



7638 River Road Pike  
Nashville, TN 37209

May 30, 2006

T.R.A. DOCKET ROOM

Mrs. Darlene Standley, Chief  
Utilities Division  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

RE: Tennessee Wastewater Systems, Inc.'s Petition to Amend Certificate of Public Convenience and Necessity to Provide Wastewater Utility Services  
**Docket # 06-00104 – Happy Creek - Data Response**

Dear Mrs. Standley:

Tennessee Wastewater Systems, Inc. provides the following information per your request dated April 21, 2006.

1. Please provide the number of commercial customers and the number of residential customers to be served by the wastewater system in this docket.

Response: We expect 17 of the units to be commercial and 16 to be residential.

2. Provide a sworn pre-filed direct testimony. This testimony should describe the services to be provided, the applicant's technical, managerial, and financial abilities to provide the services; the public need for the service; a statement that Tennessee Wastewater Systems, Inc. agrees to comply with all Tennessee Regulatory policies, rules and regulations; and a notarized affidavit affirming that all information submitted is true and correct.

Response: Please see the attached, revised Pre-filed Testimony.

3. Identify all complaints filed with any state agency involving your company or affiliated entities. Identify the nature of the complaint, the government agency or office receiving the complaint and how was the complaint resolved.

Response: During the last twelve months we have not received any written complaints from the Tennessee Regulatory Authority. While we have on-going correspondence with the Tennessee Department of Environment and Conservation concerning permit limits, appeals, etc., I would not classify that type of correspondence as a complaint.

4. Please provide a letter from the City of Sevierville of its intention to not supply wastewater service to Happy Creek.

Response: See the attached letter from the City of Sevierville.

5. Please provide a letter from the East Sevier County Utility District of its intention to not supply wastewater to Happy Creek.

Response: Based on the service area granted to East Sevier Utility District by legislation and legal council we have received, we do not believe that East Sevier Utility District has the legal authorization to serve this area.

If you have any further questions, or need any additional information, please feel free to contact me.

Sincerely,



Charles Pickney, Jr.  
President

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**PETITION OF TENNESSEE WASTEWATER ) Docket No.**  
**SYSTEMS, INC. TO AMEND ITS )**  
**CERTIFICATE OF CONVENIENCE AND )**  
**NECESSITY )**

) ) ) ) ) )

## HAPPY CREEK

**PRE-FILED DIRECT TESTIMONY OF CHARLES PICKNEY, JR.**

Q. State your name for the record and your position with the Petitioner, Tennessee Wastewater Systems, Inc.

A. Charles Pickney, Jr. I am the president of Tennessee Wastewater Systems, Inc.

**Q. What is the business of Tennessee Wastewater Systems, Inc. (the Company)?**

A. Providing affordable wastewater service in communities where it is presently unavailable.

Q. When did the Company receive its first certificate from the Authority to operate a sewer system in Tennessee?

A. April 4, 1994.

Q. How many certificates has the Company received from the Authority to provide sewer service across the State of Tennessee?

A. Over 70.

Q. Will Tennessee Wastewater Systems comply with all applicable Tennessee Regulatory rules and regulations?

A. Tennessee Wastewater Systems will comply with all applicable Tennessee Regulatory Authority rules and regulations.

Q. Does the Company have the management, technical and financial ability to provide wastewater service in the area in Sevier County sought in this Petition?

A. Yes.

1  
2 Q. Is there a stated public need for wastewater service in this area?

3  
4 A. The public need for this service is reflected in the letter from the developer Keith  
5 L. Hailes of HMR Development, LLC.

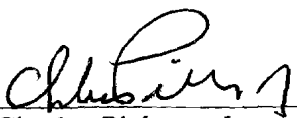
6  
7 Q. How many customers will be served in this development?

8  
9 A. Our company expects to serve approximately 33 residential and commercial lots.

10  
11 Q. Does this conclude your pre-filed testimony?

12  
13 A. Yes.  
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21 I swear that the foregoing testimony is true and correct to the best of my knowledge.  
22  
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25  
26  
27   
28 Charles Pickney, Jr.  
29 President  
30 Tennessee Wastewater Systems, Inc.  
31  
32  
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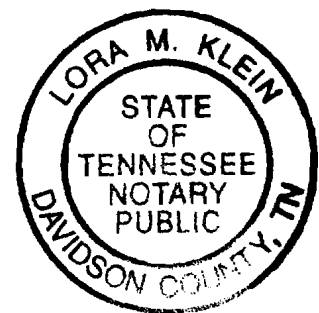
34 Subscribed and sworn to me this 30th day of May, 2006.

35 Notary Public Lora M. Klein

36  
37 State of Tennessee

38  
39 County of Davidson

40  
41 My Commission Expires \_\_\_\_\_  
42 ~~My Commission Expires~~ July 25, 2009  
43



### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the above and foregoing Pre-Filed Direct Testimony of Charles Pickney, Jr. has been served upon the Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, TN 37243-0505 on this 31st day of May 2006 and delivered by hand.

A handwritten signature in cursive script, appearing to read "Charles Pickney, Jr.", written in dark ink.

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CHARLES PICKNEY, JR.



May 24, 2006

Michael Hines, Vice President  
Tennessee Wastewater Systems, Inc.  
P. O. Box 22771  
Knoxville, TN 37933-0771

Re: Sewer Service Availability  
Happy Creek Subdivision, Parcel 22, Tax Map 36

At the present time, sewer service is not available to the proposed Happy Creek subdivision.

Should you need any additional information, please call me at 453-1736.

Sincerely,

A handwritten signature in black ink, appearing to read "SWF", with a long, sweeping horizontal line extending to the right.

Stephen W. Flynn  
Director

SWF:bjp