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DIVISION OF ECONOMIC REGULATION
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Public Service Commission

June 1, 2004

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Norman H. Horton, Jr.
Messer, Caparello & Self
P.O. Box 1876
Tallahassee, FL 32302-1876

Re: Docket No. 040216-GU, Application for a rate increase by Florida Public Utilities Company

Dear Mr. Horton:

On May 10, 2003, Florida Public Utilities Company, Inc. (FPUC). filed its Petition requesting authority to increase its rates and charges for natural gas service pursuant to Sections 366.06 and 366.071, Florida Statutes, and Rules 25-7.039, 25-7.040, and 25-22.028, Florida Administrative Code. In accordance with Rule 25-039, Florida Administrative Code, the petition must be accompanied by certain minimum filing requirements (MFRs) and copies of prepared direct testimony and exhibits for each witness testfying on behalf of the company in support of the requested increase. We reviewed the Company's filing and by letter dated May 21, 2004, notified FPUC that its filing was deficient and listed the deficiencies. On May 26, 2004, the Company submitted the revised schedules identified in the May 21st deficiency letter.

We have reviewed the revised MFRs submitted on May 26, 2004, and have determined that the Company has met the minimum filing requirements imposed by this rule. Therefore, pursuant to Section 366.06(3), Florida Statutes, the commencement date for final agency action is established at May 26, 2004, and the statutory five month timeframe pursuant to Section 366.06(4), Florida Statutes, will begin.

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If you should have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Devlin". The signature is written in a cursive style with a large, sweeping initial "T".

Tim Devlin
Director

TD:sm

cc: Division of Commission Clerk and Administrative Services (040216-GU)
Office of General Counsel (Jaeger)
Division of Economic Regulation (Willis, Rendell, Merta)