

**IN THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

IN RE:)	
)	
PETITION OF TENNESSEE)	
WASTEWATER SYSTEMS INC. FOR)	
APPROVAL OF CAPITAL)	DOCKET NO. 14-00136
IMPROVEMENT SURCHARGES AND)	
FINANCING ARRANGEMENTS)	

**JOINT MOTION TO OPEN A NEW DOCKET REGARDING MAPLE GREEN,
CEDAR HILL, AND SMOKY VILLAGE**

In this Docket, Tennessee Wastewater Systems, Inc. ("TWSI" or "the Utility"), seeks approval of a rate surcharge to undertake repairs at four wastewater treatment sites: Summit View, Maple Green, Cedar Hill, and Smoky Village.¹ The Consumer Protection and Advocate Division ("the Consumer Advocate") and the home owners association at Summit View ("SVHOA") have intervened. Based upon a review of the record of this Docket as it has developed and discussions among the parties, the Consumer Advocate and TWSI have concluded that the repair issues at three of the sites, Maple Green, Cedar Hill, and Smoky Village, involve certain similarities, but are different from the issues facing Summit View. Accordingly, the Consumer Advocate and TWSI believe that a separate Docket and hearing for the three sites of Maple Green, Cedar Hill, and Smoky Village would further the interests of judicial economy, provide a greater possibility of settlement, and allow work to begin on the three sites more expeditiously if a settlement is reached.

In support of this Motion, TWSI and the Consumer Advocate state as follows:

¹ The four sites are at separate locations, and each involves its own issues and costs. At the suggestion of the TRA staff, the Utility included all four sites in one petition so that all could be considered and addressed in one hearing.

1. On November 18, 2014, TWSI filed a Petition with the Tennessee Regulatory Authority (“TRA”) for approval of a capital improvement surcharge to allow the Utility to make TDEC-ordered repairs and improvements at the wastewater treatment facilities at four sites: Maple Green, Cedar Hill, Smoky Village, and Summit View.

2. The Consumer Advocate moved to intervene on December 8, 2014. TWSI did not object. The Hearing Officer issued an order on January 28, 2015, granting the Consumer Advocate’s request.

3. On June 2, 2015, the SVHOA petitioned to intervene on the grounds that “TWSI has requested permission to charge a one-time assessment of \$330,000.00 to property owners in Summit View Resorts...” The SVHOA did not assert any legal interest in TWSI’s request to make repairs at the other three sites. TWSI did not object to the petition to intervene. The Hearing Officer granted the petition on June 30, 2015.

4. TWSI and the Consumer Advocate have engaged in extensive settlement discussions of all issues regarding Maple Green, Cedar Hill, and Smoky Village. Based on the representations of TWSI, it is unlikely that a settlement will be reached with the SVHOA regarding Summit View. No hearing date has been set.

5. The Utility cannot begin repair work at Maple Green, Cedar Hill, or Smoky Village without TRA approval of its proposed repairs and/or any of the settlement agreed to by TWSI and the Consumer Advocate.

6. The opening of a new docket to address Maple Green, Cedar Hill, and Smoky Village will not predetermine any issues that may arise concerning TWSI’s request for relief at Summit View, nor will it prejudice the rights or interests of any party in regard to Summit View.

Therefore, in the interest of judicial economy and in order to promote the possibility of a settlement between TWSI and the Consumer Advocate without further delay, TWSI and the Consumer Advocate respectfully request that the Hearing Officer enter an order opening a new docket and transferring to that docket the Utility's request for relief in regard to Maple Green, Cedar Hill, and Smoky Village. TWSI and the Consumer Advocate further ask that the entire record in Docket 14-00136, as it exists at the time this Motion is granted, be incorporated by reference into the new docket, and that the Consumer Advocate be made a party to that docket, consistent with the Hearing Officer's order of January 28, 2015. The Consumer Advocate and the Utility recognize that other entities or individuals may petition to intervene in the new docket as provided in the TRA Rules and Regulations.

Respectfully submitted,

CONSUMER PROTECTION AND ADVOCATE
DIVISION

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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of July 2016, a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

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