

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 10, 2012

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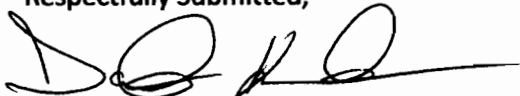
IN RE: PETITION OF AQUA GREEN UTILITY INC. TO COLLECT TAP FEES AT THE
STONEBRIDGE SUBDIVISION.

DOCKET NO: 12-00004

Petition of Aqua Green Utility Inc. to collect tap fees

Aqua Green Utility Inc. would like add our enclosed accounting records to our petition requesting to collect tap fees at the Stonebridge subdivision.

Respectfully Submitted,



Dart Kendall
Aqua Green Utility Inc.

1. **BEFORE THE TENNESSE REGULATORY AUTHORITY**
2. **NASHVILLE, TENNESSEE**
3.
4. **FEBRUARY 10, 2012**
5.
6. **IN RE:**)
7. **REQUARDING THE PETITION OF AQUA GREEN UTILITY INC.**) **DOCKET NO. 12-00004**
8. **TO IMPLEMENT TAP FEE'S FOR THE SERVICE AREA OF THE**)
9. **PART OF JEFFERSON COUNTY, TENNESSEE KNOWN AS**)
10. **STONEBRIDGE ON DOUGLAS LAKE.**)

11.
12.

13. **PRE-FILED DIRECT TESTIMONY OF DART KENDALL**

14.

15. **Q. State your name for the record and your position with the Petitioner, Aqua Green**
16. **Utility Inc.**

17. **A. Dart Kendall. I am the president of the Aqua Green Utility Inc.**

18. **Q. What is the business of Aqua Green Utility Inc.?**

19. **A. To provide environmentally friendly and affordable wastewater service to communities**
20. **where wastewater service is not currently available.**

21. **Q. When did the Company receive its first certificate from the Authority to operate a**
22. **sewer system in Tennessee?**

23. **A. July 31, 2009**

24. **Q. How many certificates has the Company received from the Authority to provide sewer**
25. **service in the State of Tennessee?**

26. **A. Two, The Peninsula and Stonebridge**

27. **Q. What services will Aqua Green Utility Inc. provide to The Stonebridge community?**

28. **A. Aqua Green Utility will provide wastewater service: Including pumping and**
29. **maintenance of the step systems at individual homes. Maintaining the community**
30. **main lines. Maintaining and operating the treatment plant and drip field. All operation**
31. **and maintenance will be done in a manner as to meet all requirements of the state**
32. **operating permit.**

33. Q. **Does Aqua Green Utility Inc. have the technical, managerial, and financial capability**
34. **to provide wastewater service to Stonebridge on Douglas Lake?**

35. A. Yes, Aqua Green Utility Inc. staff and associates have all the necessary technical,
36. managerial, and financial capability to provide wastewater service to Stonebridge on
37. Douglas Lake.

38. I currently own and operate Advanced Septic Inc. located in North Georgia. Advanced
39. Septic will be the company constructing the wastewater system at Stonebridge. This
40. company designs, installs, services and maintains advanced wastewater systems.

41. Advanced Septic Inc. currently services, operates and maintains forty plus advanced
42. wastewater systems in North Georgia. These systems are of various types: single
43. family, strip mall, convenience store, golf resort community and warehouse type
44. commercial systems. Advanced Septic has been in business since August 12, 1985

45. Q. **Is there a stated public need for wastewater service in this area?**

46. A. Yes, we have been requested to provide wastewater service by Stonebridge on
47. Douglas Lake LLC. I have included a copy of a letter requesting that the service be
48. provided. I have contacted the other utilities in the area and they have no plans to
49. service this area. Additionally most of the soils in this development are not suitable for
50. septic systems.

51. Q. **Will Aqua Green Utility Inc. abide by all applicable Tennessee statutes and TRA**
52. **rules governing wastewater utilities?**

53. A. Yes, Aqua Green Utility Inc. will abide by all applicable Tennessee statutes and TRA
54. rules governing wastewater utilities.

55. Q. **How many customers will be served in this development?**

56. A. Aqua Green Utility Inc. will service up to 50 residential wastewater customers at first.
57. Fifty homes out of 107 lots are approved under the current SOP.

58. Q. **Identify any complaints filed with any state regulatory agency involving Aqua**
59. **Green Utility Inc.**

60. A. There have never been any complaints filed against Aqua Green Utility Inc.

61. Q. **Why does Aqua Green Utility Inc. need to collect tap fees at the Stonebridge**
62. **subdivision?**

63. A. Aqua Green Utility Inc. needs to collect tap fees as a means of payment for the
64. completion of the construction of the sewer treatment facility. The developer has not

65. paid the contract with the contractor and work has stopped on the facility. All tap fees
66. amounts collected will be passed through to the contractor Advanced Septic Inc.
67. Without a completed facility Aqua Green Utility inc has no way of providing wastewater
68. service to the customers in the Stonebridge subdivision.

69. Q. Does this conclude your pre-filed testimony?

70. A. Yes.

71.

72. I swear that the foregoing testimony is true and correct to the best of my knowledge and belief.

73. 

74. 

75. Dart Kendall

76. President

77. Aqua Green Utility Inc.

78.

79. Subscribed and sworn to me this 10 day of 2 / 2012

80.

81. Notary Public 

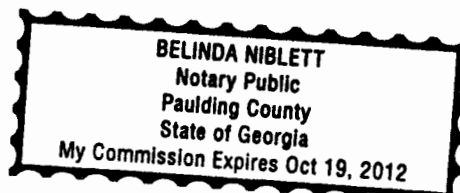
82.

83. County of Paulding

84.

85. My Commission Expires Oct 19, 2012

CERTIFICATE OF SERVICE



The undersigned hereby certifies that the above and foregoing Pre-Filed Direct Testimony of Dart Kendall has been served upon the Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, Tennessee 37243. By the method of FedEx.

On this 10 day of February



Dart Kendall



AquaGreen Utility Inc.

3350 Galts Road
Acworth, GA 30102
865-908-0432

Dear Homeowners and Landowners,

I would like to inform you that a public hearing is scheduled at the Tennessee Regulatory Authority to determine if Aqua Green Utility can charge tap fees to the landowners at the Stonebridge subdivision in the amount of \$4250.00. The charge has not yet been approved by the TRA for collection. Aqua Green Utility Inc. proposes to use this fee to pay Advanced Septic Inc. to complete the sewer treatment facility at Stonebridge.

The entire file can be seen at the TRA website docket number 12-00004 or at our office.

The hearing location is:

460 James Robertson Parkway

Nashville, TN 37243

February 27, 2012

Time: 1:00 pm

800-342-8359

Parking is difficult so if you are attending please come early.

Dart Kendall

President Aqua Green Utility Inc.

CEO Advanced Septic Inc.

3350 Galts Road

Acworth, GA 30102

865-908-0432

Newspaper

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