

State of Florida



ORIGINAL

Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

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

DATE: March 19, 2007  
TO: Lorena Holley, Office of the General Counsel  
FROM: Stephanie Clapp, Division of Economic Regulation  
RE: Docket No. 070112-WS, Application for name change on Certificate Nos. 611-W and 527-S in Charlotte County from MSM Utilities, LLC to Sun River Utilities, Inc..

*Handwritten initials: E, PD, etc.*

On February 9, 2007, an application was filed on behalf of MSM Utilities, LLC for authority to change the name on Certificate Nos. 611-W and 527-S from MSM Utilities, LLC to Sun River Utilities, Inc. 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.

Sun River Utilities, Inc. purchased the ownership interest in MSM Utilities, LLC., which was approved by the Commission effective February 13, 2007.<sup>1</sup> The reason given for the name change is Sun River Utilities, Inc. would like to do business under its own name. A statement was provided by the president of Sun River Utilities, Inc., 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 Corporation effective December 7, 2006. 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.

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 Nos. 611-W and 527-S from MSM Utilities, LLC to Sun River Utilities, Inc. 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.

cc: Division of Economic Regulation (Marsh, Slemkewicz)  
Division of the Commission Clerk and Administrative Services

<sup>1</sup> Order No PSC-07-0163-FOF-WS, issued February 23, 2007, in Docket No. 060820-WS, In re: Application for transfer of majority organizational control and Certificate No. 611-W and 527-S of MSM Utilities, LLC in Charlotte County to Sun River Utilities, Inc.

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