

STATE OF TENNESSEE

Office of the Attorney General



Electronically Filed in TPUC Docket Room
on August 5, 2021 at 2:16 p.m.

HERBERT H. SLATERY III
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202
TELEPHONE (615) 741-3491
FACSIMILE (615) 741-2009

August 5, 2021

Jeff Riden
Tennessee Wastewater Systems, Inc.
851 Aviation Parkway
Smyrna, TN 37167
Jeff.Riden@Adenus.com

Re: Tennessee Public Utility Commission, Docket No. 21-00075, *Petition of Tennessee Wastewater Systems, Inc. to Amend its Certificate of Convenience and Necessity to Include the Oak Plains Subdivision.*

Dear Mr. Riden:

The Consumer Advocate reviewed Tennessee Wastewater Systems, Inc.'s (TWSI) Petition in the above-referenced docket for compliance with the minimum filing requirements for an amendment to a Certificate of Convenience and Necessity (CCN) set forth in Tenn. Comp. R. & Regs. 1220-04-13-.17.

The Consumer Advocate appreciates the time and effort TWSI put into compiling its Petition, as well as its attention to the Commission's minimum filing requirements. Upon review of the Petition, the Consumer Advocate could either not locate or would appreciate clarification regarding the items detailed in the attached document, Attachment A.

Thank you in advance for TWSI's attention to the Consumer Advocate's request. If you have questions regarding this request, please contact me at (615) 741-2357.

Respectfully,

Rachel C. Bowen

Rachel C. Bowen
Assistant Attorney General

cc: Patsy Fulton, TPUC
Kelly Cashman-Grams, TPUC

ATTACHMENT A

Page 1

Rule 1220-04-13-.17(2)(a) General Information

- *Rule 1220-04-13-.17(2)(a)7(i)-(v)*. TWSI provided maps in Exhibits 7A, 7B, and 7C to the Petition. The maps provided (particularly 7B and 7C) are not, however, entirely legible for review. Please resubmit a clearer version of these maps. Please ensure that the re-submitted maps comply with the provisions of the rules.

Rule 1220-04-13-.17(2)(c) Sufficient Managerial Ability

- *Rule 1220-04-13-.17(2)(c)1*. The Consumer Advocate reviewed the biographies and licenses of the individuals recognized for having sufficient managerial ability and noticed that Jeramy Stewart's license issued by the TDEC Water and Wastewater Operator Certification Board expired on 12/31/2020.¹ Please provide a current license for Jeramy Stewart.

Rule 1220-04-13-.17(2)(d) Sufficient Technical Ability

- *Rule 1220-04-13-.17(2)(d)1*. Please provide the letter issued from TDEC to TWSI providing Notice of Complete Application for the State Operating Permit.
- *Rule 1220-04-13-.17(2)(d)4*. The rule requires that any complaint(s), notices of violation or administrative action filed with or issued by a regulatory agency be listed. Please indicate whether this provision is applicable or not.

Rule 1220-04-13-.17(2)(e) Sufficient Financial Ability

- *Rule 1220-04-13-.17(2)(e)(6)*. The rule requires providing detailed documentation supporting the estimated cost of construction. TWSI counsel indicated that "[t]he proposed budget is an engineering estimate of the cost to construct the system so there is no supporting documentation."² When more detailed information supporting the estimated cost of construction becomes available, please provide.

Rule 1220-04-13-.17(2)(f) Sworn Testimony

- *Rule 1220-04-13-.17(2)(f)5*. Please provide a statement that the utility is aware of the requirement of Rule 1220-04-13-.09(7) concerning the completion of the construction of the wastewater system within three years of TPUC's written approval of the CCN.

¹ Petition at PDF p. 19.

² Email between Rachel Bowen, Consumer Advocate and Jeff Ridsen, General Counsel to TWSI (Thursday, July 29, 2021 at 11:45 AM). On file with Rachel Bowen.