

# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## NOTICE OF ORAL ARGUMENT

**In Re:** *Petition of Cartwright Creek, LLC to Change and Increase Rates and Charges*

**Docket No.:** 09-00056

**Date:** September 23, 2009

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On September 14, 2009, the Consumer Advocate filed a *Motion to Request Limited Additional Discovery and Bifurcation of Waterbridge Special Contract Issues* ("Motion"). Considering the responses to the *Motion* filed by Cartwright Creek and Waterbridge, the Hearing Officer finds that oral argument is appropriate and necessary. Therefore, oral argument on the *Motion* is hereby scheduled to begin at **2:00 p.m., Monday, September 28, 2009** in the Hearing Room on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee.

Attached to this Notice is a series of questions that the Hearing Officer expects the parties to address during their argument in order to resolve the issues raised by the *Motion*. If counsel is unable to fully address any of these questions, the parties are expected to have technical and/or expert witnesses available to provide complete and binding responses.

Notwithstanding the above, the Authority has not yet received Cartwright Creek's responses to the questions raised by the Authority Staff at the September 9, 2009 Status Conference, which were due on September 21, 2009. This Hearing Officer strongly encourages Cartwright Creek to file its responses without further delay.

Participants with disabilities who require special accommodations or alternate communications formats should contact the Tennessee Regulatory Authority ADA-EEO/AA Coordinator/Officer, 460 James Robertson Parkway, Nashville, Tennessee 37243-0505, 1-800-342-8359 or TDD 741-3930 so that reasonable accommodations can be made.

FOR THE TENNESSEE REGULATORY AUTHORITY

A handwritten signature in black ink, appearing to read "Gary Hotvedt", is written over a horizontal line.

Gary Hotvedt, Hearing Officer

Original in docket file

c: Parties of Record

Telephone (615) 741-2904, Toll-Free 1-800-342-8359, Facsimile (615) 741-5015  
[www.state.tn.us/tra](http://www.state.tn.us/tra)

**DOCKET NO. 09-00056**  
Attachment to Notice of September 23, 2009

Questions to be addressed during the September 28, 2009 Oral Arguments:

1. Is it Cartwright Creek's intention that the proposed tariff in the petition be applicable to all three wastewater systems (Grasslands, Waterbridge and Stillwater)?
2. Is it Cartwright Creek's intention that the undeveloped lot fee in the proposed tariff be applicable to the Stillwater development as well?
3. What is the total dollar amount of expenses related to Waterbridge and Stillwater developments included in Cartwright Creek's original petition?
  - a. Provide an itemization of these expenses by dollar amount, description of each expense, and the account to which it is booked. Be specific when identifying each expense (broad categories such as "plant management" will not satisfy the required level of specificity).
  - b. Should such expenses be considered in this rate case and how should they be treated, e.g. expensed or capitalized? Why or why not?
4. Identify what the \$8,000 in "Revenues from Other Systems" shown on the Company Exhibit D represents and how it is calculated. How does it relate to the \$10,000 in revenue mentioned by counsel for Waterbridge at the September 9, 2009 Status Conference?
5. Does Cartwright Creek expect that there will be any customers in the Waterbridge or Stillwater developments by the end of 2009? If so, what is the expected number?
6. Please provide the total charge to Sheaffer from Astro National – bring supporting documentation for this amount. Provide detail on how this amount was allocated and to whom.
7. Please explain in detail how much of Mr. Reed's costs is for overhead and how much is payroll expense for Mr. Reed. Provide detail of the overhead amount. Provide detailed descriptions of the functions performed by Mr. Reed, Mr. Winfrey and Mr. Meyer.
8. Regarding the Waterbridge development:
  - a. What is the estimated date for the completion of the Waterbridge wastewater system and transfer of the title to Cartwright Creek?
  - b. When and under what circumstances will Cartwright Creek begin receiving the proposed undeveloped lot fees from Waterbridge?
  - c. The current TDEC Permit for Waterbridge (SOP#04019) expires on October 31, 2009. Has Cartwright Creek made application for a renewal of its permit? When will the new permit be issued?
9. Regarding the Stillwater development:
  - a. What is the estimated date for the completion of the Stillwater wastewater system and transfer of the title to Cartwright Creek?
  - b. Will the developer of Stillwater pay Cartwright Creek undeveloped lot fees? If so, what is the amount of the fee per undeveloped lot and when and under what circumstances will Cartwright Creek receive the first payment?
  - c. How many planned building lots are there in the proposed Stillwater development?