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October 5, 2005

**VIA HAND DELIVERY**

Blanca Bayo  
Director, Office of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 050004-GU**

Dear Ms. Bayo:

Enclosed for filing on behalf of Florida City Gas Company ("Company") are the original and fifteen copies of the Company's Preliminary Statement of Issues and Positions in the above-referenced 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 224-9634.

Sincerely,



Bill L. Bryant Jr.

Enclosures

cc: Certificate of Service

**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 5<sup>th</sup> day of October, 2005:

Elizabeth Wade  
AGL Resources Inc.  
Ten Peachtree Place  
Location 1470  
Atlanta, GA 30309

Mr. Thomas A. Geoffroy  
Florida Division of Chesapeake Utilities  
Corp.  
Post Office Box 960  
Winter Haven, FL 33882-0960

Mr. Geoff Hartman  
Florida Public Utilities Company  
Post Office Box 3395  
West Palm Beach, FL 33402-3395

Ms. Angela L. Llewellyn  
People Gas System  
Regulatory Affairs  
Post Office Box 111  
Tampa, FL 33601-0111

Ansley Watson, Jr.  
MacFarlane Ferguson Law Firm  
Post Office Box 1531  
Tampa, FL 33601-1531

Mr. Stuart L. Shoaf  
St. Joe Natural Gas Company, Inc.  
Post Office Box 549  
Port St. Joe, FL 32457-0549

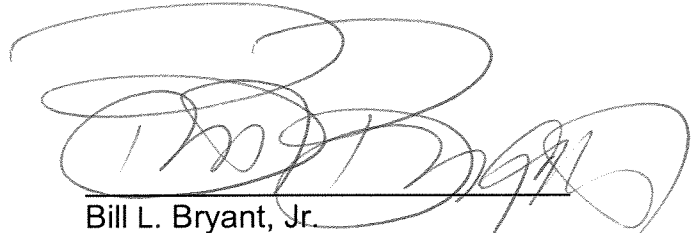
Norman Horton, Jr./Floyd R. Self  
Messer Law Firm  
Post Office Box 1876  
Tallahassee, FL 32302-1876

Matthew Costa  
TECO Energy, Inc.  
Post Office Box 111  
Tampa, FL 33601-0111

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

Martha Brown  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Charles A. Rawson, III  
Florida City Gas  
955 East Street  
Hialeah, FL 33013-3498



Bill L. Bryant, Jr.  
Akerman Senterfitt Attorneys at Law  
106 East College Avenue, Suite 1200  
Tallahassee, FL 32301  
(850) 224-9634

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Conservation Cost Recovery )  
Clause )  
\_\_\_\_\_)

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

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

The following is the preliminary statement of issues and positions filed on behalf of Florida City Gas, a division of Pivotal Utility Holdings, Inc.:

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

Florida City Gas: An over-recovery of \$38,881.

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

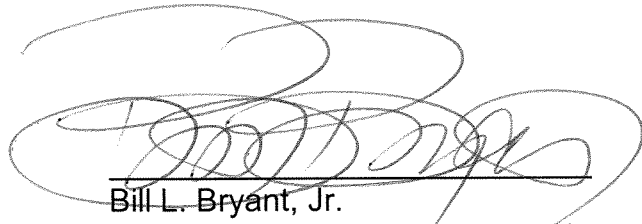
Florida City Gas: The appropriate factors are:

<u>Rate Class</u>	<u>Factor</u>
GS-1, GS-100, GS-220 (Sales & Transportation)	\$0.05701
GS-600 (Sales & Transportation)	\$0.03065
GS-1200 (Sales & Transportation)	\$0.01897
GS-6k (Sales & Transportation)	\$0.01550
GS-25000 (Sales & Transportation)	\$0.01527
GS-60000 (Sales & Transportation)	\$0.01495
Gas Lights	\$0.03054
GS-120000 (Sales & Transportation)	\$0.01102
GS-250000 (Sales & Transportation)	\$0.01088

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

Florida City Gas: The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2006 through December 2006. Billing cycles may start before January 1, 2006 and the last cycle may be read after December 31, 2006, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

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

A large, stylized handwritten signature in black ink, appearing to read "Bill L. Bryant, Jr.", is written over a horizontal line.

Bill L. Bryant, Jr.  
Akerman Senterfitt Attorneys at Law  
106 East College Avenue, Suite 1200  
Tallahassee, FL 32301  
(850) 224-9634