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TROUTMAN & TROUTMAN, P.C.

ATTORNEYS AT LAW

CONRAD MARK TROUTMAN

REID TROUTMAN

CONRAD E. TROUTMAN, JR. RETIRED CIRCUIT JUDGE

JODY RODENBORN TROUTMAN, OF COUNSEL

April 23, 2013

VIA Electronically: sharla.dillon@tn.gov

Chairman, Tennessee Regulatory Authority c/o Sharla Dillon, Dockets and Records Manager 460 James Robertson Parkway Nashville, Tennessee 37243

Re: Docket No. 13-00017

Dear Ms. Dillon:

Attached to the email please find an Answer to Counterclaim (in PDF form) to be filed on behalf of Emerson Properties, LLC. We are also submitting via overnight delivery the original and 4 copies. By cover of a copy of this letter, we are providing an electronic (PDF) version of the Answer to counsel for Tennessee Wastewater Systems, Inc.

Thank you for your assistance.

Yours very truly,

C. Mark Troutmen

Cc: George L. Potter Henry Walker, Esq.

BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

EMERSON PROPERTIES, LLC Petitioner))	
v.)	No. 13-00017
TENNESSEE WASTEWATER SYSTEMS, INC. Respondent)	

ANSWER OF EMERSON PROPERTIES, LLC TO COUNTERCLAIM OF TENNESSEE WASTEWATER SERVICES, LLC

Comes Emerson Properties, LLC, ("Emerson") and for its Answer to the Counterclaim filed against it by Tennessee Wastewater Services, Inc. ("TWSI") would say as follows:

- 1. Emerson admits the allegations contained in paragraph 20 of the Answer and Counterclaim of TWSI.
- 2. In response to the allegations contained in paragraph 21 of the Answer and Counterclaim of TWSI, Emerson admits that repair work was being performed but denies the remaining allegations of said paragraph.
- 3. In response to the allegations contained in paragraph 22 of the Answer and Counterclaim of TWSI, Emerson denies all allegations in said paragraph. Emerson admits that in 2009 and 2010 it sold some lots but denies that it collected any "tap fees." Further, Emerson admits that it is swapping properties with lot owners in connection with redevelopment plans but denies that it is charging or collecting any fees for lot owners for "tap fees" or any other sewer related fees.

Wherefore, having fully responded to the Counterclaim of TWSI, Emerson prays that the Counterclaim be dismissed.

Respectfully submitted this 23d day of April, 2013.

C. Mark Troutman (BPR No. 011712)

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Attorney for Emerson Properties, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing documents has been served Henry Walker, Bradley Arant Boult Cummings LLP, 1600 Division Street, Suite 700, Nashville, TN 37203, counsel of record for the Petitioner via email and/or United States mail addressed to said counsel at his office with sufficient postage thereon to carry it to its destination.

This is 23 day of _____

C. Mark Troutman