

VOTE SHEET

September 29, 2008

Docket No. 080514-GU – Investigation into 2006 earnings of the gas division of Florida Public Utilities Company.

Issue 1: What is the appropriate amount of rate base for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006?

Recommendation: The appropriate amount of rate base for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006 is \$57,640,036.

APPROVED

Issue 2: What is the appropriate overall rate of return for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006?

Recommendation: The appropriate overall rate of return for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006 is 8.29 percent.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09157 SEP 29 08

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Issue 3: What is the appropriate net operating income for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006?

Recommendation: The appropriate net operating income for the Gas Division of Florida Public Utilities Company for determining the amount of excess earnings for 2006 is \$4,876,605.

APPROVED

Issue 4: What is the appropriate amount of excess earnings for the Gas Division of Florida Public Utilities Company for 2006?

Recommendation: The appropriate amount of excess earnings for the Gas Division of Florida Public Utilities Company for 2006 is \$176,144, including interest of \$16,199 through August 31, 2008. Interest should continue to accrue until a final disposition of the excess earnings is made.

APPROVED

Issue 5: What is the appropriate disposition of the 2006 excess earnings for the Gas Division of Florida Public Utilities Company?

Recommendation: The 2006 excess earnings of \$176,144, including interest, should be applied to the storm reserve to cover future storm-related costs.

APPROVED

Issue 6: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED