

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

June 16, 2026

IN RE:)
)
INITIAL PETITION FOR CERTIFICATE OF) DOCKET NO.
PUBLIC CONVENIENCE AND NECESSITY BY) 17-00014
INTEGRA WATER TENNESSEE, LLC)

ORDER CONFIRMING TERMINATION OF CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY

This matter came before Chairman David F. Jones, Commissioner Herbert H. Hilliard, Commissioner Clay R. Good, Commissioner Kenneth C. Hill, and Commissioner David Crowell of the Tennessee Public Utility Commission (the “Commission” or “TPUC”), the voting panel assigned to this docket, during a regularly scheduled Commission Conference held on April 28, 2026. The panel convened to consider the *Motion of Party Staff to Terminate Certificate of Public Convenience and Necessity* (“*Motion*”) filed on February 27, 2026, by Commission Staff as a Party (the “Party Staff”).

BACKGROUND

On February 8, 2017, Integra Water of Tennessee, LLC (“Integra” or “Company”), filed its *Initial Petition for Certificate of Public Convenience and Necessity by Integra Water Tennessee, LLC* (“*Petition*”), requesting a Certificate of Public Convenience and Necessity (“CCN”) to operate a wastewater disposal system in Dekalb County, Tennessee (the “Casey Cove System”).¹ The Consumer Advocate Division of the Office of the Attorney General (“Consumer Advocate”) filed a *Petition to Intervene* on March 6, 2017, and was granted intervention on March 16, 2017.²

¹ *Petition*, p. 1 (February 8, 2017).

² *Petition to Intervene* (March 6, 2017); *Order Granting the Petition to Intervene Filed by the Consumer Advocate* (March 16, 2017).

On July 6, 2018, Integra and the Consumer Advocate filed an *Amended Stipulation and Settlement Agreement* (“*Settlement Agreement*”) to resolve all issues concerning Integra’s *Petition*, as amended.³

During its July 23, 2018, Commission Conference, the Commission approved the *Settlement Agreement* and granted Integra’s request for a CCN contingent upon Integra filing the following documents in this docket:

- a) The deed and/or easements for all the land and entitlement to ownership rights to the wastewater system;
- b) A final copy of the State Operating Permit as issued by the Tennessee Department of Environment and Conservation (“TDEC”);
- c) All final signed contracts between Integra and the Developer;
- d) A copy of the final signed plat from DeKalb County, Tennessee, showing Integra as the utility of record;
- e) “As-built” plans for the sewer system and the collection system capable of providing wastewater service to 31 equivalent dwelling units certified as being inspected by Integra; and
- f) A Tariff including a monthly rate of \$82, an annual lot fee of \$84, and all other fees, rules, and regulations with an effective date of July 23, 2018.⁴

PARTY STAFF’S MOTION

On February 27, 2026, Party Staff filed its *Motion* and served Integra Water, the affiliated company of Integra Water Tennessee, LLC, by U.S. mail or electronic mail.⁵ In its *Motion*, Party

³ *Amended Stipulation and Settlement Agreement* (July 8, 2018).

⁴ *Order Approving Stipulation and Settlement Agreement and Granting Certificate of Public Convenience and Necessity*, pp. 8-9 (August 22, 2018) (“*Order Approving CCN*”).

⁵ *Motion*, p. 5 (February 27, 2026). *See also Notice of Filing* (April 8, 2026) (Party Staff filed information from the Tennessee Secretary of State Business Filing System showing that Integra Water Tennessee, LLC, was dissolved as of August 8, 2023).

Staff asserts that Integra has filed none of the required documents.⁶ In addition, Party Staff maintains Integra has not filed a written notice confirming that the wastewater system is fully constructed, operational, and providing service as required by Commission Rule 1220-04-13-.09(7).⁷ According to Party Staff, “. . .as stated by representatives of Integra’s parent company to Party Staff, Integra did not take ownership or assume operation of the Casey Cove system as a result of changes to the proposed plat by DeKalb County.”⁸ Party Staff maintains that Integra did not file a request to relinquish its CCN for the Casey Cove system in this docket.⁹

STANDARD FOR COMMISSION APPROVAL

The Commission is charged with “general supervisory and regulatory power, jurisdiction, and control over all public utilities, and also over their property, property rights, facilities, and franchises, so far as may be necessary for the purpose of carrying out the provisions of this chapter.”¹⁰ The Commission has a duty to ensure that “all laws of this state over which they have jurisdiction are enforced and obeyed, that violations thereof are promptly prosecuted”¹¹ The Tennessee Court of Appeals has described the statutorily vested powers of the Commission as “practically plenary authority over the utilities within its jurisdiction” while noting that statutory authority is specifically limited to the authority necessary to implement the statutory charge of the agency.¹² The Commission is empowered to adopt rules to implement, interpret, and make specific the laws that it enforces and administers.¹³

No public utility is permitted to begin construction or operation of a new utility, facility, or service without first obtaining a CCN from the Commission.¹⁴ Additionally, in order to obtain

⁶ *Motion*, pp. 3-4 (February 27, 2026).

⁷ *Id.*

⁸ *Id.* at 4.

⁹ *Id.*

¹⁰ Tenn. Code Ann. § 65-4-104 (2022).

¹¹ Tenn. Code Ann. § 65-1-113 (2022).

¹² *Tennessee Cable Television Ass’n v. Tennessee. Pub. Serv. Comm’n*, 844 S.W.2d 151, 159 (Tenn. Ct. App. 1992).

¹³ Tenn. Code Ann. § 65-2-102(a)(2) (2022).

¹⁴ Tenn. Code Ann. § 65-4-201(a) (2022).

a CCN to provide wastewater service, Commission Rule 1220-4-13-.17 establishes requirements for approval of a CCN to construct and/or operate a wastewater system, including that a public need exists and that such operator possesses sufficient managerial, financial, and technical abilities to provide the wastewater services for which application has been made.¹⁵

In addition, Commission Rule 1220-04-13-.09(7) requires the holder of a wastewater CCN to file notice of completion with the Commission as follows:

A wastewater CCN holder shall file a written notice of completion that the wastewater system is fully constructed, operational, and providing service not less than three (3) years from the date of the written order granting a CCN. If the written notice of completion is not filed within three (3) years, the CCN shall automatically expire and be terminated without the institution of proceedings under Rule 1220-04-13-.09(4).¹⁶

FINDINGS AND CONCLUSIONS

The Commission has a duty to ensure that “all laws of this state over which they have jurisdiction are enforced and obeyed, that violations thereof are promptly prosecuted....”¹⁷ The panel found that Integra has not filed a written notice stating that the wastewater system is fully constructed, operational, and providing service, as required by Commission Rule 1220-04-13-.09(7). The panel further found that such failure will result in the CCN “automatically expir[ing] and be[ing] terminated without the institution of proceedings under Rule 1220-04-13-.09(4).” No one appeared on behalf of the Company during the hearing, and the Company was dissolved in 2023.

Based on the entire evidentiary record, the panel concluded that, under Commission Rule 1220-04-13-.09(7), Integra’s CCN automatically expired and was terminated without the need to institute a contested case proceeding. Thereafter, the panel voted unanimously to grant Party

¹⁵ Tenn. Comp. R. & Regs. 1220-4-13-.17.

¹⁶ Tenn. Comp. R. & Regs. 1220-4-13-.09(7).

¹⁷ Tenn. Code Ann. § 65-1-113 (2022).

Staff's *Motion* and confirmed that, in accordance with Commission Rule 1220-04-13-.09(7), the CCN issued to Integra has expired and is terminated.

IT IS THEREFORE ORDERED THAT:

1. The *Motion of Party Staff to Terminate Certificate of Public Convenience and Necessity* is granted.

2. The Certificate of Public Convenience and Necessity issued to Integra Water Tennessee, LLC, is terminated in accordance with Commission Rule 1220-04-13-.09(7).

3. Any person aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within 15 days from the date of this Order.

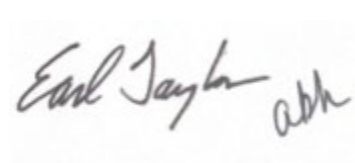
4. Any person aggrieved by the Commission's decision in this matter has the right to judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within 60 days from the date of this Order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Chairman David F. Jones,
Commissioner Herbert H. Hilliard,
Commissioner Clay R. Good,
Commissioner Kenneth C. Hill, and
Commissioner David Crowell concurred.**

None dissented.

ATTEST:



Earl R. Taylor, Executive Director