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Attorneys At Law

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September 11, 2009

COMMISSION 11 OC

BY HAND DELIVERY

Ms. Ann Cole, Director Office of Commission Clerk Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re:

Docket No. 090001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and fifteen copies of Florida Public Utilities Company's Request for Confidential Classification in the above referenced docket.

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.

CUM ECR	13		H:amb losures
GATTE		cc:	Mr. Curtis D. Young
		et, mby	Parties of Record
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Regional Center Office Park / 2618 Centennial Place / Tallahassee, Florida 32308

Mailing Address: P.O. Box 15579 / Tallahassee, Florida 32317

Main Telephone: (850) 222-0720 / Fax: (850) 224-4359

PAC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost)	Docket No. 090001-EI
Recovery Clause and Generating)	Filed: September 11, 2009
Performance Incentive Factor)	
)	

FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Florida Public Utilities Company ("FPUC" or "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby submits this Request for Confidential Classification of information contained in Exhibits attached to the testimony of Curtis Young filed in this docket. In support of this Request, FPUC would state:

- 1. Florida Public Utilities Company purchases power from Gulf Power Company ("Gulf") and Jacksonville Electric Authority ("JEA") for distribution to its customers in the Northwest ("Marianna") and Northeast ("Fernandina Beach") Divisions respectively. Each of these agreements were the result of a competitive process which resulted in the Agreements which are in effect in the two Divisions.
- 2. The exhibits filed in this docket consisting of various schedules required by the Commission and provide the data supporting the calculations for the purchased power cost recovery factor to be applied to customer bills in 2010. Included in the exhibits for the Northwest Division are schedules the Company and vendor consider to be proprietary, confidential business information as defined in Section 366.093, Florida Statutes. Specifically, Exhibit CDY-3 contains pricing information and calculations for purchases from Gulf which both FPUC and Gulf regard as and treat as proprietary and confidential.

09452 SEP 118

The pricing reflected in the Agreement was negotiated between the parties and has been maintained within the control of the companies and has not been publicly disclosed. Disclosure of the negotiated rates, either directly or indirectly, would cause harm to the Company, its customers and the vendor and its customers by impairing the ability of the Company to negotiate with other suppliers in the future on favorable terms.

3. Section 366.093(3), Florida Statutes, protects from public disclosure proprietary, confidential information, regardless of form, which is intended to be and is treated by the company as private. Subsections (d) and (e) specifically include contractual data and information relating to competitive interests as proprietary, confidential information subject to exemption from Section 119.07(1), Florida Statutes.

The data which has been identified as confidential in the exhibits and testimony is information within the terms of subsections (d) and (e). The information relates to costs of purchased power and include specific pricing information as well as calculations which both the Company and Gulf Power consider and treat as proprietary, confidential business information.

- 4. Accompanying this request as Exhibit "A" are redacted copies of the identified documents with accompanying justification. Under separate cover, FPUC is providing a copy of the unedited documents with the confidential information highlighted pursuant to the requirements of the Commission. Exhibit "B" submitted under seal consists of the confidential information with the confidential portions highlighted.
- 5. For the reasons cited, FPUC requests that the Commission determine that the information identified on Exhibit "B" be considered proprietary, confidential business

information as defined in Section 366.093(3) (d) and (e), Florida Statutes and exempt from public disclosure.

DATED this 11th day of September, 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

EXHIBIT "A"

Identification	Page	<u>Lines</u>	Columns
Exhibit MC-4 and MC-5; (Schedule E1)	1 of 14	6	a and c
,		10	a and c
		10a	a
		10b	a and c
		12	a and c
		13	a and c
		20	a and c
		24	a and c
		25	a
Exhibit MC-4 and MC-5, (Schedule E1)	2 of 14	41 - 46	13 - 16
		47	13
Exhibit MC-4 and MC-5 (Schedule E2)	4 of 14	3	a - m
,		3a	a - m
		5	a - m
		6	a - m
Exhibit MC-4 and MC-5 (Schedule E-7)	5 of 14	all	8 - 10

FLORIDA PUBLIC UTILITIES COMPANY

FUEL AND PURCHASED POWER COST RECOVERY CLAUSE CALCULATION

ESTIMATED FOR THE PERIOD: JANUARY 2010 - DECEMBER 2010

MARIAN	NNA (NORTHWEST DIVISION)	(a) DOLLARS	(b) MWH	(c) CENTS/KWH	
1	Fuel Cost of System Net Generation (E3)		0		
2	Nuclear Fuel Disposal Costs (E2)				
3	Coal Car Investment				
4	Adjustments to Fuel Cost				
5	TOTAL COST OF GENERATED POWER (LINE 1 THRU 4)	0	0	0.00000	
6	Fuel Cost of Purchased Power (Exclusive of Economy) (E7)		338,506		
7	Energy Cost of Sched C & X Econ Purch (Broker) (E9)				
8	Energy Cost of Other Econ Purch (Non-Broker) (E9)				
9	Energy Cost of Sched E Economy Purch (E9)				
10	Demand & Transformation Cost of Purch Power (E2)		338,506		
10a	Demand Costs of Purchased Power	*			
10b	Transformation Energy & Customer Costs of Purchased Power	*			
11	Energy Payments to Qualifying Facilities (E8a)				
12	TOTAL COST OF PURCHASED POWER (LINE 6 THRU 11)		338,506		
13	TOTAL AVAILABLE KWH (LINE 5 + LINE 12)		338,506		
14	Fuel Cost of Economy Sales (E6)				
15	Gain on Economy Sales (E6)				
16	Fuel Cost of Unit Power Sales (SL2 Partpts) (E6)				
17	Fuel Cost of Other Power Sales				
18	TOTAL FUEL COST AND GAINS OF POWER SALES	0	0	0.00000	
19	Net Inadvertent Interchange				
20	TOTAL FUEL & NET POWER TRANSACTIONS		338,506		
	(LINE 5 + 12 + 18 + 19)				
21	Net Unbilled Sales	0 *	0	0.00000	
22	Company Use	36,419 *	342	0.01145	
23	T & D Losses	2,149,055 *	20,181	0.67584	
24	SYSTEM MWH SALES		317,983		
25	Less Total Demand Cost Recovery	***	•		
26	Jurisdictional MWH Sales	24,320,371	317,983	7.64832	
26a	Jurisdictional Loss Multiplier	1.00000	1.00000		
27	Jurisdictional MWH Sales Adjusted for Line Losses	24,320,371	317,983	7.64832	
28	GPIF **				
29	TRUE-UP **	1,745,367	317,983	0.54889	
30	TOTAL JURISDICTIONAL FUEL COST	26,065,738	317,983	8.19721	
31	Revenue Tax Factor			1.00072	
32	Fuel Factor Adjusted for Taxes			8.20311	
33	FUEL FAC ROUNDED TO NEAREST .001 CENTS/KWH			8.203	

^{*} For Informational Purposes Only

EXHIBIT NO.______
DOCKET NO. _090001-EI
FLORIDA PUBLIC UTILITIES COMPANY
(MC-4)
PAGE 1 OF 14

^{**} Calculation Based on Jurisdictional KWH Sales

^{***}Calculation on Schedule E1 Page 2

FLORIDA PUBLIC UTLITIES COMPANY

FUEL FACTOR ADJUSTED FOR LINE LOSS MULTIPLIER

ESTIMATED FOR THE PERIOD: JANUARY 2010 - DECEMBER 2010

BAADIANNA	(NORTHWEST	DIVISION
MARIANNA	INCKINATOL	

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
				(1)/((2)*4,380)			(3)*(4)	(1)*(5)	(6)/Total Col. (6) (7)/Total Col. (7)
	Rate Schedule	KWH Sales	12 CP Load Factor	CP KW At Meter	Demand Loss Factor	Energy Loss Factor_	CP KW At GEN.	KWH At GEN.	12 CP Demand Percentage	Energy Percentage
34	RS	134,655,000	61.971%	49,608.9	1.089	1.030	54,024.1	138,694,650	47.37%	42.35%
35	GS	27,821,000	64.200%	9,893.8	1.089	1.030	10,774.3	28,655,630	9.45%	8.75%
36	GSD	92,325,000	73.168%	28,808.7	1.089	1.030	31,372.7	95,094,750	27.51%	29.03%
37	GSLD	57,576,000	84,178%	15,616.0	1.089	1.030	17,005.8	59,303,280	14.91%	18.11%
38	OL, OL1	4,382,000	160.732%	622.4	1.089	1.030	677.8	4,513,460	0.59%	1.38%
39	SL1, SL2 & SL3	1,224,000	160.732%	173.9	1.089	1.030	189.4	1,260,720	0.17%	0.38%
40	TOTAL	317,983,000	-	104,723.7			114,044.1	327,522,490	100.00%	100.00%

		(10) 12/13 * (8)	(11) 1/13 * (9)	(12) (10) + (11)	(13) Fot. Col. 13 * (12	(14) (13)/(1)	(15) (14) * 1.00072 Demand Cost	(16)	(17) (15) + (16)
	Rate Schedule	12/13 Of 12 CP	1/13 Of Energy	Demand Allocation Percentage	Dernand Dollars	Demand Cost Recovery		Other Charges	Levelized Adjustment
41	RS	43.72%	3.27%	46.99%			. =		\$0,12299
42	GS	8.72%	0.67%	9.39%					\$0.12164
43	GSD	25,39%	2.23%	27.62%					\$0.11714
44	GSLD	13.76%	1.39%	15.15%	,				\$0.11291
45	OL, OL1	0.54%	0.11%	0.65%					\$ 0.09943
46	SL1, SL2 & SL3	0.16%	0.03%	0.19%					\$0.10024
47	TOTAL	92,29%	7.70%	99.99%					

Step Rate Allocation for Residential Customers (18)

(19) (20)(21) (19) * (20) Rate Allocation Annual kWh Levelized Adj. Revenues \$0,12299 \$16,561,218 134,655,000 49 RS <= 1,000kWh/mo. 93,982,996 \$0,11997 \$11,275,097 50 RS > 1,000 kWh/mo. 40,672,004 \$0.12997 \$5,286,122 134,655,000 \$16,561,218 51 RS Total Sales

(MC-4) PAGE 2 OF 14

⁽²⁾ From Gulf Power Co. 2003 Load Research results. (4) From Fernandina Rate Case,

FLORIDA PUBLIC UTILITIES COMPANY CALCULATION OF TRUE-UP SURCHARGE APPLICABLE TO LEVELIZED FUEL ADJUSTMENT PERIOD JANUARY 2009 - DECEMBER 2009 BASED ON SIX MONTHS ACTUAL AND SIX MONTHS ESTIMATED

MARIANNA (NORTHWEST DIVISION)

Under-recovery of purchased power costs for the period January 2009 - December 2009. (See Schedule E1-B, Calculation of Estimated Purchased Power Costs and Calculation of True-Up and Interest Provision for the Twelve Month Period ended December 2009; (Estimated)

1,745,367

Estimated kilowatt hour sales for the months of January 2010 - December 2010 as per estimate filed with the Commission.

317,983,000

Cents per kilowatt hour necessary to collect under-recovered purchased power costs over the period January 2010 - December 2010.

0.54889

FLORIDA PUBLIC UTILITIES COMPANY MARIANNA (NORTHWEST DIVISION) FUEL & PURCHASED POWER COST RECOVERY CLAUSE CALCULATION

ESTIMATED FOR THE PERIOD: JANUARY 2010 - DECEMBER 2010

			(a)	(b)	(c) ESTIMATE	(d) ED	(e)	(f)	(g)	(h)	(i)	(i)	(k)	(1)	(m)	
LINE NO.		_	2010 JANUARY	2010 FEBRUARY	2010 MARCH	2010 APRIL	2010 MAY	2010 JUNE	2010 JULY	2010 AUGUST	2010 SEPTEMBER	2010 OCTOBER	2010 NOVEMBER	2010 DECEMBER	TOTAL PERIOD	LINE NO.
1 1a 2 3 3a 3b	FUEL COST OF SYSTEM GENERATION NUCLEAR FUEL DISPOSAL FUEL COST OF POWER SOLD FUEL COST OF PURCHASED POWER DEMAND & TRANSFORMATION CHARGE OF PURCHASED POWER QUALIFYING FACILITIES]			<u></u> .				_			_	-		0 0	1 1s 2 3 3a 3b
4 5	ENERGY COST OF ECONOMY PURCHASES TOTAL FUEL & NET POWER TRANSACTIONS															5
6	(SUM OF LINES A-1 THRU A-4) LESS: TOTAL DEMAND COST RECOVERY															6
7	TOTAL OTHER COST TO BE RECOVERED		2,059,861	2,024,492	1,981,503	1,501,328	1,674,727	2,140,706	2,486,702	2,420,294	2,317,393	2,093,226	1,715,069	1,905,070	24,320,371	7
7a	SYSTEM KWH SOLD (MWH)	_	26,941	26,468	25,895	19,492	21,803	28,019	32,636	31,750	30,376	27,387	22,341	24,875	317,983	7a
7b	COST PER KWH SOLD (CENTS/KWH)		7.64582	7.64883	7.65207	7.70228	7.68118	7.64019	7.61951	7.62297	7.62903	7.64314	7.67678	7.65857	7.64832	7b
8	JURISDICTIONAL LOSS MULTIPLIER		1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	a
9	JURISDICTIONAL COST (CENTS/KWH)		7.64582	7.64883	7.65207	7.70228	7.68118	7.64019	7.61951	7.62297	7.62903	7,64314	7.67678	7.65857	7.64832	9
10	GPIF (CENTS/KWH)															10
11	TRUE-UP (CENTS/KWH)		0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	0.54889	11
12	TOTAL		8.19471	8.19772	8.20096	8.25117	8.23007	8.16908	8.16640	8.17186	8,17792	8,19203	8.22567	8.20746	8.19721	12
13	REVENUE TAX FACTOR	0.00072	0.00590	0.00590	0.00590	0.00594	0.00593	0.00590	0.00588	0.00588	0.00589	0.00590	0.00592	0.00591	0.00590	13
14	RECOVERY FACTOR ADJUSTED FOR TAXES		8,20061	8.20362	8,20686	8.25711	8.23600	8.19498	8.17428	8.17774	8.18381	8.19793	8.23159	8.21337	8.20311	14
15	RECOVERY FACTOR ROUNDED TO NEAREST .001 CENT/KWH		8.201	8.204	8.207	8.257	8.236	8.195	8.174	8.178	8.184	8.198	8,232	8.213	8.203	16

EXHIBIT NO. DOCKET NO. 090001-EI FLORIDA PUBLIC UTILITIES COMPANY (MC-4) PAGE 4 OF 14

FLORIDA PUBLIC UTILITIES COMPANY

MARIANNA (NORTHWEST DIVISION)

PURCHASED POWER

(EXCLUSIVE OF ECONOMY ENERGY PURCHASES)

ESTIMATED FOR THE PERIOD: JANUARY 2010 - DECEMBER 2010

(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
MONTH		PURCHASED FROM	TYPE &	TOTAL KWH	KWH FOR OTHER	KWH FOR	KWH FOR	CENTS/KWH	(B)	TOTAL \$ FOR
		, 0, 0, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2,	SCHEDULE	PURCHASED		INTERRUPTIBLE	FIRM	FUEL COST	TOTAL COST	(7) x (8) (A)
JANUARY	2010	GULF POWER COMPANY	RE	28,679,881			28,679,881			
FEBRUARY MARCH	2010 2010	GULF POWER COMPANY GULF POWER COMPANY	RE RE	28,177,545 27,566,996	ļ		28,177,545			
APRIL	2010	GULF POWER COMPANY	RE RE	20,747,294	ļ	1	27,566,996 20,747,294			
MAY	2010	GULF POWER COMPANY	RE	23,209,996			23,209,996			
JUNE	2010	GULF POWER COMPANY	RE	29,828,079			29,828,079			
JULY	2010	GULF POWER COMPANY	RE	34,742,091	ł		34,742,091			
AUGUST	2010	GULF POWER COMPANY	RE	33,798,929		1	33,798,929			
SEPTEMBER OCTOBER	2010	GULF POWER COMPANY	RE	32,337,483	1		32,337,483			
NOVEMBER	2010 2010	GULF POWER COMPANY GULF POWER COMPANY	RE RE	29,153,741 23,782,955			29,153,741 23,782,955			
DECEMBER	2010	GULF POWER COMPANY	RE	26,481,447		1	26,481,447			
TOTAL				338,506,437	0	0	338,506,437			
						}				}

FLORIDA PUBLIC UTILITIES COMPANY

MARIANNA (NORTHWEST DIVISION)

RESIDENTIAL BILL COMPARISON FOR MONTHLY USAGE OF 1000 KWH

ESTIMATED FOR THE PERIOD: JANUARY 2010 - DECEMBER 2010

	JANUARY 2010	FEBRUARY 2010	MARCH 2010	APRIL 2010	MAY 2010	JUNE 2010	JULY 2010
BASE RATE REVENUES ** \$	32.36	32.36	32.36	32.36	32.36	32.36	32.36
FUEL RECOVERY FACTOR CENTS/KWH	11.93	11.93	11.93	11.93	11.93	11.93	11.93
GROUP LOSS MULTIPLIER	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000	1.00000
FUEL RECOVERY REVENUES \$	119.33	119.33	119.33	119.33	119.33	119.33	119.33
GROSS RECEIPTS TAX	3.89	3.89	3.89	3.89	3.89	_ 3.89	3.89
TOTAL REVENUES *** _ \$	155.58	155.58	155.58	155.58	155.58	155.58	155.58

AUGUST SEPTEMBER OCTOBER NOVEMBER DECEMBER

	2010	2010	2010	2010	2010
F					
BASE RATE REVENUES ** \$	32.36	32.36	_ 32.36	32.36	32.36
FUEL RECOVERY FACTOR CENTS/KWH	11.93	11.93	11.93	11.93	11.93
GROUP LOSS MULTIPLIER	1.00000	1.00000	1.00000	1.00000	1.00000
FUEL RECOVERY REVENUES \$	119.33	119.33	119.33	119.33	119.33
GROSS RECEIPTS TAX	3.89	3.89	3.89	3.89	3.89
TOTAL REVENUES *** \$	155.58	155.58	155.58	155.58	155.58

32.36

	TOTAL
_	388,32
匚	
	1,431.96
L	46.68
	1,866.96

PERIOD

* MONTHLY AND CUMULATIVE TWELVE MONTH ESTIMATED DATA

** BASE RATE REVENUES PER 1000 KWH:

CUSTOMER CHARGE 12.00

CENTS/KWH 19.58

CONSERVATION FACTOR 0.780

EXHIBIT NO. _ DOCKET NO. 090001-EI

FLORIDA PUBLIC UTILITIES COMPANY

(MC-4)

PAGE 6 OF 14

*** EXCLUDES FRANCHISE TAXES

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK ANN COLE COMMISSION CLERK (850) 413-6770

Hublic Service Commission

ACKNOWLEDGEMENT

DATE: September 14, 2009	
Norman Horton, Messer Law Firm	
Ruth Nettles, Office of Commission Clerk	
Acknowledgement of Receipt of Confidential Filing	
	Norman Horton, Messer Law Firm Ruth Nettles, Office of Commission Clerk

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 090001 or, if filed in an undocketed matter, concerning MAC-4 and MC 5, and filed on behalf of Florida Public Utilities. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: http://www.floridapsc.com

Internet E-mail: contact@psc.state.fl.us