

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

filed electronically in docket office on 5/26/2009

May 22, 2009

IN RE: )  
)  
DATA REQUEST DATED MAY 20, 2009 REGARDING ) DOCKET NO. 09-00045  
PETITION OF AQUA GREEN UTILITY INC. TO OBTAIN )  
A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY )  
FOR THE SERVICE OF THE PART OF JEFFERSON COUNTY, )  
TENNESSEE KNOWN AS THE PENINSULA )

1. Neither Aqua Green Utility Inc. nor Advanced Septic Inc. has started construction on any part of the wastewater system or treatment system. Advanced Septic Inc. is my construction company that will build the wastewater treatment system. It is my understanding that the developer (The Peninsula on Douglas Lake) completed construction on the collection system. Currently the collection system is not connected to any homes. Plans and drawings of the collection system have been sent to TDEC.
2. I have been told by the developer that 70 of the 80 lots have been sold and that the lots were sold with the promise of wastewater service being provided. Under the current soil absorption standards TDEC will only approve 70 lots because of soil conditions. TDEC has agreed to monitor flows once the wastewater system is operational and if flows are less than 219 gallons per day, they will allow the last 10 lots to be added to the system. I have a contract with the developer stating that they will hold 10 lots and not sell them until approved by TDEC. Only upon approval would the last 10 lots be allowed to be added to the system.
3. I have seen two homes nearing completion of construction. I have no knowledge of how many permits might be issued.
4. I have included both contracts between The Peninsula On Douglas Lake LLC., Aqua Green Utility Inc. and Advanced Septic Inc. I request the contracts not be displayed or publically disclosed on your website for corporate security reasons.
5. The SOP was sent to TDEC on April 28, 2009 shortly after receiving the current soil reports from the developer's soil scientist. I have had several meetings with TDEC and provided all requested documents. TDEC will not issue the SOP until Aqua Green Utility Inc. has received an approved CCN.

Respectfully submitted,



Dart Kendall, President, Aqua Green Utility, Inc.  
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