

MESSER CAPARELLO & SELF, P.A.

Attorneys At Law

www.lawfla.com

October 12, 2007

**BY HAND DELIVERY**

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

RECEIVED-FPSC  
07 OCT 12 PM 2:20  
COMMISSION  
CLERK

Re: Docket No. 070002-EG

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company in this docket are an original and 10 copies Florida Public Utilities Company's Prehearing Statement. Also enclosed is a 3 1/2" diskette with the document on it in MS Word 2003.

Please indicate receipt of this document by stamping the enclosed extra copy of this letter.

Thank you for your assistance in this matter.

Sincerely,

Norman H. Horton, Jr.

- CMP \_\_\_\_\_
- COM S
- CTR \_\_\_\_\_
- ECR ( )
- GCL 1+Diskette
- OPC \_\_\_\_\_
- RCA 1 cc: Mr. Marc S. Seagrave
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

09373 OCT 12 6

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 070002-EG  
Filed: October 12, 2007

**FLORIDA PUBLIC UTILITIES COMPANY'S  
PREHEARING STATEMENT**

Florida Public Utilities Company ("FPU"), by and through its undersigned counsel, submits its prehearing statement for its two electric divisions in connection with the hearing that is scheduled for November 6-8, 2007, in the above-styled docket.

**A. WITNESSES**

<u>Witness</u>	<u>Subject Matter</u>	<u>Issues</u>
Marc S. Seagrave	Conservation cost recovery true-up	1, 2, and 3

**B. EXHIBITS**

<u>Exhibit Number</u>	<u>Witness</u>	<u>Description</u>
_____ MSS-1 (Composite)	Seagrave	True-up calculations and Schedules CT-1, CT-2, CT-3, CT-4, CT-5, and CT-6
_____ MSS-2 (Composite)	Seagrave	Projections calculations and Schedules C-1, C-2, C-3, C-4, and C-5

**C. BASIC POSITION**

FPU has properly projected its costs and calculated its true-up amounts and conservation cost recovery factors. Those amounts and factors should be approved by the Commission.

**D. STATEMENT OF ISSUES AND POSITIONS**

**Issue 1:**      **What are the final end-of-period true-up amounts for the period January 2006, through December 2006?**

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

**Issue 2:**      **What are the appropriate conservation cost recovery factors for the period January 2008 through December 2008?**

FPU'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?**

FPU's Position:      FPU's approved conservation cost recovery factors should be effective for all meter readings on or after January 1, 2008, beginning with the first or applicable billing cycle for the period January 2008 through December 2008.

**E. QUESTIONS OF LAW**

None.

**F. POLICY QUESTIONS**

None.

**G. STIPULATED ISSUES**

None.

**H. MOTIONS**

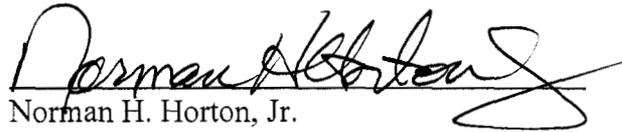
None.

**I. OTHER MATTERS**

None.

Dated this 12<sup>th</sup> day of October, 2007.

Respectfully submitted,  
MESSER, CAPARELLO & SELF, P.A.  
Post Office Box 15579  
Tallahassee, Florida 32317

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

Norman H. Horton, Jr.  
Attorney 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 12<sup>th</sup> day of October, 2007 upon the following:

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