

State of Florida



ORIGINAL

Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M- COMMISSION CLERK

RECEIVED-FPSC
OCT 22 PM 3:55

DATE: October 18, 2004

TO: Jennifer Rodan, Office of the General Counsel

FROM: Stephanie Clapp, Division of Economic Regulation *SC*

RE: Docket No. 040552-SU, Application for name change on Certificate No. 298-S in Lee County from Del Tura Phase I, LLC to Del Tura Phase I, LLC d/b/a Del Tura Utilities.

On June 15, 2004, an application was filed on behalf of Del Tura Phase I, LLC for authority to change the name on Certificate No. 298-S from Del Tura Phase I, LLC to Del Tura Phase I, LLC d/b/a Del Tura Utilities. The application was filed pursuant to Rule 25-30.039, Florida Administrative Code, which provides for changes in name only, with no change in the ownership or control of the utility or its assets.

The reason given for the name change is a change in the billing system will result in a separate bill for wastewater utilities. A name change would distinguish the wastewater billing from the rent invoice. A statement was provided by the Manager of Hometown Residential Manager, LLC, grandparent company of the Del Tura Phase I, LLC, development attesting that the change in name will not change ownership, control or the service provided to customers. The application included documentation by the Florida Department of State, Division of Corporations, as evidence that the proposed name was registered as a Florida fictitious name effective May 28, 2004. The application contained a copy of the proposed notice to be sent to customers informing them of the name change and revised tariffs reflecting the proposed name change. A statement was provided that the original certificate was filed with the Commission as part of the filing requirements of Docket No. 030998-WS.

Section 2.07(C)(2)(a) of the Administrative Procedures Manual grants the Director of the Division of Commission Clerk and Administrative Services, in coordination with the appropriate industry division and the Office of the General Counsel, authority to approve change of names and corporate reorganizations of regulated utilities, where no change of ownership or control or transfer of assets is involved. Staff, therefore, recommends that the request for change in name is in compliance with the provisions of Rule 25-30.039, Florida Administrative Code, and that an administrative order be issued within 30 days approving the change of name on Certificate No. 298-S from Del Tura Phase I, LLC to Del Tura Phase I, LLC d/b/a Del Tura Utilities. The revised tariffs should be approved and effective for services rendered on or after the stamped approval date. Finally, upon issuance of the order, the docket should be closed.

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cc: Division of Economic Regulation (Slemkewicz)

Division of the Commission Clerk and Administrative Services

DOCUMENT NUMBER-DATE
11460 OCT 22 2004
FPSC-COMMISSION CLERK