

Patsy Fulton

From: Seth Rye [srye@ryeengineering.com]
Sent: Friday, July 08, 2016 9:08 AM
To: Patsy Fulton
Cc: David Foster; cedesigners@frontiernet.net
Subject: Wastewater Rights for West Stewart Utility District
Attachments: WSUD Wastewater Petition.pdf

14-00124

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Ms. Fulton,

West Stewart Utility District (WSUD), located on Kentucky Lake in western Stewart County, has filed a supplemental petition to add wastewater service to its existing water service area. We have a hearing on July 28th at the Stewart County Mayor's office to finalize the matter. WSUD management has been communicating with the Engineer for River Trace II development, Mr. Mike Callahan, P.E. about his proposed STEP collection system and recirculating sand filter/drip dispersal system as an initial wastewater infrastructure dedication to WSUD. Our Board of Commissioners will meet next week at its regularly scheduled meeting to discuss the River Trace II wastewater system as a Board.

We look forward to serving potential developments within our wastewater boundaries and wanted to make the TRA aware that WSUD will be the wastewater service provider for western Stewart County. Please let me know if you have any questions. I have attached a copy of the supplemental petition for your records.

Sincerely,

Seth

Seth W. Rye, P.E., Esq.

RYE ENGINEERING PLC
Consulting Engineers & System Operators

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RECEIVED

JUNE 30, 2016
@ 9:20 AM

TY,
TO

Comes now the Petitioner West Stewart Utility District of Stewart County, Tennessee, and files this Supplemental Petition pursuant to T.C.A. § 7-82-302(e) to authorize West Stewart Utility District of Stewart County, Tennessee to furnish sewer and sewage disposal services. In support of this Petition, the Petitioner submits and states as follows:

2. The District provides water service in Stewart County pursuant to an order of the Stewart County Mayor dated June 10, 2013. In filing this Supplemental Petition, the District seeks authority to provide sewer and sewer disposal services within its service area. A description of the District's current boundaries is attached as Exhibit 1.

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collecting, treating, and disposing of sanitary sewage, and wastewater is treated and disposed of by individual septic tanks.

4. The District has received requests and anticipates receiving future requests from developers inquiring about the District's ability to provide sewer service as well as water service to potential developments in the District's service area. In these instances the plans for the developments involved the provision of sewer service by decentralized wastewater treatment and collection systems.

5. Initially, the District expects to provide sewer service within its service area by the use of decentralized wastewater treatment and collection systems.

6. All costs for the installation of these decentralized wastewater treatment and collection systems will be borne by the developer of each new development. These costs will include, but will not be limited to, construction costs, engineering fees, review fees and legal expenses incurred by the District for each new development. Upon the completion and the acceptance of a decentralized system, the developer will dedicate the system to the District at no cost. The developer will be required to pay the operation, maintenance and repair expenses of the system, including depreciation, for the first year after the acceptance of the system. The developer will be required pay the District for any annual operating loss attributable to the operation of the developer's decentralized system until the system is self-supporting or as directed by the Board. Therefore, the District will not be required to initially finance any capital improvements to provide sewer service.

7. The proposed rate schedule for sewer service is as follows:

Monthly sewer rate: \$50.00 for the first 3,000 gallons (based upon water usage)
\$15.00 per 1,000 gallons over 3,000 gallons

Tap fee: \$8,500.00 (up to three bedroom homes)
 \$1,000.00 additional fee for each bedroom over three

8. A public sewer and sewer disposal system will permit more orderly growth within the District's service area and will reduce the potential for adverse effects on the environment of individual septic tanks.

9. Initially, the District should not experience any material increase in its operating costs in when it begins providing public sewer and sewage disposal system, except for increased depreciation expenses which will be paid for the developer until the development is self-supporting or as determined by the District. Any operating costs will be covered under the District's existing Operations, Maintenance and Engineering Services Agreement. Monthly sewer rates will be set to cover the depreciation of sewer systems dedicated to the District and any maintenance expenses of the sewer system. Therefore, the District is financially able to operate a sewer system as described in this Supplemental Petition.

10. The District asserts that the grant of this Supplemental Petition is required by the public convenience and necessity, is economically feasible, and is in the public interest.

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS:

1. That upon the receipt of the Supplemental Petition, the Stewart County Mayor will schedule a hearing within thirty (30) days thereafter, and will provide notice of the hearing in a newspaper of general circulation in Stewart County as required by T.C.A. § 7-82-202. An appropriate form for the Notice of Public Hearing will be submitted to the Stewart County Mayor by the Petitioner.

2. That the Stewart County Mayor give notice of the filing of this Supplemental Petition and of the date of the hearing to the Mayors of all towns with populations of 5,000 or more within five (5) miles of the boundaries of the District and to the Mayors of all towns with

populations of less than 5,000 within three (3) miles of the boundaries of the District in accordance with T.C.A. § 7-82-202. Appropriate letters and the required certified mail forms relating thereto will be prepared for the convenience of the Stewart County Mayor by the Petitioner.

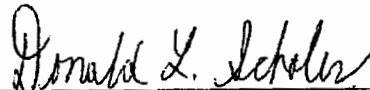
3. That the Stewart County Mayor give notice of the filing of this Supplemental Petition and of the date of the hearing to the managing officials of all water, sewage, or gas service facilities operated by a county, city, or utility district within three (3) miles of the boundaries of the District as provided by T.C.A. § 7-82-202. Appropriate letters and the required certified mail forms relating thereto will be prepared for the convenience of the Stewart County Mayor by the Petitioner.

4. That upon the hearing, the Stewart County Mayor will find that the granting of the Supplemental Petition is required by the public convenience and necessity, is economically sound and desirable, and is in the public interest and enter an Order authorizing the District to provide public sewer and sewage disposal service.

5. That the costs in this proceeding be taxed to the District.

Dated this 27th day of June, 2016.

Respectfully submitted,



Donald L. Scholes BPR #10102
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*Attorney for the Petitioner, West Stewart Utility
District of Stewart County, Tennessee*

EXHIBIT 1

BOUNDARY DESCRIPTION

Beginning at the northwest corner of Stewart County on the US Highway 79 centerline and following along the centerline of US Highway 79 east to Tennessee Highway 232; thence following a line 500 feet east of and parallel to Tennessee Highway 232 south to the Stewart County line; thence following the Stewart County line west until you reach the southwest corner of Stewart County; thence following the Stewart County line north to the point of beginning.

BEFORE THE COUNTY MAYOR OF STEWART COUNTY, TENNESSEE

In re:

**SUPPLEMENTAL PETITION OF WEST STEWART UTILITY DISTRICT OF
STEWART COUNTY, TENNESSEE, FOR AUTHORITY TO FURNISH SEWER
AND SEWER DISPOSAL SERVICES**

NOTICE OF PUBLIC HEARING

To:

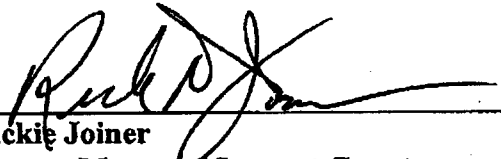
Please take notice that the undersigned Rickie Joiner, County Mayor of Stewart County, Tennessee, has received a Supplemental Petition of West Stewart Utility District of Stewart County, Tennessee, for Authority to Furnish Sewer and Sewer Disposal Services. The boundaries of the area proposed to furnish sewer service are set forth in Exhibit 1 attached to this Notice.

All incorporated cities, counties, and utility districts entitled by law to notice of the hearing on the Petition are hereby given notice of the hearing on the Petition and are invited to attend and state their positions. The hearing is to be held as follows:

Date: Thursday, July 28, 2016
Time: 11:00 a.m., Central Daylight Time
Place: Stewart County Mayor's Office
226 Lakeview Drive
Dover, Tennessee 37058

All interested parties are invited to attend the same.

Dated this 18th day of July, 2016.


Rickie Joiner
County Mayor of Stewart County,
Tennessee