

State of Florida



# Public Service Commission

## -M-E-M-O-R-A-N-D-U-M-

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**DATE:** July 2, 2001  
**TO:** Division of Commission Clerk and Administrative Services  
**FROM:** Patricia Brady, Division of Regulatory Oversight *PB bgr*  
**RE:** Docket No. 010382-SU - Application for transfer of Certificate No. 515-S in Polk County from ABCA, Inc. to West Lakeland Utilities, Inc.

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Please add to the docket file the attached supplemental name change application received on June 8, 2001, by facsimile transmission from Ms. Suzzane Britt. Instead of processing a name change, staff has filed a recommendation for the July 10, 2001, Agenda Conference to modify Order No. PSC-01-1271-PAA-SU, issued June 28, 2001, in this docket. Thank you.

Attachment

cc: Division of Legal Services (Crosby)  
Division of Commission Clerk and Administrative Services (Security File)

DOCUMENT NUMBER-DATE

08143 JUL-20

PSC-RECORDS/REPORTING

Jun 8 2001, 11:51 AM

**STATE OF FLORIDA**



**PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850**

**TO:**

Ms. Suzanne Britt

6-1-863-665-1675

**FROM:**

Patricia Brady

Fax: (850) 413-6687

Voice: (850) 413-6686

**RE:**

West Lakeland name change application

Note: (Page 1 of 20 pages)

Sorry, they shut the computers down last night before I could get this out. Attached is the application. Also, attached is a copy of the order just issued approving the transfer. As you will see, the application is really short. It does not require upfront noticing nor a filing fee. You will have to do another set of tariffs, though, with the new name on the top left. If you have any questions, you have my phone number.

Also, the name for Records and Reporting has changed. It is now the Division of Commission Clerk and Administrative Services. If you forget and send it to the old name, it will still get there.

Pat

**FLORIDA PUBLIC SERVICE COMMISSION****INSTRUCTIONS FOR COMPLETING  
Information Package to Comply with Rule 25-30.039, Florida Administrative Code,  
NAME CHANGE  
(Section 367.121, Florida Statutes)****General Information**

The attached form has been prepared by the Florida Public Service Commission to aid utilities under its jurisdiction to file information required by Chapter 367, Florida Statutes, and Chapter 25-30, Florida Administrative Code. Any questions regarding this form should be directed to the Division of Water and Wastewater, Bureau of Industry Structure and Policy Development (850) 413-6900.

**Instructions**

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A.". Do not leave any items blank.
3. Notarize the completed application form.
4. Return the utility's original certificate(s) with the application.
5. The **original and four copies** of the completed application and attached exhibits; the **original and two copies** of the revised tariff(s); and the utility's certificate(s) should be mailed to:

**Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

**CHAPTER 25-30.039, F.A.C.  
APPLICATION FOR NAME CHANGE**

(1) This rule shall apply to a certificated utility that changes its name only, with no change in the ownership or control of the utility or its assets.

(2) Each application for approval of a change in name of a certificated utility shall include the following information:

- (a) The complete name, address, and type of business entity of the certificated utility;
- (b) The proposed change in name and the type of business entity under the new name;
- (c) A statement setting out the reasons for the name change;
- (d) The effective date of the name change;
- (e) In the case of a corporation, limited partnership, or any other type of entity that is chartered by the State of Florida or any other state, a copy of the certificate or other document issued by the state showing its acceptance of the entity's new name. In addition, an officer of the entity shall provide a statement that the ownership and control of the utility and its assets will not change under the proposed name. In the case of a sole proprietorship, general partnership, or any other type of entity not chartered by the State of Florida or any other state, a statement, signed by a duly authorized representative, that the ownership and control of the utility and its assets will not change under the proposed name;
- (f) A proposed notice to be sent to the customers of the utility informing them of the change in utility name;
- (g) An original and two copies of a proposed tariff reflecting the name change, including all standard forms; and,
- (h) The applicant's current certificate.

(3) After the Commission staff approves the customer notice, the utility shall send the approved customer notice to all existing customers with the next regular billing, advising them of the name change.

**Specific Authority: 367.121, F.S.**

**Law Implemented: 367.121, F.S.**

**History: New 11/30/93.**

**Information Package to Comply with Rule 25-30.039, Florida Administrative Code,  
NAME CHANGE**

**(Pursuant to Section 367.121, Florida Statutes)**

To: **Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for a name change on Water Certificate No. \_\_\_  
and/or Wastewater Certificate No. <sup>5155</sup> for facilities in Polk County, Florida, and submits  
the following information: <sup>5155</sup>

**PART I APPLICANT INFORMATION**

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

West Lakeland Utility Inc

Name of utility

(863) 665-1748

Phone No.

(863) 667-1748

Fax No.

2903 Brooks St

Office street address

Lakeland

FL

33803

City

State

Zip Code

P.O. Box 266 Eaton Pk FL 33840

Mailing address if different from street address

ELM0315@AOL.Com

Internet address if applicable

B) The name, address and telephone number of the person to contact concerning this application:

Suzanne A. BRITH

(863) 665-1748

Name

Phone No.

2903 Brooks St

Street address

Lakeland

FL

33803

City

State

Zip Code

C) Indicate the organizational character of the certificated utility: (circle one)

Corporation

Partnership

Sole Proprietorship

Other \_\_\_\_\_  
(Specify)

D) The proposed change in name:

West Lakeland Wastewater Inc.

E) Indicate the organizational character of the utility under the new name: (circle one)

Corporation

Partnership

Sole Proprietorship

Other \_\_\_\_\_  
(Specify)

F) Exhibit 1 - A statement setting out the reason for the name change.

G) The effective date of the name change: 6-7-01

H) Exhibit 2 - In the case of a corporation, limited partnership, or any other type of entity that is chartered by the State of Florida or any other state, a copy of the certificate or other document issued by the state showing its acceptance of the entity's new name.

I) Exhibit 3 - In the case of a corporation, limited partnership, or any other type of entity that is chartered by the State of Florida or any other state, a statement from an officer that the ownership and control of the utility and its assets will not change under the proposed name.

J) Exhibit N/A - In the case of a sole proprietorship, or any other entity not chartered by the State of Florida or any other state, a statement, signed by a duly authorized representative that the ownership and control of the utility and its assets will not change under the proposed name.

- K) Exhibit 4 - A proposed notice to be sent to the customers of the utility informing them of the change in utility name. After the Commission staff approves the customer notice, the utility shall send the approved customer notice to all existing customers with the next regular billing, advising them of the name change.
  
- L) Exhibit 5 - An original and two copies of the utility's water and/or wastewater tariff(s), including all standard forms, resubmitted under the proposed name change. **Sample tariffs are enclosed with the application package.**  
(Sent BY REGULAR MAIL)
  
- M) Exhibit 6 - The applicant's current water and/or wastewater certificate(s).  
(N.A.)

**PART II AFFIDAVIT**

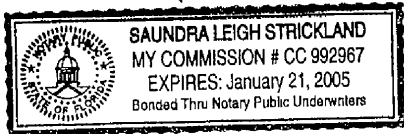
I Suzanne A. Britt (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: Suzanne A. Britt  
Applicant's Signature

Suzanne A. Britt  
Applicant's Name (Typed)

President  
Applicant's Title \*

Subscribed and sworn to before me this 11<sup>th</sup> day in the month of June  
in the year of 2001 by Suzanne A. Britt who is personally known to  
me / or produced identification \_\_\_\_\_



Type of Identification Produced  
Sandra Leigh Strickland  
Notary Public's Signature

Sandra Leigh Strickland  
Print, Type or Stamp Commissioned  
Name of Notary Public

\* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.



## **EXHIBIT 1**

The Corporation, West Lakeland Utilities, Inc., was owned by Doug Corbett. He had verbally agreed to sell us the corporation for what it had cost him to set it up. He then changed his mind and wanted an exorbitant amount of money to transfer it.

This is the reason that we had to form another corporation. We have named the new corporation West Lakeland Wastewater, Inc.

**EXHIBIT 2**

Corporate Certificate

**Electronic Articles of Incorporation  
For**

**P01000057717  
FILED  
June 07, 2001  
Sec. Of State**

WEST LAKELAND WASTEWATER INC.

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

**Article I**

The name of the corporation is:

WEST LAKELAND WASTEWATER INC.

**Article II**

The principal place of business address:

2903 BROOKS STREET  
LAKELAND, FL. 33803

The mailing address of the corporation is:

P.O. BOX 266  
EATON PK., FL. 33840

**Article III**

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS

**Article IV**

The number of shares the corporation is authorized to issue is:

7,500 PAR VALUE

**P01000057717**  
**FILED**  
**June 07, 2001**  
**Sec. Of State**

**Article V**

The name and Florida street address of the registered agent is:

SUZZANE A BRITT  
4737 HIGHLANDS PLACE CIRCLE  
LAKELAND, FL. US 33813

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: SUZZANE A. BRITT

**Article VI**

The name and address of the incorporator is:

SUZZANE A. BRITT  
P.O BOX 266  
EATON PK, FL 33840

Incorporator Signature: SUZZANE A. BRITT

### **EXHIBIT 3**

The ownership of West Lakeland Wastewater, Inc is Suzzane A. Britt, President, Sam A. Averett, Vice President.

We are equal partners with each owning 50% and nothing has changed as to the ownership.

**EXHIBIT 4**

NOTICE FOR  
APPLICATION FOR NAME CHANGE  
(Chapter 2S – 30.039 F.A.C.)

**LEGAL NOTICE**

Notice is hereby given on June 7, 2001, pursuant to Chapter 2S – 30.039, F.A.C., of the application for a name change West Lakeland Utilities, Inc. to West Lakeland Wastewater, Inc., providing service to the following described territory in Polk County, Florida.

Beginning at the Southwest corner of Section 14, Township 28 South, Range 24 East, run thence East along the South boundary of said Section 14 to the Southeast corner of the S.W.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  of said Section 14, thence North to the Northwest corner of the South  $\frac{1}{2}$  of the S.E.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  of said Section 14, thence East to the Northeast corner of said South  $\frac{1}{2}$  of the S.E.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$ , thence South along the East boundary of the West  $\frac{1}{2}$  of said Section 14 and the East boundary of the West  $\frac{1}{2}$  of Section 23 of said Township and Range to the Southeast corner of the N.W.  $\frac{1}{4}$  of said Section 23, thence East to the Northeast corner of the West  $\frac{1}{4}$  of the S.E.  $\frac{1}{4}$  of said Section 23, thence South to the Southeast corner of said West  $\frac{1}{4}$  of the S.E.  $\frac{1}{4}$ , thence West along the South boundary of said Section 23 to a point 220 feet West of the Southeast corner of the S.W.  $\frac{1}{4}$  of said Section 23, thence North 1247.05 feet, West 100 feet, North 600 feet, West 180 feet, North 500 feet, West to the West boundary of the East  $\frac{1}{2}$  of the S.W.  $\frac{1}{4}$  of said Section 23, thence North along said West boundary of said East  $\frac{1}{2}$  of the S.W.  $\frac{1}{4}$  and along the West boundary of the S.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of said Section 23 to the Northwest corner of said S.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$ , thence West along the South boundary of the N.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of said Section 23 to the West boundary of said Section 23, thence North along said West boundary to the point of beginning. All in Sections 14 and 23, Township 28 South, Range 24 East.

Any objection to the said application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicants whose addresses are set forth below. The objection must state the grounds for the objection with particularity.

West Lakeland Utilities, Inc.  
2901 Brooks Street  
Lakeland, Florida 33803

West Lakeland Wastewater, Inc.  
2901 Brooks Street  
Lakeland, FL 33803

**EXHIBIT 5**



**EXHIBIT 6**