

STATE OF TENNESSEE

Office of the Attorney General



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Jeff Riden
General Counsel
Tennessee Wastewater Systems, Inc.
851 Aviation Parkway
Smyrna, TN 37167
Email: jeff.riden@adenus.com

Electronically Filed in TPUC Docket
Room on June 20, 2024 at 12:59 p.m.

Re: Tennessee Public Utility Commission ("TPUC" or the "Commission"),
Docket No. 23-00073, *Petition of Tennessee Wastewater Systems, Inc., to
Amend its Certificate of Convenience and Necessity*

Dear Mr. Riden:

On September 27, 2023, Tennessee Wastewater Systems, Inc. ("TWSI" or the "Company") filed its *Petition Of Tennessee Wastewater Systems, Inc. To Amend Its Certificate Of Convenience And Necessity To Include The Wyelea Farms Subdivision In Williamson County, Tennessee* ("Petition"). The Tennessee Public Utility Commission ("TPUC" or the "Commission") issued its written order approving the Petition on November 27, 2023.¹ The Consumer Advocate has reviewed the Commission's Order and the docket, and nothing has been filed since the Final Order by the Commission.

In its Order, the Commission set out several post-hearing deadlines for TWSI to satisfy. Below are those deadlines followed by comments by the Consumer Advocate. If the comment is in **blue**, the Consumer Advocate has questions or has identified additional information required for the Company to fully comply. If the comment is in **green**, the Consumer Advocate believes TWSI to be in compliance.

- 1.a. The deed and/or easements for all the land and ownership rights to the wastewater system within fifteen (15) days of being issued and before the first customer is connected to the wastewater system, along with a copy of the title insurance policy. The title policy should indicate that the Sewage Facility Land

¹ *Order Approving Petition to Amend Certificate of Convenience and Necessity*, TPUC Docket No. 23-00073 (November 27, 2023).

is free and clear of all material or interfering encumbrances, including, but not limited to any monetary liens in the name of Tennessee Wastewater Systems, Inc for the full amount of the construction of the Sewage Facility and the value of the Sewage Facility Land as set forth in contracts submitted by Company with the Commission. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?

- 1.b. A final copy of the State Operating Permit issued by the Tennessee Department of Environment and Conservation within fifteen (15) days of issuance. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?.
- 1.c. A copy of the as-built plans with signed certification by Tennessee Wastewater Systems, Inc. indicating the wastewater system has been inspected and is approved to begin operation. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?
- 1.d. A copy of the signed plat, once the area of development is approved by the City and/or County government within fifteen (15) days of being issued and before the first customer is connected to the wastewater system. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?
- 1.e. A copy of the performance bond from the developer or builder of the wastewater system made payable to Tennessee Wastewater Systems, Inc. to ensure the construction of the wastewater system. The performance bond should be for an amount equal to or greater than the cost of the system as provided in contracts between builder, developer and/or utility. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?
- 1.f. The final amount of contributed capital being transferred Tennessee Wastewater Systems, Inc. no later than fifteen (15) days after the final plat is signed by the Utility. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?

The Commission also required an initial compliance status report to be filed six months after the written order was issued and follow-up compliance status reports to be filed every three months thereafter. The Commission's specific language is as follows:

- 2. Tennessee Wastewater Systems, Inc. is directed to file a report in this docket demonstrating its compliance with the filing of the above referenced documents. If the required documentation is not filed within six (6) months of this order, then Tennessee Wastewater Systems, Inc. is directed to file a report on the status of the provision of wastewater service to the Wylea Farms Subdivision as well the status of the filing of required documentation. The compliance report shall be updated every three (3) months until installation of the wastewater system

is complete. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?

Please review the requirements and comments set forth above. The Consumer Advocate thanks you for your time and attention to this request. If you have questions, please contact me at (615) 741-2357.

Respectfully,



Shilina B. Brown
Assistant Attorney General

cc: Kelly Cashman-Grams, TPUC