

# TENNESSEE REGULATORY AUTHORITY

## RECEIVED



**Eddie Roberson**, Chairman  
**Pat Miller**, Director  
**Sara Kyle**, Director  
**Ron Jones**, Director

2007 JUL 31 AM 10:39

460 James Robertson Parkway  
 Nashville, Tennessee 37243-0505

T.R.A. DOCKET ROOM

July 31, 2007

Donald L. Scholes, Esq.  
 Branstetter, Stranch & Jennings, PLLC  
 227 Second Avenue North, 4<sup>th</sup> Floor  
 Nashville, Tennessee 37201-1631

Re: Lynwood Utility Corporation  
 File Numbers 07-285, 07-286, 07-297, 07-357, 07-358 and 07-359

Dear Mr. Scholes:

Your responses to the above complaints, filed with the Tennessee Regulatory Authority ("Authority"), seem to indicate that Lynwood Utility Corporation's ("Lynwood") ability to mitigate the odor problem referred to in those complaints in a timely and effective manner hinges upon the outcome of Lynwood's rate case pending before the Authority in Docket No. 07-00007. I have spoken with the Tennessee Department of Environment and Conservation ("TDEC") about this problem. As a result of those conversations, please respond to the questions in writing by August 10, 2007:

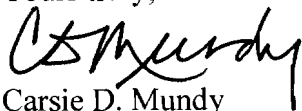
1. What specific type of odor control and measures mentioned in your letter of May 24, 2007 (Copy Attached), is Lynwood proposing?
2. Is mobile sludge de-watering equipment and/or the use of lime or chemical sprays being considered as a way to help control the odor until a more permanent solution can be implemented?
3. Should the Authority not grant the rate increase, what action would Lynwood propose to address the concerns of the above complainants?

Notwithstanding the pending rate case, the people living near Lynwood's treatment plant should not have to wait for Lynwood to solve this problem. I urge Lynwood to address this problem now rather than to rely on possible rate treatment by the Authority.

Because of the reference to Docket No. 07-00007 in your response, I am filing copies of this letter and your responses in Docket No. 07-00007. If you have any questions

concerning this matter or need additional information, please call me at (615) 741-2791 ext. 157.

Yours truly,

A handwritten signature in black ink, appearing to read "Carsie D. Mundy". The signature is fluid and cursive, with the first name "Carsie" being more prominent.

Carsie D. Mundy  
Chief-Consumer Services Division

Attachments: 8

C: Mr. Tyler Ring  
Ms. Darlene Standley  
Ryan McGehee, Esq.  
Docket No. 07-00007

BRANSTETTER, STRANCH & JENNINGS, PLLC

ATTORNEYS AT LAW

227 SECOND AVENUE NORTH

FOURTH FLOOR

NASHVILLE, TENNESSEE 37201-1631

CECIL D. BRANSTETTER, SR.  
C. DEWEY BRANSTETTER, JR.  
RANDALL C. FERGUSON  
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DONALD L. SCHOLES  
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TERESA W. CHAN  
JOE P. LENISKI, JR.  
B. DENARD MICKENS  
J. GERARD STRANCH, IV  
MICHAEL J. WALL

\*ALSO ADMITTED IN GA

TELEPHONE  
(615) 254-8801

FACSIMILE  
(615) 250-3937

June 11, 2007

RECEIVED  
CONSUMER SERVICES DIVISION

JUN 13 2007

TN REGULATORY AUTHORITY

Carsie Mundy, Chief  
Consumer Services Divisions  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

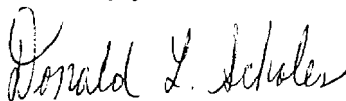
Re: Lynwood Utility Corporation  
File Numbers 07-357, 07-358, and 07-359

Dear Mr. Mundy:

I am responding on behalf of Lynwood Utility Corporation to the complaints about odor at the Lynwood sewer treatment plant referenced in the above file numbers in your office. The Company's response to these complaints is the same as the Company's response to similar odor complaints about the sewer treatment plant set forth in my letter to you dated May 24, 2007, a copy of which is attached.

If you need additional information, please feel free to contact me or Tyler Ring, President of Lynwood Utility Corporation.

Sincerely yours,



DONALD L. SCHOLES

c: Tyler Ring  
Darlene Standley  
Ryan McGeehee, Consumer Advocate



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MICHAEL J. WALL

TELEPHONE  
(615) 254-8801

FACSIMILE  
(615) 250-3937

May 24, 2007

\*ALSO ADMITTED IN GA

Carsie Mundy, Chief  
Consumer Services Divisions  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

*Via Hand Delivery*

Re: Lynwood Utility Corporation  
File Numbers 07-285, 286, 297

Dear Mr. Mundy:

I am responding on behalf of Lynwood Utility Corporation to the complaints about odor at the Lynwood sewer treatment plant. The Company is aware of an occasional odor problem at the sewer treatment plant which it has been experiencing in recent months. The Company disposes of its sludge at a landfill operated by Waste Management. Waste Management has informed the Company that it will no longer accept sludge for disposal with the amount of liquid in the sludge which the Company has historically been able to dispose at this landfill. As a result the Company is having to store more sludge at the plant site before it can be transported by Waste Management to the landfill which has caused an increase in odor at the plant.

The Company is undertaking all of the cost effective methods presently available to it to reduce odor at the plant. The Company would like to purchase equipment which will accelerate its ability to get the sludge to a state where it can be disposed of more quickly to reduce the amount of sludge which must be stored at the plant. Unfortunately, such equipment will cost approximately \$150,000.00. In addition, the Company would like to put additional odor control measures in place at the plant to minimize the odor problems in addition to addressing the sludge issue. The Company expects such additional odor control measures to cost in the \$50,000 to \$75,000 range with certain annual operating costs associated with such measures.

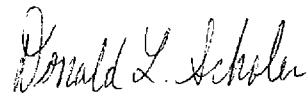
The Company currently has a rate increase request pending before the Authority. The District's ability to purchase equipment to address the sludge issue and additional odor control measures will depend upon the financial ability of Lynwood to make these purchases and receiving additional revenues to operate these additional odor control measures. Hopefully, the

Carsie Mundy, Chief  
May 24, 2007  
Page 2

Authority will grant sufficient rate relief for the Company to address these measures in a timely manner. In the meantime, the Company will continue to use its best efforts with existing revenues to address the odor problem.

If you need additional information, please feel free to contact me or Tyler Ring, President of Lynwood Utility Corporation.

Sincerely yours,

A handwritten signature in cursive script, reading "Donald L. Scholes".

DONALD L. SCHOLES

c: Tyler Ring  
Darlene Standley  
Ryan McGeehee, Consumer Advocate

*Sevrie - Lynwood - CH*  
*07-0285*

**From:** Nobody <nobody@ag03uw21.state.tn.us>  
**To:** <ConsumerComplaint.TRA@state.tn.us>  
**Date:** 04/19/2007 1:58 PM  
**Subject:** Consumer Complaint Questionnaire

Below is the result of your feedback form. It was submitted by  
( ) on Thursday, April 19, 2007 at 13:40:39

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next: /www/wwwroot/tra/response.htm

01\_whole: Brian Fleming

02\_streetaddress: 181 Cottonwood Drive

03\_City: Franklin

04\_State: TN

05\_ZIP: 37069

06\_County: Williamson

07\_Home\_Telephone: 615-790-2550

08\_Work\_Telephone: 615-937-1529

09\_email: blmj\_fleming@hotmail.com

10\_Contact\_time: any

13\_complaint\_company: Lynwood Utility

14\_contacted\_util: yes

15\_complaint\_descript: Sewer smell on Cottonwood Drive near Lynwood facility. Reported to Tyler Ring at Lynwood Utility. But hoping the problem can be prevented without having to call.

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RECEIVED  
CONSUMER SERVICES DIVISION  
APR 20 2007  
TN REGULATORY AUTHORITY

07-0286

**From:** Nobody <nobody@ag03uw21.state.tn.us>  
**To:** <ConsumerComplaint.TRA@state.tn.us>  
**Date:** 06/11/2007 11:07 AM  
**Subject:** Consumer Complaint Questionnaire

Below is the result of your feedback form. It was submitted by  
( ) on Monday, June 11, 2007 at 10:48:14

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next: /www/wwwroot/tra/response.htm

01\_whole: gillian tucker

02\_streetaddress: 174 Cottonwood Drive

03\_City: Franklin

04\_State: TN

05\_ZIP: 37069

06\_County: Williamson

07\_Home\_Telephone: 615-595-2265

09\_email: tuckergillian@comcast.net

10\_Contact\_time: any

13\_complaint\_company: lynwood utility

14\_contacted\_util: No

15\_complaint\_descript: We live directly in front of lynwood utility sewage treatment plant. In the past 8 years we have lived here we have had few problems with odor emanating from the plant until the last 6 months. Now, we are almost daily smelling foul odors coming from the plant. We and our neighbors can even smell it coming in through our air conditioners during the day. We were driven inside this weekend due to a sulfur/trash-like odor. Today, I had to stop playing ball with my 4 children in my yard due to a very powerful sulfur smell coming from the plant. It has been smelling since 9:30 this morning and still is smelling at 11:04 now. This is an almost daily occurrence. I fear for my children's health.  
Gillian Tucker

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RECEIVED  
CONSUMER SERVICES DIVISION  
JUN 11 2007  
TN REGULATORY AUTHORITY

CH

07-0297

**From:** Nobody <nobody@ag03uw21.state.tn.us>  
**To:** <ConsumerComplaint.TRA@state.tn.us>  
**Date:** 05/02/2007 3:34 PM  
**Subject:** Consumer Complaint Questionnaire

Below is the result of your feedback form. It was submitted by  
( ) on Wednesday, May 02, 2007 at 15:15:39

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RECEIVED  
CONSUMER SERVICES DIVISION  
MAY 02 2007

next: /www/wwwroot/tra/response.htm

01\_whole: Eric Van Zee

TN REGULATORY AUTHORITY

02\_streetaddress: 104 Cottonwood Cir

03\_City: Franklin

04\_State: TN

05\_ZIP: 37069

06\_County: Williamson

07\_Home\_Telephone: 615-591-4071

08\_Work\_Telephone: 615-496-4492

09\_email: jennericvz@juno.com

10\_Contact\_time: anytime via email

13\_complaint\_company: Lynnwood Utility

14\_contacted\_util: No

15\_complaint\_descript: Faul Odor from our water

Lynnwood is attempting to raise our rates by 30%! Our rates are already high this increase appears to be a result of newer subdivisions being added; if Lynnwood cannot handle these additions then they should not have agreed to accomdate them. This should have been worked out with the developers to incur the added cost. Cottonwood homeowners should not have to pay these excessive higher fees. We have no other options for sewer and water. Please help!

T

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07-0357

**From:** Nobody <nobody@ag03uw21.state.tn.us>  
**To:** <ConsumerComplaint.TRA@state.tn.us>  
**Date:** 05/24/2007 10:15 AM  
**Subject:** Consumer Complaint Questionnaire

Below is the result of your feedback form. It was submitted by  
( ) on Thursday, May 24, 2007 at 09:56:20

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next: /www/wwwroot/tra/response.htm

01\_whole: John and Kacie Dunavan

02\_streetaddress: 170 Cottonwood Drive

03\_City: Franklin

04\_State: TN

05\_ZIP: 37069

06\_County: Williamson

07\_Home\_Telephone: 6157915646

08\_Work\_Telephone: 6156877276

09\_email: dunavan@mac.com

10\_Contact\_time: night

13\_complaint\_company: Lynnwood Utility Corp

14\_contacted\_util: No

15\_complaint\_descript: We live in Cottonwood subdivision and no one else in the neighborhood is as close to the utility plant as we are. The Lynnwood Utility plant is in our backyard. To be quite honest this plant does not need to be charging higher rates and they do not need to be adding new taps. It is obvious they are unable to efficiently operate the facility at its current capacity. They have attempted numerous strategies to manage the waste operation and have consistently failed to meet the obligations they promised to the community. Evidence of this is found virtually every day by the putrid odor of inadequately treated waste coming off the processing tanks and the pump facility. They have consistently indicated to the community that they are attempting experimental strategies to eliminate these problems. None have worked. My family is unable to open exterior windows or enjoy our yard on any given day or night due to the odor coming from this plant.

---

CH

07-0358

**From:** Nobody <nobody@ag03uw21.state.tn.us>  
**To:** <ConsumerComplaint.TRA@state.tn.us>  
**Date:** 05/12/2007 11:37 PM  
**Subject:** Consumer Complaint Questionnaire

Below is the result of your feedback form. It was submitted by  
( ) on Saturday, May 12, 2007 at 23:18:31

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next: /www/wwwroot/tra/response.htm

01\_whole: Danya Feinstein

02\_streetaddress: 102 Cottonwood Circle

03\_City: Franklin

04\_State: TN

05\_ZIP: 37069

06\_County: Williamson

07\_Home\_Telephone: 794-6007

08\_Work\_Telephone: 371-6046

09\_email: dfeins6738@comcast.net

10\_Contact\_time: night

13\_complaint\_company: Lynnwood Utility

14\_contacted\_util: No

15\_complaint\_descript: I am writing to protest the 30% rate increase requested by Lynnwood Utility. Our rates are already higher than most surrounding areas and the existing service is poor. Our subdivision has been plagued for many years with a foul odor and while we have received many promises to rectify this, all we have received are rate increases. Lynnwood Utility should be held accountable for explaining why they cannot provide sewer service for rates comparable to utility districts in nearby areas. The obvious reason appears to be the cost they have incurred from adding so many new customers to a system that was originally developed for Cottonwood only. Two of the subdivisions added to this system were developed by the owner of Lynnwood Utility!(Legends Ridge and Rivers Landing) To approve this exhorbitant request would be to increase Lynnwoods profit margin at the expense of the residents of Cottonwood.

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RECEIVED  
CONSUMER SERVICES DIVISION  
MAY 14 2007  
TN REGULATORY AUTHORITY

07-0359  
CH

# Tennessee Regulatory Authority

## Utility Complaint Form

RECEIVED  
CONSUMER SERVICES DIVISION

MAY 21 2007

Submit below or print and return to:  
Consumer Services Division, Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505  
FAX: 615-741-8953

TENNESSEE REGULATORY AUTHORITY

If you are registering for the Do Not Call Program please [click here](#)

Consumer Utility Complaint Questionnaire	
Your name	Rebecca C. O'Steen
Address	154 Cottonwood Dr.
City	Franklin
State	TN
Zip	37069
County	Williamson
Home Telephone	615-791-0693
Work/Contact Telephone	N/A
Email Address	osteen90@bellsouth.net
Best time and day to be contacted	any trime
Company that complaint is against	Lynnwood Sewer
Have you contacted the utility regarding your complaint?	Yes No

Below, please describe your complaint briefly. Please mail or fax copies of any documentation, such as bills, that our office would need to file your complaint. (Note: If your complaint involves a billing dispute, we will be unable to process your complaint without a copy of the bill in dispute.)

As a resident of Cottonwood S/D I do not think that residents of Cottonwood should have a rate increase because of expansion expense for sewer access by other subdivisions when our subdivision receives no additional benefits. Let the new expansives be paid for by those who benefit from the added service.

(What Cottonwood needs is irradiation of the very offensive odor we have to put up with from the sewage treatment facility.)