

ORIGINAL

MEMORANDUM

August 12, 1998

TO : ALICE CROSBY, DIVISION OF LEGAL SERVICES  
 DIVISION OF RECORDS AND REPORTING *LCM*

FROM : STEPHANIE CLAPP, DIVISION OF WATER AND WASTEWATER *@ JKW*  
*SL*

RE : DOCKET NO. 980751-WU: APPLICATION FOR NAME CHANGE ON  
 CERTIFICATE NO. 582-W IN POLK COUNTY FROM KEEN SALES &  
 RENTALS, INC., TO KEEN SALES, RENTALS AND UTILITIES, INC.

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Keen Sales & Rentals, Inc., (Keen or utility) is a Class C utility located in Polk County. Keen was granted grandfather Certificate No. 582-W by Order No. PSC-97-0152-FOF-WU, issued February 11, 1997, in Docket No. 961007-WU. The utility serves approximately 100 residential customers in the Ray Keen, Earlene Keen, and Ellison Park Subdivisions. According to the most recent information available, Keen's 1997 annual report filed with this Commission, the utility had annual operating revenues of \$48,356.01 and a net income of \$7,271.90.

On June 15, 1998, Keen filed an application with this Commission for acknowledgment of a change in the name to Keen Sales, Rentals & Utilities, Inc. However, upon reviewing documents submitted with the application it became apparent that the new name on file with the Secretary of State was Keen Sales, Rentals and Utilities, Inc. The utility filed a corrected application with the Commission on July 15, 1998.

ACK \_\_\_\_\_ Upon review by staff, it appeared that the filing more  
 AFA \_\_\_\_\_ appropriately reflects a petition for acknowledgment of a corporate  
 APP \_\_\_\_\_ reorganization. Keen Sales & Rentals, Inc., still exists  
 CAF \_\_\_\_\_ predominately as a real estate sales and rental business. The new  
 CMU \_\_\_\_\_ corporation was established solely for the utility business. The  
 CTR \_\_\_\_\_ application shows that there is no change in the ownership or  
 control of the utility or its assets.

EAG \_\_\_\_\_ The complete name, address and type of business of the  
 LEG \_\_\_\_\_ certificated utility is Keen Sales, Rentals and Utilities, Inc.,  
 LIN \_\_\_\_\_ 685 Dyson Road, Haines City, Florida 33844, a Florida corporation.  
 OPC \_\_\_\_\_ The reason given for the change was "to facilitate the records and  
 reporting for the Florida Public Service Commission." The

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effective date of the change was September 27, 1996. A copy of the certificate issued by the Secretary of State showing the corporate organization date was filed with the application.

A copy of the proposed notice to be sent to the customers of the utility informing them of the change was furnished with the application, as well as, an original and two copies of the proposed water tariff reflecting the name change. The original water certificate has been filed with the Commission for a utility transfer currently being processed.

Section 2.07(C)(3), Administrative Procedures Manual, grants the Director of the Division of Records and Reporting, in coordination with the appropriate industry division and the Division of Legal Services, the authority to approve changes of names of regulated utilities where no change of ownership or control or transfer of assets is involved. As stated in the application, the ownership, control and assets of the utility will not change under the new corporation.

Staff finds the application in compliance with all provision of Rule 25-30.039, Florida Administrative Code, and recommends that an administrative order be issued approving the change of name on Certificate No. 582-W to Keen Sales, Rentals and Utilities, Inc. Staff recommends that the order approve the utility's proposed customer notice and require that the notice be sent to all utility customers upon issuance of the administrative order. Staff also recommends that the utility's proposed water tariff be approved and become effective for services provided or connections made on or after the stamped approval date on the tariff sheets. Furthermore, staff recommends that this docket be closed.

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