

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**



**IN RE:**

**ALLEGED VIOLATIONS OF  
THE STATUTES AND RULES  
REGULATING WATER UTILITIES  
BY MOYTOY, LLC**

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**DOCKET NO. 15-00118**

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**PETITION**

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Comes now the Tennessee Regulatory Authority (“TRA” or “Authority”) Compliance Division (“Compliance”) and requests that the Hearing Officer appointed by the Directors on December 21, 2015, issue an Order requiring that MoyToy, LLC (“Respondent”) appear and show cause before the Authority why it should not be found liable for violations of the statutes and rules promulgated by the Authority to regulate water utilities. Compliance gives notice that at the hearing before the Authority that it will request that the Directors impose the maximum civil penalty allowed by law and require Respondent to refund any and all money received by Respondent illegally.

**ALLEGATIONS OF FACT**

1. Respondent owned and operated the water system on Renegade Mountain in Crab Orchard, Tennessee as public utility from an as yet unknown date until on or about May 1, 2011 when it sold the water system to Laurel Hills Condominiums Property Owners Association.<sup>1</sup>
2. Respondent never held a Certificate of Public Convenience and Necessity issued by the Authority.
3. Upon information and belief Respondent charged customers for water service.

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<sup>1</sup> *Petition of Laurel Hills Condominiums Property Owners Association for a Certificate of Public Convenience and Necessity*, p. 1, April 10, 2012.

4. During the period of time that Respondent operated the water system they violated Tennessee Department of Environment and Conservation regulations resulting in customers receiving inadequate, unsafe, or improper water service.<sup>2</sup>
5. Respondent never filed an annual inspection report with the Authority nor did the Respondent ever pay an annual inspection fee.
6. Respondent never sought approval from the TRA before purchasing the water system.
7. Respondent never filed a tariff with the TRA.
8. Respondent never sought approval from the Authority for any financing or debt for the water system on Renegade Mountain.
9. The rate for water service that Respondent charged its customers was never approved by the TRA.
10. Respondent did not obtain TRA approval for the sale of the water system when it sold the system to Laurel Hills Condominiums Property Owners Association.
11. Upon information and belief Respondent did not maintain any customer, billing, or other records required by the Authority.

#### **CAUSES OF ACTION**

12. The facts alleged in paragraph 8 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-109.
13. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-114.
14. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-115.
15. The facts alleged in paragraphs 1 through 11 constitute an as yet undetermined number of

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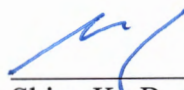
<sup>2</sup> *Id.* p. 2

- violations of Tenn. Code Ann. §65-4-201.
16. The facts alleged in paragraph 5 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-301.
  17. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-101.
  18. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-102.
  19. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-103.
  20. The facts alleged in paragraph 11 constitute an as yet undetermined number of violations of Tenn. Comp. R. & Regs. 1220-4-3-.17.
  21. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Comp. R. & Regs. 1220-4-3-.40.

**PRAYER FOR RELIEF**

22. The Compliance Division requests that the Hearing Officer open a Show Cause Proceeding against Respondent and issue a Scheduling Order that requires the parties to quickly complete any discovery and get this matter to hearing as soon as practical.

Respectfully submitted,

  
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