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Public Service Commission

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COMMISSION CLERK

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

DATE: October 7, 2004

TO: Ralph R. Jaeger, Senior Attorney, Office of the General Counsel

FROM: Patricia L. Brady, Regulatory Analyst IV, Division of Economic Regulation *pb pd*

RE: Docket No. 040602-WU, Application for name change on Certificate No. 56-W in Lee County from Mobile Manor, Inc. to Mobile Manor Water Company, Inc. *ESK TJS*

On June 23, 2004, an application was filed on behalf of Mobile Manor, Inc. for authority to change the name on Certificate No. 56-W from Mobile Manor, Inc. to Mobile Manor Water Company, Inc. The application was filed pursuant to Rule 25-30.039, Florida Administrative Code, which provides for changes in name only, with no change in the ownership or control of the utility or its assets.

The reason given for the name change was for tax, accounting and liability purposes. A statement was provided by the Treasurer of the Board of Directors for Mobile Manor, Inc., attesting that the change in name will not change ownership, control or the service provided to customers. The application included documentation by the Florida Department of State, Division of Corporations as evidence that the proposed name was registered as a Florida not-for-profit corporation, effective April 8, 2004. The application contained a copy of the proposed notice to be sent to customers informing them of the name change and revised tariffs reflecting the proposed name change. A statement was provided that a search of the utility's records failed to locate the original certificate.

Section 2.07(C)(2)(a) of the Administrative Procedures Manual grants the Director of the Division of Commission Clerk and Administrative Services, in coordination with the appropriate industry division and the Office of the General Counsel, authority to approve change of names and corporate reorganizations of regulated utilities, where no change of ownership or control or transfer of assets is involved. Staff, therefore, recommends that the request for change in name is in compliance with the provisions of Rule 25-30.039, Florida Administrative Code, and that an administrative order be issued within 30 days approving the change of name on Certificate No. 56-W from Mobile Manor, Inc. to Mobile Manor Water Company, Inc. The revised tariffs should be approved and effective for services rendered on or after the stamped approval date. Finally, upon issuance of the order, the docket should be closed.

cc: Division of Economic Regulation (Slemkewicz)
Division of the Commission Clerk and Administrative Services

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