

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for name
change on Certificate No. 298-S
in Lee County from Chateau
Communities, Inc. to Del Tura
Phase I, LLC.

DOCKET NO. 030749-SU
ORDER NO. PSC-03-1136-FOF-SU
ISSUED: October 10, 2003

ORDER APPROVING NAME CHANGE
AND CLOSING DOCKET

BY THE COMMISSION:

On August 1, 2003, Chateau Communities, Inc. (Chateau or utility), filed an application with this Commission requesting approval to change its name from Chateau to Del Tura Phase I, LLC (Del Tura), a limited liability company, pursuant to Rule 25-30.039, Florida Administrative Code. Chateau holds Certificate No. 298-S.

The utility, originally known as North Trail Utilities (North Trail), was purchased along with the development it served in 1994 when Chateau purchased the majority organizational control of Sun Coast Investment Group, Ltd. (Sun Coast). The transfer was approved by Order No. PSC-96-0770-FOF-SU, issued June 17, 1996, in Docket No. 950781-SU. Because the name, North Trail, was not registered with the Department of State, the utility was certificated in the name of the purchaser, Chateau. The utility remained under the ownership and management of Sun Coast which was under the majority ownership and control of Chateau.

Rule 25-30.039, Florida Administrative Code, governs changes in name only, with no change in ownership or control of the utility or its assets. The purpose of the name change to Del Tura is to have the utility's name more reflective of the name of the development it serves. A statement has been provided that assures there is no change in ownership or majority organizational control of the utility and its assets. Both before and after the name change the utility and assets remain under the control of Sun Coast. The application included a copy of a recorded warranty deed showing that Del Tura owns the land upon which its facilities are located.

DOCUMENT NUMBER-DATE

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The application included information from the Florida Department of State showing that the name, Del Tura, is registered with the Division of Corporations. The application also included a copy of the proposed notice to be sent to the customers of the utility informing them of the change in the name of the utility. The utility also filed a copy of a tariff reflecting the name change.

Based on the foregoing, we find that Chateau's request to change its name to Del Tura is in the public interest and it is approved. The proposed customer notice filed with the application is hereby approved. The utility shall send a copy of the notice to its customers with the next regular billing. The tariff reflecting the name change is hereby approved, and shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets.

It is, therefore,

ORDERED by the Florida Public Service Commission that the request of Chateau Communities, Inc., 6160 South Syracuse Way, Greenwood Village, Colorado 80111, to change its name to Del Tura Phase I, L.L.C., 6160 South Syracuse Way, Greenwood Village, Colorado 80111, is hereby approved. It is further

ORDERED that Del Tura Phase I, L.L.C. shall send a copy of the approved notice of the change in the utility's name to its customers with the next regular billing. It is further

ORDERED that the tariff reflecting the new name of the utility shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets. It is further

ORDERED that this docket is hereby closed.

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By ORDER of the Florida Public Service Commission this 10th
Day of October, 2003.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(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 Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak

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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.