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FPSC - Records/Reporting

MEMORANDUM

MARCH 9, 1998

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (JAYE) *ORUE*

RE: DOCKET NO. 980137-GU - REQUEST FOR APPROVAL OF NAME CHANGE FROM SOUTH FLORIDA NATURAL GAS COMPANY TO ATLANTIC UTILITIES, A FLORIDA DIVISION OF SOUTHERN UNION COMPANY D/B/A SOUTH FLORIDA NATURAL GAS.

98-0355-FDF-GU

Attached is a NOTICE OF PROPOSED AGENCY ACTION: ORDER ACKNOWLEDGING CHANGE IN NAME, with attachments, to be issued in the above referenced docket. (Number of pages in order - 4)

GAJ/js
Attachment
cc: Division of Electric and Gas (Makin)
I:980137or.gaj

*boxed - 2/c
marked -*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
name change from South Florida
Natural Gas Company to Atlantic
Utilities, a Florida Division of
Southern Union Company d/b/a
South Florida Natural Gas.

DOCKET NO. 980137-GU
ORDER NO. PSC-98-0355-FOF-GU
ISSUED: March 4, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER ACKNOWLEDGING CHANGE IN NAME

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service
Commission that the action discussed herein is preliminary in
nature and will become final unless a person whose interests are
substantially affected files a petition for a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

On January 9, 1998, Atlantic Utilities (AUC) was merged with
and into Southern Union Company (Southern Union). Prior to the
merger, AUC owned all of the issued and outstanding capital stock
of South Florida Natural Gas Co. (SFNG), a natural gas distribution
company serving customers in the cities of New Smyrna Beach and
Edgewater, Florida, and certain adjacent unincorporated areas of
Volusia County, Florida. Promptly following the merger of AUC with
and into Southern Union, SFNG was merged with and into Southern
Union. Pursuant to Rule 25-9.044, Florida Administrative Code,
Southern Union filed its notice of adoption and ratification of the
tariff of its acquired company, SFNG, within 10 days of the change
of ownership of the acquired utility.

DOCUMENT NUMBER-DATE

02856 MAR-4 98

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We acknowledge the change in ownership and the merger of SFNG with and into Southern Union Company d/b/a South Florida Natural Gas. Southern Union has complied with Rule 25-9.044, Florida Administrative Code, regarding mergers and acquisitions. Southern Union is, therefore, entitled to acknowledgment of its name change. In acknowledging this name change, we are following our precedent as set forth in Order No. PSC-97-1532-FOF-GU, issued December 8, 1997, in Docket No. 971135-GU.

As the surviving company of the merger, Southern Union is committed to providing the goods and services of SFNG as they were provided before the merger. Southern Union will provide these goods and services under the name of Southern Union Company d/b/a South Florida Natural Gas.

Based on the foregoing, it is

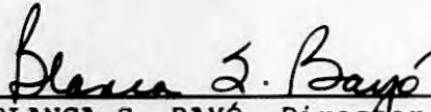
ORDERED by the Florida Public Service Commission that the change in name from South Florida Natural Gas Co. to Southern Union Company d/b/a South Florida Natural Gas due to the January 9, 1998, merger of SFNG with and into Southern Union is acknowledged. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

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ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 4th day of March, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 25, 1998.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.