

STATE OF TENNESSEE

Office of the Attorney General



HERBERT H. SLATERY III  
ATTORNEY GENERAL AND REPORTER

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

July 23, 2021

Mr. Dart Kendall  
President  
Aqua Green Utility Inc.  
3350 Galts Road  
Acworth, GA 30102

Re: Tennessee Public Utility Commission, Docket No. 21-00084, *Petition of Aqua Green Utility Inc. to Amend Its Certificate of Public Convenience and Necessity for the Service Part of Williamson County, Tennessee Known as Williamson County Recreation Center.*

Dear Mr. Kendall:

The Consumer Advocate is reviewing Aqua Green Utility Inc.'s ("Aqua Green") Petition in the above-referenced docket. As part of our review, we checked compliance with the filing requirements for an Extension of Service to Contiguous Territory, which are set out in Tenn. Comp. R. & Regs. 1220-04-01-.13. In a recent email exchange, you clarified with the Consumer Advocate that Aqua Green is indeed seeking in this Petition approval to expand the territory for its current CCN to include a Contiguous Territory—i.e., the Williamson County Recreation Center ("Recreation Center").

In our review of the Petition's compliance with Tenn. Comp. R. & Regs. 1220-04-01-.13, we could not locate or are seeking clarification on multiple items—please see Attachment A.

The Consumer Advocate appreciates the time and attention of Aqua Green. If you have questions regarding this request, please contact me at (615) 741-2357.

Respectfully,

A handwritten signature in blue ink that reads "Rachel C. Bowen".

Rachel C. Bowen  
Assistant Attorney General

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

## ATTACHMENT A

Page 1

### Rule 1220-04-01-.13 Extensions of Service to Contiguous Territory

1. *Rule 1220-04-01-.13(1)*. Please confirm that the Recreation Center is immediately adjacent to and sharing at least one significant common boundary line with the Bethesda Subdivision and otherwise meets the requirements set forth in Rule 1220-04-01-.13(1).
2. *Rule 1220-04-01-.13(4)(c)*. The Petition does not include a copy of the permit (or draft permit) issued by the Tennessee Department of Environment and Conservation (TDEC) on July 13, 2021. According to TDEC's draft permit letter, the draft permit will become final within 30 days of the date of the letter unless Aqua Green appeals the draft permit. If Aqua Green does not intend on appealing the draft permit, please indicate this and provide the permit (or draft permit) issued.
3. *Rule 1220-04-01-.13(5)(a)*. Again, please file the draft permit issued by TDEC on July 13, 2021. The draft permit authorizes service to 49 homes and to the Recreation Center.
4. *Rule 1220-04-01-.13(5)(b)*. Once construction of the modifications is complete, please provide certification from a design engineer that the construction is compliant with the TDEC approved plans and specifications.