

Date: October 5, 2005

From: Patsy Fulton

RE: Docket No. 05-00162

Subject: ~~Phone~~ Conversation with Mr. Charles Pickney

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I had a telephone conversation with Mr. Pickney today informing him that we do not have a copy of the TDEC permit for the Highland area that he stated would be sent to us in his Data Response of July 25, 2005. I explained that we needed to know where the exact area (The Highlands) was located that TDEC had approved. I also asked him to provide a copy of the plans and specs of the Clarkrange area as submitted to TDEC. I explained to him that the letter he provided from the Mayor of Fentress County with the Data Response did not state the requirement that Tennessee Wastewater Systems, Inc. serve the Fentress County Service Area requested in the Petition. The Mayor of Fentress County requested only specific areas within Fentress County in his letter of public need. Finally, we discussed his response to question # 12 of the Data Response filed on July 25, 2005 concerning a Franchise Agreement with Fentress County. Mr. Pickney stated in his response "Based on discussions we have had with the County Mayor, Mr. John B. Mullinix, we believe that the county would grant a franchise for the proposed service area if we request it". I asked Mr. Pickney if could get a franchise agreement? He said he thought he could but that it would take a while. He stated he would check and see what he could do and how long it would take.

October 6, 2005

Mr. Pickney called me back and stated that he was going to be in town with the Mayor of Fentress County, John Mullinix, the next day and asked if they could stop by to talk to someone about this Petition. Staff was not available to meet with Mr. Pickney that day. I suggested to Mr. Pickney that he provide an amendment to his Data Response of July 25th that includes the final TDEC permit as well as any other information that has been filed with TDEC (plans and specs) on both the Clarkrange territory and the Highlands. Additionally, I suggested that if the Franchise was not going to be available we would need a letter from the Mayor of Fentress County stating the need for Tennessee Wastewater Systems, Inc. to serve all of the requested area (Fentress Service Area). The previous letters from the Mayor of Fentress County, (letter with the original petition and the letter in the Data Response of July 25, 2005) state the public need to be the "service around the Big South Fork National River and Recreation Area" and "the southern portion of Fentress County" which is not the whole area being requested in the petition