

Diamond Williams

From: Keating, Beth [BKeating@gunster.com]
Sent: Thursday, August 04, 2011 11:58 AM
To: Filings@psc.state.fl.us
Cc: 'Russell A. Badders'; 'Steven R. Griffin'; 'Paula K. Brown'; 'Susan D. Ritenour'; 'John W. McWhirter, Jr.'; 'KELLY.JR'; Charles Rehwinkel; 'Thomas A. Geoffroy'; 'James W. Brew'; 'Vicki Gordon Kaufman'; 'Jon C. Moyle, Jr.'; 'Cecilia Bradley'; 'Robert Scheffel Wright'; 'Patrick K. Wiggins'; 'Allan Jungels'; 'Dan Moore'; 'john.burnett@pgnmail.com'; 'dianne.triplett@pgnmail.com'; Lisa Bennett; 'fbondurant@embarqmail.com'; 'Martin Cheryl'; 'Stright, Lisa'; Michael Barrett; 'James D. Beasley'; 'J. Jeffry Wahlen'; 'Butler, John'; 'Hoffman, Kenneth'; 'Jeffrey A. Stone'

Attachments: 20110804115024287.pdf

Attached for electronic filing, please find the Florida Public Utilities Company's Amended Petition for Approval of Fuel Adjustment and Purchased Power Cost Recovery Estimated/Actual True-Up Amount. This Amended Petition is submitted to correct a typographical error in paragraph 6 of the original Petition submitted on August 1.

Beth Keating
Gunster, Yoakley & Stewart, P.A.
 215 S. Monroe St., Suite 618
 Tallahassee, FL 32301
bkeating@gunster.com
 Direct Line: (850) 521-1706

a. Person responsible for this electronic filing:

Beth Keating
Gunster, Yoakley & Stewart, P.A.
 215 S. Monroe St., Suite 618
 Tallahassee, FL 32301
bkeating@gunster.com
 Direct Line: (850) 521-1706

b. Docket No. 110001-EI - In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

c. On behalf of: Florida Public Utilities Company

d. There are a total of 4 pages.

e. Description: Amended Petition



GUNSTER

FLORIDA'S LAW FIRM FOR BUSINESS

Beth Keating | Attorney
 Governmental Affairs
 215 S. Monroe Street, Suite 601
 Tallahassee, FL 32301
 P 850-521-1706 C 850-591-9228

DOCUMENT NUMBER-DATE

05513 AUG-4 =

FPSC-COMMISSION CLERK

8/4/2011

[gunster.com](#) | [View my bio](#)

Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein. Click the following hyperlink to view the complete Gunster IRS Disclosure & Confidentiality note.

<http://www.gunster.com/terms-of-use/>



Writer's Direct Dial Number: (850) 521-1706
Writer's E-Mail Address: bkeating@gunster.com

August 4, 2011

BY ELECTRONIC FILING

Ms. Ann Cole, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 110001-EI: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor

Dear Ms. Cole:

Enclosed for electronic filing, please find the Amended Petition for Approval of Fuel Adjustment and Purchase Power Cost Recovery Estimated/Actual True-Up Amount submitted on behalf of Florida Public Utilities Company. This amended Petition is submitted to correct a scrivener's typographical error in the original Petition submitted on August 1, 2011. My apologies for any inconvenience this may have caused the Commission or Commission staff.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions whatsoever.

Sincerely,

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

MEK

DOCUMENT NUMBER - DATE

05513 AUG-4 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 110001-EI

DATED: August 4, 2011

**FLORIDA PUBLIC UTILITIES COMPANY'S
AMENDED PETITION FOR APPROVAL
OF FUEL ADJUSTMENT AND PURCHASED POWER COST RECOVERY
ESTIMATED/ACTUAL TRUE-UP AMOUNT**

Florida Public Utilities Company (FPUC or Company), by and through its undersigned counsel, hereby files this Amended Petition asking the Florida Public Service Commission (FPSC or Commission) for approval of FPUC's fuel adjustment and purchased power cost recovery estimated true-up amount for the period January 2011 through December 2011. This filing is made to correct a typographical error in paragraph 6 of the original Petition, filed on August 1, 2011. The corrected number is identified herein in **bold**. This error arises only in the Petition itself, and does not impact the testimony of Mr. Young filed with the Company's Petition. In support of this request, the Company hereby states:

- 1) FPUC is an electric utility subject to the Commission's jurisdiction. Its principal business address is:

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

- 2) The name and mailing address of the persons authorized to receive notices are:

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

Thomas A. Geoffroy/Cheryl Martin
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL
33402-33958

3) Consistent with the requirements for this proceeding, the Company has prefiled the fuel adjustment and purchased power cost recovery true-up forms supplied by the Commission consistent with the requirements for such filings.

4) In accordance with Order No. PSC-11-0132-PCO-EI, issued February 25, 2011, in this Docket, the Company is also submitting, contemporaneously with this Petition, the Direct Testimony and Exhibit CDY-2 of Mr. Curtis Young in support of the Company's request for approval of the requested true-up amount.

5) The final true-up amounts for the period January 2010 through December 2010 are an over-recovery of \$885,786 for the Marianna Division, and an over-recovery of \$856,166 for the Fernandina Beach Division.

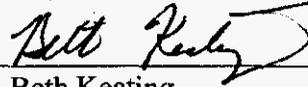
6) The estimated true-up amounts for the period January 2011 through December 2011 are an under-recovery of \$1,070,885 for the Marianna Division, and an over-recovery of \$602,799 for the Fernandina Beach Division.

7) The Company's total true-up amounts that would be collected or refunded during the period January 2012 through December 2012 are an under-recovery of \$185,099 for the Marianna Division, and an over-recovery of \$1,458,965 for the Fernandina Beach Division.

Docket No. 110001-EI

WHEREFORE, FPUC respectfully requests that the Commission approve the estimated true-up amounts, as amended, for January 2011 through December 2011.

RESPECTFULLY SUBMITTED this 4th day of August, 2011.



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 4th day of August, 2011:

Florida Public Utilities Company
Thomas A. Geoffroy
P.O. Box 3395
West Palm Beach, FL 33402-3395

Lisa Bennett
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

James D. Beasley
J. Jeffrey Wahlen
Ausley Law Firm
Post Office Box 391
Tallahassee, FL 32302

Jeffrey A. Stone
Russell A. Badders
Steven R. Griffin
P.O. Box 12950
Pensacola, FL 32591-2950

James W. Brew
F. Alvin Taylor
Brickfield Law Firm
Eighth Floor, West Tower
1025 Thomas Jefferson St., NW
Washington, DC 20007

Allan Jungels, Capt, ULFSC
Federal Executive Agencies
c/o AFLSA/JACL-ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

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

Paul Lewis
Progress Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740

Kenneth Hoffman
Florida Power & Light Company
215 S. Monroe St., Suite 810
Tallahassee, FL 32301-1859

John T. Burnett
Dianne Triplett
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733-4042

Curtis Young
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395

Robert Scheffel Wright
John T. LaVia
c/o Young Law Firm
225 South Adams Street, Suite 200
Tallahassee, FL 32301

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

Vicki Gordon Kaufman
Jon C. Moyle, Jr.
Keefe Law Firm
118 North Gadsden Street
Tallahassee, FL 32301

Docket No. 110001-EI

Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601-4111

Patrick K. Wiggins
Post Office Drawer 1657
Tallahassee, FL 32302

Dan Moore
316 Maxwell Road, Suite 400
Alpharetta, Georgia 30009

Frank E. Bondurant, City Attorney
Bondurant and Fuqua, P.A.
P.O. Box 1508
Marianna, FL 32447

Randy B. Miller
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
White Springs, FL 32096

Cecilia Bradley
Office of the Attorney General
The Capitol – PL01
Tallahassee, FL 32399-0-1050

Charles Rehwinkel/Patricia Christensen
Office of the Public Counsel
4450 Lafayette St. c/o The Florida Legislature
111 West Madison St., Rm. 812
Tallahassee, FL 32399-1400



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706