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2008 DEC -5 PM 1:11  
T.R.A. **Melvin J. Malone**  
Direct Dial (615) 744-8572  
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December 5, 2008

**VIA HAND DELIVERY**

Honorable Tre Hargett, Chairman  
c/o Sharla Dillon, Docket & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

08-00222

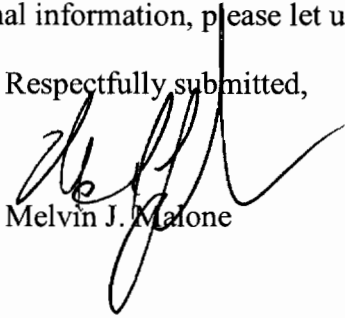
**RE: In Re: Petition for Approval to Transfer HC Sewage Treatment LLC's  
Authority to Provide Wastewater Utility Services to Greeneville Oil and  
Petroleum, Inc., TRA Docket No. 08-**

Dear Chairman Hargett:

Enclosed please find one (1) original and thirteen (13) copies of the *Petition to Transfer Certificate of Public Convenience and Necessity of HC Sewage Treatment, LLC to Greeneville Oil and Petroleum, Inc.* (the "*Petition*"). Also enclosed is a check for the filing fee as well. Please note that Exhibit E to the *Petition* is being submitted UNDER SEAL as CONFIDENTIAL and PROPRIETARY.

Finally, one (1) additional copy of the *Petition* is enclosed to be filed-stamped for our records. If you have any questions or require additional information, please let us know.

Respectfully submitted,

  
Melvin J. Malone

clw

**STATE OF TENNESSEE**  
**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

IN RE:	)	
	)	
	)	
PETITION FOR APPROVAL TO	)	
TRANSFER HC SEWAGE TREATMENT	)	Docket No.
LLC'S AUTHORITY TO PROVIDE	)	
WASTEWATER UTILITY SERVICES TO	)	
GREENEVILLE OIL AND PETROLEUM,	)	
INC.	)	
	)	
	)	

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**PETITION TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY OF HC SEWAGE TREATMENT, LLC  
TO GREENEVILLE OIL AND PETROLEUM, INC.**

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Greeneville Oil and Petroleum, Inc. ("Greeneville"), by and through its undersigned counsel, and pursuant to Tenn. Code Ann. § 65-4-113 and Section 1220-1-1 *et seq.* of the Rules and Regulations of the Tennessee Regulatory Authority ("TRA" or "Authority"), as applicable, hereby submits this *Petition to Transfer the Certificate of Public Convenience and Necessity of HC Sewage Treatment, LLC to Greeneville Oil and Petroleum, Inc.* (the "*Petition*") to the Authority for expedited approval.

For the reasons set forth herein, Greeneville respectfully requests expedited approval of this *Petition*.

## I.

### **PARTIES AND BACKGROUND**

HC Sewage Treatment, LLC (“HC”) is a small public utility that operates a wastewater treatment facility in Hampton, Tennessee pursuant to a certificate of public convenience and necessity (“CCN”) issued by the Authority on January 2, 2002, in TRA Docket No. 00-00667.<sup>1</sup>

The full name and address of HC are:

HC Sewage Treatment, LLC  
4718 Lake Park Drive, Suite 3  
Johnson City, TN 37615.

Greeneville owns and operates gas stations in Upper East Tennessee and is headquartered in Greeneville, Tennessee. Greeneville’s full name and address are:

Greeneville Oil and Petroleum, Inc.  
860 West Andrew Johnson Hwy  
Greeneville TN 37745.

HC’s only customers are Greeneville’s BP gas station and a Pizza Plus. Greeneville’s BP gas station has a McDonald’s within it, so three (3) businesses rely on HC’s wastewater utility services.<sup>2</sup> A map of the service area is attached as **Exhibit A**. On or about September 23, 2008, HC informed the Authority by letter that it was insolvent and no longer able to continue the operation of the sole plant owned by the utility in Hampton, Tennessee.<sup>3</sup> In the aforementioned letter, HC further informed the Authority that it would operate its plant until October 10, 2008.<sup>4</sup> With an aim towards serving the public interest, with the cooperation of HC, and with the

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<sup>1</sup> See *In re: Application of HC Sewage Treatment, LLC for a Certificate of Convenience and Necessity*, TRA Docket No. 00-00667, Initial Order Granting Certificate of Public Convenience and Necessity (Jan. 2, 2002) (“*HC’s CCN Order*”).

<sup>2</sup> Greeneville Oil is responsible for ensuring that wastewater treatment services are provided to the McDonald’s.

<sup>3</sup> See *In re: Request of HC Sewage Treatment, LLC for Authority Action Pursuant to Letter Dated September 23, 2008*, Order Requiring HC Sewage Treatment, LLC and First Bank and Trust Company to Appear and Show Cause Why the Tennessee Regulatory Authority Should Not Make a Claim Against HC Sewage Treatment, LLC’s Financial Security, TRA Docket No. 08-00183, p. 1 (Oct. 7, 2008) (“*Show Cause Order*”).

<sup>4</sup> *Show Cause Order* at 3.

knowledge of the Authority, Greeneville assumed the operations of HC's wastewater facility on or about October 10, 2008.

## II.

### **DESIGNATED CONTACT**

Correspondence or communications pertaining to this *Petition* should be directed to:

Melvin J. Malone  
Sarah Tally  
MILLER & MARTIN PLLC  
150 Fourth Avenue North  
1200 One Nashville Place  
Nashville, TN 37219-2433  
Telephone: (615) 244-9270  
Facsimile: (615) 256-8197  
[mmalone@millermartin.com](mailto:mmalone@millermartin.com)  
[stally@millermartin.com](mailto:stally@millermartin.com)

## III.

### **PROPOSED TRANSACTION**

Greeneville proposes to take over the ownership and operation of HC. The proposed transaction will be accomplished seamlessly and will not adversely affect HC's customers, one of which is Greeneville. As noted earlier herein, and with the Authority's knowledge,<sup>5</sup> Greeneville has expended its own funds to operate the plant since on or about October 10, 2008, due to HC's reported insolvency and inability to continue operations.

As noted in the Authority's *Show Cause Order*, Greeneville and HC are in the process of attempting to negotiate the transfer of the system to Greeneville. As a show of good faith and concern for the public interest, Greeneville is submitting the *Petition* in order to move the

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<sup>5</sup> See *Show Cause Order* at 2.

negotiations forward. It is Greeneville's intent to submit evidence/documentation of said transfer prior to the Authority's final consideration of the merits of the *Petition*.<sup>6</sup>

As previously recognized by both HC and the Authority, Greeneville's willingness and ability to take over the operations of HC's system is contingent upon, among other things, Greeneville's receiving the \$20,000 under HC's letter of credit.<sup>7</sup> HC does not object to the same.<sup>8</sup> In conjunction with the expedited approval of the *Petition*, Greeneville requests that the funds from HC's letter of credit be immediately released to Greeneville, in full, to reimburse Greeneville for the operating expenses incurred since October 2008 and to aid Greeneville in its substantial efforts to successfully operate an insolvent system on a going forward basis.

Upon expedited approval of the proposed transaction, Greeneville will determine what actions, if any, should be taken with respect to TRA Docket No. 08-00126, *In Re: Petition of HC Sewage Treatment, LLC for Approval of Adjustment of Its Rates and Charges*, and will promptly notify the Authority of the same.

#### IV.

#### **GROUND IN SUPPORT OF THE PROPOSED TRANSACTION**

As grounds in support of the *Petition*, Greeneville proffers that it is a suitable, financially responsible entity capable of efficiently overseeing and operating the utility services sought to be transferred to it by HC; that the proposed transfer will be a smooth transition between Greeneville and HC; and that the proposed transfer will serve the public interest. Greeneville has

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<sup>6</sup> At the time of the submission of the agreement between HC and Greeneville to the Authority, and pursuant to TRA Rule 1220-4-13-.07, Greeneville will submit the required financial security as well. Moreover, in conjunction with submitting this *Petition* to the Authority, Greeneville and HC are in the process of submitting a joint request to have the TDEC permit transferred to Greeneville as well. Upon submission of the same to TDEC, a copy of the request will be filed with the Authority. Moreover, upon approval of the request, a copy of said approval will likewise be promptly submitted to the Authority.

<sup>7</sup> *Show Cause Order* at 4.

<sup>8</sup> *Order Requiring First Bank & Trust Company to Release Funds Secured by HC Sewage Treatment, LLC's Letter of Credit*, TRA Docket No. 08-00183, p. 7 (Oct. 29, 2008) ("Mr. Scott confirmed to the panel that HC Sewage does not oppose the action set forth in the *Show Cause Order*.").

the requisite managerial, financial, and technical ability to operate the wastewater plant. A list of Greeneville's officers and staff is attached as **Exhibit B**. Greeneville's business license and charter are attached as **Exhibits C and D**. Greeneville's most recent financial statement is attached as **CONFIDENTIAL and PROPRIETARY Exhibit E**, is being filed **UNDER SEAL**. Greeneville has been operating the plant since October 10, 2008, and has since that time demonstrated its managerial, financial and technical ability to operate the system.

Since October 10, 2008, Greeneville has continued to employ the HC technical employee primarily responsible for the operation of the plant, Hugh Thomason. Mr. Thomason is a certified engineer. Greeneville also paid Mr. Thomason for his work performed in September 2008 in relation to the operation and maintenance of HC's facility, as he had not been paid by HC. Greeneville, including Mr. Thomason, has the requisite managerial and technical skill to operate the plant, as Mr. Thomason has been operating the plant since 2002. The Authority accepted the managerial and technical capabilities of HC's staff when the Authority issued *HC's CCN Order*.<sup>9</sup> As Mr. Thomason has remained involved with Greeneville subsequent to October 10, 2008, and will remain involved after the facility is transferred to Greeneville, and as Allen Johnson is qualified to both manage and operate the facility, Greeneville has the requisite managerial and technical ability to operate the plant at issue.

Granting this *Petition* will serve the public interest by keeping essential wastewater services available to HC's customers. If this *Petition* is not granted, then wastewater services will not be available, and all three (3) impacted businesses, and the citizens who rely substantially upon them, will be detrimentally impacted. Allen Johnson's Pre-Filed Testimony in support of the *Petition* is attached hereto as **Exhibit F**.

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<sup>9</sup> See *HC's CCN Order*.

V.

**REGULATORY MATTERS**

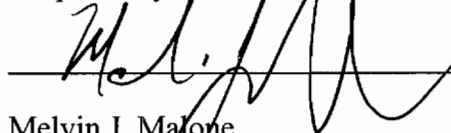
1. Greenville will adhere to all applicable Authority policies, rules, and orders governing the provision of wastewater services in the State of Tennessee.
2. Greenville is in the process of seeking the transfer of HC's TDEC permit from HC to Greenville.
3. Subsequent to the approval of its *Petition*, Greenville will file any necessary tariffs or tariff revisions in a timely manner.

VI.

**CONCLUSION**

For the foregoing reasons, Greenville Oil and Petroleum, Inc., respectfully requests the Authority to grant its *Petition* on an expedited basis and authorize it to provide wastewater services, in the same area and in the same manner as previously provided by HC Sewage Treatment, LLC, as requested herein.

Respectfully submitted,

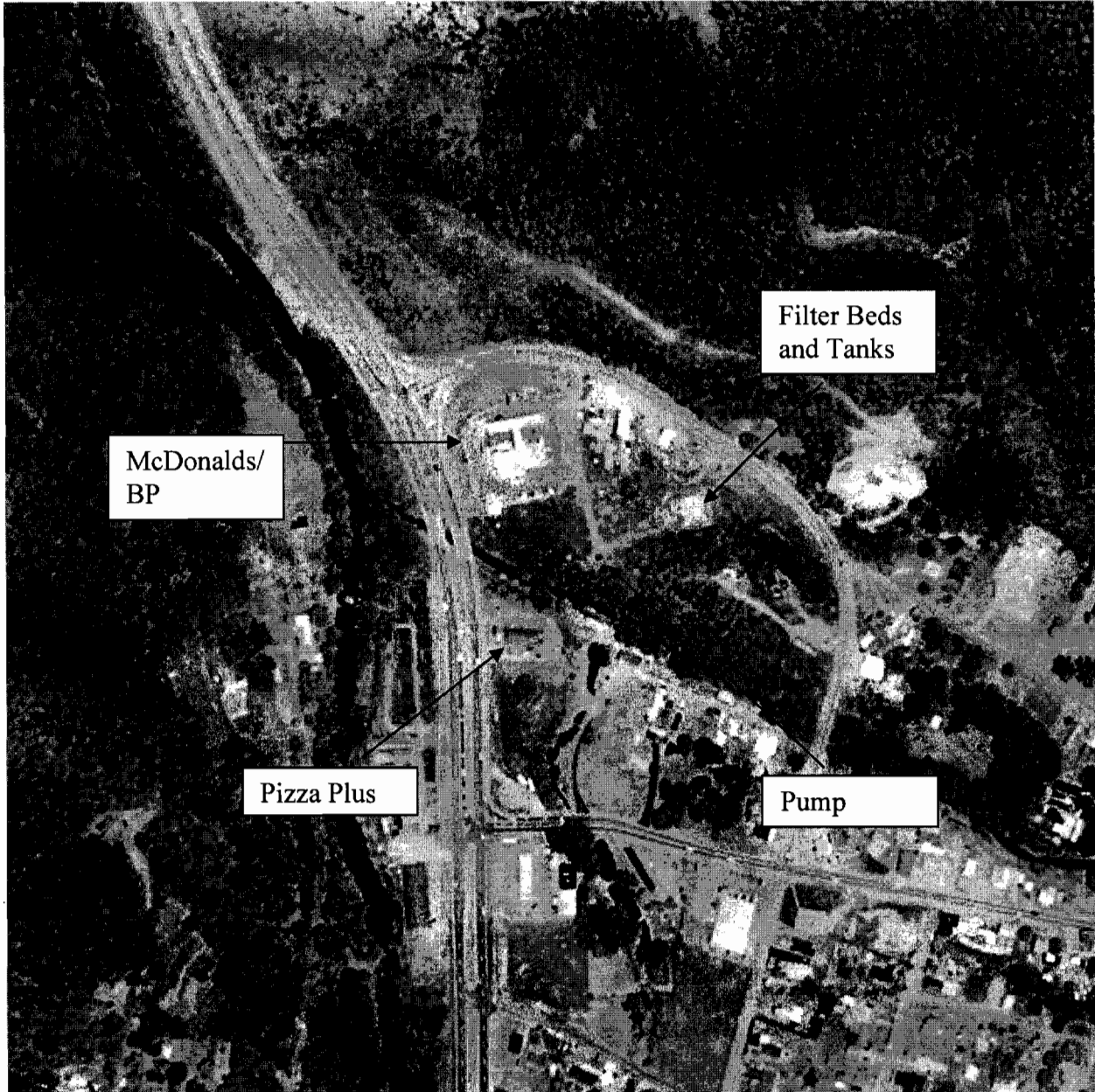
A handwritten signature in black ink, appearing to read 'M. J. Malone', is written over a horizontal line.

Melvin J. Malone  
Sarah Lodge Tally  
MILLER & MARTIN PLLC  
150 Fourth Avenue North  
1200 One Nashville Place  
Nashville, Tennessee 37219-2433  
(615) 244-9270 telephone  
(615) 256-8197 facsimile

**Attorneys for:  
Greenville Oil and Petroleum, Inc.**

**EXHIBIT A**

**MAP OF PROPOSED SERVICE AREA**





## **EXHIBIT B**

### **OFFICERS AND STAFF OF GREENEVILLE OIL AND PETROLEUM**

Allen Johnson – President  
Greeneville Oil & Petroleum, Inc.  
860 West Andrew Johnson Highway  
Greeneville, Tennessee 37745  
(423)638-3145 Office

Dennie Mathes - Operations

Mark Freshour - Markets

Becky Ricker – Human Resources

Nickie Rhoads – Certified Public Accountant

Hugh Thomason – Certified Engineer

**EXHIBIT C**

**BUSINESS LICENSE OF GREENEVILLE OIL AND PETROLEUM**

**DAVID THOMPSON**  
**GREENE COUNTY CLERK**

204 N CUTLER ST  
SUITE 200  
GREENEVILLE, TN 37745

**LICENSE**  
**0461257**

**MINIMUM BUSINESS LICENSE AND GROSS SALES RECEIPT, NOT A BILL**

Meeting

Location

1579 GREENEVILLE OIL CO & PETROLEUM  
P O BOX 926  
GREENEVILLE TN 37744

GREENEVILLE OIL CO & PETROLEUM

OIL CO

ACCOUNT NUMBER 1579  
TRANSACTION NUMBER 12  
CLASS 1A  
SALES TAX NUMBER \_\_\_\_\_

ISSUE DATE 03/03/08  
TAX PERIOD 01/01/2007 -- 12/31/2007  
EXPIRATION DATE 12/31/2008

THIS IS YOUR OFFICIAL NOTICE THAT IF GROSS SALES TAX IS NOT PAID  
WITHIN 60 DAYS FROM ABOVE EXPIRATION DATE, A DISTRESS WARRANT  
MAY BE ISSUED TO SATISFY THE TAX DEBT. FURTHER NOTIFICATION OF  
EXPIRATION IS NOT REQUIRED BY LAW. PLEASE MAKE NOTE OF THESE  
DATES.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED,  
ANYWHERE IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.

DEPUTY CLERK SIGNATURE

DC WK10 Drawer:7 Site:1

-- POST AT LOCATION OF BUSINESS --

IF BUSINESS CLOSSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE

## EXHIBIT D

### CHARTER OF GREENEVILLE OIL AND PETROLEUM

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SECRETARY OF STATE

NOV 27 1993

#### STATE OF TENNESSEE

#### CHARTER OF INCORPORATION

OF

#### GREENEVILLE OIL & PETROLEUM, INC.

The undersigned, acting as the incorporator under the Tennessee Business Corporation Act, adopts the following charter for such corporation:

1. The name of the corporation is GREENEVILLE OIL & PETROLEUM, INC.

2. The duration of the corporation shall be perpetual.

3. The address of the principal office of the corporation in the State of Tennessee shall be:

860 West Andrew Johnson Highway  
P.O. Box 926  
Greeneville, TN 37744

4. The name and address of the corporation's initial registered agent is:

E. Grant Crum  
100 South Main Street  
Greeneville, TN 37743

5. The corporation is for profit.

6. The purpose or purposes for which the corporation is organized are:

(a) A specific purpose of the corporation is to engage in the business of wholesale and retail selling of petroleum and in the grocery business, and also to do all such acts as may be necessary or convenient to carry out the foregoing purposes of this corporation.

436

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RILEY DARNELL  
SECRETARY OF STATE

(b) A further purpose is generally and without limitation of the foregoing to carry on, conduct, and engage in any and all businesses, occupations or operations that may from time to time be deemed to be necessary, requiring or conducive to the carry out of any of the objects or purpose of this corporation.

(c) This corporation is also and additionally organized to carry out the widest possible range of purposes permitted under Tennessee Code Annotated Section 48-13-101.

7. The maximum number of shares with per value and the maximum number of shares without par value that the corporation is authorized to issue, the classes, references, limitations, relative rights in respect of shares in each class, etc., are as follows: The corporation shall be authorized to issue not in excess of the maximum number of one thousand (1,000.00) shares of common stock having full voting rights (at the rate of one (1) vote for each share) eligible for dividends when and as declared by the Board of Directors, and having no par value per share.

8. The corporation will not commence business until consideration of at least One Thousand Dollars (\$1,000.00) shall be received for the issuance of shares; and when such amount so fixed shall have been subscribed for, all subscriptions for the stock of this corporation shall be enforceable and the corporation may proceed in the same manner and as fully as though the maximum numbers of shares authorized under the provision of this carter shall have been subscribed for..

9. The corporation shall have the powers specified in Section 48-13-102 of the Tennessee Code Annotated. The corporation shall also have the powers stated in statutory Section 48-13-103 of said Code, and all other powers normally allowable by law, both statutory and common law, to Tennessee Corporations, including, but without limitation, the authority granted by statutory Sections 48-15-102; 48-16-102; 48-16-103; 48-16-104; 48-16-204; 48-16-205; 48-16-207; 48-16-208; 48-16-

437

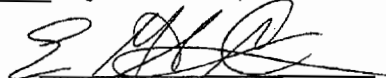
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48-16-302; and 48-16-401. In addition to the powers  
herebefore granted, the corporation shall also have all such  
powers as are by implication necessary to carry out the  
purposes for which the corporation is organized.

10. The shareholders of this corporation shall not  
have any "preemptive right" to acquire shares or other  
securities; the "preemptive right" provided by Section 48-16-  
301 of the Tennessee Code Annotated shall not exist with  
respect to this corporation or its shares.

The foregoing clauses shall be construed both as  
objects and powers and it is hereby expressly provided that the  
foregoing enumeration of specific powers shall not be held to  
limit or restrict in any manner the powers of this corporation.

DATED this the 21<sup>st</sup> day of December, 1993.

  
E. GRANT CRUM, Incorporator

Address: 100 South Main Street  
Greenville, TN 37743

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438

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RILEY DARNELL  
SECRETARY OF STATE

DESIGNATION OF REGISTERED AGENT  
OF  
GREENEVILLE OIL & PETROLEUM, INC.

TO THE SECRETARY OF STATE OF THE STATE OF TENNESSEE:

Pursuant to the provisions of Section 48-15-101 of the Tennessee Business Corporation Act, the undersigned incorporator submits the following statement for the purpose of designating the registered agent for the corporation in the State of Tennessee.

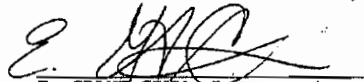
1. The name of the corporation is GREENEVILLE OIL & PETROLEUM, INC., a domestic corporation presently being organized.

2. The name and address of its registered agent in the State of Tennessee shall be:

E. Grant Crum  
Rogers, Laughlin, Nunnally & Hood  
100 South Main Street  
Greeneville, TN 37743

DATED this the 21<sup>st</sup> day of December, 1993.

GREENEVILLE OIL & PETROLEUM, INC.

  
E. GRANT CRUM, incorporator

Address: 100 South Main Street  
Greeneville, TN 37743

EGC/jlc/27/4

State of Tennessee, Greene County Register's Office  
This instrument recorded in Ch. 16 Book 435  
Recorded for record at 8:20 A M on the 11 day of Jan 1994  
State Tax 5.00 Rec'd Fee 5.00 Total 10.00  
Filed in Book 7 Page 18 By Mr. Carroll E. Howell, Reg.  
No 36212 Charlottesville Deputy

439

**EXHIBIT F**  
**PRE-FILED TESTIMONY OF**  
**ALLEN JOHNSON**

IN RE:

Docket No.

## December 5, 2008



**Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

A. My name is Allen Johnson, and my business address is Greeneville Oil and Petroleum, Inc., 860 West Andrew Johnson Hwy., Greeneville, TN 37745.

**Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

A. I am the owner of Greeneville Oil and Petroleum, Inc. (“Greeneville” or “Applicant”), and I serve as the President of Greeneville.

**Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND BUSINESS EXPERIENCE.**

A. I have been involved in the oil and gas industry for twenty (20) years. I am currently the owner and President of Greeneville Oil and Petroleum, Inc., and I have served in this capacity with Greeneville for fourteen (14) years. Prior to joining Greeneville, I was employed by Allergan Pharmaceuticals for nine (9) years as its Internal Auditor. I graduated from East Tennessee State University in 1986.

**Q. FOR WHOM ARE YOU TESTIFYING IN THIS PROCEEDING?**

A. I am testifying on behalf of Greeneville.

**Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

A. The purpose of my testimony is to support the *Petition to Transfer Certificate of Public Convenience and Necessity of HC Sewage Treatment LLC's to Greeneville Oil and Petroleum, Inc.* (the “*Petition*”).

**Q. PLEASE DESCRIBE GREENEVILLE’S CORPORATE STRUCTURE.**

A. Greeneville’s license to do business and its charter are currently on file with the Authority, as exhibits to the *Petition*. I am Greeneville’s sole stockholder.

**Q. PLEASE DESCRIBE GREENEVILLE'S OPERATIONS IN THE STATE OF TENNESSEE.**

A. Greeneville owns and operates thirty-four (34) gas stations in Upper East Tennessee and is headquartered in Greeneville, TN. Since October 10, 2008, Greeneville has also been operating the wastewater utility owned and formerly operated by HC Sewage Treatment, LLC ("HC Sewage").

**Q. WHAT IS GREENEVILLE SEEKING IN ITS *PETITION* IN THIS DOCKET?**

A. Greeneville is seeking a transfer of the certificate of public convenience and necessity ("CCN") granted to HC Sewage by the Tennessee Regulatory Authority ("TRA" or "Authority") in 2002 to Greeneville.<sup>1</sup>

**Q. WHY IS GREENEVILLE SEEKING THIS TRANSFER?**

A. Greeneville is seeking the transfer because HC Sewage has informed the Authority that it is insolvent and is unable to continue operations of its wastewater services. These services are vital to Greeneville's business and the community in which it operates, as well to the Pizza Plus serviced by HC Sewage.

**Q. DOES GREENEVILLE MEET THE STATUTORY REQUIREMENTS SET FORTH IN TENN. CODE ANN. § 65-4-113?**

A. Yes. Greeneville has the managerial, technical, and financial capabilities to operate this wastewater utility. As I noted earlier, HC Sewage was granted a CCN by the Authority in January of 2002. Greeneville has retained the experienced HC

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<sup>1</sup> See *In re: Application of HC Sewage Treatment, LLC for a Certificate of Convenience and Necessity*, TRA Docket No. 00-00667, Initial Order Granting Certificate of Public Convenience and Necessity (Jan. 2, 2002) ("HC's CCN Order").

Sewage technical staff to continue operating the wastewater utility. The experience of the staff, namely Hugh Thomason, provides Greeneville with the foundation necessary to provide the proposed wastewater services. Greeneville is managerially qualified to provide wastewater services. Attached as **Exhibit B** to the *Petition* is a list of the names of the Applicant's principal company officers and staff and a description of each officer's background and experience. As shown in this exhibit, the company has substantial managerial experience suitable to the area of utility operations.

Greeneville is financially qualified to provide the proposed wastewater services. Attached as **CONFIDENTIAL Exhibit E** to the *Petition* is most recent financial statement of Greeneville, which demonstrates that Greeneville is financially qualified to provide wastewater services.

Before issuing *HC's CCN Order*, the Authority reviewed and evaluated HC Sewage's technical abilities. The TRA granted the requested authority in 2002 based, in part, upon finding that HC Sewage possessed the requisite technical qualifications to provide wastewater services in Tennessee. Since that time, HC Sewage's staff has successfully serviced HC Sewage's wastewater customers. Greeneville has retained HC Sewage's staff to operate the plant. This experience provides Greeneville with the foundation necessary to provide the proposed wastewater service. Hence, Greeneville is technically qualified to offer wastewater services.

**Q. WILL GREENEVILLE CONTINUE TO COMPLY WITH THE TRA'S POLICIES, RULES, AND ORDERS?**

**A.** Yes.

**Q. WILL GREENEVILLE COMPLY WITH STATE LAW IN RELATION TO ITS REQUEST FOR TRANSFER?**

A. Yes.

**Q. WILL THE GRANTING OF THE *PETITION* SERVE THE PUBLIC INTEREST?**

A. Yes. The Authority issued *HC's CCN Order* based, in part, upon finding that granting the same was in the public interest. The granting of this *Petition* will further the public interest by permitting and authorizing the continuation of essential wastewater services.

**Q. IS THE *PETITION* TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE, INFORMATION AND BELIEF?**

A. Yes.

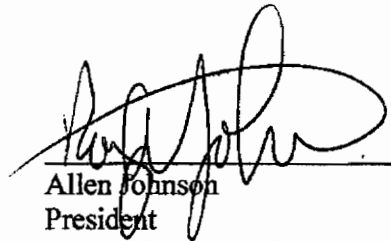
**Q. DOES THIS CONCLUDE YOUR PRE-FILED TESTIMONY?**

A. Yes, it does. Thank you.


## VERIFICATION

STATE OF TENNESSEE )  
COUNTY OF Greene )

I, Allen Johnson, being first duly sworn, make oath that I am the President of Greeneville Oil and Petroleum, Inc., that I am authorized to make this oath on behalf of Greeneville Oil and Petroleum, Inc, and that the *Petition to Transfer Certificate of Public Convenience and Necessity of HC Sewage Treatment, LLC to Greeneville Oil and Petroleum, Inc.* submitted to the Tennessee Regulatory Authority, and the statements contained therein, are true, accurate and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Allen Johnson  
President  
Greeneville Oil and Petroleum, Inc.

Sworn to and subscribed before me this 5 day of December, 2008.

  
\_\_\_\_\_  
Becky Testerman Ricker  
Notary Public  
My Commission Expires: 3-23-2011

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy has been forwarded via U.S. Mail to the following on this the 5<sup>th</sup> day of December 2008.

T. Arthur Scott, Jr.  
Attorney at Law  
130 Nevermore Lane  
Kingsport, TN 37664

Mr. Daniel Morrison  
Ms. Cheryl Morrison  
Pizza Plus  
P.O. Box 629  
Blountville, TN 37617

Timothy Phillips  
Office of the Attorney General, Consumer Advocate Division  
P.O. Box 20207  
Nashville, TN 37202-0207

  
\_\_\_\_\_  
Melvin J. Malone