

RECEIVED

Condo Villas Association of Gatlinburg

814 East Foothills, Gatlinburg, Tennessee 37738

Ed Cross, Pres
613-586-1922

Randy Carpenter, Prop. Man.
865-436-5092

John Clark, Treasurer
865-932-6759

April 28, 2010

DOCKET NO.

10-00107

RECEIVED

MAY 18 2010

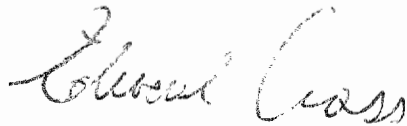
TN REGULATORY AUTHORITY
UTILITIES DIVISION

Tennessee Regulatory Authority
Nashville, Tennessee

Attention: Sara Kyle, Chairperson

Please accept the enclosed application for consideration
at the next available hearing.

Thank you



Edward Cross, president
Condo Villas Association of Gatlinburg

Phone: 613-586-1922
Fax: 613-586-1919

EXHIBIT 1

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

IN RE:

**IN RE: PETITION OF CONDO VILLAS OF
GATLINBURG ASSOCIATION, INC. D/B/A
FOOTHILLS WATER PROPERTIES, INC.**

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) **DOCKET NO.**
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PETITION FOR EMERGENCY RELIEF

Condo Villas of Gatlinburg Association, Inc. d/b/a Foothills Water Properties, Inc. ("Condo Villas" or "Company") respectfully submits this Petition for Emergency Relief to the Tennessee Regulatory Authority ("TRA" or "Authority") for approval for the purposes of emergency relief for water rates pursuant to Tenn. Code Ann. §§65-5-101 and 65-5-103.

1. Condo Villas is incorporated under the laws of the State of Tennessee and is engaged in the business of providing water service to approximately 102 customers in or around Gatlinburg. Condo Villas is a public utility pursuant to the laws of Tennessee and its public utility operations are subject to the jurisdiction and regulation of the TRA.

2. The Authority approved the transfer conveying the interests of Foothills Water Properties, Inc. ("Foothills") as a charitable gift to Condo Villas by Order dated October 10, 2000 in Docket No. 00-00046.

3. By TRA Order dated March 20, 2008, in Docket 07-00228, the Authority approved the settlement agreement between Condo Villas and the TRA Staff for a general rate

increase sought by Condo Villas that resulted from the Petition seeking approval for a general rate increase filed by Condo Villas on October 2, 2007.

4. Condo Villas' principal office is located at 814 E. Foothills Drive, Gatlinburg, TN 37738.

5. Condo Villas purchases its water from the City of Gatlinburg. In December 2009, Condo Villas experienced a water line break due to severe weather. As a result, millions of gallons of water were lost and Condo Villas had to hire a contractor to find and repair the damage to the water line.¹

6. As a result of the water line break, Condo Villas incurred additional charges in the amount of \$14,900.² The Company does not have additional funds to cover the cost of the lost water or the damage to the water line and requests the TRA to grant emergency relief so the Company is permitted to charge all utility customers a one-time special assessment of \$155.00.

7. Condo Villas seeks the above-referenced emergency relief because the existing rates and charges do not provide sufficient revenue to cover the costs incurred as a result of water line break.

8. Upon Authority approval, the Company shall immediately file tariff revisions to reflect the stipulated rates and subsequently make other such tariff modifications as deemed necessary by the Staff to update the existing tariff.

9. Condo Villas respectfully requests that the Authority not require a bond for such emergency relief. Condo Villas has a long-standing regulatory history with the Authority.

10. Condo Villas requests this emergency relief to be effective upon TRA approval.

¹ See Exhibit 1.

² See Exhibit 2.

For the reasons stated herein, Condo Villas requests the Authority to approve this Petition for
Emergency Relief.

Respectfully submitted,

**CONDO VILLAS OF GATLINBURG
ASSOCIATION, INC. D/B/A FOOTHILLS
WATER PROPERTIES, INC.**


By:  Edward Cross, president

EXHIBIT 2

Foothills Water Properties, Inc.

Special Billing Budget (November/December 2009)

102 Users @ \$155.00 each	\$15,810.00
Construction repairs	\$ 6,090.00
*Water Excess	\$ 9,720.00
	\$15,810.00

Water Consumption

Total \2 months (leaking period)	\$15,876.00
Normal "average" usage for 2 months	(6,200.00)
*Excess	\$ 9,676.00

Exhibit 2 plus supporting receipts.

Jan 21 10 02:41p Cabin Fever

865-908-4663

P.1

1 of 3

Date 1-19-10

From - Tom Green Service's
3851 Katy Holler rd
Sevierville T.N. 37862
(865-908-4663)

To - Condo Villa's Assoc
Attn: Randy

Water MAIN Break

12-28 - Started Looking for Leak
12-29 - Looked Thru Woods + Roadways for
Leak
12-31 - Geophone Roadways
1-4 - Geophone Roadways
1-5 - Testing AREAS, Cut Grooves in Roadway
1-6 - Testing
1-7 - Located - Buried SHUTOFF AT Villa Lane &
Villa Dr
1-11 - Located 3" Water Line Break + Repaired
1-12 - Back Filled + Tested, checked Meter.
Replaced Waterline to END UNIT ON Villa Dr
Left Access To SHUTOFF, Need To Make
Water Key for SHUTOFF

Excavator
Backhoe
Road Saw

Equipment - \$2126.41
Labor - \$3200.00
Material - 424.40
\$5750.81

Labor Discounted
From \$3840.00

Payment Expected upon Receipt

Randy Conforti
1/21/10

JED < US 11:05p

Cabin Fever

HNS-508-4663

P.3

Date 12-22-09

From - Tom Green Service's
3831 Katy Holler rd
Sevierville T.N. 37862
(865-908-4663)

To - Canada Villa'sAttor: Randy2" PVC Break Behind Bruce George Property

Dug up 2" water pipe leak - leak had
been repaired 6 - years prior. 2" PVC
had NOT been properly put back
together. Not in coupling properly.

Repaired with 2" PVC, 2" UNION + 2" PVC
pipes

Material + Labor \$1,75.00

Randy C

12-23-09

From - Tom Green Service's
3831 Katy Hollar rd
Seyierville T.N. 37862
(865-908-4663)

Date 12-22-09To - Condo Villa'sATTN: RandyCRACKED T @ Big house Watershed 12/20Cut away Broken T-CondoleT + Replaced
W/ UNION - To CondoleT + CouplingMaterial + Labor \$ 165.00Randy C12-23-09

P.O. Box 450
Gatlinburg, TN 37738
865-436-1407 - Bill Inquiries
865-436-4681 - Water Plant

CITY OF GATLINBURG

UTILITY SERVICE BILL

Office Hours:
Monday - Friday
8:00 AM - 4:30 PM
utilities@ci.gatlinburg.tn.us

Account #	Account Name	Service Address	Customer #	Bill #:	Date Due
17.0935.00.01	Condo Villas Homeowner Association	CARTERTOWN RD	13835	6032043	1/25/2010

Service Period: From 11/18/2009 to 12/17/2009

Service Type:	Current Meter:	Previous Meter:	Usage:	Charge Amount:
Administration				\$1.00
Water	366003	72820	22091	\$8,461.05
Sales Tax				\$825.05

Previous Balance:	Payments:	Adjustments:	Deposit Applied:
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\$5,488.24

\$5,488.24

\$0.00

\$0.00

Current Charges: \$9,287.10

Balance Carried Forward: \$0.00

Total Due by 1/25/2010: \$9,287.10

AFTER Due Date Pay: \$10,133.31

FAILURE TO RECEIVE BILL DOES NOT RELIEVE OBLIGATION TO PAY.

PD 4,600.00
1/20/10
✓ 1391

04/26/2010 07:24
Gatlinburg, TN 37738
865-436-1407 - Bill Inquiries
865-436-4681 - Water Plant

8656098141

ABRAMS ACCOUNTING

PAGE 05/05

Office Hours:
Monday - Friday
8:00 AM - 4:30 PM
utilities@ci.gatlinburg.tn.us

UTILITY SERVICE BILL

Account #	Account Name	Service Address	Customer #	Bill #	Date Due
17.0935.00.01	Condo Villas Homeowner Association	CARTERTOWN RD	13835	6042880	2/25/2010

Service Period: From 12/18/2009 to 1/19/2010

Service Type:	Current Meter:	Previous Meter:	Usage:	Charge Amount:
Administration				\$1.00
Water	379402	77840	15639	\$6,002.84
Sales Tax				\$585.38

Previous Balance:	Payments:	Adjustments:	Deposit Applied:	Current Charges:
\$9,714.17	\$4,600.00	\$0.00	\$0.00	\$6,589.22

Balance Carried Forward: \$5,114.17

Total Due by 2/25/2010: \$11,703.39

AFTER Due Date Pay: \$12,303.77

DISCONNECTION NOTICE: This account has a past-due balance in the amount of \$5,114.17 which must be paid by 8:00 A.M. on 2/12/2010 or service may be discontinued without further notice and subject to a \$50.00 reconnect fee.

FAILURE TO RECEIVE BILL DOES NOT RELIEVE OBLIGATION TO PAY.

Paul total
2-15-10 JA
OF \$11,703.39
w/ck #1397

Presort ID: 2348

2482-6