



MESSER CAPARELLO & SELF, P.A.

Attorneys At Law
www.lawfla.com

September 12, 2008

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
08 SEP 12 PM 2:20
COMMISSION CLERK

Re: Docket No. 080002-EG

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and 10 copies of the following documents:

- 1. Florida Public Utilities Company's Petition for Approval of Conservation Cost Recovery Factors;
2. Direct Testimony of Marc S. Seagrave; and
3. Schedules C-1, C-2, C-3, C-4, and C-5 for Florida Public Utilities Company's consolidated electric division.

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

Thank you for your assistance in this matter.

Sincerely,

Handwritten signature of Norman H. Horton, Jr.
Norman H. Horton, Jr.

COM
ECR
GCL
OPC
RCP
SSC
SGA
ADM
CLK

NHH:amb
Enclosures
cc: Mr. Marc S. Seagrave
Parties of Record

DOCUMENT NUMBER - DATE
08557 SEP 12 08
FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 080002-EG  
Filed: September 12, 2008

**PETITION FOR APPROVAL OF  
FLORIDA PUBLIC UTILITIES COMPANY'S  
CONSERVATION COST RECOVERY FACTORS**

Florida Public Utilities Company ("the Company"), through its undersigned attorneys and pursuant to the requirements of this docket, hereby petitions the Commission for approval of the Company's conservation cost recovery factors on a consolidated basis for each of its two electric divisions for the period January 2009 through December 2009. In support hereof, the Company states:

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

Florida Public Utilities Company  
P.O. Box 3395  
West Palm Beach, FL 33420-3395

- 2) The name and address of the person authorized to receive notices and communications with respect to this Petition are:

Norman H. Horton, Jr.,  
Messer, Caparello & Self, P. A.  
2618 Centennial Place (32308)  
Post Office Box 15579  
Tallahassee, FL 32317

- 3) Pursuant to the requirements of this Docket, the Company has prefiled the conservation cost recovery forms supplied by the Electric & Gas Department in a manner consistent with the Department's instructions.

4) As indicated in the prefiled forms, the consolidated conservation costs for the period January 2009 through December 2009 is projected to be an overrecovery of \$554,331. The consolidated conservation cost recovery true-up amount for the period January 2008 through December 2008 is an overrecovery of 43,660.

5) The resulting net total projected conservation costs on a consolidated basis to be refunded for the period January 2009 through December 2009 is an overrecovery \$5597,991. Based upon projected sales the appropriate consolidated levelized conservation cost recovery factor for the period January 2009 through December, 2009 is \$.00074.

WHEREFORE, Florida Public Utilities Company petitions the Commission to approve the foregoing conservation cost recovery factors on consolidated basis, to be applied to customer bills for the period January 2009 through December 2009, and to billings thereafter until other conservation cost recovery factors are approved by the Commission.

DATED this 12<sup>th</sup> day of September, 2008.

Respectfully submitted,



NORMAN H. HORTON, JR., ESQ.

Messer, Caparello & Self, P.A.

Post Office Box 15579

Tallahassee, FL 32317

(850) 222-0720

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 12<sup>th</sup> day of September, 2008 upon the following:

Katherine Fleming, Esq.  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Patricia Ann Christensen, Esq.  
Associate Public Counsel  
Office of the Public Counsel  
c/o The Florida Legislature  
111 West Madison St., Rm 812  
Tallahassee, FL 32399-1400

R. Wade Litchfield, Esq.  
Associate General Counsel  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

John T. Butler  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

Ms. Paula K. Brown  
Tampa Electric Company  
P.O. Box 111  
Tampa, FL 33601

John T. Burnett, Esq.  
Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, FL 33733-4042

Beth Keating, Esq.  
Akerman Senterfitt  
106 E. College Avenue, Suite 1200  
Tallahassee, FL 32301

Paul Lewis, Jr.  
Progress Energy Florida, Inc.  
106 E. College Avenue, Suite 800  
Tallahassee, FL 32301

John W. McWhirter, Jr. Esq.  
McWhirter Reeves & Davidson, P.A.  
P.O. Box 3350  
Tampa, FL 33601-3350

Ms. Susan D. Ritenour  
Secretary and Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

Jeffrey A. Stone, Esq.  
Russell Badders, Esq.  
Steven R. Griffin, Esq.  
Beggs & Lane Law Firm  
P.O. Box 12950  
Pensacola, FL 32591

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32302

  
NORMAN H. HORTON, JR.