

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint application for acknowledgment of corporate reorganization and request for approval of name change on Certificates 599-W and 514-S in DeSoto and Charlotte Counties from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to Aqua Utilities Florida, Inc.

DOCKET NO. 080311-WS  
ORDER NO. PSC-08-0443-FOF-WS  
ISSUED: July 10, 2008

ORDER ACKNOWLEDGING CORPORATE REORGANIZATION  
AND APPROVING NAME CHANGE

BY THE COMMISSION:

On June 10, 2008, Lake Suzy Utilities, Inc. (Lake Suzy or utility) and Aqua Utilities Florida, Inc. (AUF) filed a joint application for acknowledgement of a corporate reorganization and approval of name change on Certificate Nos. 599-W and 514-S in DeSoto and Charlotte Counties from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to Aqua Utilities Florida, Inc.

Attachment A shows the applicants' organizational structure before the reorganization and Attachment B shows the applicants' organizational structure after the reorganization. As shown on the Attachments, Aqua America, Inc. (Aqua America), a Pennsylvania corporation, is the parent company of both AUF and Aqua Utilities, Inc. (AUI), a Texas corporation. Aqua America's Commission-regulated assets are owned by AUF and its non-Commission regulated Florida assets are owned by AUI. Prior to the reorganization, Lake Suzy's assets were owned by AUI. The utility was in negotiations to transfer its assets to DeSoto County.<sup>1</sup> However, when Lake Suzy and DeSoto County were unable to execute a conveyance agreement, the transfer was unwound.<sup>2</sup> As a result, this application was filed to transfer the Lake Suzy assets from AUI to AUF.

<sup>1</sup> Order No. PSC-05-0313-FOF-WS, issued March 21, 2005, in Docket No. 041294-WS, In Re: Transfer of water and wastewater service areas from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to DeSoto County, and cancellation of Certificate Nos. 599-W and 514-S in Charlotte and DeSoto Counties,

<sup>2</sup> Order No. PSC-07-0863-FOF-WS, issued October 29, 2007, in Docket No. 041294-WS, In Re: Transfer of water and wastewater service areas from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to DeSoto County, and cancellation of Certificate Nos. 599-W and 514-S in Charlotte and DeSoto Counties

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Prior to the reorganization, the Commission-issued water and wastewater certificate numbers and counties of operation for both applicants were as follows:

<b>Company Name</b>	<b>Certificate Nos.</b>	<b>County of Operation</b>
Aqua Utilities Florida, Inc.	549-W, 479-S 2-W 422-W, 359-S 106-W, 120-S 268-S 346-W 84-W 53-W 209-W, 154-S 587-W, 506-S 76-W, 284-S 279-W, 226-S 507-W, 441-S 238-W, 182-S 501-W, 435-S	Alachua Brevard Highlands Lake Lee Marion Orange Palm Beach Pasco Polk Putnam Seminole Sumter Volusia Washington
Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc.	599-W, 514-S	DeSoto and Charlotte

Through Articles of Merger filed with the Florida Department of State, Division of Corporations, on June 10, 2008, Lake Suzy was merged into AUFU. The application contained affidavits by an officer of Lake Suzy and AUFU attesting that ownership and control of Lake Suzy will not change as a result of the merger and name change.

The application provides sufficient documentation that neither ownership or control or transfer of assets is involved. Therefore, the applicants' corporate reorganization is hereby acknowledged and request for name change is approved effective the date of this order. The applicants' approved notice of name change shall be sent to all existing customers with the next regular billing after the order is issued. The revised tariffs shall be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, Florida Administrative Code. Attachment C contains the certificates affected by the reorganization and name change. The resultant order shall serve as AUFU's certificates in DeSoto and Charlotte Counties and, as such, it shall be retained by the utility.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the corporate reorganization is hereby acknowledged. It is further

ORDERED that the request of Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to change its name to Aqua Utilities Florida, Inc. is hereby approved effective the date of this order. It is further

ORDERED that the approved notice of name change shall be sent to all existing customers with the next regular billing after the order is issued. It is further

ORDERED that the revised tariffs shall be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, Florida Administrative Code. It is further

ORDERED that the resultant order shall serve as Aqua Utilities Florida, Inc.'s certificates in DeSoto and Charlotte Counties and, as such, it shall be retained by the utility. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 10th day of July, 2008.



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ANN COLE  
Commission Clerk

( S E A L )

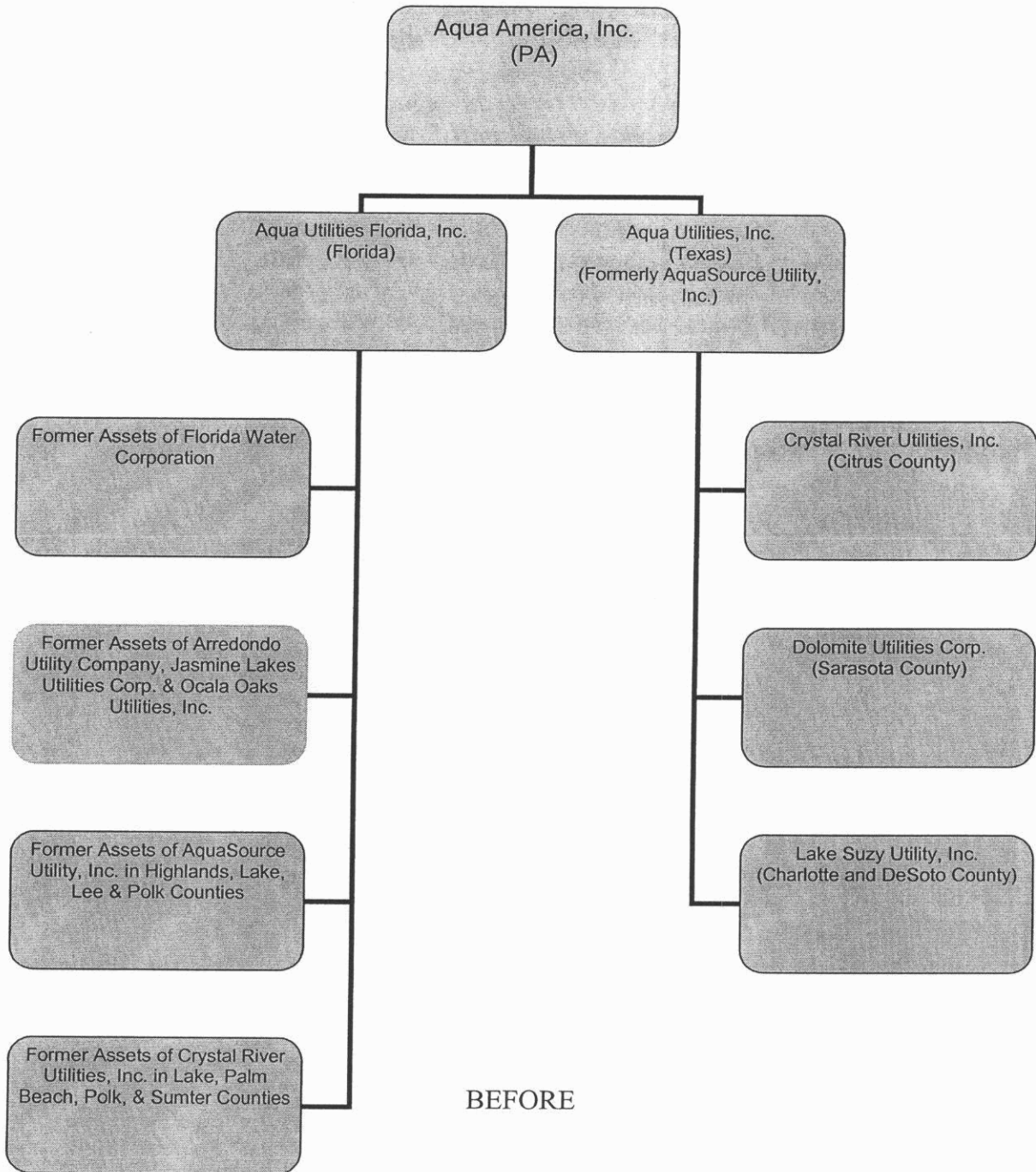
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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

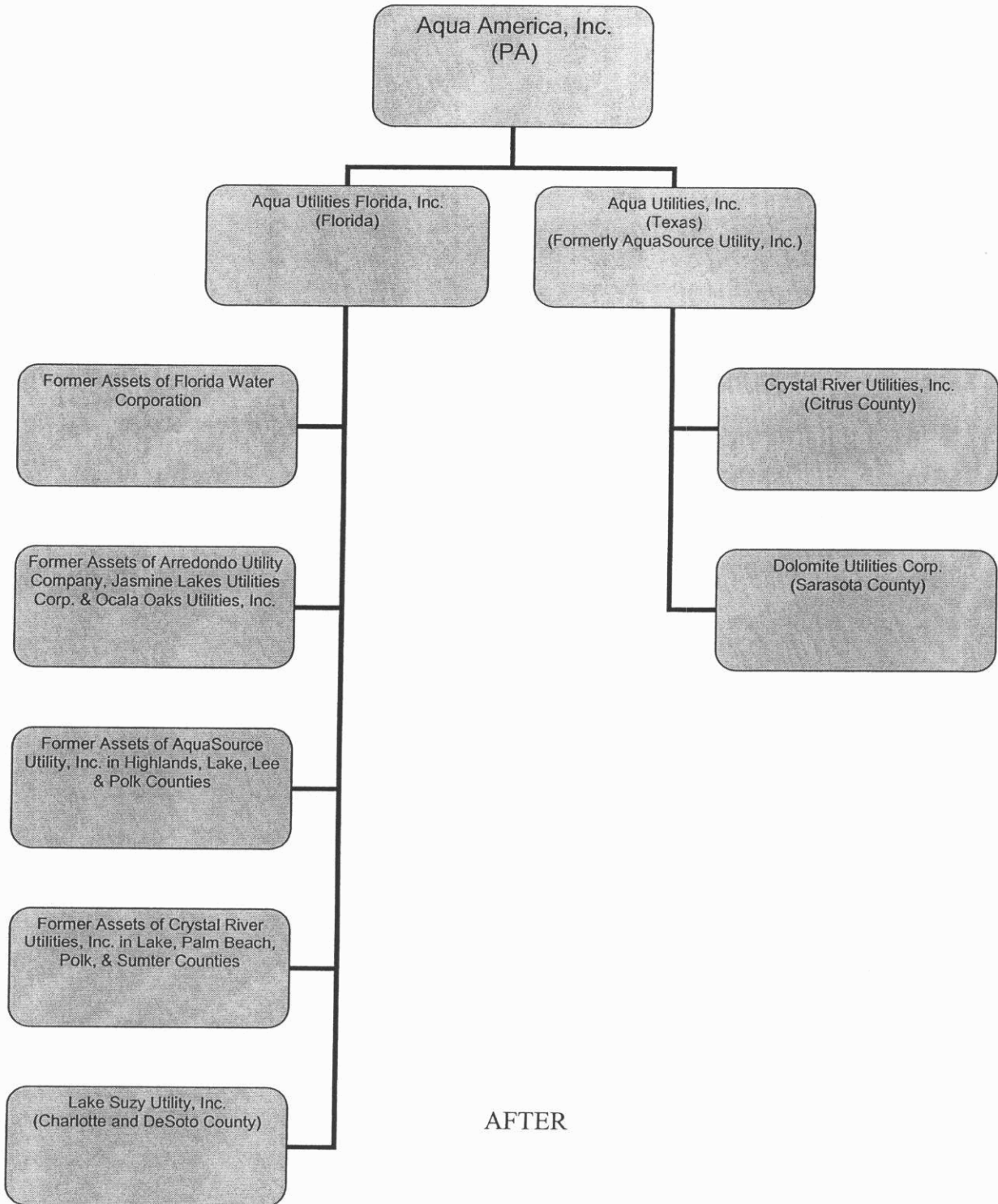
The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. 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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.

PRIOR TO REORGANIZATION



AFTER REORGANIZATION



AFTER

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 514-S**

to provide wastewater service in DeSoto and Charlotte Counties in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-00-0575-PAA-WS	03/22/2000	970657-WS	Original Certificate
PSC-04-0715-FOF-WS	07/21/2004	040359-WS	Name Change
PSC-05-0313-FOF-WS	03/21/2005	041294-WS	Transfer Government
PSC-05-0313A-FOF-WS	05/20/2005	041294-WS	Correction
PSC-07-0863-FOF-WS	10/29/2007	041294-WS	Unwind Transfer Government
PSC-08-0443-FOF-WS	07/10/2008	080311-WS	Reorganization / Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 599-W**

to provide water service in DeSoto and Charlotte Counties in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

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