

COMFORT SYSTEMS USA INC

Form 4

November 10, 2009

FORM 4**UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549**

Check this box
if no longer
subject to
Section 16.
Form 4 or
Form 5
obligations
may continue.
See Instruction
1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF
SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

OMB APPROVAL

OMB
Number: 3235-0287
Expires: January 31,
2005
Estimated average
burden hours per
response... 0.5

(Print or Type Responses)

1. Name and Address of Reporting Person *
TANNER THOMAS N

2. Issuer Name **and** Ticker or Trading
Symbol
COMFORT SYSTEMS USA INC
[FIX]

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Date of Earliest Transaction
(Month/Day/Year)
11/06/2009

____ Director ____ 10% Owner
____X____ Officer (give title below) ____ Other (specify below)
Senior Regional Vice President

C/O COMFORT SYSTEMS USA,
INC., 675 BERING DRIVE, SUITE
400

(Street)

4. If Amendment, Date Original
Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check
Applicable Line)
____X____ Form filed by One Reporting Person
____ Form filed by More than One Reporting
Person

HOUSTON, TX 77057

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D) Price			
Common Stock	11/06/2009		M		10,000	A \$ 3.86 (1)	98,910	D	
Common Stock	11/06/2009		S		10,000	D \$ 11.035 (1)	88,910	D	
Common Stock	11/06/2009		M		25,000	A \$ 4.18 (1)	113,910	D	
Common Stock	11/06/2009		S		25,000	D \$ 11.035 (1)	88,910	D	

Edgar Filing: COMFORT SYSTEMS USA INC - Form 4

Common Stock	11/06/2009	M	30,000	A	⁽¹⁾ \$ 6.38 ⁽¹⁾	118,910	D
Common Stock	11/06/2009	S	30,000	D	\$ 11.035 ⁽¹⁾	88,910	D

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1474
(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)			
				Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Option to Purchase	\$ 3.86	11/06/2009		M		10,000		(2)	03/21/2012	Common Stock	10,000
Option to Purchase	\$ 4.18	11/06/2009		M		25,000		(3)	11/19/2013	Common Stock	25,000
Option to Purchase	\$ 6.38	11/06/2009		M		30,000		(4)	05/18/2015	Common Stock	30,000

Reporting Owners

Reporting Owner Name / Address	Relationships
	Director 10% Owner Officer Other
TANNER THOMAS N C/O COMFORT SYSTEMS USA, INC. 675 BERING DRIVE, SUITE 400 HOUSTON, TX 77057	Senior Regional Vice President

Signatures

/s/ Thomas N.
Tanner

11/10/2009

 Signature of
Reporting Person

Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Represents the average price of sold shares; the price ranged from a low of \$11.00 to a high of 11.25. Full information regarding the number of shares sold and specific prices will be made available upon request to the Company's Office of the General Counsel.
- (2) The options vested in four equal installments on March 21, 2003, 2004, 2005 and 2006.
- (3) The options vested in four equal installments on November 19, 2004, 2005, 2006 and 2007.
- (4) The options vested in four equal installments on May 18, 2005 in three equal installments on May 18, 2006, 2007, 2008 and 2009.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.