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May 11, 2007

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MAY 14 2007

TN REGULATORY AUTHORITY
GENERAL COUNSEL'S OFFICE

Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: HP Development, LLC v. Utility Capacity Corporation, Inc.
Our File No. 07-00468-0 /CC
Docket No. 06-000259

Dear Clerk:

Please find enclosed a copy of Smoky Cove's First Set of Interrogatory Requests and Requests for Production of Documents to Tennessee Wastewater Systems, Inc. which we would appreciate you filing with the Court. If there are any questions, please feel free to contact us.

Thank you in advance for your time and assistance in this matter.

Cordially,

GARNER & CONNER

Christopher W. Conner,
Attorney at Law

Enclosures:

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

IN RE:)	
)	
PETITION OF TENNESSEE WASTEWATER)	
SYSTEMS, INC. TO AMEND ITS)	DOCKET NO. 06-259
CERTIFICATE OF CONVENIENCE AND)	
NECESSITY)	
)	

**SMOKY COVE LOG HOME RESORT'S, LYNN HEDRICK'S, and HP
DEVELOPMENT'S FIRST SET OF INTERROGATORY REQUESTS TO
TENNESSEE WASTEWATER SYSTEMS, INC.**

The following written Interrogatories are propounded unto Tennessee Wastewater Systems, Inc. pursuant to Rule 33 of the Tennessee Rules of Civil Procedure, to be answered separately in writing and under oath within fourteen (14) days after service.

I. INSTRUCTIONS AND DEFINITIONS

1. Whenever used in an Interrogatory, the following terms have the following meanings:

(a) "Petitioner," "you," and "your" refers to Tennessee Wastewater Systems Inc., and each of its agents, representatives, attorneys, and each person acting or purporting to act on behalf of same, but only in such capacity.

(b) "Person" means the plural as well as the singular and includes any natural person (alive or deceased), firm, corporation, proprietorship, joint venture, trust or estate, business, association, partnership, or any other form of legal or informal entity.

(c) "Document" means all written or recorded material of any kind or character, within or without the possession, custody or control of Petitioners or of any

agent, employee, or representative (including, without limitation, attorneys, advisors, accountants, spouse and children) or other person acting, or purporting to act, for or on behalf of Petitioner or in concert with Petitioner, including, but not limited to: electronic mail (e-mail), drawings, blue prints, diagrams, affidavits, contracts, agreements, communications, correspondence, telegrams, memoranda, records, reports, books, notebooks, summaries or records of telephone conversations, personal conversations or interviews, diaries, calendars, forecasts, statistical statements, work papers, drafts, copies, graphs, charts, slides, demonstrative or visual aids, accounts, analytical records, minutes or records of meetings or conferences, consultants' reports, appraisals, expense accounts, reports or summaries of negotiations, brochures, lists, journals, advertising, computer tapes and disks, bulletins, circulars, pamphlets, photographs, tape recordings, movies and video tapes, any marginal comments or notes appearing on any document, and all other written, printed, recorded or photographic matter or sound reproductions, however produced.

(d) "Relating" and "relate" include pertaining to, referring to, or having as its subject matter, directly or indirectly, expressly or impliedly, the subject matter of the request.

2. All information requested herein is to be set forth if it is in the possession or control of, or is available or accessible to, Petitioners, their agents, attorneys, consultants, investigators, employees, representatives or any other person or persons acting for Petitioners or on their behalf.

3. When appropriate in the context of an Interrogatory or a response thereto, the singular shall encompass the plural, the masculine gender shall encompass the feminine, and vice versa.

4. If Petitioners object to a part of a Interrogatory, or if any information called for is withheld on the basis of a claim of privilege, state for each: (a) the general description of its subject matter; (b) the identity of each person who has knowledge of it; (c) each and every fact upon which the privilege is based, including sufficient facts for the Court to determine whether the claim of privilege is valid; and (d) the factual and legal basis of the asserted privilege and (e) answer any remaining portion of that Interrogatory. Attention is brought to the requirements set forth at Tennessee Rule of Civil Procedure 26.02(5) regarding ostensibly protected or otherwise non-produced documents and information. See Miller v. General Motors Corp., 192 F.R.D. 230, 231-32 (E.D.Tenn. 2000).

5. These interrogatories are deemed continuing in nature; any subsequently discovered or additional information be supplemented pursuant to Tennessee Rule of Civil Procedure 26.05.

6. Plaintiff requests that the answer to each Interrogatory be preceded by the identification and verbatim quote of the Interrogatory to which the answer responds.

II. INTERROGATORIES

INTERROGATORY No. 1: Please state the following information:

- (a) Your full name;
- (b) Your age;
- (c) Your address;
- (d) The name of your employer;
- (e) The address of your employer;
- (f) Your position of employment.

Answer:

INTERROGATORY No. 2: Please identify by name, address, and telephone number all persons who assisted you or your agents in the preparation of the answers to these Interrogatories and all sources of information, including any documents, consulted or referred to in the preparation of these answers.

Answer:

INTERROGATORY No. 3: Please list each person the Petitioner believes has Discoverable information relating to this matter. For each person, list their name, address, telephone number, and describe in detail the nature and extent of the discoverable knowledge possessed by such person, as known to the Petitioner.

Answer:

INTERROGATORY No. 4: List the name, address, and telephone number of any expert witnesses that you expect to call at trial and state the following:

- (a) the subject matter on which said expert is expected to testify;
- (b) the substance of the facts and opinions to which the expert is expected to testify;
- (c) the grounds or basis for each opinion.

(RELATED DOCUMENT REQUEST: Pursuant to the attached Request for Production of Documents, please provide one copy of each report created by such expert.)

Answer:

INTERROGATORY No. 5: Please provide the following information for any and all individuals, employees, independent contractors or agents of the Petitioner who have inspected or otherwise conducted tests or research or who have compiled numbers or data regarding wastewater usage for any property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development:

- (a) Full name;
- (b) Age;
- (c) Address;
- (d) Name of employer;
- (e) Address of employer;
- (f) Position of employment;
- (g) Nature of work conducted on premises.

(RELATED DOCUMENT REQUEST: Pursuant to the attached Request for Production of Documents, please provide one copy of any report or study conducted by the above individual, employee, independent contractor or agent of Petitioner)

Answer:

INTERROGATORY No. 6: Please describe with specificity the methodology utilized by Petitioner to determine the wastewater usage attributable to each property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development.

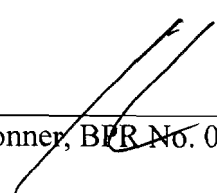
Answer:

INTERROGATORY No. 7: What wastewater usage amount, provided in quantitative numbers, is being attributed by Petitioner for each property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development.

(RELATED DOCUMENT REQUEST: Pursuant to the attached Request for Production of Documents, please provide any document which tends to establish the wastewater usage attributable to each property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development.

Answer:

Respectfully submitted this 11 day of 5, 2007.


Christopher W Conner, BPR No. 017724

Garner & Conner, P.L.L.C.
PO Box 5059
Maryville, TN 37802
(865) 984-1268

Attorney for Smoky Cove Log Home
Resorts, Lynn Hedrick, and HP
Development

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing documents were mailed to the Defendant by U.S. Mail, at the address listed below on this 17 day of 5, 2007.

Henry M. Walker
P.O. Box 340025
Nashville, TN 37203



Christopher W. Conner

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

IN RE:)	
)	
PETITION OF TENNESSEE WASTEWATER)	
SYSTEMS, INC. TO AMEND ITS)	DOCKET NO. 06-259
CERTIFICATE OF CONVENIENCE AND)	
NECESSITY)	
)	

**SMOKY COVE LOG HOME RESORT'S, LYNN HEDRICK'S, and HP
DEVELOPMENT'S FIRST SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS TO TENNESSEE WASTEWATER SYSTEMS, INC.**

Pursuant to Rule 34 of the Tennessee Rules of Civil Procedure, Smoky Cove Log Home Resorts, Lynn Hedrick, and HP Development hereby request that Petitioner, Tennessee Wastewater Systems, Inc. diligently and carefully search for, examine, inquire after, and produce for inspection and copying the Documents set forth below, regardless of their origin.

These Documents are to be produced at the law offices of Garner & Conner, P.L.L.C., 250 High Street, Maryville, TN 37804, within fourteen (14) days after service of this Request.

I. INSTRUCTIONS AND DEFINITIONS

1. Whenever used in a Document Request, the following terms have the following meanings:

(a) "Petitioner," "you," and "your" refers to Tennessee Wastewater Systems, Inc., and each of its agents, representatives, attorneys, and each person acting or purporting to act on behalf of same, but only in such capacity.

(b) “Document” means all written or recorded material of any kind or character, within or without the possession, custody or control of Petitioner or of any agent, employee, or representative (including, without limitation, attorneys, advisors, accountants, spouse and children) or other person acting, or purporting to act, for or on behalf of Petitioners or in concert with Petitioners, including, but not limited to: electronic mail (e-mail), drawings, blue prints, diagrams, affidavits, contracts, agreements, communications, correspondence, telegrams, memoranda, records, reports, books, notebooks, summaries or records of telephone conversations, personal conversations or interviews, diaries, calendars, forecasts, statistical statements, work papers, drafts, copies, graphs, charts, slides, demonstrative or visual aids, accounts, analytical records, minutes or records of meetings or conferences, consultants’ reports, appraisals, expense accounts, reports or summaries of negotiations, brochures, lists, journals, advertising, computer tapes and disks, bulletins, circulars, pamphlets, photographs, tape recordings, movies and video tapes, any marginal comments or notes appearing on any document, and all other written, printed, recorded or photographic matter or sound reproductions, however produced.

(c) “Relating” and “relate” include pertaining to, referring to, or having as its subject matter, directly or indirectly, expressly or impliedly, the subject matter of the request.

2. All information requested herein is to be set forth if it is in the possession or control of, or is available or accessible to, Petitioners, their agents, attorneys, consultants, investigators, employees, representatives or any other person or persons acting for Petitioners or on their behalf.

3. Documents are to be produced in full and unexpurgated form; redacted documents will not constitute compliance with this request.

4. If any document described in this Request was, but no longer is, in your possession, or subject to your custody or control, or in existence, state whether: (a) it is missing or lost; (b) it has been destroyed; (c) it has been transferred, voluntarily or involuntarily, to others; or (d) it has been disposed of otherwise. In each instance, explain the circumstances surrounding such disposition and identify the person(s) directing or authorizing same, and the date(s) thereof. Identify each document by listing its author, his or her address, type of writing (*e.g.*, letter memorandum, telegram, chart, photograph, etc.), date, subject matter, present location(s) and custodian(s), and state whether the document (or a copy thereof) is still in existence.

5. With respect to any document covered by this Request which is believed to be privileged or should not be produced for some other reason, please provide all of the following information: (a) the type of writing (*e.g.*, letter memorandum, telegram, chart, photograph, etc.), (b) its date, (c) the subject matter referred to in the document, (d) the identity of the author or addressor; (e) the identity of each recipient and addressee of the original of the document; (f) the identity of all other persons who received copies of the document; and (g) the reason, including all legal grounds, for non-production.

6. Please precede each Request by the identification and verbatim quote of the Request to which the answer responds OR, if based on a response to an Interrogatory, an identification of the Interrogatory.

II. DOCUMENT REQUESTS

REQUEST No. 1: Copies of each and every Document identified in response to any interrogatory propounded in FIRST SET OF INTERROGATORY REQUESTS TO TENNESSEE WASTEWATER SYSTEMS, INC., or used to answer any such Interrogatory.

REQUEST No. 2: Copies of any and all files or documents maintained copied, reviewed, or created in anyway related to any property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development:

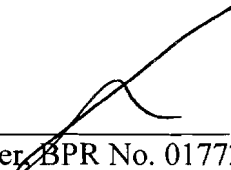
REQUEST No. 3: Copies of any and all contracts or agreements executed by and between Petitioner and Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development which in any way control the nature of the relationship between the parties, create any duties on the part of either party, or create any rights or obligations between the parties.

REQUEST No. 4: Copies of any reports prepared by any individual or organization that is expected to be called a [✓]trial in this matter and upon which the expert intends to rely.

REQUEST No. 5: Copies any reports, tests, studies or other document prepared by any individual, employee, independent contractor or agent of Petitioner who has inspected or otherwise conducted tests or research or who has compiled numbers or data regarding wastewater usage for any property owned, controlled or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development.

REQUEST No. 6: Copies of any document which tends to establish the wastewater usage attributable to each property owned, controlled, or maintained by Smoky Cove Log Home Resort, Lynn Hedrick, and/or HP Development.

Respectfully submitted this 11 day of 5, 2007.



Christopher W Conner BPR No. 017724

Garner & Conner, P.L.L.C.
PO Box 5059
Maryville, TN 37802
(865) 984-1268

Attorney for Smoky Cove Log Home
Resorts, Lynn Hedrick, and HP
Development

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing documents were mailed to the Defendant by U.S. Mail, at the address listed below on this 11 day of 5, 2007.

Henry M. Walker
P.O. Box 340025
Nashville, TN 37203



Christopher W. Conner