

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement)	DOCKET NO. 910180-WS
of restructuring and name change on)	
Certificates Nos. 353-W and 309-S in)	ORDER NO. 24240
Lee County from FFEC-SIX, INC. to)	
FFEC-SIX, LTD.)	ISSUED: 3-14-91
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

ORDER ACKNOWLEDGING RESTRUCTURING
 AND CHANGING NAME ON CERTIFICATES

BY THE COMMISSION:

FFEC-Six, Inc. (utility) is a Class B water and wastewater utility in Lee County. According to its 1989 annual report, FFEC-Six, Inc. serves approximately 1,258 water and 1,224 wastewater customers in the Lake Fairways and Pine Lakes subdivisions. As part of a refinancing and restructuring arrangement, a new limited partnership will be created for the utility called FFEC-Six, Ltd. By letter dated December 18, 1990, the new limited partner, FFEC Utility, L.P., requested that the Commission recognize this restructuring to reflect the proper legal name of the utility.

FFEC-Six, Inc. will continue to be the general and controlling partner, with a 57.5% partnership interest. FFEC Utility, L.P., the sole limited partner, has a 42.5% partnership interest and will not have active involvement in the management of the utility. Pursuant to the Limited Partnership agreement, FFEC-Six, Inc. is the sole general partner responsible for all day-to-day operating and business decisions and has authority to bind the utility to contracts and to conduct all utility operations.

While there is technical a transfer of assets from one legal entity to another, we do not believe the restructuring of this utility rises to the level of a transfer encompassed by Section 367.071, Florida Statutes. In addition, FFEC-Six, Inc. retains control of the utility. Any effect of the reorganization or the

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utility's capital structure will be addressed in the utility's pending rate case (Docket No. 900521-WS).

Accordingly, we acknowledge the restructuring of the utility and require Certificates Nos. 353-W and 309-S to be returned to the Commission for entry of the new name of the utility. The utility also shall file revised tariffs reflecting the new name within thirty days of the date of this Order.

Based on the foregoing, it is

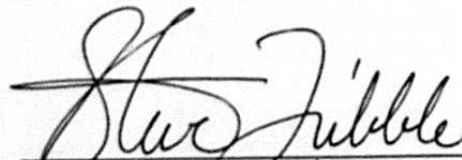
ORDERED by the Florida Public Service Commission that the restructuring of FFEC-Six, Inc. is hereby acknowledged. It is further

ORDERED that Certificates Nos. 353-W and 309-S shall be returned to this Commission for entry to reflect the name change from FFEC-Six, Inc. to FFEC-Six, Ltd. It is further

ORDERED that revised tariffs shall be filed within thirty days of this Order reflecting the name change. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 14th day of MARCH, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.