

ORIGINAL

Hopping Green & Sams

Attorneys and Counselors

RECEIVED-FPSC

04 OCT 11 PM 2:30

Writer's Direct Dial Number
(850) 425-2359

COMMISSION
CLERK

October 11, 2004

BY HAND DELIVERY

Blanca Bayó
Director, Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 040004-GU

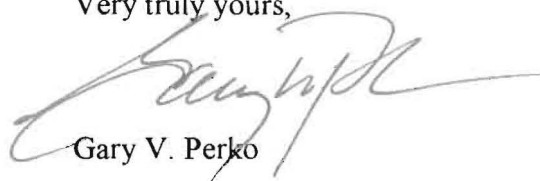
Dear Ms. Bayó:

Enclosed for filing on behalf of NUI City Gas Company of Florida ("Company") are the original and fifteen copies of the Company's Preliminary Statement of Issues and Positions in the above docket.

By copy of this letter, these documents have been furnished to the parties on the attached certificate of service.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please give me a call at 425-2359.

Very truly yours,



Gary V. Perko

- CMP _____
- COM 5
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

GVP/mee
Enclosures
cc: Certificate of Service

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10955 OCT 11 04

Handwritten mark

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail or hand delivery (*) to the following parties of record this 11th day of October, 2004.

Martha Brown (*)
Staff Attorney
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

City Gas Company of Florida
Gloria Lopez
955 East 25th Street
Hialeah, FL 33013-3498

Florida Division of Chesapeake Utilities
Thomas A. Geoffroy
P.O. Box 960
Winter Haven, FL 33882-0960

Florida Public Utilities Company
George Bachman
P.O. Box 3395
West Palm Beach, FL 33402-3395

Macfarlane Ferguson Law Firm
Ansley Waston, Jr.
P.O. Box 1531
Tampa, FL 33601-1531

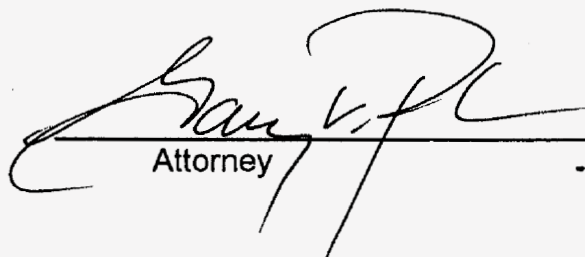
Peoples Gas System
Matthew Costa
P.O. Box 111
Tampa, FL 33601-0111

Peoples Gas System
Angela Llewellyn
P.O. Box 111
Tampa, FL 33601-0111

Rose Law Firm
Wayne Schiefelbein
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Messer Law Firm
Norman H. Horton, Jr.
P.O. Box 1876
Tallahassee, FL 32302-1876

Stuart Schoaf
St. Joe Natural Gas Company
P.O. Box 549
Port St. Joe, FL 32457-0549



Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Conservation Cost Recovery)
Clause)
_____)

Docket No. 040004-GU
Filed: October 11, 2004

**CITY GAS COMPANY OF FLORIDA
PRELIMINARY STATEMENT OF ISSUES AND POSITIONS**

The following is NUI City Gas Company of Florida's preliminary statement of issues and positions:

1. What is the final end-of-period true-up amount for the period January 2003 through December 2003?

City Gas: An over-recovery of \$552,829.

2. What are the appropriate conservation cost recovery factors for the period January 2005 through December 2005?

City Gas: The appropriate factors are:

<u>Rate Class</u>	<u>Factor</u>
GS-1, GS-100, GS-220 (Sales & Transportation)	\$0.09302
GS-600 (Sales & Transportation)	\$0.04997
GS-1200 (Sales & Transportation)	\$0.03071
GS-6k (Sales & Transportation)	\$0.02520
GS-25000 (Sales & Transportation)	\$0.02487
GS-60000 (Sales & Transportation)	\$0.02432
Gas Lights	\$0.04966
GS-120000 (Sales & Transportation)	\$0.01789
GS-250000 (Sales & Transportation)	\$0.01640

3. What should be the effective date of the conservation cost recovery factors for billing purposes?

City Gas: The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January, 2005, through December, 2005. Billing cycles may start before January 1, 2005, and the last cycle may be read after December 31, 2005, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

RESPECTFULLY SUBMITTED this 11th day of October, 2004.

HOPPING GREEN & SAMS

By: 

Gary V. Perkó
P.O. Box 6526
Tallahassee, FL 32314
(850) 425-2313

Attorneys for City Gas Company of Florida