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T.P.U.C. DOCKET ROOM

June 5, 2019

Bradley

VIA ELECTRONIC FILING

Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243

Re: Petition of Cartwright Creek, LLC to amend Service Territory to Include the Wilson Parcel and Garrett Parcel for the Troubadour Development in Williamson County
Docket No. 19-00042

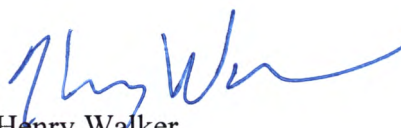
Please file in the above-captioned docket the attached responses to the first set of discovery questions of the Consumer Advocate.

The responses include two exhibits containing confidential financial information. The exhibits are being filed under separate cover.

Two items remain to be filed: an income statement and a cash flow statement for Sheaffer Internation. The person who maintains those records is on vacation until Monday, June 10. Those items will be filed at that time.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS LLP

By: 
Henry Walker

HW/dbi
Attachments
cc: Karen Stachowski

4849-0131-2664.1
111398-401001

IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE

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IN RE:

T.P.U.C. DOCKET ROOM

PETITION OF CARTWRIGHT CREEK,
LLC TO AMEND SERVICE
TERRITORY TO INCLUDE THE
WILSON PARCEL AND GARRETT
PARCEL FOR THE TROUBADOUR
DEVELOPMENT IN WILLIAMSON
COUNTY

DOCKET NO. 19-00042

CARTWRIGHT CREEKS'S RESPONSES TO
CONSUMER ADVOCATE'S FIRST DISCOVERY REQUEST

RESPONSES TO FIRST DISCOVERY REQUESTS

- 1-1. Provide financial statements (Balance Sheet and Income Statement and Statement of Cashflows) for the calendar year 2018 for the investor(s) of Cartwright Creek. For the balance sheet, provide the requested information as of December 31, 2018.

RESPONSE:

See Exhibit A.

- 1-2. Provide the financial statements (Balance Sheet and Income Statement and Statement of Cashflows) for the calendar year 2018 for Cartwright Creek. For the balance sheet, provide the requested information as of December 31, 2018.

RESPONSE:

See Exhibit B.

- 1-3. Refer to Cartwright Creek's Petition, p. 2. Cartwright Creek states that developer will bear all expenses for the engineering and construction of the collection system and agreed to

pay all costs of this Docket. Also, refer to Exhibit A to Cartwright Creek's *Supplemental Information in Support of the Petition and Request for Waiver of Some Filing Requirements* (Supplemental Petition). Exhibit A lists the development owner as Arrington Property Holdings, LLC and two partners in the development as Discovery Land Company, LLC and ABP Capital, LLC. Provide the total estimated amount of contributed capital to Cartwright Creek from the referenced development owners and partners. For all contributed capital, itemize all amounts (e.g. land, pumps, pipes, buildings, etc.) that make up the contributed capital amount.

RESPONSE:

The parcels included in this Docket and described in the above-referenced documents are the Wilson parcel (110 acres) and the Garret parcel (0.2 acres). The Wilson parcel will have contributed capital in the form of underground collection system piping estimated at \$180,000.

The Garret parcel will have no piping, equipment or homes.

There is no other contributed capital to Cartwright Creek from the Wilson or Garret parcels.

- 1-4. Refer to the *Hideaway Wastewater Treatment Plant, Phase II Expansion, Preliminary Design Report*¹ (Design Report) prepared by Inflo Design Group, p. 16. A copy of the Design Report is attached as Exhibit CA-1. The Design Report states that the proposed design capacity of “117,500 gpd is much higher than the expected flows from the ultimate

¹ The Design Report can be accessed on the Permit Dataviewer of the Tennessee Department of Environment and Conservation (TDEC) at http://environment-online.tn.gov:8080/pls/enf_reports/f?p=9034:34051:::NO:34051:P34051_PERMIT_NUMBER:SOP-07090. In the TDEC Dataviewer the Design Report is described as a “Preliminary Design Submission” and the document date is December 20, 2018.

buildout of the Troubadour Club development, which is estimated at 61,250.”² Provide answers, and documents in support, to the following questions:

- a. What is the design capacity of the Troubadour system prior to the proposed plant expansion?
- b. What is the estimated flow of the Troubadour system prior to the proposed plant expansion?
- c. Why is Cartwright Creek proposing an expansion to the system that greatly exceeds the “expected flows from the ultimate buildout of the Troubadour Club?”
- d. Provide an explanation and support for the use of the flow value of 300 gpd/home for purposes of design criteria when it is “anticipated that the actual average daily flow from each house will be in the range of 140-150 gpd/home.”³
- e. Who owns all the excess capacity of the system?
- f. If the owner of the excess capacity is not Cartwright Creek, provide the following:
 - i. Identify the owner and provide the business address;
 - ii. Explain how this person came to own the capacity (i.e. was the capacity transferred to it directly or did it go through another party first);
 - iii. Provide the total amount of capacity owned by this person in the Troubadour system in terms of both percentage of total capacity and gallons; and
 - iv. Provide all documents regarding the ownership of the excess by this person.
- g. The Design Report identifies this as Phase II expansion of the Troubadour Club. Are there plans for further expansion of the Troubadour Club and its system? If yes, describe these expansion plans.

RESPONSE:

- a. *60,000 gallons per day per the original engineering report and existing State Operating Permit.*
- b. *Approximately 10,000 gallons per day from the current homes (approximately 50) and amenities. When the plant expansion is completed in 2020, the flow will be approximately 15,000 to 20,000 depending upon the number of homes completed.*

² Design Report at p. 16.

³ Design Report at p. 2.

- c. *Williamson County requires 300 gallons per day to be used as the design flow rate from homes. (Definition of “Unit”, page 23-42 of the Williamson County Zoning Ordinance, effective January 1, 2013). This results in a design capacity higher than the expected estimated flow rate.*
- d. *See above answer.*
- e. *Cartwright Creek, LLC will own the system after it is completed. The system capacity meets the design standards required by the County and therefore not excess capacity by design.*
- f. *N/A.*
- g. *No.*

Refer to the Design Report, p. 16 and Cartwright Creek’s Permit Modification Application⁴ (2019 Permit Application) filed with the Tennessee Department of Environment and Conservation (TDEC) on March 18, 2019. A copy of the 2019 Permit Application is attached as Exhibit CA-2. On page 2 of the 2019 Permit Application, it states that the number of homes is 375 and the design flow is 112,500 gpd. Explain, and provide support for, the differences of the design capacity identified in these two documents.

RESPONSE:

There is no difference in design capacity in these two documents. Please again review page 2 of the 2019 Permit Application. There is a table that shows Homes at the top and “Clubhouse” (i.e. amenities) at the bottom. The 112,500 gallons per day comes from 375 homes at 300 gallons per day. To that is added the 5,000 gallons per day shown from the Clubhouse to arrive at 117,500 gallons per day.

- 1-5. Cartwright Creek states that the Troubadour Development has been recently redesigned to make it “more upscale” and, in doing so, reduced the number of homes from 495 to 375.

⁴ A copy of the 2019 Permit Application can be found at the TDEC Dataviewer at http://environment-online.tn.gov:8080/pls/enf_reports/f?p=9034:34051::NO:34051:P34051_PERMIT_NUMBER:SOP-07090.

IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE

IN RE:)	
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LLC TO AMEND SERVICE)	DOCKET NO. 19-00042
TERRITORY TO INCLUDE THE)	
WILSON PARCEL AND GARRETT)	
PARCEL FOR THE TROUBADOUR)	
DEVELOPMENT IN WILLIAMSON)	
COUNTY)	

CARTWRIGHT CREEKS'S RESPONSES TO FIRST DISCOVERY REQUEST OF
CONSUMER ADVOCATE

Exhibit A and Exhibit B

FILED UNDER SEAL

EXHIBIT A

EXHIBIT B

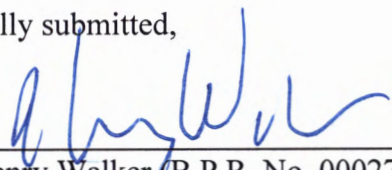
Explain what in the redesign caused the reduction in the number of homes.⁵ For example, did the size of lots increase with each home? Will the size of the homes in the Troubadour development increase? If the size of the homes will increase, what is the increase?

RESPONSE:

It is Cartwright Creek's understanding that the lot size is increasing for future homes. Cartwright Creek is not provided or involved with the proposed home sizes or the extent of which they will change.

Respectfully submitted,

By: _____


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Phone: 615-252-2363
Email: hwalker@babbc.com

Attorneys for Cartwright Creek, LLC

⁵ Supplemental Petition, p.2.

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of June, 2019, a copy of the foregoing document was served on the parties of record, via electronic email transmission and regular U.S. Mail, postage prepaid, addressed as follows:

Karen Stachowski, Asst. Atty. Gen.
Financial Division, Consumer Advocate Unit
Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, TN 37202-0207



HENRY WALKER