



MESSER CAPARELLO & SELF, P.A.

Attorneys At Law
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May 1, 2009

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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

Re: Docket No. 090004-GU

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 True-Up Amount;
2. Direct Testimony of Marc S. Seagrave; and
3. Schedules CT-1, CT-2, CT-3, CT-4, CT-5, and CT-6.

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

Thank you for your assistance in this matter.

Sincerely,

Norman H. Horton, Jr. (signature)

Norman H. Horton, Jr.

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SCA Enclosures
AIM cc: Mr. Marc S. Seagrave
CLK Parties of Record

DOCUMENT NUMBER-DATE
04108 MAY-18
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Natural Gas Conservation Cost)
Recovery Clause)
_____)

Docket No. 090004-GU
Filed: May 1, 2009

**PETITION FOR APPROVAL OF
FLORIDA PUBLIC UTILITIES COMPANY'S
CONSERVATION COST RECOVERY TRUE-UP AMOUNT**

Florida Public Utilities Company ("the Company"), through undersigned counsel and pursuant to the requirements of this docket, hereby petitions the Commission to approve its conservation cost recovery true-up amount for its natural gas division for the period January 2008 through December 2008. In support hereof, the Company states:

1) The Company is a natural gas utility company within the jurisdiction of this Commission. Its principal business address is:

401 South Dixie Highway
West Palm Beach, FL 33401

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
P.O. Box 15579
Tallahassee, FL 32317

3) Pursuant to the requirements of this Docket, the Company has prefiled testimony and the conservation cost recovery true-up forms (Composite Exhibit MSS-1) supplied by the Commission Staff in a manner consistent with the Commission Staff's instructions.

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4) As indicated in the prefiled testimony and true-up forms, the Company overrecovered \$381,259 for January 2008 through December 2008.

WHEREFORE, the Company respectfully requests that this Commission enter its order approving the Company's true-up amount for its natural gas division for the period January 2008 through December 2008.

DATED this 1st day of May, 2009.

Respectfully submitted,

MESSER, CAPARELLO & SELF, P. A.
Post Office Box 15579
Tallahassee, FL 32317
(850) 222-0720


NORMAN H. HORTON, JR., ESQ.

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 1st day of May, 2009 upon the following:

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