

From: [REDACTED]
To: [TPUC RecRequest](#)
Subject: Re: [EXTERNAL] Support documents for Docket 22-00099 Petition of Isha Foundation, Inc. to determine if a CCN is needed
Date: Monday, February 6, 2023 11:31:18 AM
Attachments: [Docket 220009 pages RE Petition of Isha Foundation to determine if CCN is needed - Conflicting Information.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good morning Tory,
I've attached a pdf summary.
Thanks,
Virginia

On Feb 6, 2023, at 8:40 AM, TPUC RecRequest <TPUC.RecRequest@tn.gov> wrote:

Good morning Mrs. Virginia, you can provide me with the documents and I can forward the documents to the appropriate party(ies).

Thanks
Tory

Ectory Lawless, J.D.
Dockets and Records Manager
Tennessee Public Utility Commission
615-770-6850

CONFIDENTIALITY NOTICE: This email message and any document, files, or previous emails attached to it, are from the Tennessee Public Utility Commission and intended only for the Commissioners, Executive Director, or Staff of the Tennessee Public Utility Commission, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of any of the information contained in, or attached to this email is STRICTLY PROHIBITED. Neither the transmission of this message or any attachment, nor any error in transmission, constitutes a waiver of any applicable legal privilege. **If you received this communication in error please permanently delete the original and any copy of the message and contact Ectory Lawless, J.D. Docket and Records Manager, at (615) 770-6850. Thank you.**

From: Virginia Evans <[REDACTED]>
Sent: Saturday, February 4, 2023 10:11 PM
To: TPUC RecRequest <TPUC.RecRequest@tn.gov>
Subject: Re: [EXTERNAL] Support documents for Docket 22-00099 Petition of Isha Foundation, Inc. to determine if a CCN is needed
Importance: High

Hello Tory,

Who would I provide documents to if I were aware that someone had misled TPUC?

Virginia Evans

On Dec 19, 2022, at 1:01 PM, TPUC RecRequest
<TPUC.RecRequest@tn.gov> wrote:

Mrs. Evans, you may access the docket filings by going to the agency's electronic docket room located here: <http://share.tn.gov/tra/indexes/TPUCActiveDocketIndex.htm>.

Thanks

Tory

Ectory Lawless, J.D.

Dockets and Records Manager
Tennessee Public Utility Commission
615-770-6850

CONFIDENTIALITY NOTICE: This email message and any document, files, or previous emails attached to it, are from the Tennessee Public Utility Commission and intended only for the Commissioners, Executive Director, or Staff of the Tennessee Public Utility Commission, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of any of the information contained in, or attached to this email is STRICTLY PROHIBITED. Neither the transmission of this message or any attachment, nor any error in transmission, constitutes a waiver of any applicable legal privilege. **If you received this communication in error please permanently delete the original and any copy of the message and contact Ectory Lawless, J.D. Docket and Records Manager, at (615) 770-6850. Thank you.**

From: Virginia Evans [REDACTED]
Sent: Monday, December 19, 2022 12:51 PM
To: TPUC RecRequest <TPUC.RecRequest@tn.gov>
Subject: [EXTERNAL] Support documents for Docket 22-00099 Petition of Isha Foundation, Inc. to determine if a CCN is needed

*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. ***

Please email the Petition and the pre-filed direct testimony related to this Docket.

I am a citizen of Tennessee. I've attached my Tennessee driver's license.

Thank you,

Virginia Evans

<image001.jpg>

Docket 2200099 RE: Petition of Isha Foundation to determine if CCN is needed - Conflicting Information

The following images, documents, and notes outline a conflict between Isha Foundation's petition to determine if CCN is needed, and publicly available documents distributed by the Isha Foundation to promote their accommodation at the Isha Enclave.

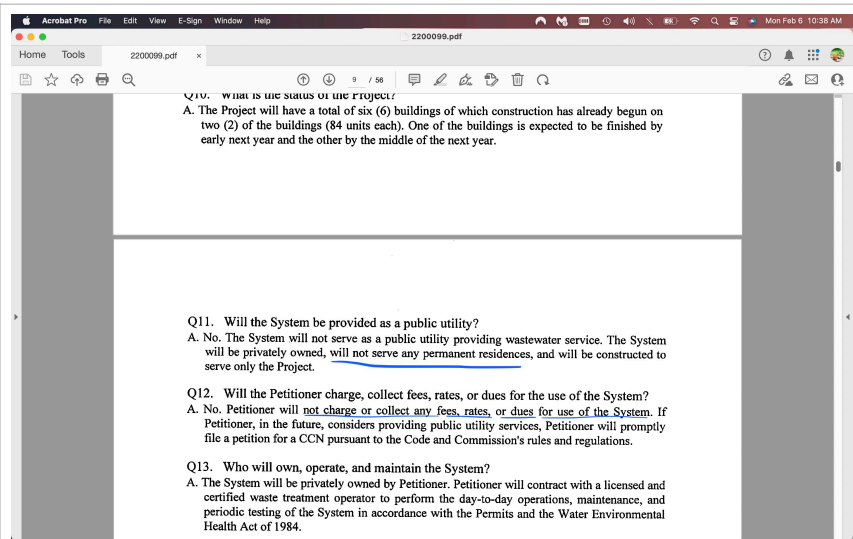
- Isha offers lifetime residency for those who participate in their program.
- Isha charges a yearly fee to all who have purchased accommodation. That yearly fee covers sewage service upkeep and maintenance.

These documented facts appear to conflict with Isha's petition and statements offered to the hearing board.

From Isha's prepared testimony in PETITION OF ISHA FOUNDATION, INC. TO DETERMINE IF A CCN IS NEEDED

Isha states they will not serve any permanent residences.

Isha states they will not charge or collect fees, rates or dues for use of the system.



Docket 2200099 RE: Petition of Isha Foundation to determine if CCN is needed - Conflicting Information

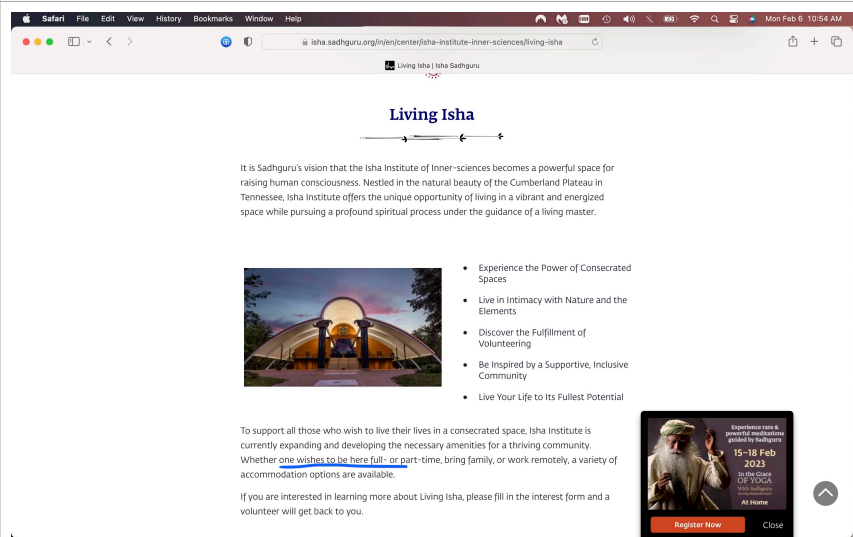
Accommodation to live at Isha full time. This is the landing page for Living Isha.

<https://isha.sadhguru.org/global/en/center/isha-institute-inner-sciences/living-isha>

Isha yearly one and two bedroom apartments fees cover sewage service upkeep and maintenance.

https://drive.google.com/file/d/11feO_2CLVeNUrPShJSy-VDXJkI9AOIS7/view

The only approved sewage system is the system for which TPUC granted a CNN waiver based on presentations from Isha.



Living Isha

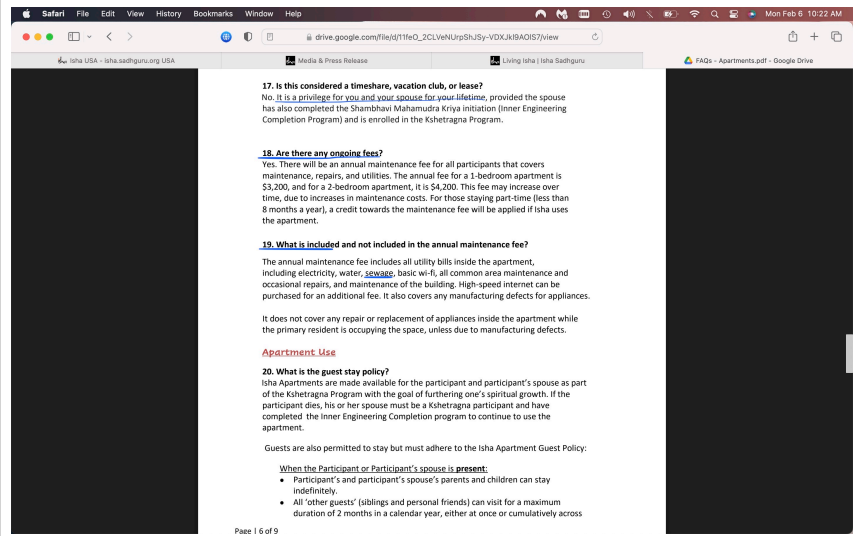
It is Sadhguru's vision that the Isha Institute of Inner-sciences becomes a powerful space for raising human consciousness. Nestled in the natural beauty of the Cumberland Plateau in Tennessee, Isha Institute offers the unique opportunity of living in a vibrant and energized space while pursuing a profound spiritual process under the guidance of a living master.

- Experience the Power of Consecrated Spaces
- Live in Intimacy with Nature and the Elements
- Discover the Fulfillment of Volunteering
- Be Inspired by a Supportive, Inclusive Community
- Live Your Life to Its Fullest Potential

To support all those who wish to live their lives in a consecrated space, Isha Institute is currently expanding and developing the necessary amenities for a thriving community. Whether one wishes to be here full- or part-time, bring family, or work remotely, a variety of accommodation options are available.

If you are interested in learning more about Living Isha, please fill in the interest form and a volunteer will get back to you.

Register Now



Media & Press Release

17. Is this considered a timeshare, vacation club, or lease?
No. It is a privilege for you and your spouse for your lifetime, provided the spouse has also completed the Shambhavi Mahamudra Kriya Initiation (Inner Engineering Completion Program) and is enrolled in the Kshetragna Program.

18. Are there any ongoing fees?
Yes. There will be an annual maintenance fee for all participants that covers maintenance, repairs, and utilities. The annual fee for a 1-bedroom apartment is \$3,200, and for a 2-bedroom apartment, it is \$4,200. This fee may increase over time, due to increases in maintenance costs. For those staying part-time (less than 8 months a year), a credit towards the maintenance fee will be applied if Isha uses the apartment.

19. What is included and not included in the annual maintenance fee?
The annual maintenance fee includes all utility bills inside the apartment, including electricity, water, sewage, basic wi-fi, all common area maintenance and occasional repairs, and maintenance of the building. High-speed internet can be purchased for an additional fee. It also covers any manufacturing defects for appliances. It does not cover any repair or replacement of appliances inside the apartment while the primary resident is occupying the space, unless due to manufacturing defects.

Apartment Use

20. What is the guest stay policy?
Isha Apartments are made available for the participant and participant's spouse as part of the Kshetragna Program with the goal of furthering one's spiritual growth. If the participant dies, his or her spouse must be a Kshetragna participant and have completed the Inner Engineering Completion program to continue to use the apartment.

Guests are also permitted to stay but must adhere to the Isha Apartment Guest Policy:

When the Participant or Participant's spouse is present:

- Participant's and participant's spouse's parents and children can stay indefinitely.
- All 'other guests' (siblings and personal friends) can visit for a maximum duration of 2 months in a calendar year, either at once or cumulatively across

Page 1 of 9

Docket 2200099 RE: Petition of Isha Foundation to determine if CCN is needed - Conflicting Information

TPUC determination.

Docket 2200099.

pond, subsurface drip irrigation disposal field and reserve subsurface drip irrigation disposal field.”⁶

According to the *Petition*, the System will not serve any permanent residences and will be constructed to serve only the Project.⁷ The Petitioner avers that no fees, rates, or dues will be charged or collected for use of the System. Further, the *Petition* states that if Isha considers providing public utility services in the future it will promptly file a petition for a CCN with the Commission.⁸

FINDINGS AND CONCLUSIONS

Tenn. Code Ann. § 65-4-101(6)(A) defines a public utility as:

every individual, copartnership, association, corporation, or joint stock company, its lessees, trustees, or receivers, appointed by any court whatsoever, that own, operate, manage or control, within the state, any interurban electric railway, traction company, all other common carriers, express, gas, electric light, heat, power, water, telephone, telegraph, telecommunications services, or any other like system, plant or equipment, affected by and dedicated to the public use, under privileges, franchises, licenses, or agreements, granted by the state or by any political subdivision thereof.

Based on the information provided in the *Petition*, the Hearing Officer finds that the Project is not a public utility because the System will be built by Isha for the exclusive use of the Project and the

⁴ *Id.* at Exh. A, Kalpana Rajdev, Pre-Filed Direct Testimony, p. 2.

⁵ *Id.* at Exh. A, p. 2.

⁶ *Id.* at 3.

⁷ *Id.* at 3 and Exh. A, p. 3.

⁸ *Id.*

participants in daily and residential programs hosted at the Isha Campus. The Petitioner will not charge the Isha Campus program participants for utility service. Therefore, under the facts set forth in the *Petition*, the Hearing Officer concludes that the Project is not a “public utility” as defined by Tenn. Code Ann. § 65-4-101(6) and Isha is not required to obtain a CCN from the Commission.

Docket 2200099 RE: Petition of Isha Foundation to determine if CCN is needed - Conflicting Information