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LAW OFFICES
Messer, Caparello & Self
A Professional Association

Post Office Box 1876
Tallahassee, Florida 32302-1876
Internet: www.lawfla.com

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October 18, 2004

BY HAND DELIVERY

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 040004-GU; Florida Public Utilities Company

Dear Ms. Bayo:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and 10 copies of Florida Public Utilities Company's Prehearing Statement. Also enclosed is a 3 1/2" diskette with the document on it in WordPerfect 9.0 format.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

Sincerely,



Norman H. Horton, Jr.

- JMP _____
- DM 5 _____
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- ECR _____
- GCL _____
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- SCR _____
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- JTH _____

NHH:amb
Enclosures
cc: Mr. Robert L. Smith
Parties of Record

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D. STATEMENT OF ISSUES AND POSITIONS

Issue 1: **What are the final end-of-period true-up amounts for the period January, 2003, through December, 2003?**

FPU's Position: \$29,466 (underrecovery)

Issue 2: **What are the appropriate conservation cost recovery factors for the period January, 2004 through December, 2004?**

FPU's Position:

Residential	\$0.08838
General Service	\$0.03323
Large Volume Service	\$0.02228
Large Volume Transportation Service	\$0.02228

Issue 3: **What should be the effective date of the conservation cost recovery factors for billing purposes?**

FPU's Position: The conservation cost recovery factors should be effective for the period January, 2005 through December, 2005, and to billings thereafter until other conservation cost recovery factors are approved by the Commission.

E. QUESTIONS OF LAW

None.

F. POLICY QUESTIONS

None.

G. STIPULATED ISSUES

None.

H. MOTIONS

None.

I. OTHER MATTERS

None.

Respectfully submitted this 18th day of October, 2004.

MESSER, CAPARELLO & SELF, P.A.
Post Office Box 1876
Tallahassee, Florida 32302-1876



NORMAN H. HORTON, JR.

Attorney for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by Hand Delivery (*) and/or U. S. Mail this 18th day of October, 2004 upon the following:

Martha Brown, Esq.*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd., Room 370
Tallahassee, FL 32399-0850

Matthew R. Costa, Esq.
Corporate Counsel
TECO Energy, Inc.
P.O. Box 111
Tampa, FL 33601-0111

Ms. Angela Llewellyn
Regulatory Affairs
Peoples Gas System
P.O. Box 111
Tampa, FL 33601-0111

Ansley Watson, Jr.
Macfarlane Ferguson & McMullen
P.O. Box 1531
Tampa, Florida 33610-1531

Ms. Gloria L. Lopez
NUI City Gas Company of Florida
955 East 25th Street
Hialeah, FL 33013-3498

Gary Perko, Esq.
Hopping, Green Sams and Smith
P.O. Box 6526
Tallahassee, FL 32314

Wayne L. Schiefelbein, Esq.
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Mr. Thomas A. Geoffroy
Florida Division of Chesapeake Utilities Corporation
P. O. Box 960
Winter Haven, FL 33882-0960

Mr. Stuart L. Shoaf
St. Joe Natural Gas Company, Inc.
P.O. Box 549
Port St. Joe, FL 32457-0549

Rob Vandiver, Esq.
Deputy Public Counsel
Office of the Public Counsel
111 West Madison St., Rm 812
Tallahassee, FL 32399-1400


NORMAN H. HORTON, JR.