



MESSER CAPARELLO & SELF, P.A.

Attorneys At Law

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September 26, 2007

BY ELECTRONIC FILING

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

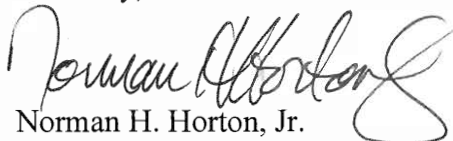
Re: Docket No. 070002-EG

Dear Ms. Cole:

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

Thank you for your assistance in this matter.

Sincerely,



Norman H. Horton, Jr.

NHH:amb

Enclosures

cc: Mr. Marc S. Seagrave
Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 070002-EG
Filed: September 26, 2007

**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 each of its two electric divisions in connection with the hearing that is scheduled for November 6-8, 2007, in the above-styled docket.

ISSUES AND POSITIONS

Issue 1: What are the appropriate final conservation cost recovery true-up amounts for the period January 2006 through December 2006?

FPUC's Position: \$44,616 (overrecovery)

Issue 2: What is the appropriate conservation cost recovery factor for the period January, 2008 through December 2008?

FPUC's Position: The appropriate conservation cost recovery factor on a consolidated basis is \$.00067.

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, 2008 through December, 2008, and to billings thereafter until other conservation cost recovery factors are approved by the Commission.

Date this 26th day of September, 2007.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Norman H. Horton, Jr.", written over a horizontal line.

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 26th day of September, 2007 upon the following:

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