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September 26, 2007

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COMMISSION
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VIA HAND DELIVERY

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

Re: Docket No. 070004-GU – Energy Conservation Cost Recovery Clause

Dear Ms. Cole:

Enclosed for filing in the above referenced Docket, please find an original and 15 copies of Florida City Gas's Preliminary Statement of Issues and Positions.

- CMP _____
- COM 5
- CTR _____
- ECR 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH _____

Your assistance in this matter is greatly appreciated.

Sincerely,

Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
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{TL136242;1}Enclosures

DOCUMENT NUMBER-DATE

08847 SEP 26 07

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 070004-GU
Filed: September 26, 2007

FLORIDA CITY GAS
PRELIMINARY STATEMENT OF ISSUES AND POSITIONS

The following is the preliminary statement of issues and positions filed on behalf of Florida City Gas, a division of Pivotal Utility Holdings, Inc.:

- 1. What is the final end-of-period true-up amount for the period January 2006 through December 2006?

Florida City Gas: An over-recovery of \$1,003,789, including interest.

- 2. What are the appropriate conservation cost recovery factors for the period January 2008 through December 2008?

Florida City Gas: The appropriate factors are:

<u>Rate Class</u>	<u>Factor</u>
GS-1, GS-100, GS-220 (Sales & Transportation)	\$0.04378
GS-600 (Sales & Transportation)	\$0.02347
GS-1200 (Sales & Transportation)	\$0.01521
GS-6k (Sales & Transportation)	\$0.01213
GS-25000 (Sales & Transportation)	\$0.01187
GS-60000 (Sales & Transportation)	\$0.01158
Gas Lights	\$0.02336
GS-120000 (Sales & Transportation)	\$0.00846
GS-250000 (Sales & Transportation)	\$0.00793

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FPSC-COMMISSION CLERK

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

Florida City Gas: The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2008 through December 2008. Billing cycles may start before January 1, 2008 and the last cycle may be read after December 31, 2008, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

RESPECTFULLY SUBMITTED this 26th day of September, 2007.



Beth Keating
Akerman Senterfitt Attorneys at Law
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
(850) 224-9634

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the following parties of record this 26th day of September, 2007:

Florida Public Utilities Company John T. English/Cheryl Martin P.O. Box 3395 West Palm Beach, FL 33402-3395	MacFarlane Ferguson Law Firm Ansley Watson, Jr. P.O. Box 1531 Tampa, FL 33601-1531
Messer Law Firm Norman H. Horton, Jr. P.O. Box 15579 Tallahassee, FL 32317	Thomas A. Geoffroy Florida Division of Chesapeake Utilities P.O. Box 960 Winter Haven, FL 33882-0960
Florida City Gas Jay Sutton 955 East 25 th Street Hialeah, FL 33013-3498	St. Joe Natural Gas Company, Inc. Mr. Stuart L. Shoaf P.O. Box 549 Port St. Joe, FL 32457-0549
TECO Energy, Inc. Paula K. Brown/Matthew Costa P.O. Box 111 Tampa, FL 33601-0111	AGL Resources Inc. Elizabeth Wade/Melvin Williams Ten Peachtree Place Location 1470 Atlanta, GA 30309
	Katherine Fleming Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399



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