

**TENNESSEE WASTEWATER SYSTEMS, INC.**  
A PUBLIC UTILITY CO.

April 5, 2007

Honorable Sara Kyle  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

docket no. 07-00087

RE: Petition to amend Certificate of Convenience and Necessity

Dear Chairman Kyle:

Tennessee Wastewater Systems, Inc. desires to expand its service area to include a portion of Sevier County in Tennessee, known as Estates at Norton Creek. The attached Petition is in support of our request. The proposed updated tariff sheets accompanying this petition are for informational purposes only.

Sincerely,



Matt Pickney, Operations Manager  
Tennessee Wastewater Systems, Inc.

**7638 River Road Pike Nashville TN 37209-5733**  
**(615) 356-2880 Fax (615) 356-7295**

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

\_\_\_\_\_, 2007

**IN RE:      PETITION OF TENNESSEE WASTEWATER SYSTEMS,  
              INC. TO AMEND ITS CERTIFICATE OF  
              CONVENIENCE AND NECESSITY**

**DOCKET No.**\_\_\_\_\_

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Petition of Tennessee Wastewater Systems, Inc.  
To amend its Certificate of Convenience and Necessity

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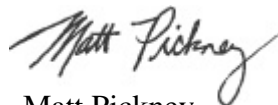
Tennessee Wastewater Systems, Inc. ("TWSI") petitions the Tennessee Regulatory Authority ("TRA") to amend TWSI's Certificate of Convenience and Necessity to expand its service area to include a portion of Sevier County known as Estates at Norton Creek. The project is located on Norton Creek Road in Sevier County. The property includes parcels 10, 10.03, all of parcel 11 including sub-parcels, and 58.01 as shown in orange on the enclosed tax maps as provided by Sevier County (see attached "Exhibit A"). This parcel encompasses approximately 2,800 acres.

We are proposing to provide wastewater service to approximately 200 residential and commercial lots at the Estates at Norton Creek. The wastewater system will be designed and constructed to serve 200 lots (approximately 60,000 gallons per day) and can be expanded if needed. We have no permit number at this time, but the application for a State Operating Permit was submitted on February 10, 2007. No contracts have been signed at this point. It is the intention of the parties that TWSI will own the collection, treatment, and dispersal system and will own a permanent easement on the property that the system occupies.

Also enclosed are letters from the City of Gatlinburg and the Sevier County Government stipulating that none of these entities will provide sewer service for these parcels. We have also enclosed a letter from the developers requesting TWSI to be the public sewer utility provider for the project.

After approval, the construction of the system, which is comprised of watertight effluent collection, fixed film treatment, and subsurface drip dispersal, will take approximately 60 days to complete. The estimated value of the contribution in aid of construction is approximately \$1,000,000.00.

Respectfully Submitted,



Matt Pickney  
Tennessee Wastewater Systems, Inc.

**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 )**

**ESTATES AT NORTON CREEK**  
**PRE-FILED DIRECT TESTIMONY OF MATT PICKNEY**

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

A. Matt Pickney. I am the Operations Manager 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 80.

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?

1 A. Yes.

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

4  
5 A. The public need for this service is reflected in the letter from the developer, Robin  
6 L. Turner

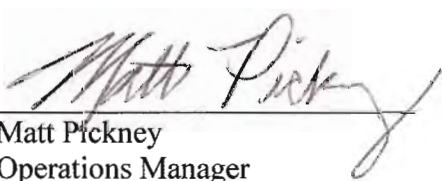
7  
8 Q. How many customers will be served in this development?

9  
10 A. Our company expects to serve approximately 200 residential and commercial lots.

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

13  
14 A. Yes.

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22 I swear that the foregoing testimony is true and correct to the best of my knowledge.

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29   
30 Matt Pickney  
31 Operations Manager  
32 Tennessee Wastewater Systems, Inc.

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34  
35 Subscribed and sworn to me this 5th day of April, 2007.

36  
37 Notary Public

38  
39 State of Tennessee

40  
41 County of Davidson

42  
43 My Commission Expires My Commission Expires July 25, 2008



1 A. Yes.

2

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

4

5 A. The public need for this service is reflected in the letter from the developer, Robin  
6 L. Turner

7

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

9

10 A. Our company expects to serve approximately 200 residential and commercial lots.

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12 Q. Does this conclude your pre-filed testimony?

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14 A. Yes.

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22 I swear that the foregoing testimony is true and correct to the best of my knowledge.

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29 \_\_\_\_\_  
30 Matt Pickney  
31 Operations Manager  
32 Tennessee Wastewater Systems, Inc.

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35

Subscribed and sworn to me this 5th day of April, 2007.

36

37 Notary Public

38

39 State of Tennessee

40

41 County of \_\_\_\_\_

42

43 My Commission Expires \_\_\_\_\_

44

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the above and foregoing Pre-Filed Direct Testimony of Matt Pickney has been served upon the Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, TN 37243-0505 on this 5th day of April 2007 and delivered by hand.

  
MATT PICKNEY

## Estates at Norton Creek

### Projected Subdivision Build-Out

		<u>Total # of customers</u>	
		<b>Residential</b>	<b>Commercial</b>
2008	-	20 customers	20 customers
2009	-	40 customers	40 customers
2010	-	60 customers	60 customers
2011	-	80 customers	80 customers
2012	-	100 customers	100 customers

The expected buildout when the subdivision is completed is 100 residential customers and 100 commercial customers.

### Estimated System Costs and Revenues for Five Years

	<u><b>2008</b></u>	<u><b>2009</b></u>	<u><b>2010</b></u>	<u><b>2011</b></u>	<u><b>2012</b></u>
<b>Costs</b>	24,410	48,820	73,230	97,640	122,050
<b>Revenues</b>	26,532	53,064	79,596	106,128	132,660



475 NORTON CREEK RD | CATLINBURG, TN 37738 | T: 865.430.7825 | F: 865.430.7827 | WWW.ESTATESATNORTONCREEK.COM

*Norton Creek*

February 21, 2007

To whom it may concern:

I am requesting that Tennessee Wastewater Systems, Inc. be the sewer service provider for the Norton Creek Estates development in Sevier County, Tennessee. Should you have any questions you can reach me or my secretary, Beth Woodruff, at 865-430-7825.

Thank you,

Robin L. Turner  
Developer



Named one of  
the "Best New  
Communities for  
2006" by Pinnacle  
Living Magazine

A supporter of the Friends of the Smokies



Telephone 865.453.6136  
Fax 865.453.6830  
E-mail: [lwaters@seviercountyttn.org](mailto:lwaters@seviercountyttn.org)



125 Court Avenue  
Suite 201E  
Sevierville, TN 37862

**Larry Waters** *County Mayor*

March 16, 2007

Michael Hines  
Tennessee Wastewater Systems, Inc.  
P.O. Box 227771  
Knoxville, TN 37933-0771

Dear Mr. Hines:

In response to your letter of March 16, 2007, Sevier County has no plans to provide sewer to the Estates at Norton Creek property, which includes Parcels 10 and 10.03, all of parcel 11 including sub-parcels, and all of parcel 58.01. Sevier County has no plans to provide sewer to this area within the next 12 months. .

Sincerely,

Larry Waters  
Sevier County Mayor

*[Faint, illegible text at the bottom of the page, possibly a carbon copy or bleed-through.]*



# GATLINBURG UTILITY DEPARTMENT

P.O. BOX 5  
GATLINBURG, TENNESSEE 37738  
AREA CODE 865/436-4681



March 19, 2007

Mr. Michael Hines, M.S., P.E.  
Tennessee Wastewater Systems, Inc.  
P.O. Box 22771  
Knoxville, TN 37933-0771

Re: Estates at Norton Creek  
Request for Sewer Service

Dear Mr. Hines:

Thank you for your recent inquiry regarding the availability of city sewer service to the Estates at Norton Creek identified as all of parcel 10, parcel 10.03, all of parcel 11 including sub-parcels, and all of parcel 58.01 as indicated on your maps provided to us. City sewer service is currently not available to this property nor is anticipated to be extended to serve the area within the next twelve months.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

Dale Phelps  
Utilities Manager

cc: Cindy C. Ogle, City Manager  
Ron Greene, ACM/Public Services Director

**WASTEWATER UTILITY SERVICE****CHECK SHEET**

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<b>SECTION</b>	<b>SHEET</b>	<b>REVISION</b>	<b>SECTION</b>	<b>SHEET</b>	<b>REVISION</b>
1	1	Original	5	3	2 <sup>nd</sup> Revised
1	2	4 <sup>th</sup> Revised	5	4	1 <sup>st</sup> Revised
1	3	Original	6	1	Original
1	4	Original	6	2	Original
1	5	Original			
1	6	Original			
1	7	Original			
2	1	Original			
2	2	Original			
2	3	Original			
2	4	Original			
2	5	Original			
2	6	Original			
2	7	Original			
2	8	Original			
2	9	Original			
3	1	Original			
3	2	Original			
3	3	Original			
3	4	1 <sup>st</sup> Revised			
3	5	2 <sup>nd</sup> Revised			
4	1	1 <sup>st</sup> Revised			
4	2	1 <sup>st</sup> Revised			
5	1	Original			
5	2	Original			

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**Issued: April 5, 2007**
**Issued By: Charles Pickney, Jr.  
President**
**Effective: May 5, 2007**

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**WASTEWATER UTILITY SERVICE**

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<b><u>Service Territory</u></b>	<b><u>County</u></b>	<b><u>TRA Docket #</u></b>	<b><u>Rate Class</u></b>
Providence Hills	Sevier	06-00198	RATE CLASS 1
Sharondel Estates	Blount	06-00204	RATE CLASS 1
Piney Bay	Rhea	06-00275	RATE CLASS 1
Mountain Folks Community	Sevier	06-00276	RATE CLASS 1
Villages At Norris Lake	Campbell	06-00277	RATE CLASS 1
Blue Sky Bay	Rhea	07-00024	RATE CLASS 1
Shady Cove (Pending)	Jefferson	07-00055	RATE CLASS 1
Estates at Norton Creek	Sevier	07-00087	RATE CLASS 1 (N)

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**Issued: April 5, 2007****Issued By: Charles Pickney, Jr.  
President****Effective: May 5, 2007**

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WASTEWATER UTILITY SERVICE

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**SECTION 4 – RESIDENTIAL RATES SHEET****RATE CLASS 1**Fixed Film Treatment, Drip Dispersal, Bonding Rate #1 \_\_\_\_\_ **\$35.55****RATE CLASS 2**Fixed Film Treatment, Drip Dispersal, Franchise Rate #1, Bonding Rate #2 \_\_\_\_\_ **\$36.61****RATE CLASS 3**Fixed Film Treatment, Drip Dispersal, Bonding Rate #3 \_\_\_\_\_ **\$46.55****RATE CLASS 4**Fixed Film Treatment, Drip Dispersal, Bonding Rate #4 \_\_\_\_\_ **\$55.46****RATE CLASS 5**Deep Cell Pond Treatment, Drip Dispersal, Bonding Rate #5 \_\_\_\_\_ **\$31.36****RATE CLASS 6**Deep Cell Pond Treatment, Drip Dispersal, Bonding Rate #6, Franchise Rate #2 \_\_\_\_\_ **\$32.31****RATE CLASS 7**Deep Cell Pond Treatment, Point Discharge Dispersal, Bonding Rate #7 \_\_\_\_\_ **\$31.54****RATE CLASS 8**Deep Cell Pond Treatment, Drip Dispersal, Bonding Rate #8 \_\_\_\_\_ **\$51.33****RATE CLASS 9**Standard base Collection, Pass-through treatment costs \_\_\_\_\_ **\$24.24 +**  
Treatment Costs**RATE CLASS 10**DCP Treatment, Drip Dispersal, Loan Costs, Lease Costs, Bonding Rate #9 \_\_\_\_\_ **\$55.66\***

\*Applies only to Southridge after the new treatment facility is placed in service

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**Issued: March 1, 2007****Effective: May 1, 2007****Issued By: Charles Pickney, Jr.**  
**President**

**WASTEWATER UTILITY SERVICE**

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Blue Sky Bay	Rhea	07-00024	
Shady Cove (Pending)	Jefferson	07-00055	
Estates at Norton Creek	Sevier	07-00087	(N)

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**Issued: April 5, 2007**

**Issued By: Charles Pickney, Jr.  
President**

**Effective: May 5, 2007**

## WASTEWATER UTILITY SERVICE

**SECTION 6 – COMMERCIAL RATES SHEET****without food service**

The monthly sewer charge per customer is based on the design daily flow expected from the type of establishment being served. A minimum of \$75 per month will be charged for up to the first 300 gallons per day of design flow expected. (Except off-site which will have a \$73.00 minimum plus pass through costs.) For each additional 100 gallons per day of design flow expected, up to a total of 1,000 gallons per day, an additional charge of \$15.00 per month per 100 gallons will be levied. For design flows expected over 1,000 gallons per day, up to 3,000 gallons per day, the following monthly charges per 1,000 gallons of daily flow will apply.

**Disposal**

<b><u>Treatment</u></b>	<b><u>Drip Irrigation</u></b>	<b><u>Point Discharge</u></b>	<b><u>Off Site</u></b>
<b><u>Sand-Gravel Filter</u></b>	\$140.00	\$165.00	N/A
<b><u>Lagoon</u></b>	\$116.00	\$140.00	N/A
<b><u>* Off Site</u></b>	N/A	N/A	Pass through costs & \$73.00

For design daily flows over 3,000 gallons, the monthly charge on all system configurations will be \$116.00 per 1000 gallons of daily flow.

Additional surcharges will apply when customers exceed their expected design flows. For any month that a customer's water meter reading exceeds the expected design flow, the following surcharges will apply:

<b>Excess water usage</b>	<b>Surcharge</b>
1 gallon to 1,000 gallons above expected design flow	\$175.00
1,001 gallons to 2,000 gallons above expected design flow	\$200.00
Over 2,000 gallons above expected design flow	\$200.00/1000 gallons

If the water meter readings exceed the design flow for any three consecutive months, the monthly charge will be revised to reflect the increased usage and any capital costs associated with increasing the capacity of the system will be paid by the customer.

\* Off Site means treatment and disposal by another entity such as a city or utility district

<b>Fees:</b> Nonpayment – 5%	Reconnection - \$15	City of Coopertown
Disconnection - \$10	Returned Check - \$20	Franchise Fees: 3%

**Issued: January 16, 2007**

**Effective: February 16, 2007**

**Issued By: Charles Pickney, Jr.  
President**

**WASTEWATER UTILITY SERVICE****COMMERCIAL RATES SHEET****with food service**

The monthly sewer charge per customer is based on the design daily flow expected from the type of establishment being served. A minimum of \$100 per month will be charged for up to the first 300 gallons per day of design flow expected. (Except off-site which will have a \$94.00 minimum plus pass through costs.) For each additional 100 gallons per day of design flow expected, up to a total of 1,000 gallons per day, an additional charge of \$18.00 per month per 100 gallons will be levied. For design flows expected over 1,000 gallons per day, up to 3,000 gallons per day, the following monthly charges per 1,000 gallons of daily flow will apply.

**Disposal**

<b><u>Treatment</u></b>	<b><u>Drip Irrigation</u></b>	<b><u>Point Discharge</u></b>	<b><u>Off Site</u></b>
<b><u>Sand-Gravel Filter</u></b>	\$170.00	\$192.00	N/A
<b><u>Lagoon</u></b>	\$142.00	\$163.00	N/A
<b><u>* Off Site</u></b>	N/A	N/A	Pass through costs & \$94.00

For design daily flows over 3,000 gallons, the monthly charge on all system configurations will be \$142.00 per 1000 gallons of daily flow.

Additional surcharges will apply when customers exceed their expected design flows.

For any month that a customer's water meter reading exceeds the expected design flow, the following surcharges will apply:

<b>Excess water usage</b>	<b>Surcharge</b>
1 gallon to 1,000 gallons above expected design flow	\$210.00
1,001 gallons to 2,000 gallons above expected design flow	\$220.00
Over 2,000 gallons above expected design flow	\$220.00/1000 gallons

If the water meter readings exceed the design flow for any three consecutive months, the monthly charge will be revised to reflect the increased usage and any capital costs associated with increasing the capacity of the system will be paid by the customer.

\* Off Site means treatment and disposal by another entity such as a city or utility district

**Fees:** Nonpayment – 5%  
Disconnection - \$10

Reconnection - \$15  
Returned Check - \$20

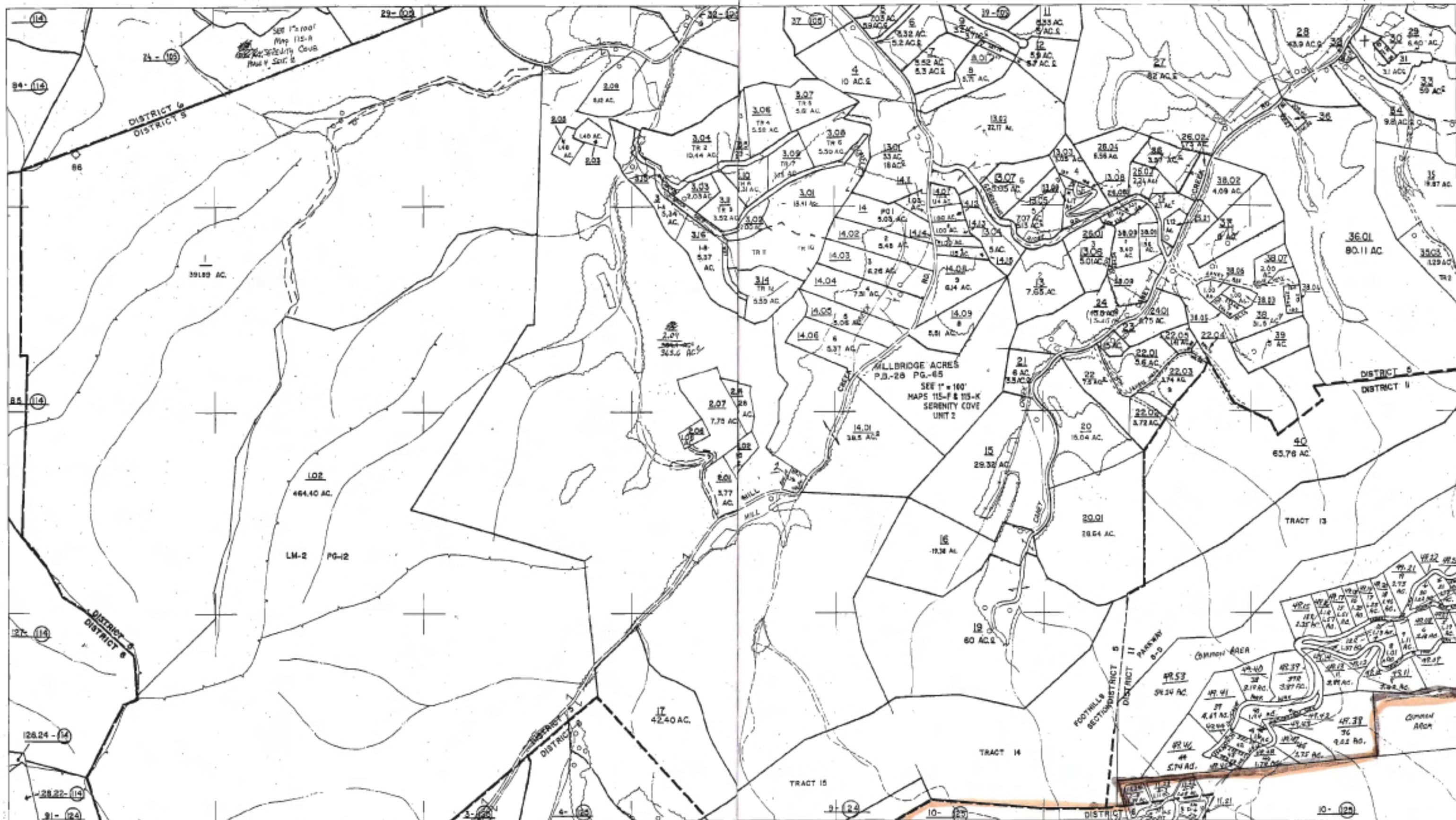
City of Coopertown  
Franchise Fees: 3%

**Issued: January 16, 2007**

**Effective: February 16, 2007**

**Issued By: Charles Pickney, Jr.  
President**





**UNITED AERIAL MAPPING**  
SAN ANTONIO, TEXAS

PROPERTY MAP PREPARED BY  
**SABRE SYSTEMS & SERVICE**  
NCO. MEADOWS HANCOCK  
CUTWATER, MISSISSIPPI 39049

**LEGEND**

- Parcel Number
- Parcel Boundary
- Interior Tract Line
- District Line
- Sub-Lot
- Parcel Outline
- Adjoining Acreage
- Section Number
- Parcel & Controlling Map No.
- Improvement
- Power Line
- Church
- School
- Wooded Area
- Road
- Railroad
- Ridge Line
- Creek
- State Line
- Co. Line
- Grass Units
- Transmission Line

**REVISIONS**

NO.	DATE	DESCRIPTION
1	10-1-79	1st Edition
2	10-1-79	1st Edition
3	10-1-79	1st Edition
4	10-1-79	1st Edition
5	10-1-79	1st Edition

**SEVIER CO., TENN.**

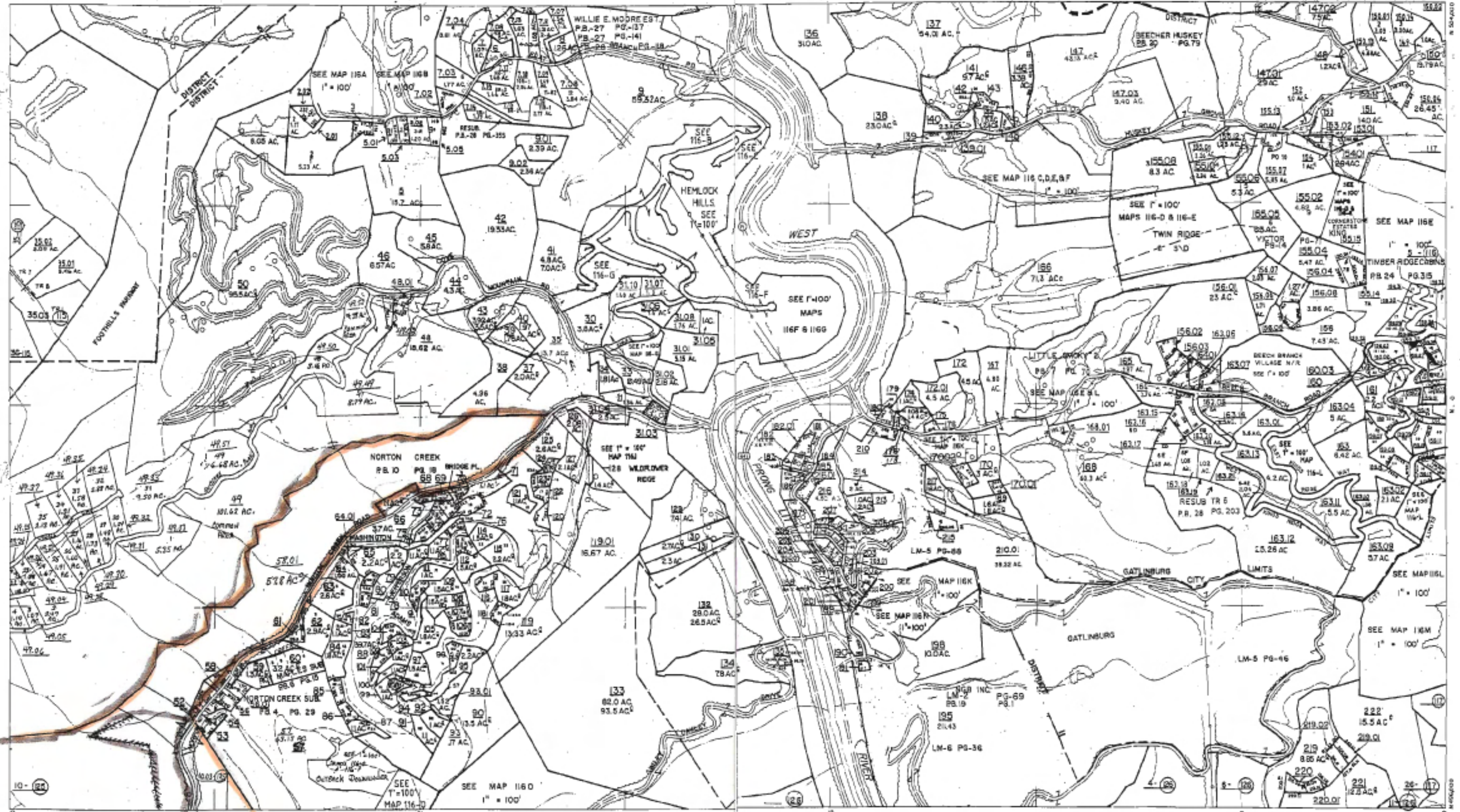
SCALE: 1" = 400'

DATE OF FLIGHT: MAY, 1985

DATE COMPILED: MARCH, 1987

**MAP NO.**  
115





PROPERTY MAP PREPARED BY  
**SABRE SYSTEMS & SERVICE**  
909 WENDOVER BLVD  
BARTON, OHIO 44009

Parcel Number  
Parcel Area  
Interior Tract Line  
District Line  
Easement  
Parcel Outline  
Subdivided Acreage  
Section Corners

Parcel & Controlling Map No.  
Feet  
County  
Church  
School  
Woods Area  
Pond

Ditch Line  
State Line  
County Line  
Transmission Line  
Road  
Railroad  
Water Line

105	106	107
115	116	117
118	119	120

REVISIONS

NO.	DATE	DESCRIPTION
1	10-17-77	10-17-77
2	08-30-78	10-17-77
3	07-12-80	10-17-77
4	04-30-81	10-17-77
5	04-30-82	10-17-77

SEVIER CO., TENN. MAP NO. 116

SCALE: 1"=400'

DATE OF FIELD: MAY 1, 1984

DATE COMPILED: MARCH, 1987









