REQUEST TO ESTABLISH DOCKET
(Please Type)

Date:	7-28-08		Docket No.:	080514-GU

1. Division Name/Staff Name:	ECR/SLEMKEWICZ

2. OPR:	ECR

3. OCR:	GCL

4. Suggested Docket Title: INVESTIGATION INTO 2006 EARNINGS OF THE GAS DIVISION OF FLORIDA PUBLIC UTILITIES COMPANY

5. **Suggested Docket Mailing List** (attach separate sheet if necessary)

   A. **Provide NAMES OR ACRONYMS ONLY if a regulated company.**

   B. **Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)**

   1. **Parties and their representatives (if any):**

   2. **Interested persons and their representatives (if any):**

6. Check one:

   ☒ **Documentation is attached.**

   ☐ **Documentation will be provided with recommendation.**

Document2

401 South Dixie Hwy
West Palm Beach, Fl 33401

April 16, 2007

Mr. John Slemkewicz
Florida Public Service Commission
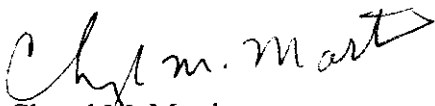2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0865

Dear Mr. Slemkewicz:

Florida Public Utilities Company agrees to cap its earned return on equity (ROE) for calendar year 2006 at 12.25% for the Consolidated Natural Gas Division. This cap represents the maximum authorized ROE for this division.

The calculation of the earned ROE will be based on the "FPSC Adjusted Basis" in the Earnings Surveillance Reports for December 2006, using the same adjustments approved in our last FPSC Consolidated Natural Gas rate case. All reasonable and prudent expenses and investment will be allowed in the calculation. The calculation is subject to fine-tuning by Florida Public Utilities Company and Commission audit.

The disposition of any excess earnings shall be left to the discretion of the Commission. In addition to a direct cash refund, the Company requests consideration of other alternatives such as additional contributions to the storm reserve.

Sincerely,

Cheryl M. Martin
Controller

CC:
Office of Public Counsel
FPUC (Bachman, English, Stein, Schneidermann, Kitner)