

# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

June 13, 2011

Mr. Dart Kendall  
Aqua Green Utility, Inc.  
3350 Galts Road  
Acworth, Georgia 30102

RE: Docket No. 10-00145 - Petition of Aqua Green Utility, Inc. for a Certificate of Public Convenience and Necessity to Serve an Area in Jefferson County, Tennessee known as the Stonebridge.

Dear Mr. Kendall:

A Petition was filed in this Docket on July 16, 2010. After further soil evaluation by the Tennessee Department of Environment and Control ("TDEC"), an amendment was filed to the pre-filed testimony of Dart Kendall on April 8, 2011. To assist the Authority in its review of Aqua Green Utility, Inc.'s ("Aqua Green") Application for a Certificate of Public Convenience and Necessity ("CCN") to provide wastewater services at the Stonebridge development in Jefferson County, Tennessee, please provide the following information:

1. On page 1 of Aqua Green's Petition filed July 10, 2010 it states, "Enclosed is a letter from the developer Chip Leonard of RPM Group LLC requesting AGUI to be the public sewer utility provider for this property." Please explain why RPM Group LLC is identified as the developer in the original Petition if you now state you do not know who they are.
2. The Secretary of State page that was included in your data response of May 5, 2011 shows that Stonebridge is inactive with the Secretary of State. Provide evidence showing Stonebridge is active with the State of Tennessee.
3. The Petition states funding will be provided by the developer; however, the email from M. Sorelles states that the developer has been absent. What source of funding will the subdivision have if the developer does not provide the money needed?
4. Does Aqua Green (as the named beneficiary) have a performance bond or other appropriate financial security from the developer or Advance Septic, Inc. to insure complete construction of the system? If not, will the Utility be willing to obtain a performance bond from the developer or builder of the wastewater system until the construction of the system is complete?

5. Provide financials for the developer verifying the money is available for the build out of the wastewater system, as was requested in #9 of the Data Request, dated April 21, 2011.
6. On the warranty deed submitted May 5, 2011, Sam Pinner was a signatory for Stonebridge. Provide evidence that Sam Pinner is an authorized member of Stonebridge on Douglas Lake, LLC.

Please provide your response no later than 2:00 P.M. on Monday, June 20, 2011 and reference Docket No. 10-00145. In accordance with TRA rules, submit either one original and thirteen (13) written copies of your response or an original and four (4) written copies and an electronic version. Should you have any questions regarding this request, please contact Patsy Fulton at 615-741-2904 ext. 193 or Tiffany Underwood ext. 172.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Foster".

David Foster  
Chief of Utilities Division

C. Docket File