Rutledge, Ecenia, Underwood, Purnell & Hoffman

PROFESSIONAL ASSOCIATION ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA JOHN B. FLLIS KENNETH A. HOFFMAN THOMAS W. KONRAD MICHAEL G. MAIDA J. STEPHEN MENTON R. DAVID PRESCOTT HAROLD F. X. PURNELL GARY R. RUTLEDGE R. MICHAEL UNDERWOOD

् 🕴

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515

> > January 20, 1999

OF COUNSEL: CHARLES F. DUDLEY

RIGINAL

GOVERNMENTAL CONSULTANTS: PATRICK B. MALOY AMY J. YOUNG

20 PM 4: 0

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center Room 110 Tallahassee, Florida 32399-0850

> Docket No. 990002-EG Re:

Dear Ms. Bayo:

2.

KAH/rl

<u>c</u>c:

All Parties of Record

AF

MU ΤŔ

ĒĞ IN

)PC

*<u>R</u>* 

**SEC** 

NAS .

ЭТН \_\_\_\_

Enclosed herewith for filing in the above-referenced docket on behalf of Florida Public Utilities Company ("FPU") are the following documents:

Original and fifteen copies of the Prehearing Statement of Florida Public Utilities 1. Company; and

A disk in Word Perfect 6.0 containing a copy of the document.

ĈK werplease acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me. Thank you for your assistance with this filing. PP

Sincerely,

RECEIVED & FILED RECORDS

Kenneth A. Hoffman

DOCUMENT HUMBER-DATE

JAN 20 🛱

FPSC-RECORDS/REPORTING

HAND DELIVERY

# ORIGINAL BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery Clause. Docket No. 990002-EG

Filed: January 20, 1999

# PREHEARING STATEMENT OF THE FLORIDA PUBLIC UTILITIES COMPANY

)

)

Florida Public Utilities Company ("FPU"), by and through its undersigned counsel,

submits its Prehearing Statement in connection with the hearing that is scheduled for February

10, 1999 in the above-styled docket.

# A. WITNESSES

Witness	Subject Matter		Issues	
Michael A. Peacock	Conservation cost recovery and true-up (Marianna and Fernandina Beach Divisions)		1-3	
<u>B. EXHIBITS</u>				
<u>Exhibit No.</u>	Witness	Description		
MAP-2 (Composite)	Michael A. Peacock	True-up calculations and Sch through CT-6 (Marianna and Beach Divisions) prefiled 1998	Fernandina	
MAP-1 (Composite)	Michael A. Peacock	Schedules C-1, C-2, C-3, C- (Marianna and Fernandina B prefiled December 7, 199	each Divisions)	

# 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.

DOCUMENT NUMBER-DATE

#### **D. STATEMENT OF EACH QUESTION OF FACT**

Issue 1: What are the final end-of-period true-up amounts for the period October, 1997 through March, 1998?

FPU's Position:

2

.

Marianna:	\$112,506 over-recovery
Fernandina Beach:	\$137,457 over-recovery

Witness: Michael A. Peacock

Issue 2: What are the appropriate projected end-of-period true-up amounts for the period April, 1998 through March, 1999 for the Marianna and Fernandina Beach divisions?

FPU's Position:

Marianna:	\$63,056 over-recovery
Fernandina Beach:	\$88,760 over-recovery

Witness: Michael A. Peacock

**Issue 3:** What are the appropriate conservation cost recovery factors for the period April, 1999 through December, 1999?

FPU's Position:

Marianna	\$.00029/kwh
Fernandina Beach	\$.00011/kwh

<u>Witness</u>: Michael A. Peacock

# **E. QUESTIONS OF LAW**

FPU is not aware of any questions of law that are at issue in the above-styled docket.

#### F. POLICY QUESTIONS

FPU is not aware of any policy questions that are at issue in the above-styled docket.

#### **G. STIPULATED ISSUES**

FPU has not stipulated to any issues in the above-styled docket.

# **H. PENDING MOTIONS**

FPU has no motions pending in the above-styled docket.

# I. OTHER REQUIREMENTS

At this time FPU is not aware of any requirements set forth in the Order Establishing

Procedure with which it cannot comply.

Dated this 20th day of January, 1999.

Respectfully submitted,

In th A. A.

Kenneth A. Hoffman, Esq. Rutledge, Ecenia, Underwood, Purnell & Hoffman, P.A. P. O. Box 551 Tallahassee, FL 32302-0551 (850) 681-6788

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 20th day of January, 1999:

Cochran Keating, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard, Rm. 370 Gerald L. Gunter Building Tallahassee, Florida 32399-0850

Lee L. Willis, Esq. James Beasley, Esq. Ausley McMullen P. O. Box 391 Tallahassee, FL 32302

Jeffery Stone, Esq. Beggs & Lane P. O. Box 12950 Pensacola, FL 32576-2950

Joseph A. McGlothlin, Esq. Vicki Kaufman, Esq. McWhirter Law Firm 117 S. Gadsden Street Tallahassee, FL 32301

John W. McWhirter, Esq. McWhirter Law Firm P. O. Box 3350 Tampa, FL 33601-3350

Michael Palecki, Esq. 955 East 25th Street Hialeah, FL 33013-3498

Mr. Jack English P. O. Box 3395 West Palm Beach, FL 33402-3395 Mr. Stuart L. Shoaf P. O. Box 549 Port St. Joe, FL 32457-0549

Wayne Schiefelbein, Esq. 215 South Monroe Street Suite 815 Tallahassee, FL 32301

James A. McGee, Esq. FPC P. O. Box 14042 St. Petersburg, FL 33733-4042

Norman Horton, Jr., Esq. Messer Law Firm P. O. Box 1876 Tallahassee, FL 32302

Charles Guyton, Esq. 215 S. Monroe Street #601 Tallahassee, FL 32301

Office of Public Counsel 111 W. Madison St., #812 Tallahassee, FL 32399-1400

Ansley Watson, Jr., Esq. 2300 First Florida Tower 111 Madison Street Tampa, FL 33602 Debra Swim, Esq. Gail Kamaras, Esq. LEAF 1114 Thomasville Road Suite E Tallahassee, FL 32303-6290

By: KENNETH A GOFFMAN, ESQ.