



MESSER CAPARELLO & SELF, P.A.

Attorneys At Law

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October 10, 2007

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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

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company is an original and 15 copies of Florida Public Utilities Company's Petition for Amendment of Storm Hardening Plan.

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,

Norman H. Horton, Jr.

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- RCA 1
- SCR _____
- SGA _____
- SEC _____
- OTH _____

NHH/amb
Enclosures
cc: Mr. Mark Cutshaw
Parties of Record

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Public Utilities Company)
for amendment to its approved Storm Hardening)
Plan)
_____)

Docket No. _____
Date Filed: October 10, 2007

PETITION FOR AMENDMENT OF STORM HARDENING PLAN

COMES NOW, Florida Public Utilities Company (“FPUC” or “Company”), and requests the Commission to grant this Petition for Amendment of the Company’s Storm Hardening Plan as currently approved and as basis would state:

- 1. The exact name of Petitioner and the address of its principal office is:

Florida Public Utilities Company
401 South Dixie Highway
West Palm Beach, FL 33401

- 2. All notices, pleadings and correspondence required to be served on the Petition should be directed to:

Norman H. Horton, Jr.,
Messer, Caparello & Self, P. A.
2618 Centennial Place 32308
Post Office Box 15579
Tallahassee, FL 32317
Telephone – (850) 222-0720
Fax – (850) 558-0664

Mr. Mark Cutshaw
Florida Public Utilities Company
Post Office Box 418
Fernandina Beach, FL 32035-0418

- 3. In Docket No. 060198-EI, the Commission conducted an extensive review of storm preparedness activities of the investor owned electric utilities in Florida. The review resulted in the adoption of ten (10) ongoing initiatives and a requirement that the IOU’s file plans and estimated implementation costs for the initiatives. On May 31, 2006, FPUC filed its response, which included

anticipated additional costs, and on July 26, 2006, FPUC responded to Staff Data Requests which, again, included the anticipated additional costs associated with implementation of the plans. On September 19, 2006, the Commission issued Order No. PSC-06-0781-PAA-EI which in part approved the plan filed by FPUC. The Order did not address the recovery of the costs to implement the various programs as identified by FPUC and on September 20, 2006, FPUC filed a Petition to implement a surcharge or other appropriate step to enable FPUC to recover the costs of implementation. An amended Petition was filed October 27, 2006, and is pending.

4. One of the initiatives which the Commission required was a three year trim cycle for all distribution circuits unless shown to be cost prohibitive. The plan filed by FPUC in response to the orders provided for a three year trim cycle for all feeders in both divisions and a three year trim cycle for laterals in the Northeast Division and a five year cycle for the Northwest Division which was the cycle then in place for this Division. The alternative plan was offered based on the increased costs associated with the 3/3 cycle but the plan that was approved and implemented included the 3/3 cycle. With each filing and response, FPUC disclosed the additional costs associated with implementation of the plans and the effect of those costs on the Company and its customers.

5. As the Commission was directing the various parties to submit plans compliant with the directives of Order No. PSC-06-0351, they were also proceeding with a rule adoption process which resulted in the adoption of Rule 25-6.0342, Florida Administrative Code, among other actions. The rules adopted required, among other items, that each IOU file a plan with the Commission to be effective on a going forward basis. After an extension to file was granted, on July 3, 2007, FPUC submitted its storm hardening plan as required by Rule 25-6.0342, Florida Administrative Code. This proposed plan, which has been assigned Docket No. 070300-EI,

addresses the ongoing storm hardening initiatives with implementation proposed to coincide in conjunction with the disposition of the currently pending general rate increase request. In the pending plan, FPUC proposes a three year vegetation management cycle for main feeders and a six year cycle for laterals in both divisions. This proposal will meet the vegetation management requirements in the most effective, cost efficient manner.

6. With this petition, FPUC seeks to amend its current plan to incorporate the 3/6 cycle included in the pending plan. Under this proposal, FPUC would have a three year cycle for main feeders and six years for laterals as part of its currently approved plan. This would reduce annual expenses by approximately \$117,000, a significant amount for FPUC and its customers, but still provide for a vegetation management cycle that would ensure adequate trimming and system reliability.

7. The modification to the plan as proposed by FPUC provides a balance of costs and benefits for the Company and its customers. The plan places an emphasis on main feeders but still provides an adequate trim cycle for laterals. Significantly, the modification would result in a reduction in annual expenses as a result of a reduction in the number of crews needed to perform the work and this benefits the Company and customers.

8. The plan modification proposed herein is similar to that which was approved for Florida Power and Light in Order No. PSC-07-0468 issued May 30, 2007.

9. The modification of the current plan would result in reduction of costs but would still insure a vegetation management program that would maintain the reliability of service to customers. It is the most effective, cost efficient approach for customers and the Company. Accordingly, FPUC requests approval of the proposed amendment effective upon approval.

Respectfully submitted this 10th day of October, 2007.

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Post Office Box 15579
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(850) 222-0720


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 10th day of October, 2007 upon the following:

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