

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for name change on Certificate No. 56-W in Lee County from Mobile Manor, Inc. to Mobile Manor Water Company, Inc.

DOCKET NO. 040602-WU  
ORDER NO. PSC-04-1104-FOF-WU  
ISSUED: November 8, 2004

ORDER APPROVING NAME CHANGE AND CLOSING DOCKET

BY THE COMMISSION:

On June 23, 2004, an application was filed on behalf of Mobile Manor, Inc. for authority to change the name on Certificate No. 56-W from Mobile Manor, Inc. to Mobile Manor Water Company, 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.

The reason given for the name change was for tax, accounting and liability purposes. A statement was provided by the Treasurer of the Board of Directors for Mobile Manor, 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 not-for-profit corporation, effective April 8, 2004. 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. A statement was provided that a search of the utility's records failed to locate the original certificate.

Section 2.07C.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. Both the appropriate industry division and the Office of the General Counsel agree 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 should be issued in accordance with Section 2.07C.2.a. Therefore, the change of name on Certificate No. 56-W from Mobile Manor, Inc. to Mobile Manor Water Company, Inc. is approved. The revised tariffs shall be approved and effective for services rendered on or after the stamped approval date.

It is, therefore,

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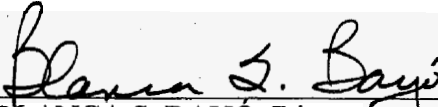
ORDERED by the Florida Public Service Commission that the request of Mobile Manor, Inc., to change the name on Certificate No. 56-W to Mobile Manor Water Company, Inc., is hereby granted. It is further

ORDERED that Mobile Manor, Inc.'s proposed customer notice is hereby approved. The notice shall be sent to all of the customers of Mobile Manor, Inc. upon receipt of this Order. It is further

ORDERED that the revised tariffs shall become effective for services rendered on or after the stamped approval date on the tariff sheets. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 8th day of November, 2004.

  
BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(SEAL)

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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.

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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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.