

State of Florida



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: April 5, 2023

TO: Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel

FROM: Tom Ballinger, Director, Division of Engineering *TB*

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.

On September 9, 2022, a request was filed on behalf of CWS Communities, LP d/b/a Palm Valley Utilities (Palm Valley or Utility) for acknowledgement of the name change of the Utility. The regulated history of the Utility began in 1976, when Eco-San, Inc. was granted Certificate Nos. 277-W and 223-S in Seminole County.¹ The water and wastewater systems and Certificate Nos. 277-W and 223-S were subsequently transferred once, amended five times, and underwent one transfer of majority organizational control and one name change prior to being acquired by Palm Valley in 2000.² The Florida Public Service Commission (Commission) granted Palm Valley's transfer of Certificate Nos. 277-W and 223-S in 2000.³ Since Palm Valley's acquisition of the water and wastewater systems in Seminole County, the Commission has approved two

¹ Order No. 7518, issued November 22, 1976, in Docket No. 19750660-WS, *In re: Application of Eco-San, Inc. for certificates to operate a water and sewer utility in Seminole County, Florida. Section 367.171, Florida Statutes.*

² Order No. 8402, issued July 18, 1978, in Docket No. 19780469-WS, *In re: Application for the sale and transfer of all the outstanding stock of ECO-SAN, INC. in Seminole County, Florida, pursuant to Section 367.017, Florida Statutes*; Order No. 9626, issued November 5, 1980, in Docket No. 19790519-WS, *In re: Application of Eco-San, Inc. for amendment of Certificate Nos. 277-W and 223-S to include territory in Seminole County, Florida*; Order No. 10552, issued January 27, 1982, in Docket No. 1981030149-WS, *In re: Application of ECO-SAN, INC. for amendment of Certificate Numbers 277-W and 223-S to include additional territory in Seminole County, Florida*; Order No. 12714, issued November 30, 1983, in Docket No. 19830530-WS, *In re: Application of ECO-SAN, INC. for amendment of Certificate Nos. 277-W and 223-S to include additional territory in Seminole County, Florida*; Order No. 14480, issued June 18, 1985, in Docket No. 19850040-WS, *In re: Application by ECO-SAN, INC. for amendment to Certificate Nos. 223-S and 277-W in Seminole County, Florida*; Order No. 16360, issued July 16, 1986, in Docket No. 19860583-WS, *In re: Application for transfer of Certificates Nos. 277-W and 223-S in Seminole County, from ECO-SAN, INC. to CLAYTON, WILLIAMS AND SHERWOOD, INC.*; Order No. 19149, issued April 15, 1988, in Docket No. 19880230-WS, *In re: Request of CLAYTON, WILLIAMS & SHERWOOD, INC. for name change on Certificates No. 277-W and 223-S in Seminole County to ALAFAYA PALM VALLEY ASSOCIATES, LTD.*; and Order No. 23094, issued June 20, 1990, in Docket No. 19900166-WS, *In re: Application for amendment of Certificates Nos. 277-W and 223-S in Seminole County by ALAFAYA PALM VALLEY ASSOCIATES, LTD.*

³ Order No. PSC-00-1675-PAA-WS, issued September 18, 2000, in Docket No. 19991984-WS, *In re: Application for transfer of Certificate Nos. 277-W and 223-S in Seminole County from Alafaya Palm Valley Associates, Ltd. to CWS Communities LP d/b/a Palm Valley.*

transfers of majority organizational control of the Utility's parent company, two amendments, and one name change.⁴

Rule 25-30.039, Florida Administrative Code (F.A.C.), sets forth the filing requirements for changes in name only, with no change in the ownership or control of the utility or its assets. The Utility provided a statement attesting that there will be no change in the ownership or control of the Utility and its assets and, pursuant to requests from staff, filed additional information confirming all relevant facts. The Utility also provided documentation from the Florida Department of State, Division of Corporations, that the new corporation was registered in Florida effective December 5, 2018. On March 22, 2023, the Utility filed an affidavit stating that it mailed the approved customer notice to its customers with their bill on March 20, 2023. Staff has reviewed the Utility's filings and finds that the request for acknowledgement of change in name is in compliance with the provisions of Rule 25-30.039, F.A.C.

Section 2.07(C)(2)(a) of the Commission's Administrative Procedures Manual grants the Director of the appropriate technical division and the Office of the General Counsel authority to approve changes of names and corporate reorganizations of regulated utilities, where no change of ownership or control or transfer of assets is involved, by notifying the Office of Commission Clerk. Therefore, staff recommends that an administrative order be issued within 30 days acknowledging the change of name 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. The resultant order should serve as the Utility's water and wastewater certificates and should be retained by the Utility. Finally, upon issuance of the order, the docket should be closed.

TB/MW/jp

Attachment

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

⁴ Order No. PSC-00-2243-PAA-WS, issued November 27, 2000, in Docket No. 20001138-WS, *In re: Application for amendment of Certificate Nos. 277-W and 223-S to add territory in Seminole County by CWS Communities LP d/b/a Palm Valley*; Order No. PSC-02-1029-FOF-WS, issued July 29, 2002, in Docket No. 20020122-WS, *In re: Request for approval of transfer of majority organizational control of CWS Communities LP d/b/a Palm Valley, holder of Certificate Nos. 277-W and 223-S in Seminole County, from CWS Communities Trust to CP Limited Partnership, known in Florida as Chateau Communities Limited Partnership*; Order No. PSC-05-0186-PAA-WS, issued February 17, 2005, in Docket No. 20030998-WS, *In re: Joint application for approval of transfer of majority organizational control of Chateau Communities, Inc., grandparent of Del Tura Phase I, LLC d/b/a Del Tura Utilities, holder of Certificate No. 298-S in Lee County; CWS Communities LP d/b/a Palm Valley Utilities, holder of Certificate Nos. 277-W and 223-S in Seminole County; and CWS Communities LP, holder of Certificate No. 518-W in Lake County, to Hometown America, L.L.C.*; Order No. PSC-04-1169-FOF-WS, issued November 23, 2004, in Docket No. 20040765-WS, *In re: Application for name change on Certificate Nos. 223-S and 277-W in Seminole County from CWS Communities LP d/b/a Palm Valley to CWS Communities LP d/b/a Palm Valley Utilities*; and Order No. PSC-05-0425-FOF-WS, issued April 20, 2005, in Docket No. 20041418-WS, *In re: Application for deletions and amendments to portions of service territory in Seminole County by CWS Communities LP d/b/a Palm Valley Utilities, holder of Certificates 277-W and 223-S.*

FLORIDA PUBLIC SERVICE COMMISSION
Authorizes
Hometown Palm Valley, LLC d/b/a Palm Valley Utilities.
pursuant to
Certificate Number 277-W

to provide water service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
7518	11/22/1976	19750660-WS	Original Certificate
8402	07/18/1978	19780469-WS	TMOC
9626	11/05/1980	19790519-WS	Amendment
10552	01/27/1982	19810309-WS	Amendment-dismissed
12714	11/30/1983	19830530-WS	Amendment
14480	06/18/1985	19850040-WS	Amendment
16360	07/16/1986	19860583-WS	Transfer
19149	04/15/1988	19880230-WS	Name Change
19149-A	09/14/1988	19880230-WS	Correction
23094	06/20/1990	19900166-WS	Amendment
PSC-00-1675-PAA-WS	09/19/2000	19991984-WS	Transfer
PSC-00-2243-PAA-WS	11/27/2000	20001138-WS	Amendment
PSC-02-1029-FOF-WS	07/29/2002	20020122-WS	TMOC
PSC-04-1169-FOF-WS	11/23/2004	20040765-WS	Name Change
PSC-05-0168-FOF-WS	02/17/2005	20030998-WS	Parent TMOC
PSC-05-0425-FOF-WS	04/20/2005	20041418-WS	Amendment
*	*	20220156-WS	Name Change

*** Order Number and date to be provided at time of issuance.**

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

**Hometown Palm Valley, LLC d/b/a Palm Valley Utilities
pursuant to
Certificate Number 223-S**

to provide wastewater service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

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23094	06/20/1990	19900166-WS	Amendment
PSC-00-1675-PAA-WS	09/19/2000	19991984-WS	Transfer
PSC-00-2243-PAA-WS	11/27/2000	20001138-WS	Amendment
PSC-02-1029-FOF-WS	07/29/2002	20020122-WS	TMOC
PSC-04-1169-FOF-WS	11/23/2004	20040765-WS	Name Change
PSC-05-0168-FOF-WS	02/17/2005	20030998-WS	Parent TMOC
PSC-05-0425-FOF-WS	04/20/2005	20041418-WS	Amendment
*	*	20220156-WS	Name Change

*** Order Number and date to be provided at time of issuance.**