

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

February 5, 2019

Mr. Jeff Risen –
Tennessee Wastewater Systems, Inc.
851 Aviation Parkway
Smyrna, TN 37167

RE: Docket No. 18-00107 Petition of Tennessee Wastewater Systems, Inc. to Amend Its Certificate of Convenience and Necessity To Include a Development Named Warrioto Hills Subdivision.

Dear Mr. Risen:

In order for the Commission to evaluate Tennessee Wastewater System's Inc. ("TWSI")' abilities in each of the foregoing areas and the "public need" for the wastewater system to service the Warrioto Hills Subdivision in Montgomery County, it is requested that your company provide the answers and/or information to the attached Data Request.

Pursuant to TRA Rule 1220-1-1-.03(4), submit either an electronic response along with an original and four (4) written copies or an original written response and thirteen (13) copies. Please note that the requisite number of written copies of all requested information should be provided to the Docket Manager by no later than Tuesday February 19, 2018 and electronic responses, if filed, must be in .pdf format. Should you have questions regarding the attached request, please contact Patsy Fulton at (615) 770-6887.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Foster".

David Foster
Director, Utilities Division

C: Docket File

1. Please provide the copy of the contract or intent to sell between Bryce Powers and Riverland Partners and Powers & Atkins, LLC stating the property will be sold to Bryce Powers for development pending Commission and TDEC approval.
2. Provide a list of all partners/members of Riverland Partners and Powers and Atkins, LLC.
3. Provide a copy of the current deed in place for the proposed Warrioto Hills Subdivision development.
4. Provide a complete copy of the TDEC SOP application, inclusive of the Preliminary Engineering Report, filed at TDEC with all maps, etc. Maps provided as Exhibit C, page 18, were not included with the Petition as indicated in Data Response #1, (#1).
5. Based on the maps included with the permit used for the engineering of the treatment plant/system that are posted on TDEC's Data Viewer, Staff cannot determine the exact territory being requested in this Docket to support the 57 homes in Warrioto Hills Subdivision. As previously requested, please include the following on the map:
 - A. Provide a clearly mark border of the proposed service area for the requested amendment to the CCN. Identify the border by plotting the street names that surround the requested territory. (The information provided in the email from Jeff Riden to Staff on January 17, 2019 referred to 98.3 acres as being the property owned by Riverland Partners and the site where Warrioto Hills Subdivision will be built. Is TWS requesting the entire 98.3 acres as the territory? If not, then provide the territory specifically within the 98.3 acres that is being requested.)
 - B. Within the border, please provide the location of the 57 lots, the treatment plant location (# acres should be noted for treatment plant), drip field(s) to be installed (# acres to be conveyed by Riverland Partners/Powers and Atkins, LLC /Bryce Powers should be noted for drip fields, equipment shed location, and collection lines along with notes where easements are conveyed).
 - C. Please plot on the map the exact locations the property that will be deeded to TWS by the Developer and the locations of the easements that will be assigned to the Utility (maybe color coding these areas, one color for deeds and the other for easements.)
 - D. Provide the name of the access road or provide it on the platted information "access road(s)".
 - E. Identify any areas within the proposed area that will not be serviced when the system becomes operational.

6. Provide a copy of any preliminary plan (or final plan if approved) by the Regional Planning Commission or Montgomery County for Warrioto Hills Subdivision development, along with the supporting documentation submitted to the Planning Commission or Montgomery County.
7. Provide the name of the company that will be building/constructing the treatment plant and constructing the drip fields? Also, provide a copy of the contractor's license to do business in Tennessee for the contractor building the wastewater system pursuant to Commission Rule 1220-04-13-.17(2)(c)(4).
8. Provided a copy of the performance bond required by Commission Rule 1220-04-13-.17(2)(e)(11).
9. Provide an updated organization chart for TWS listing each officer and all other key personnel by name and title.
10. Provide a copy of the revised LOU.
11. Provide a copy of the letter from TDEC to TWS indicating the receipt of a complete SOP application.
12. Please provide a copy of the Engineer's Final Engineering Report and Final Plans as presented to TDEC for permitting. The preliminary report provided with this Petition and the plans on TDEC's Data Viewer (with the same dates of issuance) have differences. Please explain. If the permit application that was filed with TDEC is the correct application, please file the same one in this docket file, along with all the documentation to support the permit application.
13. Please provide financial statements covering the most recent year-end for Tennessee Wastewater Systems, Inc., inclusive of Balance Sheet, Income Statement and Statement of Cash Flows.
14. Item #3 of the LOU states that *"TWS will accept, own, and operate the wastewater treatment facility to serve this property under the terms and conditions contained in this LOU and as stated more fully in the Sewer Service Agreement to be executed by and between the Developer and TWS"*. Provide an affidavit signed by Bryce Powers/Developer stating that he will gift the system and the land for the system over to TWS at plat signing. Alternative to the above identify in the LOU or in the letter from Bryce Powers, a statement where Mr. Powers, as the Developer, agrees that the property/land for the drip field(s) and the treatment plant will be deeded over to TWS, and that TWS will be provided entitlement to the wastewater system at the signing of the plat.
15. Item #17 of the LOU provides that the developer will be responsible for all costs associated with obtaining any easements required to provide service. If the Developer is

responsible for developing the property and will own the property, why would TWS incur the costs associated with obtaining easements, particularly condemnation costs as stated?

16. The TDEC SOP states that TDEC approved 4.56 acres of soils for drip installation to support 43,000 gpd; however, the treatment system is being built to support 19,100 gpd. Which amount will have soils availability as well as treatment support? Will the remainder of the drip be installed now in order to support the 43,000 gpd for future use? If so, who will fund the remainder of the drip installation?
17. Please provide a copy of the contract of the build-out for the expansion of the development at Oakwood Subdivision.
18. Please provide a copy of the sewer service agreement for the expansion of the development at the Oakwood Subdivision.
19. Please provide the itemized cost for build-out of the expansion of the system at the Oakwood Subdivision, including calculations for contributions in aid of construction to be paid by the developer.