



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: JULY 12, 2001

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF LEGAL SERVICES (HARRIS) *JAH* *msd* *pb*
DIVISION OF REGULATORY OVERSIGHT (BRADY) *PD*

RE: DOCKET NO. 010887-WS - APPLICATION FOR APPROVAL OF MERGER OF UTILITIES, INC. AND NUON ACQUISITION SUB, INC., AN ILLINOIS CORPORATION, AND FOR DETERMINATION OF COMMISSION'S JURISDICTION OF SUCH MERGER.

AGENDA: JULY 24, 2001 - REGULAR AGENDA - RULE WAIVER - PROPOSED AGENCY ACTION FOR ISSUE 2- INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: JULY 25, 2001 - 30 DAY STATUTORY DEADLINE FOR RULING ON EMERGENCY PETITION FOR VARIANCE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\010887.RCM

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CASE BACKGROUND

On June 25, 2001, Utilities, Inc. filed an Application for Approval of Merger and Jurisdictional Determination, and an accompanying Petition requesting an emergency temporary variance from Rules 25-30.030(4)(c), 25-30.030(5), (6), and (7), and 25-30.037(3)(i), (j), and (k), Florida Administrative Code. Utilities, Inc., an Illinois corporation, is the corporate parent of 15 utilities within the State of Florida. Those 15 utilities are wholly owned by Utilities, Inc. Utilities, Inc. owns approximately 80 utilities throughout 16 states. Utilities, Inc. does not itself operate any utilities.

Nuon Acquisition Sub, Inc., another Illinois corporation, is seeking to merge with Utilities, Inc., whereby Utilities, Inc.

would be the sole surviving corporation under 100% majority control by Nuon Acquisition Sub, Inc. Nuon Acquisition Sub, Inc. is a wholly owned subsidiary of Nuon, a Netherlands corporation with operations in various countries around the world, specializing in energy and water utilities and related business lines.

The terms of the merger would involve Nuon Acquisition Sub, Inc. being subsumed by Utilities, Inc., with Utilities, Inc. continuing as the sole remaining entity and retaining ownership of the subsidiary utility service providers. This recommendation addresses Utilities, Inc.'s application for jurisdictional determination and petition for an emergency temporary variance from Rules 25-30.030(4)(c), 25-30.030(5), (6) and (7), and 25-30.037(3)(i), (j) and (k), Florida Administrative Code. A subsequent recommendation addressing the merits of the Application for Approval of Merger will be filed for a later agenda conference subject to Commission vote on Issue 1. The Commission has jurisdiction pursuant to Sections 367.071 and 120.542, Florida Statutes.

DISCUSSION OF ISSUES

ISSUE 1: Is the proposed merger between Utilities, Inc. and Nuon Acquisition Sub, Inc. subject to the Commission's jurisdiction, requiring the Commission's approval?

RECOMMENDATION: Yes, the proposed merger is subject to the Commission's jurisdiction and Utilities, Inc. should have to proceed with an Application for Transfer of Majority Organizational Control pursuant to Section 367.071, Florida Statutes. (HARRIS)

STAFF ANALYSIS: As discussed in the Case Background, Utilities, Inc. filed an Application for Approval of Merger and Jurisdictional Determination on June 25, 2001. Paragraph five of that application contains Utilities, Inc.'s argument as to why the proposed merger is not subject to the Commission's jurisdiction, and would appear to be a separate issue from the remaining portion of the document, which addresses the "Application for Approval of Merger" but appears to be an application for a transfer of majority organizational control pursuant to Section 367.071, Florida Statutes

In short, Utilities, Inc. argues that because Utilities, Inc. is not a "utility" as defined by Section 367.021(12), Florida Statutes, then the merger of Utilities, Inc. with Nuon Acquisition Sub, Inc. does not come within the jurisdiction of the Commission. Utilities, Inc. bases this statement in part on the fact that it does not actually provide utility services to consumers, but rather is a parent corporation which wholly owns 15 utility services providers in Florida.

In support, Utilities, Inc. cites several Florida Administrative Code provisions, Rules 25-30.037(3)(c), (h), (i), (j), and (k) which it asserts are inapplicable to this particular merger, with the argument that since the Rules do not apply, then this merger cannot be of the type subject to the Commission's jurisdiction.

Florida Statutes Section 367.021(12) defines "utility" as follows:

"Utility" means a water or wastewater utility and, except as provided in s. 367.022, includes every person, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.
(emphasis added)

In the instant docket, staff believes that Utilities, Inc. fits within the definition of "utility", in that it is the parent company of 15 actual utility service providers. Utilities, Inc. owns 100% of each those companies, and therefore cannot argue it does not "own, operate, manage or control" those systems, even if it, as the parent company and sole shareholder, does not carry out the actual, day to day business of running each individual subsidiary utility service provider. Utilities, Inc.'s apparent argument that, because it does not actually run the day to day operations of each individual wholly-owned utility service provider, exempts it from the definition of a "utility" pursuant to Section 367.021(12) is contrary to the plain language of that statutory provision. Staff recommends that the Commission follow the plain language of the statute and determine that Utilities, Inc. is in fact a "utility" as defined by statute, and therefore is subject to the jurisdiction of the Commission.

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Staff notes that this Commission has in a number of prior dockets adopted an approach consistent with staff's interpretation of Sections 367.021 and 367.071, Florida Statutes.

In Order No. PSC-95-0215-FOF-WS, issued October 11, 1994, in Docket No. 940743-WS, Jacksonville Suburban Utilities Corporation (Jacksonville Suburban) was a wholly owned subsidiary of General Waterworks Corporation (General Waterworks), which was a wholly owned subsidiary of GWC Corporation (GWC). GWC merged into United Water Resources, Inc. (United Water), with the result that United Water became the corporate "grandparent" of Jacksonville Suburban.

On the date the boards of GWC and United Water approved the merger, the senior attorney of General Waterworks informed the Commission of the merger by letter, further advising the Commission that General Waterworks did not believe the merger would require Commission approval under Section 367.071, Florida Statutes, because there were no proposed changes to Jacksonville Suburban's (the actual service provider) operations. Commission Staff informed General Waterworks that Staff believed the merger was in fact subject to the Commission's jurisdiction. In response, Jacksonville Suburban and United Water Resources filed a joint application for transfer of majority organizational control. There is no explicit discussion in the order of the reasoning why the application was filed, but there is explicit discussion that Section 367.071(1), Florida Statutes did apply in this case (a merger of corporate grandparents, with no change to the operations of the actual utility service provider).

The clear language of the Jacksonville Suburban case demonstrates that the Commission did believe it had the statutory duty to approve a merger of corporate parents, even though those parents did not in fact manage the utility service provider. Staff would point out that in that case, the merger involved corporate "grandparents", not the actual "parent" or direct owner of the utility service provider in question.

In a more recent decision, in Order No. PSC-00-0475-FOF-WS, issued March 6, 2000, in Docket No. 991660-WS, United Water Resources (United Water) sought to merge with Lyonnaise American Holdings (Lyonnaise). United Water Resources was the corporate parent of United Waterworks, Inc., which was the corporate parent of United Water, Florida, the actual utility service provider. Lyonnaise American Holdings was a wholly owned subsidiary of Suez

Lyonnaise des Eaux (SLDE), a French corporation with operations in over 120 countries, concentrating in electricity, natural gas, waste services, water services, and communications. Lyonnaise would appear to be very similar to Nuon, the parent of Nuon Acquisition Sub, Inc. (the corporation seeking to merge with Utilities, Inc.).

In Lyonnaise, the Commission exempted United Water Florida from full compliance with several of the same Florida Administrative Code rule provisions from which Utilities, Inc. seeks relief. Further, the language of the order indicated that the Commission granted these rule variances at least in part based on the fact that the actual operations of the utility service provider, United Water Florida, were not changing. There was again no explicit discussion by the Commission of the basis for the assertion of its jurisdiction to approve the transfer.

In another case the Commission found that the reorganization of certain corporate entities did not rise to the level of a Section 367.071, Florida Statutes transfer. In Order No. 25575, issued January 7, 1992, in Docket No. 910662-WS, three utility service providers, Southern States Utilities, Deltona Utilities, and United Florida Utilities Corporation informed the Commission of their intent to merge into one entity. All three were wholly-owned subsidiaries of Topeka Group Incorporated, which was itself a wholly-owned subsidiary of Minnesota Power and Light Company. The Commission found that because all three utility service providers had the same owner, and that no actual ownership or majority organizational control was changing, but rather a restructuring of entities was taking place, the application did not rise to the level of a Section 367.071, Florida Statutes transfer which would require Commission approval. The distinguishing factor in this case was that there was no merger by the parent corporations with other entities or ownership transfers, but rather a reorganization/merger among wholly-owned subsidiaries. As the actual ownership or majority organizational control did not change, the Commission found the reorganization did not rise to the level of a Section 367.071, Florida Statutes, transfer and therefore the approval of the Commission was not required.

As the above orders of the Commission clearly demonstrate, the Commission has a significant history of determining that mergers or transfers of majority organizational control at the corporate parent or grandparent level do require the approval of the Commission pursuant to Section 367.071, Florida Statutes. Therefore, in the

absence of some controlling Commission precedent or clear legislative finding to the contrary, Utilities, Inc.'s argument that the Commission does not have jurisdiction to require Utilities, Inc. to seek Commission approval prior to merging with Nuon Acquisition Sub, Inc. is without merit. Therefore, Staff recommends that the proposed merger is subject to the Commission's jurisdiction and Utilities, Inc. be required to proceed with an application for transfer of majority organizational control pursuant to Section 367.071, Florida Statutes.

ISSUE 2: Should Utilities, Inc.'s request for an emergency temporary variance or waiver from Rules 25-30.030(4)(c), 25-30.030(5), (6), and (7), and 25-30.037(3)(i), (j), and (k) Florida Administrative Code, be granted?

RECOMMENDATION: Yes. Utilities, Inc.'s request for an emergency temporary variance from Rules 25-30.030(4)(c), , 25-30.030(5), (6), and (7), and 25-30.037(i), (j) and (k), Florida Administrative Code, should be granted. (HARRIS, BRADY)

STAFF ANALYSIS:

THE LAW GOVERNING EMERGENCY RULE VARIANCES OR WAIVERS

Rule 28-104.004(2)(a) and (b), Florida Administrative Code, provide that a petition for an emergency waiver shall specify, in addition to the other requirements of Section 120.542(5), Florida Statutes, the following:

(a) The specific facts that make the situation an emergency; and

(b) The specific facts to show that the petitioner will suffer an immediate adverse effect unless the variance or waiver is issued more expeditiously than the time frames provided in Section 120.542, Florida Statutes.

Section 120.542(5), Florida Statutes, states in pertinent part that:

In addition to any requirements mandated by the uniform rules, each petition shall specify:

(a) The rule from which a variance or waiver is sought.

(b) The type of action requested.

(c) The specific facts that would justify a waiver or variance for the petitioner.

(d) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.

Therefore, in order to qualify for an emergency rule variance or waiver, Utilities, Inc. must show specific facts which would justify a waiver or variance, the reason(s) the variance or waiver would serve the purpose of the underlying statute, the specific facts which make Utilities, Inc.'s request an emergency, and the specific facts which demonstrate the immediate adverse effect failure to grant the emergency variance would cause Utilities, Inc.

RULES FROM WHICH VARIANCE IS SOUGHT

Utilities, Inc. has requested a temporary variance from the requirements of Rules 25-30.030(4)(c), (5), (6), and (7), and 25-30.037(3)(i), (j), and (k), Florida Administrative Code, for the purpose of its Application for Approval of Merger and Jurisdictional Determination, filed June 25, 2001.

Rule 25-30.030(4)(c), Florida Administrative Code, states that notice of the application shall include a description, using township, range and section references, of the territory proposed to be either served, added, deleted, or transferred. Utilities, Inc. would use an abbreviated notice which would list the names of the 15 individual utilities and their county of operation.

Rule 25-30.030(5), Florida Administrative Code, requires that the utility shall provide a copy of the notice of application by regular mail to certain listed persons and entities within seven days of filing its application. Utilities, Inc. proposes to provide a copy of the abbreviated notice, requested above, to these persons and entities, in the manner prescribed by rule, but within ten days, instead of seven, of the Commission's determination of its request.

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Rule 25-30.030(6), Florida Administrative Code, requires that no sooner than 21 days before the filing of the application, nor later than seven days after the application is filed, the utility provide a copy of the notice of application to all customers by U.S. Mail. Utilities, Inc. proposes to mail a copy of the abbreviated notice, requested above, within ten days of the Commission's determination on that request.

Rule 25-30.030(7), Florida Administrative Code, requires that the notice of application shall be published once in a newspaper of general circulation in the territory the utility serves. Publication is to be within seven days after the filing of the application. Utilities, Inc. proposes to fulfill this requirement by publication of the abbreviated notice, requested above, within ten days of the Commission's determination.

Rule 25-30.037(3)(i), Florida Administrative Code, requires that the applicant for approval of transfer of majority organizational control file evidence that the utility owns or has continued use of the land upon which the treatment facility is located. Utilities, Inc. requests that the Commission consider the evidence of land ownership which has previously been filed by the individual utilities with the Commission in lieu of re-filing this same information.

Rule 25-30.037(3)(j), Florida Administrative Code, requires an applicant for approval of transfer of majority organizational control to file the original and two (2) copies of tariff sheets reflecting the change in ownership. Utilities, Inc. requests that it not be required to re-file the existing tariff sheets as there is no change in the name of the legal owner.

Rule 25-30.037(3)(k), Florida Administrative Code, requires the applicant for approval of transfer of majority organizational control to file its Certificates of Authorization. Utilities, Inc. requests that it not be required to re-file the Certificates as there are no changes in the name of the legal owner of the certificate holders.

UTILITIES, INC.'S ARGUMENT IN SUPPORT OF EMERGENCY RULE WAIVER AND VARIANCE

As to Rule 25-30.030(4)(c), Florida Administrative Code, Utilities, Inc. requests that it be allowed to use a one page notice

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of application (with a list of names of the 15 utilities in question as well as the county in which they operate), to be provided as required by rule to customers, agencies, and utilities. The proposed sample notice is appended to this recommendation. Utilities, Inc. argues that the customers know the name of the individual utility providing service to them, and will be able to identify that utility on the notice form. Further, Utilities, Inc. argues that, as the purpose of the notice is to allow interested persons an entry into the administrative process, this purpose is accomplished by the one page notice with the name of the utility without an accompanying full legal description.

As to Rules 25-30.030(5), (6) and (7), Florida Administrative Code, Utilities, Inc. requests variance from the dates for service/publication of the notice of application. Essentially, Utilities, Inc. argues that it would be impractical to require adherence to noticing deadlines which relate to the date the actual Application for Approval of Merger and Jurisdictional Determination was filed, before Utilities, Inc. receives a decision from the Commission regarding whether the one page notice variation requested will be approved. Utilities, Inc. states that it will comply with all required notice procedures within 10 days of Commission approval of the notice form variant requested.

As to Rules 25-30.037(i), (j) and (k), Florida Administrative Code, Utilities, Inc. argues that since it does not hold Certificates or tariff sheets, but that they are held by the actual subsidiary utilities, it should not be required to file such in this Application for Approval of Merger and Jurisdiction Determination. Similarly, since the proposed merger will not affect the actual titleholder of the real property on which the 15 utilities are located, it should not be required to file proof of ownership. Utilities, Inc. argues that all of these documents have already been filed with the Commission, in various previous actions with the Commission, and are accessible through the Commission's records. Utilities, Inc. argues that it would serve no useful purpose to be required to file the above documents in this docket, and would constitute an unnecessary burden and expense.

In support of all of the above facts, Utilities, Inc. refers to the fact that this merger is extremely large, involving over 80 utilities in 16 states. Having to wait for a minimum of 90 days for approval from this Commission would cause delay in coordination of the merger with all other states and regulatory bodies, and could

quite possibly cause extreme expense and delay in a merger which is anticipated to be accomplished by the first quarter of 2002.

Utilities, Inc. also asserts that the 15 actual utility service providers, the corporate subsidiaries of Utilities, Inc., will not in any way be changing. Those utilities will retain the same names, rate structures, and even ownership, in that Utilities, Inc. will remain the corporate parent of all 15 utility companies, with Nuon Acquisition Sub, Inc. being merged into Utilities, Inc.

STAFF ANALYSIS

Staff in general agrees with the arguments of Utilities, Inc. regarding the specific facts of this Petition and is therefore recommending that the Commission grant the variances or waivers requested by Utilities, Inc. Staff believes Utilities, Inc. has demonstrated specific facts which justify a waiver or variance, that variance or waiver would serve the purposes of the underlying statute, that the situation is an emergency, and that Utilities, Inc. will suffer an immediate adverse effect if the variances or waivers are not granted.

Section 120.542(8), Florida Statutes, allows the Commission 90 days to grant or deny a non-emergency petition for variance or waiver after it is deemed complete. In addition, Section 120.542(5) allows for an additional 30 days for the Commission to determine if the application is complete. With time for Utilities, Inc. to add any additional information required by the Commission to complete the Petition, it could take in excess of 120 days for the Commission to approve the Petition for Variance or Waiver. As Utilities, Inc. is pursuing a multi-state merger, with coordinated timetables and schedules, which must be completed before further progress on the merger can be taken, Utilities Inc. has justified the use of the emergency rule waiver procedure. Staff believes these facts constitute sufficient grounds for the Commission to find that this is an emergency situation which would support the granting of an emergency rule variance or waiver.

Staff believes that the 90 day statutorily authorized time to process the non-emergency rule waiver or variance procedure would in fact cause Utilities, Inc. to suffer adverse and immediate effects by not being able to coordinate the regulatory approval with other state public service commissions because of the merger's timetable. Further, Staff also supports Utilities, Inc.'s

contention that it is likely all regulatory approvals would be secured and the merger completed by the first quarter of 2002 and that it is unreasonable for Utilities, Inc. to expend the necessary funds in the other regulatory entities before proceeding in Florida because of the 90 plus day delay. Therefore, staff recommends that proceeding under the Emergency Variance and Waiver provisions of the Uniform Rule (Rule 28-104.004) is appropriate.

Staff believes that Utilities, Inc.'s position for emergency temporary waiver should be granted for the reasons set forth below. The underlying statute pertaining to the rules requested to be waived in this instance are Sections 367.071 and 367.045, Florida Statutes. Section 367.071(1), Florida Statutes, requires Commission approval for a transfer of majority organizational control. Section 367.071(4), Florida Statutes, requires that this type of application be disposed of as provided in Section 367.045, Florida Statutes. Section 367.045(1)(a), Florida Statutes, states that a utility shall "[p]rovide notice of the actual application filed by mail or personal delivery to the governing body of the county or city affected, to the Public Counsel, to the commission, and to such other persons and in such other manner as may be prescribed by commission rule." The purpose of Sections 367.071 and 367.045, Florida Statutes, is to ensure that the utility's actions are in the public interest and that the utility has provided notice as prescribed by statute and the Commission's rules. Utilities, Inc. will satisfy the underlying purposes of the statutes by using a one-page notice of its Application for Approval of Merger and Jurisdictional Determination. In order to satisfy the purpose of the statutes, the abbreviated notice will be provided by U.S. Mail to each consumer, published in the newspaper of general circulation in each county served by a utility owned by Utilities, Inc., and sent to all other required persons or bodies.

In support of its petition for an emergency temporary waiver, Utilities, Inc. cites to Order No. PSC-99-2422-PAA-WS, issued December 9, 1999, in Docket No. 991660-WS; In re: Petition by United Water Florida Inc. for emergency temporary variance from Rule 25-30.030(4)(c), Florida Administrative Code as an example of the Commission granting a temporary variance of the same rules that Utilities, Inc. is requesting a temporary variance from in this instance. In that matter the Commission stated that "United Water Florida, Inc. shall provide by mail, to customers, agencies, and utilities a one page notice (with a map of its territories) of its application for transfer." Moreover, the Commission allowed

newspaper publication under the same reasoning. The distinguishing factor in that case was the inclusion, with the notice, of a map visually representing the service areas.

Utilities, Inc. did not ask specifically to be relieved of the requirement that a map be appended to the proposed abbreviated notice, but it appears that Utilities Inc. does not intend to provide a map with the notice. The proposed abbreviated notice provided to the Commission does not include a map, and in this case there would have to be 15 separate maps, one for each utility. Since the purpose of the notice is to ensure the customers receive clear notice of this proceeding and an entry into the administrative process, staff does not believe that in this case a map or visual representation should be required in addition to the one page notice. Staff believes the addition of at least 15 maps would increase confusion to customers about whether they are served by one of the affected utilities. The customers can be expected to know by which water utility they are served, and the abbreviated notice proposed by Utilities, Inc. without the map will provide them with a sufficient point of entry to participate in the administrative process, should they choose. In fact, the one page format, with a list of utility names and counties, may be easier for consumers to understand, since they will be able to quickly and easily scan the one page list and determine if their utility is on it, without resort to several paragraphs or even pages of possibly confusing information.

Staff believes that Utilities, Inc.'s proposed notice is an acceptable way to provide actual notice of the Application and the territories affected, which will best ensure that affected persons receive actual notice of Utilities, Inc.'s application. Therefore, staff believes that the underlying purpose of the statutes will be met by providing a one page notice which clearly and simply conveys that the application has been filed to all the required persons and bodies.

With respect to the filing of proof of ownership of land upon which the facility is located, certificates of authorization, and tariff sheets, (Rules 25-30.037(3)(i), (j), and (k)), staff believes that requiring Utilities, Inc. to file these documents from each of the 15 subsidiary corporations in this docket would be unduly burdensome to Utilities, Inc. and would not further the underlying purposes of the statute. Since no change in the name of the parent corporation of these subsidiaries is taking place, nor are the names

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of the 15 actual utility corporations themselves changing, there will be no changes to any of these documents. As all of these documents are on file with the Commission, staff sees no reason to require Utilities, Inc. to file documents in this docket which reflect no changes, and recommends the Commission grant a variance from the requirement that these documents be filed with the application to transfer majority organizational control.

In conclusion, staff recommends that Utilities, Inc.'s request for an emergency temporary variance from Rules 25-30.030(4)(c), (5), (6), (7), and 25-30.037(i), (j), and (k), Florida Administrative Code, be granted.

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ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. If the Commission accepts staff's recommendation on Issue 1, the docket should remain open to dispose of Utilities, Inc.'s Application for Approval of Merger. If the Commission accepts staff's recommendation on Issue 2, the order granting the emergency waiver or variance will be final and effective upon the issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action portion of the order. (HARRIS)

STAFF ANALYSIS: Utilities, Inc. has filed an Application for Approval of Merger. If the Commission adopts staff's recommendation that the merger is within the Commission's jurisdiction and is therefore subject to approval by the Commission, then this docket should remain open for the processing of this application.

With respect to Utilities, Inc.'s Emergency Petition for Variance or Waiver of Rules, if the Commission adopts staff's recommendations, the result will be a Proposed Agency Action Order. Interested persons whose substantial interests are affected by that Order would have 21 days of the date of issuance of the Order to protest said Order. This docket should be left open to allow interested persons time to file protests within that 21 day period and have a point of entry into the administrative process regarding the rule variances or waivers. If there are no protests, the Proposed Agency Action portion of the Order will be final and effective upon the issuance of the Consummating Order.

NOTICE OF APPLICATION FOR A TRANSFER
OF MAJORITY ORGANIZATIONAL CONTROL
LEGAL NOTICE

Notice is hereby given on June __, 2001, pursuant to Section 367.071, Florida Statutes, of the application for transfer of majority organizational control of Utilities, Inc. to Nuon Acquisition Sub, Inc. THIS APPLICATION IS NOT A REQUEST TO CHANGE THE RATES OF ANY OF THE BELOW LISTED SUBSIDIARIES. The following are the wholly owned subsidiaries of Utilities, Inc. which are certificated by the Florida Public Service Commission and their counties of operation:

Alafaya Utilities, Inc.	Seminole
Bayside Utility Services, Inc.	Bay
Cypress Lakes Utilities, Inc.	Polk
Lake Groves Utilities, Inc.	Lake
Lake Placid Utilities, Inc.	Highlands
Lake Utility Services, Inc.	Lake
Mid-County Services, Inc.	Pinellas
Miles Grant Water & Sewer Company	Martin
Sandy Creek Utility Services, Inc.	Bay
Sanlando Utilities Corporation	Seminole
Tierra Verde Utilities, Inc.	Pinellas
Utilities, Inc. of Eagle Ridge	Lee
Utilities, Inc. of Florida	Seminole, Orange Pasco, Marion, Pinellas
Utilities, Inc. of Longwood	Seminole
Utilities, Inc. of Sandalhaven	Charlotte
Wedgfield Utilities, Inc.	Orange

Any objection to the said application must be made in writing and filed within thirty (30) days from this date to the Director, Division of Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oaks Boulevard, Tallahassee, FL 32399-0850. A copy of said objection should be mailed to the attorney for the applicant who is: Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blainstone Pines Drive, Tallahassee, FL 32301.