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STATE OF FLORIDA



DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

September 27, 2022

F. Marshall Deterding, Esquire
Sundstrom & Mindlin, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
mdeterding@sfflaw.com

VIA EMAIL

Re: Docket No. 20220156-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 Utilities to Hometown Palm Valley, LLC d/b/a Palm Valley Utilities.

Dear Mr. Deterding:

Florida Public Service Commission (Commission) staff has reviewed CWS Communities, LP's (CWS or Utility) notice for name change (filing) on Certificate Nos. 277-W and 223-S from CWS Communities, LP d/b/a Palm Valley Utilities to Hometown Palm Valley, LLC d/b/a Palm Valley Utilities. After reviewing this information, we find the filing to be deficient. The specific deficiencies are identified as:

1. **Utility Information.** Rule 25-30.039(2)(a), Florida Administrative Code, (F.A.C.), requires that, before notifying its customers of a utility name change, the utility shall provide Commission staff with the utility's certificated name, address, telephone number, certificate number(s), authorized representative, and, if available, email address and fax number. Several elements of this requirement need to be corrected as follows:
 - a. The telephone number provided in the filing does not match the information contained in the Commission's Master Commission Directory (MCD). To update the Utility's contact information, CWS should submit a "Change of Regulated Utility Contact Information" form, located on the Commission's website under the Clerk's Office tab. If the information discussed in Item 1b below needs updating as well, please update it.
 - b. In addition, the filing does not contain the Utility's email address or fax number. Since the email and fax information were not included in the Utility's filing, staff was unable to determine whether they will also need to be updated. For your convenience, the MCD database currently reflects the following email addresses and fax number for CWS:

- i. tpassaro@hometownamerica.net
 - ii. gmorse@tampabay.rr.com
 - iii. (312) 205-1299 (fax)
 - c. Although the title assigned to the docket by the Clerk's office contains CWS's certificate numbers, the Utility did not provide them in its filing. Please provide the water and wastewater certificate numbers as required by Rule 25-30.039-(2)(a), F.A.C.
2. **Department of State Documentation.** Rule 25-30.039(2)(b), F.A.C., requires that the Utility provide the change in name and documentation from the Florida Department of State, Division of Corporations, showing:
- a. The utility's business name and registration/document number for the business, unless operating as a sole proprietor; and,
 - b. The utility's fictitious name and registration number for the fictitious name, if operating under a fictitious name.

The document provided in the filing shows Hometown Palm Valley, L.L.C.'s current registration information, but does not contain documentation pertaining to the name change from CWS Communities, LP d/b/a Palm Valley Utilities to Hometown Palm Valley, LLC d/b/a Palm Valley Utilities. In addition, no documentation was provided showing that Hometown Palm Valley, L.L.C. is the owner of the fictitious name "Palm Valley Utilities." Finally, the certificated name of a utility must match the name reflected in its Department of State, Division of State Corporations registration. The proposed change in name provided in the Utility's filing shows the new name as Hometown Palm Valley, LLC d/b/a Palm Valley Utilities, not Hometown Palm Valley, L.L.C. d/b/a Palm Valley Utilities. Please provide:

- i. CWS Communities, LP/ Hometown Palm Valley, L.L.C.'s change of name documentation filed with the Department of state, Division of State Corporations.
- ii. Hometown Palm Valley, L.L.C.'s documentation showing its fictitious name and registration number for the fictitious name "Palm Valley Utilities."
- iii. A statement amending the Utility's business name from Hometown Palm Valley, LLC d/b/a Palm Valley Utilities to Hometown Palm Valley, L.L.C. d/b/a Palm Valley Utilities.

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Your notice for name change will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **Friday, October 28, 2022**, to the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Should you have any questions concerning the information in this letter, please feel free to contact Mrs. Melinda Watts by phone at (850) 413-6952 or email at mwatts@psc.state.fl.us for technical questions, or Ms. Natalia Rivera-Pacheco by phone at (850) 413-6220 or email at nrivera@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

/s/ Melinda Watts

Melinda Watts
Engineering Specialist

MW:pz

cc: Office of Commission Clerk (Docket No. 20220156-WS)