

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint application for acknowledgement of corporate reorganization and approval of name change on Certificate No. 137-S in Brevard County from Merritt Island Utility Company, Inc. to Florida Community Water Systems, Inc.

DOCKET NO. 20230133-SU
ORDER NO. PSC-2024-0060-FOF-SU
ISSUED: March 11, 2024

ORDER APPROVING CHANGE IN NAME OF UTILITY

BY THE COMMISSION:

By letter dated December 12, 2023, Merritt Island Utility Company, Inc. (Merritt Island or Utility) requested that its name be officially changed to Florida Community Water Systems, Inc (FCWS). The regulated history of the Utility began in 1974, when Mobile Home Investors, Inc. was granted Certificate No. 137-S in Brevard County.¹ The wastewater system and Certificate No. 137-S were subsequently transferred two times, amended once, and underwent two transfers of majority organizational control, prior to being acquired by Merritt Island in 2017.² We granted Merritt Island's transfer of Certificate No. 137-S in 2017.³ Since Merritt Island's acquisition of the wastewater system in Brevard County, we have approved one amendment.⁴

Rule 25-30.039, Florida Administrative Code (F.A.C.), sets forth the filing requirements for changes in name only, with no change in the ownership or control of the utility or its assets. The Utility provided a statement attesting that there will be no change in the ownership or control of the Utility and its assets. The Utility also provided documentation from the Florida Department of State (DOS), Division of Corporations, regarding the Articles of Merger of Merritt Island and FCWS showing that FCWS would be the surviving corporation effective

¹Order No. 6365, issued December 2, 1974, in Docket No. 73391-S, *In re: Application of Mobile Home Investors, Inc., for a certificate to operate an existing sewer utility in Brevard County, Florida.*

²Order No. 7296, issued June 28, 1976, in Docket No. 750664-S, *In re: Application of MOBILE HOME INVESTORS, INC., and COLONY PARK UTILITIES, INC. for approval of the transfer of assets and Certificate No. 137-S from the former to the latter. (Section 367.071, Florida Statutes);* Order No. PSC-03-0320-FOF-SU, issued March 6, 2003, in Docket No. 20020930-SU, *In re: Application for transfer of majority organizational control of Colony Park Utilities, Inc. holder of Certificate No. 137-S in Brevard County, from Robert Warren, Lenore Warren, William Warren, and Carol Kendall to Eileen Rogow, Arthur Rogow, and Philip Young;* Order No. PSC-07-0420-FOF-SU issued May 14, 2007, in Docket No. 20060636-SU, *In re: Application for transfer of majority organizational control of Colony Park Utilities, Inc., holder of Certificate No. 137-S in Brevard County from Eileen Rogow to Michael Abramowitz;* and Order No. PSC-14-0673-PAA-SU, issued December 5, 2014, in Docket No. 20120285-SU, *In re: Application to transfer wastewater facilities and Certificate No. 137-S in Brevard County from Colony Park Utilities, Inc. to Colony Park Development Utilities, LLC.*

³Order No. PSC-2017-0366-PAA-SU, issued September 27, 2017, in Docket No. 20170018-SU, *In re: Application to transfer wastewater system and Certificate No. 137-S in Brevard County from Colony Park Development Utilities, LLC to Merritt Island Utility Company, Inc.*

⁴Order No. PSC-2018-0243-FOF-SU, issued May 10, 2018, in Docket No. 20170142-SU, *In re: Application for amendment of Certificate No. 137-S for extension of wastewater service territory in Brevard County, by Merritt Island Utility Company.*

January 1, 2024. The Utility also provided documentation from the DOS amending FCWS's Articles of Incorporation effective January 1, 2024. On February 7, 2024, the Utility filed a written affirmation stating that it mailed the approved customer notice to its customers on December 28, 2024. We have reviewed the Utility's filings and find that the request for acknowledgement of change in name is in compliance with the provisions of Rule 25-30.039, F.A.C.

Therefore, we issue this order to acknowledge the change of name on Certificate No. 137-S from Merritt Island Utility Company, Inc. to Florida Community Water Systems, Inc. This order shall serve as the Utility's wastewater certificate and shall be retained by the Utility.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Merritt Island Utility Company, Inc., to change its name on Certificate No. 137-S to Florida Community Water Systems, Inc., is hereby approved. It is further

ORDERED that this Order shall serve as the Utility's certificate and 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 11th day of March, 2024.



ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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.

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

**Florida Community Water Systems, Inc.
pursuant to
Certificate Number 137-S**

to provide wastewater service in Brevard County, 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>
6365	12/02/1977	1973391-S	Original Certificate
7296	06/28/1976	19750664-S	Transfer
PSC-03-0320-FOF-SU	03/06/2003	20020930- SU	TMOC
PSC-07-0420-FOF-SU	05/14/2007	20060636- SU	TMOC
PSC-14-0673-PAA-SU	12/05/2014	20120285- SU	Transfer
PSC-2017-0366-PAA-SU	09/27/2017	20170018- SU	Transfer
PSC-2018-0243-FOF-SU	05/10/2018	20170142-SU	Amendment
PSC-2024-0060-FOF-SU	03/11/2024	20230133-SU	Name Change