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May 3, 2004

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Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 040002-EG

Dear Ms. Bayo:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and 10 copies of the following documents:

1. Florida Public Utilities Company's Petition for Approval of Conservation Cost Recovery True-Up Amount;
2. Direct Testimony of Robert L. Smith; and
3. Schedules CT-1, CT-2, CT-3, CT-4, CT-5, and CT-6 for the Marianna Division and for the Fernandina Beach Division.

05103-04

Please indicate receipt of this document by stamping the enclosed extra copy of this letter.

Thank you for your assistance in this matter.

Sincerely,

Norman H. Horton, Jr.
Norman H. Horton, Jr.

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Enclosures

cc: Mr. Robert L. Smith
Mr. Mark Cutshaw
Ms. Julie Petty
Mr. George Bachman
Parties of Record

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05102 MAY-3 3

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost)
Recovery Clause.)
_____)

Docket No. 040002-EG
Filed: May 3, 2004

**PETITION FOR APPROVAL OF
FLORIDA PUBLIC UTILITIES COMPANY'S
CONSERVATION COST RECOVERY TRUE-UP AMOUNT**

Florida Public Utilities Company ("the Company"), through undersigned counsel and pursuant to the requirements of this docket, hereby petitions the Commission to approve its conservation cost recovery true-up amount for its two electric divisions for the period January 2003 through December 2003. In support hereof, the Company states:

1) The Company is a natural gas utility company within the jurisdiction of this Commission. Its principal business address is:

401 South Dixie Highway
West Palm Beach, FL 33401

2) The name and address of the person authorized to receive notices and communications with respect to this Petition are:

Norman H. Horton, Jr.,
Messer, Caparello & Self, P. A.
Suite 701, SunTrust Bank Building
Post Office Box 1876
Tallahassee, FL 32302-1876

3) Pursuant to the requirements of this Docket, the Company has prefiled testimony and the conservation cost recovery true-up forms (Composite Exhibit RLS-1) supplied by the Commission Staff in a manner consistent with the Commission Staff's instructions.

4) As indicated in the prefiled testimony and true-up forms, the Company overrecovered \$15,998.00 in the Marianna Division and overrecovered \$90,539.00 in the Fernandina Beach Division for January 2003 through December 2003.

WHEREFORE, the Company respectfully requests that this Commission enter its order approving the Company's true-up amount for its two electric divisions for the period January 2003 through December 2003.

DATED this 3rd day of May, 2004.

Respectfully submitted,

MESSER, CAPARELLO & SELF, P. A.
Post Office Box 1876
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(850) 222-0720


NORMAN H. HORTON, JR., ESQ

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by hand delivery (*) and/or U. S. Mail this 3rd day of May, 2004 upon the following:

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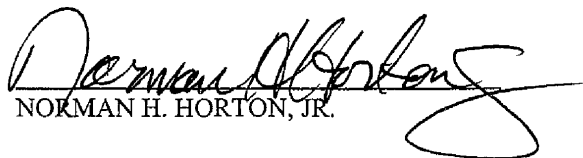
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