

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE</b>	)	
<b>WASTEWATER SYSTEMS, INC. FOR</b>	)	
<b>APPROVAL OF CAPITAL</b>	)	<b>DOCKET NO. 14-00136</b>
<b>IMPROVEMENT SURCHARGE AND</b>	)	
<b>FINANCING ARRANGEMENTS</b>	)	

**STATUS REPORT**

In response to the Hearing Officer's "Notice of Filing Deadline for Status Report" issued on December 15, 2015, Tennessee Wastewater Systems, Inc. ("TWSI") files this report "concerning the current status of its corrective action/construction plans for all of the properties included in its Petition" along with supporting documentation.<sup>1</sup>

The following is a summary of the status of each site.<sup>2</sup>

**Cedar Hill:** TDEC has given final approval of TWSI's plans. TWSI expects to receive notice of that final approval within the next few days.

**Maple Green:** TDEC has approved TWSI's plans, pending a public comment period which ends January 15, 2016. TDEC anticipates that TWSI will receive final approval following the close of the comment period.

**Smoky Village:** TDEC has now agreed that the original plans TWSI submitted in 2013 remain valid and approved. See the attached email from TDEC attorney George Bell.

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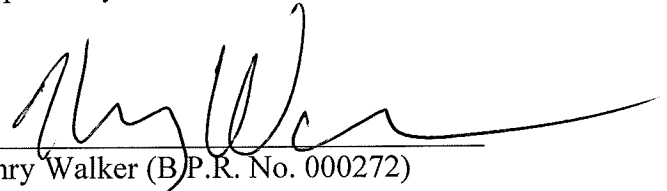
<sup>1</sup> TWSI has been filing monthly reports on the status of each of these properties, along with supporting documentation in TRA Docket 15-00025, as ordered by the Authority in its final Order issued in that docket. This Status Report incorporates by reference those monthly reports.

<sup>2</sup> Attached is a December 18, 2015 email from TDEC engineer George Garden summarizing the status of each project.

**Summit View:** TDEC has approved TWSI's plans, pending public comment. In light of the intervention of the Summit View Home Owners' Association in this docket, TWSI anticipates that a number of lodge owners may file comments and that TDEC may also convene a public hearing. No final decision will be made by TDEC until after the agency has reviewed the comments and any testimony that is presented at a hearing.

In sum, Cedar Hill and Smoky Village are ready for hearing and Maple Green should be ready for hearing after January 15, 2016. Therefore, TWSI requests that this matter be set for hearing in February, 2016, regarding the request for funding repairs to Cedar Hill, Maple Green and Smoky Village. The request for Summit View is not ready for hearing, nor is it likely to be ready in time for a hearing in February, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Henry Walker', is written over a horizontal line.

Henry Walker (B.P.R. No. 000272)  
Bradley Arant Boult Cummings, LLP  
1600 Division Street, Suite 700  
Nashville, TN 37203  
Phone: 615-252-2363  
Email: [hwalker@babco.com](mailto:hwalker@babco.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of December, 2015, a copy of the foregoing document was served on the parties of record, via electronic email transmission and regular U.S. Mail, postage prepaid, addressed as follows:

Erin Merrick  
Assistant Attorney General  
Consumer Advocate and Protection Division  
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HENRY WALKER

## Walker, Henry

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**From:** Roy Denney <roy.denney@adenus.com>  
**Sent:** Friday, December 18, 2015 10:56 AM  
**To:** Jeff Ridsen  
**Subject:** Fwd: Outstanding TWSI Actions

Sent from my iPhone

Begin forwarded message:

**From:** George Garden <[George.Garden@tn.gov](mailto:George.Garden@tn.gov)>  
**Date:** December 18, 2015 at 9:49:25 AM CST  
**To:** "Roy.denney@adenus.com" <[Roy.denney@adenus.com](mailto:Roy.denney@adenus.com)>  
**Cc:** George Bell <[George.Bell@tn.gov](mailto:George.Bell@tn.gov)>, Brad Harris <[Brad.Harris@tn.gov](mailto:Brad.Harris@tn.gov)>, "Hari Akunuri" <[Hari.Akunuri@tn.gov](mailto:Hari.Akunuri@tn.gov)>  
**Subject:** Outstanding TWSI Actions

Roy, I'm out next week; but can receive (and will reply to) emails and cell phone calls except on 24-26 December; I will be back in the office Dec 28. Hari and I will be knocking stuff out that last week in December.

Cedar Hill:

1. SOP: public notice completed; final permit in preparation; anticipate mailing prior to December 29.
2. Plans, Specs, Engineering Report: Review completed; approved; stamped & approved plans to be mailed with final permit.

Summit View:

1. SOP: on public notice as of December 15; anticipating comments and possible public hearing.
2. Plans, Specs, Engineering Report: Review complete; approval pending results of public comment period.
3. Response to request for information from Homeowner's Association
  - a. Engineer: plans to be sent; detailed response to be mailed prior to end of the year
  - b. Attorney: plans and copy of response to engineer to be provided

Maple Green

1. SOP: on public notice as of December 15; expect final permit by the end of January 2016
2. Plans, Specs, Engineering Report: Review complete; approval pending results of public comment period.

Smoky Village: Roy: I believe we have finished thes but I need to check on the status when I get back in the office tonight.

1. SOP:
2. Plans, Specs, Engineering Report:

**George C. Garden, P.E. BCEE** | Chief Engineer  
Division of Water Resources  
11th Floor, William R. Snodgrass TN Tower  
312 Rosa L. Parks Avenue  
Nashville TN 37243-1102  
p. 615-253-9934 c. 615-416-0164  
[george.garden@tn.gov](mailto:george.garden@tn.gov)

## Walker, Henry

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**From:** Jeff Riden <Jeff.Riden@adenus.com>  
**Sent:** Tuesday, November 03, 2015 4:05 PM  
**To:** Walker, Henry  
**Subject:** FW: Smoky Village Follow Up

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**From:** George Bell [mailto:George.Bell@tn.gov]  
**Sent:** Tuesday, November 3, 2015 3:59 PM  
**To:** 'Jeff Riden'  
**Cc:** Joseph Sanders  
**Subject:** RE: Smoky Village Follow Up

Jeff:

This communication follows your email to General Counsel Sanders last evening, as well as my receipt of your email below. As you requested, the Department reconsidered its position on commencement of construction at the Smokey Village site. We decided not to challenge your client's representation that construction had commenced. Therefore, the Department now considers the plans valid.

As outlined in the letter, Mr. Garden detailed the Department's concerns with respect to the site and/or plans. It is my understanding that the approved plans did not include that level of detail. As stated in my email of last evening, the Department is hopeful that your client will incorporate the Department's recommendations.

Best Regards,

George



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