

**Darlene Standley - Re: Lynwood Utility Corporation - Docket No. 09-00034**

**From:** Darlene Standley  
**To:** Greene, Paul; Hotvedt, Gary; Scholes, Don  
**Date:** 9/24/2009 2:10 PM  
**Subject:** Re: Lynwood Utility Corporation - Docket No. 09-00034  
**CC:** Foster, David; McGehee, Ryan; Warner, T.Jay

RECEIVED  
 2009 SEP 24 PM 2:14  
 T.R.A. DOCKET ROOM

Don

During the Conference Director Roberson made the following motion:

1. Reject the Company's Rate Design proposals [except as noted hereafter].
2. Increase the residential volumetric rate from \$6.53/1000 gallons to \$7.97/1,000 gallons and the commercial volumetric rate from \$8.16/1,000 gallons to \$9.96/1,000 gallons to recover the projected revenue deficiency of \$125,618.
3. Accept the Company's proposal to remove the cap for Walnut Grove Elementary School.

The first and second portion of his motion passed 3-0 and the third motion to remove the cap did not pass.

Therefore, the Company's rate design proposal was rejected. You should not file a tariff to increase in the tap fee from \$3,500 to \$4,500 for residential and an increase in the commercial tap fee, an increase in the sewer connection charge from \$250 to \$350 and an increase in the bad check charge from \$20 to \$30 because as this proposal was rejected.

You may file a revised tariff (on Monday with an October 1 effective date) increasing the residential volumetric rate from \$6.53/1000 gallons to \$7.97/1,000 gallons and the commercial volumetric rate from \$8.16/1,000 gallons to \$9.96/1,000 gallons. All other charges and caps should remain in place.

cc: Docket File 09-00034

Thanks

Darlene Standley, Utilities Division Chief  
 Tennessee Regulatory Authority  
 460 James Robertson Parkway  
 Nashville, TN 37243-0505  
 darlene.standley@state.tn.us

>>> "Don Scholes" <dscholes@branstetterlaw.com> 9/23/2009 5:34 PM >>>

Gary and Paul,

The tariff filed with the Petition in this docket was suspended until September 30, 2009. Lynwood would like to file its revised tariff with the rates approved by the Authority on Monday effective October 1, 2009. Is there any problem in doing that?

The tariff filed with the Petition in this docket had an increase in the tap fee from \$3,500 to \$4,500 for residential and an increase in the commercial tap fee, an increase in the sewer connection charge from \$250 to \$350 and an increase in the bad check charge from \$20 to \$30. The Consumer Advocate did not seem to take a position on these increases. The Authority did not mention them in the deliberations on Monday. Should Lynwood assume that the increases should go into effect when it files

file:///C:/Documents and Settings/aa04007/Local Settings/Temp/XPgrpwise/4ABB7DF3SD15AA07S0110... 9/24/2009

its revised tariff?

I would appreciate your guidance on this.

Don Scholes

Donald L. Scholes

Branstetter, Stranch & Jennings, PLLC

227 Second Avenue North, Fourth Floor

Nashville, TN 37201-1631

615-254-8801

615-250-3937 (fax)

[dscholes@branstetterlaw.com](mailto:dscholes@branstetterlaw.com)

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521 and is legally privileged. This e-mail message and any files transmitted with it are also subject to the attorney-client privilege and attorney work-product doctrine, and contain confidential information intended only for the person(s) to whom this e-mail message is addressed. If you have received this e-mail message in error, please notify the sender immediately by telephone at (615) 254-8801 or e-mail and destroy the original message without making a copy.

IMPORTANT: This communication from the law firm of Branstetter, Stranch & Jennings, PLLC is covered by the Electronic Communications Privacy Act, 18 U.S.C §§ 2510-2521 and contains information which may be confidential and privileged. Be advised that if you are not the intended recipient(s), any dissemination, distribution or copying of this communication is prohibited, and please notify the undersigned immediately by telephone or return e-mail.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS and other taxing authorities, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed on any taxpayer or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

