

STATE OF TENNESSEE

Office of the Attorney General



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August 3, 2022

Electronically Filed in TPUC Docket
Room on August 3, 2022 at 2:10 p.m.

Jeff Ridsen
TWSI – General Counsel
851 Aviation Parkway
Smyrna, TN 37167

Re: Tennessee Public Utility Commission, Docket No. 22-00074, *Petition of Tennessee Wastewater Systems, Inc. to Amend its Certificate of Convenience and Necessity to Include Derby Meadows Subdivision*

Dear Mr. Ridsen:

The Consumer Advocate has reviewed the Petition filed by Tennessee Wastewater Systems, Inc. ("TWSI") in the above-referenced Docket for compliance with the minimum filing requirements for an amendment to a Certificate of Convenience and Necessity, which requirements are set out in TPUC Rule 1220-04-13-.17. The Consumer Advocate's comments concerning the TWSI's filing is set out in Attachment A. Please review and update your filing where noted.

Thank you in advance for your attention to this request. If you have questions, please contact me at (615) 741-2370.

Respectfully,

A handwritten signature in blue ink that reads "Karen H. Stachowski".

Karen H. Stachowski
Senior Assistant Attorney General

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

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

1. *Rule 1220-04-13-.17(2)(a)7(i-v)*. Although Tennessee Wastewater provided a map in its Petition, it does not include all the required information such as the number of acres for the development and information in the following subparts of the rule:
 - a. Subpart (iii). Although a map of the development is provided, the map is not legible, so it is not possible to identify any names of access roads or other utilities necessary to provide wastewater service. Please file a more legible map with the Commission.
 - b. Subpart (iv). Although a map of the development is provided, the map is not legible, so it is not possible to identify the residences and habitable structures to be served by the wastewater system. Please file a more legible map with the Commission.
 - c. Subpart (v). Although a map of the development is provided, the map is not legible, so it is not possible to identify areas that won't be served by the wastewater system. Please file a more legible map with the Commission. If all areas are to be served by the wastewater system, please indicate.

Rule 1220-04-13-.17(2)(b) Property Rights

1. *Rule 1220-04-13-.17(2)(b)3*. Although the Company provided a copy of the Sewer Agreement (Confidential Exhibit 14A), the copy is not fully legible. The Consumer Advocate requests a more legible copy of the Sewer Agreement be filed with the Commission.

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

1. *Rule 1220-04-13-.17(2)(c)1*. The Consumer Advocate seeks clarification regarding the Company's certified operator, Tracy Nichols. Is Mr. Nichols a full-time employee of the Company or is he an independent contractor? Please file your response with the Commission.

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

1. *Rule 1220-04-13-.17(2)(e)1*. The Consumer Advocate could not locate an Income Statement or Statement of Cash Flow in the Petition. The Consumer Advocate requests copies of the missing financial documents be filed with the Commission.
2. *Rule 1220-04-13-.17(2)(e)4*. The Company referenced a Confidential Exhibit 26 for the Plant in Service Account Numbers with estimated account balances as of the state of operations; however, there was no Exhibit 26 provided in the Confidential Filing. Please file the missing Confidential Exhibit 26 with the Commission.