,113	1,071,965	191,315	6,015	-	-
NET OPERATING INCOME:	5,985,578	2,488,422	1,293,696	1,942,555	231,827	29,077	-	-
RATE BASE:								
RATE OF RETURN	8.17%	9.60%	8.58%	6.86%	6.45%	8.17%	-	-
\$ CHANGE IN BASE REVENUES	8,269,939	2,080,242	1,528,033	3,981,318	649,751	30,595	-	-
% CHANGE IN BASE REVENUES	37.21%	20.87%	34.35%	55.29%	122.30%	39.19%	-	-

SCHEDULE H-1

COST OF SERVICE

SCHEDULE 6 - PAGE 10 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY
 SUMMARY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

PROJECTED TEST YEAR: 12/31/2009

SUMMARY	TOTAL	RS	GS / GSTS	LV/LVTS	IS/ITS	GLS/GLSTS			
RB	73,262,887	25,923,909	15,079,027	28,310,824	3,593,226	355,901	-	-	-
ATTRITION	-	-	-	-	-	-	-	-	-
O&M	18,079,564	8,359,816	3,351,802	5,837,780	483,599	46,568	-	-	-
DEPRECIATION	3,622,061	1,307,415	740,648	1,384,589	172,355	17,054	-	-	-
AMORTIZATION EXPENSES	1,232,679	444,946	252,061	471,211	58,657	5,804	-	-	-
TOTI - OTHER	1,912,771	690,431	391,128	731,186	91,019	9,006	-	-	-
TOTI - REV. RELATED	3,516,651	1,482,836	678,916	1,219,343	123,487	12,069	-	-	-
INCOME TAXES TOTAL	(1,184,829)	(419,249)	(243,862)	(457,851)	(58,111)	(5,756)	-	-	-
REVENUE CREDITED TO COS:	-	-	-	-	-	-	-	-	-
TOTAL COST - CUSTOMER	16,717,267	9,628,248	2,784,536	4,257,973	43,168	3,342	-	-	-
TOTAL COST - CAPACITY	11,832,412	2,651,117	2,705,211	5,484,271	902,131	89,681	-	-	-
TOTAL COST - COMMODITY	1,098,146	221,977	233,986	537,667	95,786	8,729	-	-	-
TOTAL COST - REVENUE	3,516,651	1,482,836	678,916	1,219,343	123,487	12,069	-	-	-
NO. OF CUSTOMERS	52,137	47,235	3,565	1,282	13	42	-	-	-
PEAK MONTH SALES	6,106,118	1,425,239	1,441,202	2,766,404	427,842	45,430	-	-	-
ANNUAL SALES	55,522,630	11,223,250	11,830,427	27,184,610	4,842,992	441,352	-	-	-

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 11 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY
 SUMMARY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

PROJECTED TEST YEAR: 12/31/2009

SUMMARY	TOTAL	RS	GS / GSTS		LV/LVTS	IS/ITS	GLS/GLSTS
RB	73,262,887	25,923,909	15,079,027	-	28,310,824	3,593,226	355,901
ATTRITION							
O&M	18,079,564	8,359,816	3,351,802	-	5,837,780	483,599	46,568
DEPRECIATION	3,622,061	1,307,415	740,648	-	1,384,589	172,355	17,054
AMORTIZATION EXPENSES	1,232,679	444,946	252,061	-	471,211	58,657	5,804
TOTI - OTHER	1,912,771	690,431	391,128	-	731,186	91,019	9,006
TOTI - REV. RELATED	3,516,651	1,482,836	678,916	-	1,219,343	123,487	12,069
INCOME TAXES TOTAL	(1,184,829)	(419,249)	(243,862)	-	(457,851)	(58,111)	(5,756)
REVENUE CREDITED TO COS:	-	-	-	-	-	-	-
TOTAL COST - CUSTOMER	16,717,267	9,628,248	2,784,536	-	4,257,973	43,168	3,342
TOTAL COST - CAPACITY	11,832,412	2,651,117	2,705,211	-	5,484,271	902,131	89,681
TOTAL COST - COMMODITY	1,098,146	221,977	233,986	-	537,667	95,786	8,729
TOTAL COST - REVENUE	3,516,651	1,482,836	678,916	-	1,219,343	123,487	12,069
NO. OF CUSTOMERS	52,137	47,235	3,565	-	1,282	13	42
PEAK MONTH SALES	6,106,118	1,425,239	1,441,202	-	2,766,404	427,842	45,430
ANNUAL SALES	55,522,630	11,223,250	11,830,427	-	27,184,610	4,842,992	441,352

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 12 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

ALLOCATION OF COST OF SERVICE
 TO CUSTOMER CLASSES
 SCHEDULE E

PROJECTED TEST YEAR: 12/31/2009

	TOTAL	RS	GS / GSTS		LV/LVTS	IS/ITS	GLS/GLSTS	ALLOCATOR
TAXES OTHER THAN INCOME TAXES:								
Customer	744,164	428,599	123,953	-	189,542	1,922	149	WEIGHTED CUST
Capacity	1,168,607	261,833	267,175	-	541,644	89,097	8,857	CAPACITY
Subtotal	1,912,771	690,431	391,128	-	731,186	91,019	9,006	
Revenue	3,516,651	1,482,836	678,916	-	1,219,343	123,487	12,069	TAX ALLOC W/O LK WORTH
Total	5,429,422	2,173,267	1,070,044	-	1,950,529	214,506	21,075	
RETURN (NOI)								
Customer	2,206,117	1,270,605	367,465	-	561,909	5,697	441	RB-CUST-DIRECT
Capacity	3,805,432	852,628	870,025	-	1,763,801	290,135	28,842	RB-CAP-DIRECT
Commodity	(25,972)	(5,250)	(5,534)	-	(12,716)	(2,265)	(206)	RB-COM-DIRECT
Total	5,985,578	2,117,983	1,231,957	-	2,312,994	293,567	29,077	
INCOME TAXES								
Customer	(436,695)	(251,513)	(72,739)	-	(111,228)	(1,128)	(87)	RB-CUST-DIRECT
Capacity	(753,275)	(168,775)	(172,219)	-	(349,140)	(57,431)	(5,709)	RB-CAP-DIRECT
Commodity	5,141	1,039	1,095	-	2,517	448	41	RB-COM-DIRECT
Total	(1,184,829)	(419,249)	(243,862)	-	(457,851)	(58,111)	(5,756)	
REVENUE CREDITED TO COS:								
Customer	-	-	-	-	-	-	-	DIRECT
TOTAL COST OF SERVICE:								
Customer	16,717,267	9,628,248	2,784,536	-	4,257,973	43,168	3,342	
Capacity	11,832,412	2,651,117	2,705,211	-	5,484,271	902,131	89,681	
Commodity	1,098,146	221,977	233,986	-	537,667	95,786	8,729	
Subtotal	29,647,824	12,501,343	5,723,733	-	10,279,910	1,041,086	101,753	
Revenue	3,516,651	1,482,836	678,916	-	1,219,343	123,487	12,069	
Total	33,164,475	13,984,179	6,402,649	-	11,499,253	1,164,573	113,822	
Total Calculated	33,164,475	13,984,179	6,402,649	-	11,499,253	1,164,573	113,822	

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 13 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

ALLOCATION OF COST OF SERVICE
 TO CUSTOMER CLASSES
 SCHEDULE E

PROJECTED TEST YEAR: 12/31/2009

	TOTAL	RS	GS / GSTS		LV/LVTS	IS/ITS	GLS/GLSTS	ALLOCATOR
OPERATIONS AND MAINTENANCE EXPENSE:								
DIRECT AND SPECIAL ASSIGNMENTS:								
CUSTOMER								
878 Meters and House Regulators	1,702,587	980,598	283,594	-	433,657	4,396	340	WEIGHTED CUST
893 Maint. of Meters & House Reg.	135,247	77,895	22,528	-	34,448	349	27	WEIGHTED CUST
874 Mains & Services	479,493	276,162	79,868	-	122,129	1,238	96	WEIGHTED CUST
892 Maint. of Services	193,322	111,343	32,201	-	49,240	499	39	WEIGHTED CUST
ALL OTHER CUSTOMER	9,804,293	5,646,746	1,633,066	-	2,497,203	25,317	1,960	
CUSTOMER TOTAL	12,314,941	7,092,745	2,051,256	-	3,136,678	31,800	2,462	
CAPACITY								
876 Measuring & Reg. Sta. Eq. - I	14,342	3,213	3,279	-	6,647	1,093	109	PEAK/AVE
890 Maint. of Meas. & Reg. Sta. Eq. - I	-	-	-	-	-	-	-	PEAK/AVE
874 Mains and Services	1,136,711	254,686	259,883	-	526,861	86,666	8,615	DIRECT
887 Maint. of Mains	436,890	97,888	99,885	-	202,497	33,310	3,311	DIRECT
ALL OTHER CAPACITY	3,057,704	685,095	699,074	-	1,417,232	233,127	23,175	PEAK/AVE
CAPACITY TOTAL	4,645,647	1,040,883	1,062,121	-	2,153,237	354,195	35,211	
COMMODITY								
Account #	-	-	-	-	-	-	-	COMMODITY
Account #	-	-	-	-	-	-	-	COMMODITY
Account #	-	-	-	-	-	-	-	COMMODITY
All Other	1,118,976	226,188	238,425	-	547,865	97,603	8,895	COMMODITY
COMMODITY TOTAL	1,118,976	226,188	238,425	-	547,865	97,603	8,895	
TOTAL O&M	18,079,564	8,359,816	3,351,802	-	5,837,780	483,599	46,568	
DEPRECIATION EXPENSE:								
Customer	1,409,164	811,603	234,720	-	358,921	3,639	282	WEIGHTED CUST
Capacity	2,212,897	495,812	505,928	-	1,025,668	168,717	16,772	DIRECT
Total	3,622,061	1,307,415	740,648	-	1,384,589	172,355	17,054	
4050.1 AMORT. OF OTHER GAS PLANT:								
Customer	177,542	102,255	29,573	-	45,221	458	35	WEIGHTED CUST
Capacity	278,806	62,468	63,743	-	129,225	21,257	2,113	PEAK/AVE
Total	456,348	164,723	93,315	-	174,446	21,715	2,149	
4080.1 AMORT. OF ACQUISITION ADJ AND BARE STEEL								
Customer	302,989	174,505	50,468	-	77,173	782	61	WEIGHTED CUST
Capacity	475,802	106,606	108,781	-	220,532	36,276	3,606	PEAK/AVE
Total	778,791	281,111	159,249	-	297,705	37,059	3,667	
4070.5 AMORT OF AEP - EXCESS MACC								
Customer	(957)	(551)	(159)	-	(244)	(2)	(0)	WEIGHTED CUST
Capacity	(1,503)	(337)	(344)	-	(697)	(115)	(11)	PEAK/AVE
Total	(2,460)	(888)	(503)	-	(940)	(117)	(12)	

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 14 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

PROJECTED TEST YEAR: 12/31/2009

ALLOCATION OF RATE BASE TO CUSTOMER CLASSES
 SCHEDULE F

RATE BASE BY CUSTOMER CLASS	TOTAL	RS	GS / GSTS		LV/LVTS	IS/ITS	GLS/GLSTS	ALLOCATOR
DIRECT AND SPECIAL ASSIGNMENTS:								
Customer								
Meters	6,082,886	3,503,416	1,013,205	-	1,549,342	15,707	1,216	WEIGHTED CUST
House Regulators	1,993,427	1,148,107	332,038	-	507,736	5,148	399	WEIGHTED CUST
Services	14,084,865	8,112,126	2,346,066	-	3,587,487	36,370	2,816	WEIGHTED CUST
All Other	4,841,480	2,786,432	806,428	-	1,233,149	12,502	968	WEIGHTED CUST
Total	27,002,658	15,552,081	4,497,737	-	6,877,714	69,727	5,399	
Capacity								
Industrial Meas. & Reg. Sta. Eq.	33,874	7,590	7,745	-	15,700	2,583	257	PEAK/AVE
Meas. & Reg. Sta. Eq. - Gen.	209,588	46,959	47,918	-	97,143	15,979	1,589	PEAK/AVE
Mains	39,463,891	8,842,103	9,022,518	-	18,291,340	3,008,821	299,108	PEAK/AVE
All Other	6,870,766	1,539,433	1,570,844	-	3,184,570	523,844	52,076	PEAK/AVE
Total	46,578,118	10,436,085	10,649,024	-	21,588,753	3,551,227	353,029	
Commodity								
Account	-	-	-	-	-	-	-	ANNUAL SALES
Account	-	-	-	-	-	-	-	ANNUAL SALES
Account	-	-	-	-	-	-	-	ANNUAL SALES
All Other	(317,889)	(64,258)	(67,734)	-	(155,643)	(27,728)	(2,527)	ANNUAL SALES
Total	(317,889)	(64,258)	(67,734)	-	(155,643)	(27,728)	(2,527)	ANNUAL SALES
TOTAL	73,262,887	25,923,909	15,079,027	-	28,310,824	3,593,226	355,901	#

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 15 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

DEVELOPMENT OF ALLOCATION FACTORS
 SCHEDULE G

PROJECTED TEST YEAR: 12/31/2009

	TOTAL	RS	GS / GSTS		LV/LVTS	IS/ITS	GLS/GLSTS
CUSTOMER COSTS							
CUSTOMER	52,137	47,235	3,565		1,282	13	42
AVERAGE METER COST INDEX	NA	1.00000	3.83199		16.29041	16.29041	0.39039
WEIGHTED CUSTOMER COST	82,012	47,235	13,661	-	20,889	212	16
WEIGHTED CUST	1.00	0.58	0.17	-	0.25	0.00	0.00
CAPACITY COSTS							
PEAK AND AVERAGE METHOD (THERMS)	5,443,583	1,219,665	1,244,551		2,523,077	415,032	41,258
CAPACITY	1.00	0.22	0.23	-	0.46	0.08	0.01
COMMODITY COSTS							
ANNUAL SALES (THERMS)	55,522,630	11,223,250	11,830,427		27,184,610	4,842,992	441,352
SALES	1.00	0.20	0.21	-	0.49	0.09	0.01
REVENUE-RELATED COSTS							
	0.01625	=FACTOR					
TAX ON CAP. CUST. COMM	481,777	203,147	93,011	-	167,049	16,918	1,653
TAX ALLOC		0.42	0.19	-	0.35	0.04	0.00
TAX ALLOC W/O LK WORTH		0.42	0.19	-	0.35	0.04	0.00

SCHEDULE H-2

COST OF SERVICE

SCHEDULE 6 - PAGE 16 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY
 SUMMARY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

PROJECTED TEST YEAR: 12/31/2009

SUMMARY:	TOTAL	CUSTOMER	CAPACITY	COMMODITY	REVENUE
ATTRITION	-	-	-	-	-
O&M	18,079,564	12,314,941	4,645,647	1,118,976	-
DEP.	3,622,061	1,409,164	2,212,897	-	-
AMORTIZATION-OTHER GAS PLANT	456,348	177,542	278,806	-	-
AMORT OF UTILITY PLANT-ACQ ADJ AND BARE STEEL	778,791	302,989	475,802	-	-
AMORT OF AEP - EXCESS MACC	(2,460)	(957)	(1,503)	-	-
TOTAL TAXES OTHER THAN INCOME	5,429,422	744,164	1,168,607	-	3,516,651
RETURN	5,985,578	2,206,117	3,805,432	(25,972)	-
INCOME TAXES	(1,184,829)	(436,695)	(753,275)	5,141	-
REVENUES CREDITED TO COST OF SERVICE	-	-	-	-	-
TOTAL COST	33,164,475	18,717,267	11,832,412	1,088,146	3,516,651
RATE BASE	73,262,887	27,002,658	46,578,118	(317,889)	-
KNOWN DIRECT & SPECIAL ASSIGNMENTS:					
RATE BASE ITEMS(PLANT-ACC.DEP):					
381-382 METERS	6,082,886	6,082,886	-	-	-
383-384 HOUSE REGULATORS	1,993,427	1,993,427	-	-	-
385 INDUSTRIAL MEAS. & REG.EQ.	33,874	-	33,874	-	-
376 MAINS	39,463,891	-	39,463,891	-	-
380 SERVICES	14,084,865	14,084,865	-	-	-
378 MEAS. & REG.STA.EQ.-GEN.	209,588	-	209,588	-	-
892 Maint. of Services O & M ITEMS	193,322	193,322	-	-	-
876 MEAS. & REG.STA.EQ.IND.	14,342	-	14,342	-	-
878 METER & HOUSE REG.	1,702,587	1,702,587	-	-	-
890 MAINT.OF MEAS. & REG.STA.EQ.-IND.	-	-	-	-	-
893 MAINT.OF METERS AND HOUSE REG.	135,247	135,247	-	-	-
874 MAINS AND SERVICES	1,616,205	479,493	1,136,711	-	-
887 MAINT. OF MAINS	436,890	-	436,890	-	-

SCHEDULE H-3

COST OF SERVICE

SCHEDULE 6 - PAGE 17 OF 21

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: PROVIDE A FULLY ALLOCATED
 EMBEDDED COST OF SERVICE STUDY

TYPE OF DATA SHOWN:

COMPANY: FLORIDA PUBLIC UTILITIES COMPANY
 CONSOLIDATED NATURAL GAS DIVISION
 DOCKET NO.: 080366-GU

(SUMMARY)

PROJECTED TEST YEAR: 12/31/2009

SUMMARY:	TOTAL	CUSTOMER	CAPACITY	COMMODITY	REVENUE
ATTRITION					
O&M	18,079,564	12,314,941	4,645,647	1,118,976	-
DEP.	3,622,061	1,409,164	2,212,897	-	-
AMORTIZATION-OTHER GAS PLANT	456,348	177,542	278,806	-	-
AMORT OF UTILITY PLANT-ACQ ADJ AND BARE STEEL	778,791	302,989	475,802	-	-
AMORT OF AEP - EXCESS MACC	(2,460)	(957)	(1,503)	-	-
TOTAL TAXES OTHER THAN INCOME	5,429,422	744,164	1,168,607	-	3,516,651
RETURN	5,985,578	2,206,117	3,805,432	(25,972)	-
INCOME TAXES	(1,184,829)	(436,695)	(753,275)	5,141	-
REVENUES CREDITED TO COST OF SERVICE	1,912,771	-	-	-	-
TOTAL COST	35,077,246	16,717,267	11,832,412	1,098,146	3,516,651
RATE BASE	73,262,888	27,002,658	46,578,118	(317,889)	-
KNOWN DIRECT & SPECIAL ASSIGNMENTS:					
RATE BASE ITEMS(PLANT-ACC.DEP):					
381-382 METERS	6,082,886	6,082,886	-	-	-
383-384 HOUSE REGULATORS	1,993,427	1,993,427	-	-	-
385 INDUSTRIAL MEAS.& REG.EQ.	33,874	-	33,874	-	-
376 MAINS	39,463,891	-	39,463,891	-	-
380 SERVICES	14,084,865	14,084,865	-	-	-
378 MEAS.& REG.STA.EQ.-GEN.	209,588	-	209,588	-	-
892 Maint. of Services O & M ITEMS	193,322	193,322	-	-	-
876 MEAS.& REG.STA.EQ.IND.	14,342	-	14,342	-	-
878 METER & HOUSE REG.	1,702,587	1,702,587	-	-	-
890 MAINT.OF MEAS.& REG.STA.EQ.-IND.	-	-	-	-	-
893 MAINT.OF METERS AND HOUSE REG.	135,247	135,247	-	-	-
874 MAINS AND SERVICES	1,616,205	479,493	1,136,711	-	-
887 MAINT. OF MAINS	436,890	-	436,890	-	-

SCHEDULE H-3		COST OF SERVICE				SCHEDULE 6 - PAGE 18 OF 21
FLORIDA PUBLIC SERVICE COMMISSION		EXPLANATION: PROVIDE A FULLY ALLOCATED EMBEDDED COST OF SERVICE STUDY				TYPE OF DATA SHOWN:
COMPANY: FLORIDA PUBLIC UTILITIES COMPANY CONSOLIDATED NATURAL GAS DIVISION DOCKET NO.: 080366-GU		CLASSIFICATION OF EXPENSES AND DERIVATION OF COST OF SERVICE BY COST CLASSIFICATION				PROJECTED TEST YEAR: 12/31/2009
4010	OPERATION EXPENSES	TOTAL	CUSTOMER	CAPACITY	COMMODITY	CLASSIFIER
	PRODUCTION EXPENSES	-	-	-	-	CAPACITY
800-812	GAS SUPPLY EXPENSE - OPERATION	-	-	-	-	COMMODITY
813	OTHER GAS SUPPLY EXPENSE	193,935	-	-	193,935	COMMODITY
814-826	STORAGE & PROCESSING - UNDERGROUND STORAGE	-	-	-	-	CAPACITY
	<u>DISTRIBUTION EXPENSES</u>					
870	OPER SUPERVISION & ENGINEERING	420,978	266,231	154,747	-	ac 871-879
8711	DISTRIBUTION LOAD DISPATCHING	13,513	-	13,513	-	CAPACITY
874	MAINS & SERVICES EXPENSE	1,616,205	479,493	1,136,711	-	ac376*+ac380*
8751	MEAS/REGULATING STN EXP-GENERL	-	-	-	-	CAPACITY
8754	M&R STN-SCADA MNT-REPLACE PTS	-	-	-	-	CAPACITY
8761	MEAS/REGULATING STN EXP-INDUSL	14,342	-	14,342	-	CAPACITY
8771	MEAS/REG STN EXP-CITY GATE CK	20,208	-	20,208	-	CAPACITY
878	METER & HOUSE REGULATOR EXP	1,702,587	1,702,587	-	-	CUSTOMER
8791	CUSTOMER SERVICE EXP-NO CHG WK	264,872	99,098	165,774	-	ac 374-385
8792	CUSTOMER SERVICE EXP-WARRANTY	56,043	20,968	35,075	-	ac 374-385
8793	CUST SERV EXP-CHG NO PARTS NEC	(116,307)	(43,514)	(72,792)	-	ac 374-385
8801	OTHER EXPENSES MAPS & RECORDS	132,755	49,668	83,087	-	ac 374-385
8802	OTHER EXPENSES MISCELLANEOUS	867,275	324,478	542,796	-	ac 374-385
881	RENTS	58,447	-	58,447	-	CAPACITY
	<u>CUSTOMER ACCOUNTS EXPENSES</u>					
901	SUPERVISION	153,892	153,892	-	-	CUSTOMER
9011	SUPERVISION - A & G	70,811	70,811	-	-	CUSTOMER
902	METER READING EXPENSES	777,063	777,063	-	-	CUSTOMER
903	CUSTOMER RECORDS & COLLECTION	1,084,272	1,084,272	-	-	CUSTOMER
9031	CUST RECORDS/CLLCTN	515,794	515,794	-	-	CUSTOMER
904	UNCOLLECTIBLE ACCOUNTS	522,322	-	-	522,322	COMMODITY
905	MISC CUSTOMER ACCOUNTS EXP	98,938	98,938	-	-	CUSTOMER
9051	MISC CUST ACCNT EXP	32,760	32,760	-	-	CUSTOMER
9061-910	CUSTOMER SERVICE & INFO SUM([Schedule_E_Final.XLS]6b!\$K\$76:\$K\$80)		-	-	-	CUSTOMER
911-916	SALES EXPENSES	1,772,317	1,772,317	-	-	CUSTOMER
920-931	ADMINISTRATIVE & GENERAL EXPENSES	6,506,834	4,432,147	1,671,968	402,719	O&M excl. A&G
4020	<u>MAINTENANCE EXPENSES</u>					
	<u>DISTRIBUTION EXPENSES</u>					
885	MAINTNCE SUPERVI & ENGINEERING	119,082	40,795	78,287	-	ac886-894
886	MAINTNCE STRUCTURE & IMPROVEMT	123,081	-	123,081	-	CAPACITY
887	MAINTENANCE OF MAINS	436,890	-	436,890	-	CAPACITY
889	MAINT OF MEAS & REG STN-GENERL	17,530	-	17,530	-	CAPACITY
890	MAINT OF MEAS & REG STN-INDUSL	-	-	-	-	CAPACITY
891	MAINT-MEAS & REG STN-CTY GS CK	54,203	-	54,203	-	CAPACITY
892	MAINTENANCE OF SERVICES	193,322	193,322	-	-	CUSTOMER
8931	MAINTENANCE OF METERS	123,543	123,543	-	-	CUSTOMER
8932	MAINTENANCE OF HOUSE REGULATOR	11,704	11,704	-	-	CUSTOMER
894	MAINTENANCE OF OTHER EQUIPMENT	12,721	4,759	7,961	-	ac 374-385
	<u>ADMINISTRATIVE & GENERAL EXPENSES</u>					
935	MAINTENANCE OF GENERAL PLANT	207,635	103,817	103,817	-	CAP/CUST

SCHEDULE H-3		COST OF SERVICE					SCHEDULE 6 - PAGE 19 OF 21
FLORIDA PUBLIC SERVICE COMMISSION		EXPLANATION: PROVIDE A FULLY ALLOCATED EMBEDDED COST OF SERVICE STUDY					TYPE OF DATA SHOWN:
COMPANY: FLORIDA PUBLIC UTILITIES COMPANY CONSOLIDATED NATURAL GAS DIVISION DOCKET NO.: 080366-GU		CLASSIFICATION OF EXPENSES AND DERIVATION OF COST OF SERVICE BY COST CLASSIFICATION SCHEDULE H					PROJECTED TEST YEAR: 12/31/2009
	TOTAL	CUSTOMER	CAPACITY	COMMODITY	REVENUE	CLASSIFIER	
<u>DEPRECIATION AND AMORTIZATION EXPENSE:</u>							
4030.1 & 2	DEPRECIATION EXPENSES	3,622,061	1,409,164	2,212,897	-	-	NET PLANT
4050.1	AMORTIZATION-OTHER GAS PLANT	456,348	177,542	278,806	-	-	NET PLANT
4060.1	AMORT OF UTILITY PLANT-ACQ ADJ	31,056	12,082	18,974	-	-	NET PLANT
4070.3	BARE STEEL REPLACEMENT PROGRAM	747,735	290,907	456,828	-	-	NET PLANT
4070.5	AMORT OF AEP - EXCESS MACC	(2,460)	(957)	(1,503)	-	-	NET PLANT
<u>TAXES OTHER THAN INCOME TAXES:</u>							
4080.1	AD VALOREM TAXES	1,276,454	496,605	779,849	-	-	NET PLANT
4080.2 & 3	GROSS RECEIPTS & FPSC ASSESSMENT	2,075,649	-	-	-	2,075,649	REVENUE
4080.4	EMERGENCY EXCISE TAX	(1,083)	(421)	(662)	-	-	NET PLANT
4080.5	FEDERAL UNEMPLOYMENT TAX	7,930	3,085	4,845	-	-	NET PLANT
4080.6	STATE UNEMPLOYMENT TAX	2,763	1,075	1,688	-	-	NET PLANT
4080.7	F.I.C.A.	619,958	241,195	378,763	-	-	NET PLANT
4080.8	MISCELLANEOUS TAXES	6,749	2,626	4,123	-	-	NET PLANT
4080.11	FRANCHISE TAX	1,441,002	-	-	-	1,441,002	REVENUE
4080.12	ENVIRONMENTAL TAX	-	-	-	-	-	NET PLANT
	REV.CRD TO COS(NEG.OF OTHR OPR.REV)	1,912,771					
	RETURN (REQUIRED NOI)	8.17%	2,206,117	3,805,432	(25,972)	-	RATEBASE
		-					
<u>INCOME TAXES</u>							
4090.1	INCOME TAX - FEDERAL	(1,150,166)	(423,919)	(731,237)	4,991	-	RATEBASE
4090.2	INCOME TAX - STATE	-	-	-	-	-	RATEBASE
4100.1	DEFERRED INCOME TAX - FEDERAL	-	-	-	-	-	RATEBASE
4100.2	DEFERRED INCOME TAX - STATE	-	-	-	-	-	RATEBASE
4110.4	INVESTMENT TAX CREDIT	(34,663)	(12,776)	(22,038)	150	-	RATEBASE
<hr/>							
	TOTAL O&M	18,079,564	12,314,941	4,645,647	1,118,976	-	
	TOTAL DEPRECIATION & AMORTIZATION	4,854,740	1,888,739	2,966,001	-	-	
	TOTAL TOTI	5,429,422	744,164	1,168,807	-	3,516,651	
	TOTAL NOI & REV CREDIT	5,985,578	2,206,117	3,805,432	(25,972)	-	
	TOTAL INCOME TAXES	(1,184,829)	(436,695)	(753,275)	5,141	-	
<hr/>							
	TOTAL OPERATING EXPENSES	33,164,475	16,717,267	11,832,412	1,098,146	3,516,651	

SCHEDULE H-3		COST OF SERVICE					SCHEDULE 6 - PAGE 20 OF 21
FLORIDA PUBLIC SERVICE COMMISSION		EXPLANATION: PROVIDE A FULLY ALLOCATED EMBEDDED COST OF SERVICE STUDY					TYPE OF DATA SHOWN:
COMPANY: FLORIDA PUBLIC UTILITIES COMPANY CONSOLIDATED NATURAL GAS DIVISION DOCKET NO.: 080366-GU		CLASSIFICATION OF RATE BASE PLANT - 1010 SCHEDULE I					PROJECTED TEST YEAR: 12/31/2009
ACCOUNT	DESCRIPTION	TOTAL	CUSTOMER	CAPACITY	COMMODITY	REVENUE	CLASSIFIER
360-363	LOCAL STORAGE PLANT	-	-	-	-	-	CAPACITY
301-303	INTANGIBLE PLANT:	213,641	-	213,641	-	-	CAPACITY
304-320	PRODUCTION PLANT	-	-	-	-	-	CAPACITY
	<u>DISTRIBUTION PLANT:</u>						
374	LAND	92,008	-	92,008	-	-	CAPACITY
3741	LAND RIGHTS	12,910	-	12,910	-	-	CAPACITY
375	STRUCTURES AND IMPROVEMENTS	384,157	-	384,157	-	-	CAPACITY
3761	MAINS- PLASTIC	29,730,689	-	29,730,689	-	-	CAPACITY
3762	MAINS -OTHER-(CAST IRON,STEEL)	30,539,600	-	30,539,600	-	-	CAPACITY
378	MEASURE/REGULATOR EQP.-GENERAL	307,102	-	307,102	-	-	CAPACITY
379	MEASURE/REG.-EQP.CITY GATE STN	2,274,266	-	2,274,266	-	-	CAPACITY
3801	SERVICES- PLASTIC	23,310,492	23,310,492	-	-	-	CUSTOMER
3802	SERVICES -OTHER- CAST IRON,ETC	2,113,030	2,113,030	-	-	-	CUSTOMER
380299	SERVICES CONTRA ACCOUNT	-	-	-	-	-	CUSTOMER
381	METERS	5,996,955	5,996,955	-	-	-	CUSTOMER
382	METER INSTALLATIONS	3,331,001	3,331,001	-	-	-	CUSTOMER
383	HOUSE REGULATORS	2,130,059	2,130,059	-	-	-	CUSTOMER
384	HOUSE REGULATOR INSTALLATIONS	1,000,365	1,000,365	-	-	-	CUSTOMER
385	IND MEASURING/REG STATION EQP	29,222	-	29,222	-	-	CAPACITY
386	OTHER PROPTY.ON CUST.PREM-RENT	-	-	-	-	-	ac 374-385
387	OTHER EQUIPMENT	754,146	282,153	471,993	-	-	ac 374-385
	TOTAL DISTRIBUTION PLANT	102,006,002	38,164,055	63,841,947	-	-	CHECKSUM
389-399	GENERAL PLANT:	10,487,364	5,243,682	5,243,682	-	-	CAP/CUST
1140	PLANT ACQUISITIONS:	1,263,776	-	1,263,776	-	-	CAPACITY
1050	GAS PLANT FOR FUTURE USE:	-	-	-	-	-	CAPACITY
1070	CWIP:	359,427	134,474	224,953	-	-	ac 374-387
	<u>COMMON PLANT ALLOCATED</u>						
303	MISC INTANGIBLE PLANT	953	-	953	-	-	CAPACITY
389	LAND	238,209	119,105	119,105	-	-	CAP/CUST
390	STRUCTURES AND IMPROVEMENTS	1,308,971	654,486	654,486	-	-	CAP/CUST
3911	OFFICE FURNITURE & EQUIPMENT	28,388	14,194	14,194	-	-	CAP/CUST
3912	OFFICE MACHINES	80,019	40,010	40,010	-	-	CAP/CUST
3913	EDP EQUIPMENT	687,901	343,951	343,951	-	-	CAP/CUST
391305	COMPUTER SOFTWARE	1,123,128	561,564	561,564	-	-	CAP/CUST
3921	TRANSPORTATION EQUIP-CARS	83,230	41,615	41,615	-	-	CAP/CUST
3922	TRANS-LIGHT TRUCK,VAN,	90,734	45,367	45,367	-	-	CAP/CUST
397	COMMUNICATION EQUIPMENT	114,406	57,203	57,203	-	-	CAP/CUST
398	MISCELLANEOUS EQUIPMENT	(17,218)	(8,609)	(8,809)	-	-	CAP/CUST
399	TANGIBLE PROPERTY	(23,432)	(11,716)	(11,716)	-	-	CAP/CUST
1180	TOTAL COMMON PLANT ALLOCATED	3,715,289	1,857,168	1,858,121	-	-	
	TOTAL PLANT	118,045,499	45,399,379	72,646,119	-	-	

SCHEDULE H-3		COST OF SERVICE				SCHEDULE B - PAGE 21 OF 21
FLORIDA PUBLIC SERVICE COMMISSION		EXPLANATION: PROVIDE A FULLY ALLOCATED EMBEDDED COST OF SERVICE STUDY				TYPE OF DATA SHOWN:
COMPANY: FLORIDA PUBLIC UTILITIES COMPANY CONSOLIDATED NATURAL GAS DIVISION DOCKET NO.: 080366-GU		CLASSIFICATION OF RATE BASE ACCUMULATED DEPRECIATION - 1080				PROJECTED TEST YEAR: 12/31/2009
ACCOUNT	DESCRIPTION	TOTAL	CUSTOMER	CAPACITY	COMMODITY	CLASSIFIER
360-363	LOCAL STORAGE PLANT	-	-	-	-	CAPACITY
301-303	INTANGIBLE PLANT:	(114,332)	-	(114,332)	-	CAPACITY
304-320	PRODUCTION PLANT	-	-	-	-	CAPACITY
	<u>DISTRIBUTION PLANT:</u>					
374	LAND	646	-	646	-	CAPACITY
3741	LAND RIGHTS	3,241	-	3,241	-	CAPACITY
375	STRUCTURES AND IMPROVEMENTS	(190,019)	-	(190,019)	-	CAPACITY
3761	MAINS- PLASTIC	(5,546,331)	-	(5,546,331)	-	CAPACITY
3762	MAINS -OTHER-(CAST IRON,STEEL)	(15,260,067)	-	(15,260,067)	-	CAPACITY
378	MEASURE/REGULATOR EQP.-GENERAL	(97,514)	-	(97,514)	-	CAPACITY
379	MEASURE/REG.-EQP.CITY GATE STN	(546,848)	-	(546,848)	-	CAPACITY
3801	SERVICES- PLASTIC	(6,230,859)	(6,230,859)	-	-	CUSTOMER
3802	SERVICES -OTHER- CAST IRON,ETC	(1,862,728)	(1,862,728)	-	-	CUSTOMER
380299	SERVICES CONTRA ACCOUNT	-	-	-	-	CUSTOMER
381	METERS	(2,375,969)	(2,375,969)	-	-	CUSTOMER
382	METER INSTALLATIONS	(869,101)	(869,101)	-	-	CUSTOMER
383	HOUSE REGULATORS	(826,432)	(826,432)	-	-	CUSTOMER
384	HOUSE REGULATOR INSTALLATIONS	(310,565)	(310,565)	-	-	CUSTOMER
385	IND MEASURING/REG STATION EQP	4,652	-	4,652	-	CAPACITY
386	OTHER PROPTY.ON CUST.PREM-RENT	-	-	-	-	ac 374-385
387	OTHER EQUIPMENT	(128,819)	(47,118)	(81,701)	-	ac 374-385
	TOTAL DISTRIBUTION PLANT	(34,236,713)	(12,522,772)	(21,713,941)	-	CHECKSUM
389-399	GENERAL PLANT:	(1,551,149)	(775,575)	(775,575)	-	CAP/CUST
1150	ACCUM. AMORT. - ACQ. ADJ.	(544,545)	-	(544,545)	-	CAPACITY
	ACCUM. DEPR. - LEASEHOLD IMPR.	-	-	-	-	CAPACITY
2520	CUSTOMER ADV. FOR CONST.	(1,746,825)	(873,413)	(873,413)	-	CAP/CUST
1080	RETIREMENT WORK IN PROGRESS	-	-	-	-	ac 374-387
	<u>COMMON PLANT ALLOCATED</u>					
303	MISC INTANGIBLE PLANT	-	-	-	-	CAPACITY
389	LAND	-	-	-	-	CAP/CUST
390	STRUCTURES AND IMPROVEMENTS	(296,450)	(148,225)	(148,225)	-	CAP/CUST
3911	OFFICE FURNITURE & EQUIPMENT	(8,066)	(4,033)	(4,033)	-	CAP/CUST
3912	OFFICE MACHINES	(22,919)	(11,459)	(11,459)	-	CAP/CUST
3913	EDP EQUIPMENT	(160,361)	(80,180)	(80,180)	-	CAP/CUST
391305	COMPUTER SOFTWARE	(898,506)	(449,253)	(449,253)	-	CAP/CUST
3921	TRANSPORTATION EQUIP-CARS	(39,375)	(19,687)	(19,687)	-	CAP/CUST
3922	TRANS-LIGHT TRUCK,VAN,	(231,417)	(115,708)	(115,708)	-	CAP/CUST
397	COMMUNICATION EQUIPMENT	195,771	97,885	97,885	-	CAP/CUST
398	MISCELLANEOUS EQUIPMENT	1,644	822	822	-	CAP/CUST
399	TANGIBLE PROPERTY	6,846	3,423	3,423	-	CAP/CUST
1190	TOTAL COMMON PLANT ALLOCATED	(1,452,834)	(726,417)	(726,417)	-	-
	TOTAL DEPRECIATION	(39,646,398)	(14,898,176)	(24,748,222)	-	-
	NET PLANT	78,399,101	30,501,203	47,897,898	-	-
	plus:WORKING CAPITAL	(5,136,214)	(3,498,545)	(1,319,779)	(317,889)	-
	TOTAL RATE BASE	73,262,888	27,002,658	48,578,118	(317,889)	O&M EXPENSE

**FLORIDA PUBLIC UTILITIES COMPANY
 PRESENT AND COMMISSION APPROVED RATES
 DOCKET NO. 080366-GU**

RATE CODE	RATE SCHEDULE	PRESENT RATE	COMMISSION APPROVED RATE
RS	<u>RESIDENTIAL</u>		
	CUSTOMER CHARGE	\$8	\$11
	ENERGY CHARGE (cents/therm)	48.340	51.792
RS-GS	<u>RESIDENTIAL STANDBY GENERATOR SERVICE</u>		
	CUSTOMER CHARGE	\$18.72	\$21.25
	ENERGY CHARGE over 19.80 therms (cents/therm)	48.340	51.792
GS-1/GSTS-1	<u>GENERAL SERVICE 1</u>		
	CUSTOMER CHARGE	\$15	\$20
	ENERGY CHARGE (cents/therm)	32.107	40.000
GS-2/GSTS-2	<u>GENERAL SERVICE 2</u>		
	CUSTOMER CHARGE	\$15	\$33
	ENERGY CHARGE (cents/therm)	32.107	40.000
CS-GS	<u>COMMERCIAL STANDBY GENERATOR SERVICE</u>		
	CUSTOMER CHARGE	n/a	\$35.81
	ENERGY CHARGE over 39.53 therms (cents/therm)	n/a	40.000
LVS/LVTS	<u>LARGE VOLUME</u>		
	CUSTOMER CHARGE	\$45	\$90
	ENERGY CHARGE (cents/therm)	23.809	36.041
GLS/GLST	<u>GAS LIGHTING</u>		
	CUSTOMER CHARGE	n/a	n/a
	ENERGY CHARGE (cents/therm)	17.689	24.623
IS/ITS	<u>INTERRUPTIBLE</u>		
	CUSTOMER CHARGE	\$240	\$280
	ENERGY CHARGE (cents/therm)	10.039	23.484

FLORIDA PUBLIC UTILITIES COMPANY
Docket No. 080366-GU
BILL COMPARISONS - PRESENT & COMMISSION APPROVED RATES
 Residential Usage
 Average Usage: 20 therms per month

PRESENT RATES

Customer Charge
\$8.00

Energy Charge
(Cents
per Therm)
48.340

Purchased Gas Costs 2009
(Cents per therm)
40.000

Conservation
(Cents per therm)
6.768

COMMISSION APPROVED RATES

Customer Charge
\$11.00

Energy Charge
(Cents
per Therm)
51.792

Purchased Gas Costs 2009
(Cents per therm)
40.000

Conservation
(Cents per therm)
6.768

Therm Usage Increment: 2

Therm Usage	Present Monthly Bill w/o Gas Cost	Present Monthly Bill with Gas Cost	Commission Approved Monthly Bill w/o Gas Cost	Commission Approved Monthly Bill with Gas Cost	Percent Increase w/o Gas Cost	Percent Increase with Gas Cost	Dollar Increase
2	\$9.10	\$9.90	\$12.17	\$12.97	33.7%	31.0%	\$3.07
4	\$10.20	\$11.80	\$13.34	\$14.94	30.8%	26.6%	\$3.14
6	\$11.31	\$13.71	\$14.51	\$16.91	28.3%	23.3%	\$3.20
8	\$12.41	\$15.61	\$15.68	\$18.88	26.3%	20.9%	\$3.27
10	\$13.51	\$17.51	\$16.86	\$20.86	24.8%	19.1%	\$3.35
12	\$14.61	\$19.41	\$18.03	\$22.83	23.4%	17.6%	\$3.42
14	\$15.72	\$21.32	\$19.20	\$24.80	22.1%	16.3%	\$3.48
16	\$16.82	\$23.22	\$20.37	\$26.77	21.1%	15.3%	\$3.55
18	\$17.92	\$25.12	\$21.54	\$28.74	20.2%	14.4%	\$3.62
20	\$19.02	\$27.02	\$22.71	\$30.71	19.4%	13.7%	\$3.69
22	\$20.12	\$28.92	\$23.88	\$32.68	18.7%	13.0%	\$3.76
24	\$21.23	\$30.83	\$25.05	\$34.65	18.0%	12.4%	\$3.82
26	\$22.33	\$32.73	\$26.23	\$36.63	17.5%	11.9%	\$3.90
28	\$23.43	\$34.63	\$27.40	\$38.60	16.9%	11.5%	\$3.97
30	\$24.53	\$36.53	\$28.57	\$40.57	16.5%	11.1%	\$4.04
32	\$25.63	\$38.43	\$29.74	\$42.54	16.0%	10.7%	\$4.11
34	\$26.74	\$40.34	\$30.91	\$44.51	15.6%	10.3%	\$4.17
36	\$27.84	\$42.24	\$32.08	\$46.48	15.2%	10.0%	\$4.24
38	\$28.94	\$44.14	\$33.25	\$48.45	14.9%	9.8%	\$4.31
40	\$30.04	\$46.04	\$34.42	\$50.42	14.6%	9.5%	\$4.38

Purchased Gas Costs effective May 2009.
 Bills do not include local taxes, franchise fees, or gross receipts taxes.

FLORIDA PUBLIC UTILITIES COMPANY
Docket No. 080366-GU
BILL COMPARISONS - PRESENT & COMMISSION APPROVED RATES
 GS-1

Average Usage: 20 therms per month

PRESENT RATES

Customer Charge

\$15.00

Energy Charge

(Cents
per Therm)
 32.107

Purchased Gas Costs 2009

(Cents per therm)
 40.000

Conservation

(Cents per therm)
 2.918

**COMMISSION
 APPROVED
 RATES**

Customer Charge

\$20.00

Energy Charge

(Cents
per Therm)
 40.000

Purchased Gas Costs 2009

(Cents per therm)
 40.000

Conservation

(Cents per therm)
 2.918

Therm Usage Increment: 5

Therm Usage	Present Monthly Bill		Commission Approved Monthly Bill		Percent Increase w/o Gas Cost	Percent Increase with Gas Cost	Dollar Increase
	w/o Gas Cost	with Gas Cost	w/o Gas Cost	with Gas Cost			
5	\$16.75	\$18.75	\$22.15	\$24.15	32.2%	28.8%	\$5.40
10	\$18.50	\$22.50	\$24.29	\$28.29	31.3%	25.7%	\$5.79
15	\$20.25	\$26.25	\$26.44	\$32.44	30.6%	23.6%	\$6.19
20	\$22.01	\$30.01	\$28.58	\$36.58	29.9%	21.9%	\$6.57
25	\$23.76	\$33.76	\$30.73	\$40.73	29.3%	20.6%	\$6.97
30	\$25.51	\$37.51	\$32.88	\$44.88	28.9%	19.6%	\$7.37
35	\$27.26	\$41.26	\$35.02	\$49.02	28.5%	18.8%	\$7.76
40	\$29.01	\$45.01	\$37.17	\$53.17	28.1%	18.1%	\$8.16
45	\$30.76	\$48.76	\$39.31	\$57.31	27.8%	17.5%	\$8.55
50	\$32.51	\$52.51	\$41.46	\$61.46	27.5%	17.0%	\$8.95
55	\$34.26	\$56.26	\$43.60	\$65.60	27.3%	16.6%	\$9.34
60	\$36.02	\$60.02	\$45.75	\$69.75	27.0%	16.2%	\$9.73
65	\$37.77	\$63.77	\$47.90	\$73.90	26.8%	15.9%	\$10.13
70	\$39.52	\$67.52	\$50.04	\$78.04	26.6%	15.6%	\$10.52
75	\$41.27	\$71.27	\$52.19	\$82.19	26.5%	15.3%	\$10.92
80	\$43.02	\$75.02	\$54.33	\$86.33	26.3%	15.1%	\$11.31
85	\$44.77	\$78.77	\$56.48	\$90.48	26.2%	14.9%	\$11.71
90	\$46.52	\$82.52	\$58.63	\$94.63	26.0%	14.7%	\$12.11
95	\$48.27	\$86.27	\$60.77	\$98.77	25.9%	14.5%	\$12.50
100	\$50.03	\$90.03	\$62.92	\$102.92	25.8%	14.3%	\$12.89

Bills do not include local taxes, franchise fees, or gross receipts taxes.
 Purchased Gas Costs effective May 2009.

FLORIDA PUBLIC UTILITIES COMPANY
Docket No. 080366-GU
BILL COMPARISONS - PRESENT & COMMISSION APPROVED RATES

GS-2

Average Usage: 400 therms per month

PRESENT RATES

Customer Charge

\$15.00

Energy Charge

**(Cents
per Therm)**
 32.107

Purchased Gas Costs 2009

(Cents per therm)
 40.000

Conservation

(Cents per therm)
 2.918

**COMMISSION
 APPROVED
 RATES**

Customer Charge

\$33.00

Energy Charge

**(Cents
per Therm)**
 40.000

Purchased Gas Costs 2009

(Cents per therm)
 40.000

Conservation
(Cents per therm)
 2.918

Therm Usage Increment: 50

Therm Usage	Present Monthly Bill		Commission Approved Monthly Bill		Percent Increase		Dollar Increase
	w/o Gas Cost	with Gas Cost	w/o Gas Cost	with Gas Cost	w/o Gas Cost	with Gas Cost	
50	\$32.51	\$52.51	\$54.46	\$74.46	67.5%	41.8%	\$21.95
100	\$50.03	\$90.03	\$75.92	\$115.92	51.7%	28.8%	\$25.89
150	\$67.54	\$127.54	\$97.38	\$157.38	44.2%	23.4%	\$29.84
200	\$85.05	\$165.05	\$118.84	\$198.84	39.7%	20.5%	\$33.79
250	\$102.56	\$202.56	\$140.30	\$240.30	36.8%	18.6%	\$37.74
300	\$120.08	\$240.08	\$161.75	\$281.75	34.7%	17.4%	\$41.67
350	\$137.59	\$277.59	\$183.21	\$323.21	33.2%	16.4%	\$45.62
400	\$155.10	\$315.10	\$204.67	\$364.67	32.0%	15.7%	\$49.57
450	\$172.61	\$352.61	\$226.13	\$406.13	31.0%	15.2%	\$53.52
500	\$190.13	\$390.13	\$247.59	\$447.59	30.2%	14.7%	\$57.46
550	\$207.64	\$427.64	\$269.05	\$489.05	29.6%	14.4%	\$61.41
600	\$225.15	\$465.15	\$290.51	\$530.51	29.0%	14.1%	\$65.36
650	\$242.66	\$502.66	\$311.97	\$571.97	28.6%	13.8%	\$69.31
700	\$260.18	\$540.18	\$333.43	\$613.43	28.2%	13.6%	\$73.25
750	\$277.69	\$577.69	\$354.89	\$654.89	27.8%	13.4%	\$77.20
800	\$295.20	\$615.20	\$376.34	\$696.34	27.5%	13.2%	\$81.14
850	\$312.71	\$652.71	\$397.80	\$737.80	27.2%	13.0%	\$85.09
900	\$330.23	\$690.23	\$419.26	\$779.26	27.0%	12.9%	\$89.03
950	\$347.74	\$727.74	\$440.72	\$820.72	26.7%	12.8%	\$92.98
1000	\$365.25	\$765.25	\$462.18	\$862.18	26.5%	12.7%	\$96.93

Bills do not include local taxes, franchise fees, or gross receipts taxes.
 Purchased Gas Costs effective May 2009.

FLORIDA PUBLIC UTILITIES COMPANY
Docket No. 080366-GU
BILL COMPARISONS - PRESENT & COMMISSION APPROVED RATES

LVS
 Average Usage: 1,768 therms per month

PRESENT RATES

Customer Charge
\$45.00

Energy Charge
(Cents
per Therm)
23.809

Purchased Gas Costs 2009
(Cents per therm)
40.000

Conservation
(Cents per therm)
2.051

COMMISSION
APPROVED
RATES

Customer Charge
\$90.00

Energy Charge
(Cents
per Therm)
36.041

Purchased Gas Costs 2009
(Cents per therm)
40.000

Conservation
(Cents per therm)
2.051

Therm Usage Increment: 400

Therm Usage	Present Monthly Bill w/o Gas Cost	Present Monthly Bill with Gas Cost	Commission Approved Monthly Bill w/o Gas Cost	Commission Approved Monthly Bill with Gas Cost	Percent Increase w/o Gas Cost	Percent Increase with Gas Cost	Dollar Increase
400	\$148.44	\$308.44	\$242.37	\$402.37	63.3%	30.5%	\$93.93
800	\$251.88	\$571.88	\$394.74	\$714.74	56.7%	25.0%	\$142.86
1200	\$355.32	\$835.32	\$547.10	\$1,027.10	54.0%	23.0%	\$191.78
1600	\$458.76	\$1,098.76	\$699.47	\$1,339.47	52.5%	21.9%	\$240.71
2000	\$562.20	\$1,362.20	\$851.84	\$1,651.84	51.5%	21.3%	\$289.64
2400	\$665.64	\$1,625.64	\$1,004.21	\$1,964.21	50.9%	20.8%	\$338.57
2800	\$769.08	\$1,889.08	\$1,156.58	\$2,276.58	50.4%	20.5%	\$387.50
3200	\$872.52	\$2,152.52	\$1,308.94	\$2,588.94	50.0%	20.3%	\$436.42
3600	\$975.96	\$2,415.96	\$1,461.31	\$2,901.31	49.7%	20.1%	\$485.35
4000	\$1,079.40	\$2,679.40	\$1,613.68	\$3,213.68	49.5%	19.9%	\$534.28
4400	\$1,182.84	\$2,942.84	\$1,766.05	\$3,526.05	49.3%	19.8%	\$583.21
4800	\$1,286.28	\$3,206.28	\$1,918.42	\$3,838.42	49.1%	19.7%	\$632.14
5200	\$1,389.72	\$3,469.72	\$2,070.78	\$4,150.78	49.0%	19.6%	\$681.06
5600	\$1,493.16	\$3,733.16	\$2,223.15	\$4,463.15	48.9%	19.6%	\$729.99
6000	\$1,596.60	\$3,996.60	\$2,375.52	\$4,775.52	48.8%	19.5%	\$778.92

Purchased Gas Costs effective May 2009.

Bills do not include local taxes, franchise fees, or gross receipts taxes.

FLORIDA PUBLIC UTILITIES COMPANY
Docket No. 080366-GU
BILL COMPARISONS - PRESENT & COMMISSION APPROVED RATES
 IS - Interruptible Service
 Average Usage: 31,045 therms per month

<u>PRESENT RATES</u>	<u>COMMISSION APPROVED RATES</u>
<u>Customer Charge</u> \$240.00	<u>Customer Charge</u> \$280.00
<u>Energy Charge (Cents per Therm)</u> 10.039	<u>Energy Charge (Cents per Therm)</u> 23.484
<u>Purchased Gas Costs 2009 (Cents per therm)</u> 40.000	<u>Purchased Gas Costs 2009 (Cents per therm)</u> 40.000
<u>Conservation (Cents per therm)</u> 0.000	<u>Conservation (Cents per therm)</u> 0.000

Therm Usage Increment: 5,000

Therm Usage	Present Monthly Bill	Present Monthly Bill	Commission Approved Monthly Bill	Commission Approved Monthly Bill	Percent Increase	Percent Increase	Dollar Increase
	w/o Gas Cost	with Gas Cost	w/o Gas Cost	with Gas Cost	w/o Gas Cost	with Gas Cost	
5000	\$741.95	\$2,741.95	\$1,454.20	\$3,454.20	96.0%	26.0%	\$712.25
10000	\$1,243.90	\$5,243.90	\$2,628.40	\$6,628.40	111.3%	26.4%	\$1,384.50
15000	\$1,745.85	\$7,745.85	\$3,802.60	\$9,802.60	117.8%	26.6%	\$2,056.75
20000	\$2,247.80	\$10,247.80	\$4,976.80	\$12,976.80	121.4%	26.6%	\$2,729.00
25000	\$2,749.75	\$12,749.75	\$6,151.00	\$16,151.00	123.7%	26.7%	\$3,401.25
30000	\$3,251.70	\$15,251.70	\$7,325.20	\$19,325.20	125.3%	26.7%	\$4,073.50
35000	\$3,753.65	\$17,753.65	\$8,499.40	\$22,499.40	126.4%	26.7%	\$4,745.75
40000	\$4,255.60	\$20,255.60	\$9,673.60	\$25,673.60	127.3%	26.7%	\$5,418.00
45000	\$4,757.55	\$22,757.55	\$10,847.80	\$28,847.80	128.0%	26.8%	\$6,090.25
50000	\$5,259.50	\$25,259.50	\$12,022.00	\$32,022.00	128.6%	26.8%	\$6,762.50
55000	\$5,761.45	\$27,761.45	\$13,196.20	\$35,196.20	129.0%	26.8%	\$7,434.75
60000	\$6,263.40	\$30,263.40	\$14,370.40	\$38,370.40	129.4%	26.8%	\$8,107.00
65000	\$6,765.35	\$32,765.35	\$15,544.60	\$41,544.60	129.8%	26.8%	\$8,779.25
70000	\$7,267.30	\$35,267.30	\$16,718.80	\$44,718.80	130.1%	26.8%	\$9,451.50
75000	\$7,769.25	\$37,769.25	\$17,893.00	\$47,893.00	130.3%	26.8%	\$10,123.75

Purchased Gas Costs effective May 2009.
 Bills do not include local taxes, franchise fees, or gross receipts taxes.