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October 5, 2005

**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 050004-GU; Florida Public Utilities Company

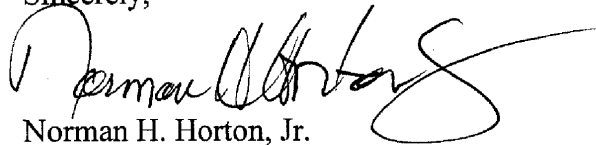
Dear Ms. Bayo:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and 10 copies of Florida Public Utilities Company's Preliminary List of Issues and Positions in the above-referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

Sincerely,



Norman H. Horton, Jr.

NHH:amb

Enclosures

cc: Mr. Marc S. Seagrave  
Parties of Record

DOCUMENT NUMBER-DAT

09516 OCT-5 '05

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Natural Gas Conservation     )  
Cost Recovery Clause.                 )  
\_\_\_\_\_                                  )

Docket No. 050004-GU  
Filed: October 5, 2005

**FLORIDA PUBLIC UTILITIES COMPANY'S  
PRELIMINARY LIST OF ISSUES AND POSITIONS**

Florida Public Utilities Company ("FPUC"), by and through its undersigned counsel, submits its preliminary list of issues and positions for its consolidated natural gas division in connection with the hearing that is scheduled for November 7-9, 2005, in the above-styled docket.

**ISSUES AND POSITIONS**

**Issue 1:**       **What is the final end-of-the-period true-up amount for the period January 2004 through December 2004?**

**FPUC's Position:**     \$21,288 (underrecovery)

**Issue 2:**       **What are the appropriate conservation cost recovery factors for the period January 2006 through December 2006?**

**FPUC's Position:**

Residential	\$.08645
General Service	\$.03987
Large Volume Service	\$.02831
Large Volume Transportation Service	\$.02831

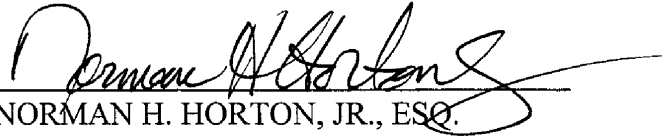
**Issue 3:**       **What should be the effective date of the conservation cost recovery factors for billing purposes?**

**FPUC's Position:**     The conservation cost recovery factors should be effective for the period January, 2006 through December, 2006, and to billings thereafter until other conservation cost recovery factors are approved by the Commission.

Dated this 5<sup>th</sup> day of October, 2005.

Respectfully submitted,

MESSER, CAPARELLO & SELF, P. A.  
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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 U. S. Mail this 5<sup>th</sup> day of October, 2005 upon the following:

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