

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for acknowledgement )  
of corporate reorganization and name )  
change on Certificates Nos. 502-W and )  
436-S in Nassau County from SUNRAY )  
UTILITIES, INC. to SUNRAY UTILITIES - )  
NASSAU, INC. )  
\_\_\_\_\_ )

DOCKET NO. 910166-WS  
ORDER NO. 24398  
ISSUED: 4-22-91

The following Commissioners participated in the disposition of this matter:

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

ORDER ACKNOWLEDGING CORPORATE REORGANIZATION AND NAME CHANGE

BY THE COMMISSION:

Sunray Utilities, Inc. (Sunray) is a utility that provides water and wastewater services to two separate areas, one in St. Johns County, and the other in Nassau County. On September 26, 1990, the Board of County Commissioners for St. Johns County passed a resolution rescinding this Commission's jurisdiction over privately owned water and wastewater systems in St. Johns County. We acknowledged this jurisdictional change by Order No. 22330, issued December 20, 1990.

In recognition of the jurisdictional transfer, and the prospect of being regulated by two different entities, in November, 1990, Sunray reorganized into two separate corporations, Sunray Utilities - St. Johns, Inc. and Sunray Utilities - Nassau, Inc. On February 18, 1991, Sunray filed a petition for this Commission to recognize and acknowledge its corporate reorganization.

Under the previous corporate structure, ITT Rayonier held 80 percent of Sunray's outstanding common stock. The remaining 20 percent was held by Jax Utility Management. ITT Rayonier now holds 100 percent of the stock. Since only 20 percent of the stock changed hands, the reorganization is not a change in majority

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organizational control, and does not, therefore, rise to the level of a transfer under Section 367.071, Florida Statutes.

Although Sunray's reorganization does not constitute a transfer, we note that utilities such as Sunray are required to notify us of such changes, since it is not the utility but this Commission that determines whether a transfer has taken place.

Upon consideration of the above, we hereby acknowledge Sunray's corporate reorganization and the resulting name change from Sunray Utilities, Inc. to Sunray Utilities - Nassau, Inc.

It is, therefore,

ORDERED by the Florida Public Service Commission that Docket No. 910166-WS be and is hereby closed.

By ORDER of the Florida Public Service Commission, this 22nd day of April, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

RJP

by: Kay Flynn  
Chief, Bureau of Records

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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.