

# TENNESSEE REGULATORY AUTHORITY



502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, Tennessee 37243

15-00124

## MEMORANDUM

To: Cartwright Creek, LLC.  
Company ID#33

From: Shiva Bozarth, Chief of Compliance Division *shw*

Date: December 16, 2015

Re: Request to appoint a Hearing Officer to determine whether to initiate a show cause proceeding against Cartwright Creek, LLC, for violations of the statutes and rules regulating water utilities.

### **Background:**

Tennessee Regulatory Authority Compliance Division ("Compliance Division") staff asserts that Cartwright Creek, LLC. ("Cartwright") has violated the laws requiring wastewater utilities to obtain and maintain financial security and these violations may require the imposition of civil penalties.

On or about July 11, 2011, Cartwright's surety bond expired. Cartwright has operated this waste water system since that time without a current Surety Bond.

At this time the full extent of Cartwright's violations and what if any penalties will be necessary is unknown. However it appears without the discovery mechanisms of a Show Cause proceeding and the enforcement mechanisms of the Authority the Compliance Division will be unable to identify and prosecute these violations

### **Recommendation:**

The Compliance Division respectfully requests that the Authority appoint a hearing officer to determine whether to initiate a Show Cause proceeding against Cartwright for failure to comply with various statutory and regulatory requirements of the law outlined above. The Compliance Division further requests that the hearing officer prepare this matter for hearing.