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State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION
CLERK

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

DATE: October 18, 2004

TO: Martha Brown, Office of the General Counsel

FROM: Stephanie Clapp, Division of Economic Regulation *[Signature]*

RE: Docket No. 040765-WS, Application for name change on Certificate Nos. 277-W and 223-S in Seminole County from CWS Communities LP d/b/a Palm Valley to CWS Communities LP d/b/a Palm Valley Utilities.

On July 21, 2004, an application was filed on behalf of CWS Communities LP d/b/a Palm Valley for authority to change the name on Certificate Nos. 277-W and 223-S from CWS Communities LP d/b/a Palm Valley to CWS Communities LP d/b/a Palm Valley Utilities. 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 is a change in the billing system will result in a separate bill for water and wastewater utilities. A name change would distinguish the water and wastewater billing from the rent invoice. A statement was provided by the Manager of Hometown Residential Manager, LLC, grandparent company of CWS Communities LP d/b/a Palm Valley development, 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 fictitious name effective June 25, 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 the original certificates were filed with the Commission as part of the filing requirements of Docket No. 030998-WS.

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 Nos. 277-W and 223-S from CWS Communities LP d/b/a Palm Valley to CWS Communities LP d/b/a Palm Valley Utilities. 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.

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

DOCUMENT NUMBER-DATE

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