

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION AT
NASHVILLE, TENNESSEE**

IN RE: ISHA FOUNDATION, INC.)
PETITION OF DETERMINATION)
)
)
)
) **DOCKET NO. 24-00077**
TO DETERMINE THAT A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY IS)
NOT REQUIRED FOR)
ISHA KAMALA PROJECT)
)

PETITION OF DETERMINATION

Pursuant to Tenn. Code Ann. 65-2-103, et seq. and Tenn. Code Ann. 65-4-201, et seq (collectively, the "Code"), Isha Foundation, Inc., a Tennessee Nonprofit Corporation, ("Petitioner"), by and through counsel, submits this Petition of Determination ("Petition") requesting the Tennessee Public Utility Commission ("Commission" or "TPUC") to determine that a Certificate of Public Convenience and Necessity ("CCN") is not required or necessary for Petitioner's proposed "**Isha Kamala**" project to be located on a portion of real property known as Isha Institute of Inner Sciences and being more particularly described in Section II(6) hereof ("Project"). In support of Petitioner's position that a CCN is not required, Petitioner states as follows:

I.

DESCRIPTION OF PETITIONER, ISHA FOUNDATION, INC.

1. Petitioner is a Tennessee Nonprofit corporation formed on November 23, 1998.
2. The President of Isha Foundation, Inc. is Dr. Usha Doshi.

3. Petitioner's principal place of business is located at 951 Isha Lane, McMinnville, TN 37110.
4. Petitioner's services include, but are not limited to, managing, supervising, and obtaining entitlements, consents, licenses, permits, and approvals necessary for the operation of the Project.
5. All correspondence and communication with respect to this Petition should be sent to the following:

Isha Foundation, Inc.
Attn: Dr. Usha Doshi
951 Isha Lane
McMinnville, TN 37110
Email: usha@ishausa.org

Austin, Davis & Mitchell
Attn: Thomas K. Austin
PO BOX 666
Dunlap, TN 37327
Email: taustin@austindavismitchell.com
(423) 949-4159 (office)
(423) 949-4589 (fax)

II.

DESCRIPTION OF PROJECT AND SYSTEM

6. The Isha Institute of Inner Sciences, a nonprofit 501(c)(3) organization located in Warren County, McMinnville, Tennessee, serves as a center for spiritual growth, yoga, and meditation, offering programs designed to foster inner transformation and well-being. As part of its ongoing expansion, the Institute is developing a project comprising 187 single family lots and 76 townhomes to increase accommodation capacity. This new zone, named "Isha Kamala," will allow Isha members to lease homesites under a 99-year lease

agreement, with water service included in the lease terms. Members will not be billed for the water separately, and land ownership will remain with Isha Foundation.

7. Currently, the Isha Institute receives water from the Warren County Utility District (WCUD) through a master meter. It plans to extend its internal distribution system to service the new development zone, "Isha Kamala," using water sourced post mastermeter.
8. Homes in this zone will either be built by members on leased lots or, in the case of townhomes, constructed by the Institute and leased or rented to members.
9. This expanded water system will be operated by a licensed water distribution operator certified by the Tennessee Department of Environment and Conservation (TDEC). The system will adhere to TDEC regulations for quality and monitoring, ensuring all necessary standards are met.
10. The current WCUD infrastructure in the area is inadequate to provide the needed fire flow required for this development. Under this proposed arrangement, Isha will be able to provide adequate fire flow from its main campus water system.
11. Isha will own all the lots and improvements on the property and will lease the same to occupants through long term lease agreements. Isha will not be charging the occupants of the Project for water consumption or water service
12. Isha Institute will be the taxpayer for the collective property and improvements which are part of Isha's community expansion with its own water system with a master meter for purchasing potable water from Warren County Utility District.
13. Petitioner has engaged Site Engineering Consultants (SEC Inc.) and CTI Engineers as the consulting engineers for the proposed Project and water system design ("System").

14. The proposed System servicing the Project will consist of a master meter connection from WCUD on Isha's property. This will be the demarcation point for WCUD's system and Isha's water system. The source of the water will be potable water from WCUD's system on the Wildwood tank pressure zone. The meter will be a controlled flow to allow a maximum volume per day into the system. The potable water will then be routed through either a raised or on-ground water storage tank and then distributed to the Project through transmission lines and distribution lines. The existing tank and pump setup will be engineered and upgraded to handle the additional flow. Water mains will be either SDR-21 or Ductile Iron pipes of varying sizes, routed along road right-of-ways within the Isha Kamala project, and will be tapped with saddles to provide services to the individual structures. Along the mains, hydrants will be placed as shown in the designs to provide fire flow to the development. All road crossings will be sleeved to protect the pipe from damage. Air release valves, blow-off valves, and gate valves are placed strategically as shown in the engineering drawings to ensure proper serviceability and functioning of the system.
15. The estimated peak daily water service is 120,000 gallons per day.
16. The System will be constructed to serve only the Project.
17. The System will not serve as a public utility (as defined in Tenn. Code Ann. § 65-4-101 et seq the Code) providing water service. The Warren County Utility District, the local public utility, has reached its maximum service capacity and cannot support further growth. Due to the remote location of this project, meeting the required demand would necessitate nearly 20 miles of waterline improvements, as well as significant upgrades to the water treatment plant and pump stations. Financing these extensive upgrades is

entirely unfeasible for both the Warren County Utility District and the project owner, Isha Foundation. The scale and cost of these improvements effectively make the project untenable. In comparison, constructing and operating the System as described above, provides a feasible path forward for growth of the Project.

18. Petitioner has the financial capability to construct and install the System.

In further support of its Petition, the following exhibits are attached hereto:

- a. Exhibit A: Pre-Filed Testimony of Dr. Usha Doshi
- b. Exhibit B: Approved Preliminary Plat for the Project
- c. Exhibit C: Map showing Project Area and Proposed Arrangement

III.
PRAYER FOR RELIEF

THEREFORE, Petitioner respectfully requests:

- 1. That the Commission determine that a CCN is not required for the construction, installation, or operation of the System for the Project;
- 2. That the Commission provide written confirmation to Petitioner that a CCN is not required so that Petitioner may submit the same to the Tennessee Department of Environment and Conservation and any other regulatory agencies or municipalities involved with approving the Project and the System; and
- 3. That the Commission grants such other and/or further relief as may be warranted.

Respectfully Submitted,

AUSTIN, DAVIS & MITCHELL



Thomas K. Austin BPR#31009

Attorney for Petitioner

PO BOX 666

Dunlap, TN 37327

(423)949-4159

taustin@austindavismitchell.com

VERIFICATION OF PETITIONER

I, Usha Doshi, President of Isha Foundation, Inc., a Tennessee Nonprofit corporation, the Petitioner, verify that based on information and belief, I have knowledge of the statements in the foregoing Petition, and I declare that they are true and correct.

Usha Doshi

Sworn to and subscribed before me, the undersigned Notary Public, on this 19th day of November, 2024.

[Signature]

Notary Public

My commission expires:

12-18-2027



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the forgoing has been served upon the person(s) listed below this day of NOVEMBER^{20th}, 2024

David Jones

Tennessee Public Utility Commission

502 Deaderick, 4th Floor

Nashville, Tennessee 37243

[Signature]

Thomas K. Austin

EXHIBIT A

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION AT
NASHVILLE, TENNESSEE**

IN RE: ISHA FOUNDATION, INC.)	
PETITION OF DETERMINATION)	
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TO DETERMINE THAT A)	
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ISHA KAMALA PROJECT)	

PRE-FILED TESTIMONY OF Dr. Usha Doshi

Q1. What is your name and business address?

A. My name is Dr. Usha Doshi. My business address is 951 Isha LN, McMinnville, TN 37110.

Q2. What is your relationship to Isha Foundation, Inc.

A. I am the President of Isha Foundation, Inc. ("Isha").

Q3. Have you previously filed testimony before this Commission or any other commission?

A. My predecessor, Dr. Kalpana Rajdev, has filed a petition on behalf of Isha Foundation in September 2022 regarding a wastewater treatment determination that a CCN was not required.

Q4. Please state your educational and professional background.

A. I am a Bachelor of Medicine and Bachelor of Surgery, with a Diploma in Child Health and a Doctor of Medicine in Pediatrics, specializing in the care and treatment of infants, children, and adolescents.

Q5. How long has Isha Foundation, Inc. been in existence?

A. Isha has been in existence since November 23, 1998.

Q6. What is the purpose of Isha Foundation, Inc.?

A. Isha is an internationally recognized non-profit 501(c)(3) charitable organization registered in the State of Tennessee whose primary mission is to improve the physical, mental and spiritual well-being of all individuals regardless of religion, race, creed, age or gender. Established over thirty-five years ago, today Isha is run by 11 million volunteers in more than 300 city centers across the world. At the core of the Isha's activities is a customized system of physical exercises and meditations called Isha Yoga which distills powerful yogic methods for young and old alike, creating peak physical, mental and spiritual well-being. Isha also implements several large-scale human service projects to support individual growth, revitalize the human spirit, rebuild communities, and restore the environment. Isha's numerous charitable activities and community outreach have gained international accolades and have been recognized by the United Nations and governments throughout the world.

Q7. Please describe the proposed project to be located at 951 Isha Lane.

A. The project features 187 single family lots and 76 townhomes in a new zone called "Isha Kamala," providing accommodation for members under 99-year lease agreements. The project will be owned and operated by the Isha Foundation. The purpose of the Project is to accommodate anticipated growth and provide additional accommodations for the members of the Institute.

Q8. What is the purpose of the Petition Isha Foundation, Inc. has filed?

A. That the Commission determine that a CCN is not required for the construction, installation, or operation of the System for the Project, which would allow Isha to proceed with obtaining the necessary approvals, licenses, permits, and consents from the Tennessee Department of Environment and Conservation, and any other regulatory bodies and municipalities having jurisdiction over the Project and System.

Q9. What is the purpose of your testimony in this proceeding?

A. The purpose of my testimony is to provide information on Isha and explain the intent and scope of the Project and System.

Q10. Will the System be provided as a public utility?

A. No. The System will not serve as a public utility providing water service. The System will be privately owned, and will be constructed to serve only those individuals leasing the improved lots in Isha Kamala Subdivision.

Q11. Will the Petitioner charge, collect fees, rates, or dues for the use of the System?

A. No. Petitioner will not charge or collect any fees, rates, or dues for use of the System. If Petitioner, in the future, considers providing public utility services, Petitioner will promptly file a petition for a CCN pursuant to the Code and Commission's rules and regulations.

Q12. Who will own, operate, and maintain the System?

A. The System will be privately owned by Petitioner. Petitioner will contract with a licensed and certified water system operator to perform the day-to-day operations, maintenance, and periodic testing of the System in accordance with the Permits and the Tennessee Department of Environment and Conservation Regulations.

Q13. Are you sponsoring any exhibits other than this Pre-Filed Testimony?

A. Yes. I am sponsoring the following exhibits:

Exhibit B: Approved Preliminary Plat for the Project

Exhibit C: Map showing Project Area and Proposed Arrangement

Q14. Were the exhibits listed above prepared by you or under your direction and supervision?

A. Yes.

Q15. What do you recommend with regard to the Petition?

A. I recommend that the Petition be approved to not require a CCN.

Q16. Does this complete your testimony?

A. Yes, and I am ready to provide any additional information the Commission may need in making its decision.

EXHIBIT B

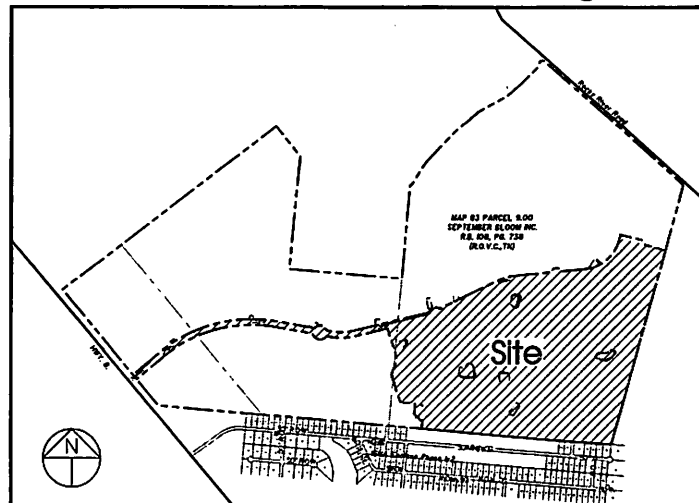
Isha Kamala

Phase I

Van Buren and Warren Counties, Tennessee

S.O.P. No. 22017

Construction Drawings



Not To Scale

Drainage Basin: Spring Creek, Big
Sandy Branch, Little Sandy Branch
and Rocky River

Contacts:

Survey/Engineer/Planning:

Site Engineering Consultants, Inc.
850 Middle Tennessee Blvd.
Memphis, TN 37128
Phone: (915) 850-7901
Contact: Richard Houze

Floodplain Note:

No Portion Of This Site Lies Within The 100 Year Flood Plain
Per F.E.M.A. Community Panel No. 47175C075C,
Dated April 19, 2010.

Total Site Land Data:

Zoning: P.U.D.
283 Total Lots
187 Single Family Lots
96 Townhomes

Yard Requirements:

Front: 30'
Side: 15'
Rear: 20'

Land Use Data Table:

Total Land Area: 997.256 Ac.
Proposed Residential Development
Phase I: 279.256 Ac.

Deed Reference:

The property shown herein is Tax Map:
Map 63, Parcel 8.05, in Van Buren County,
as recorded in RB 108, Pg 735

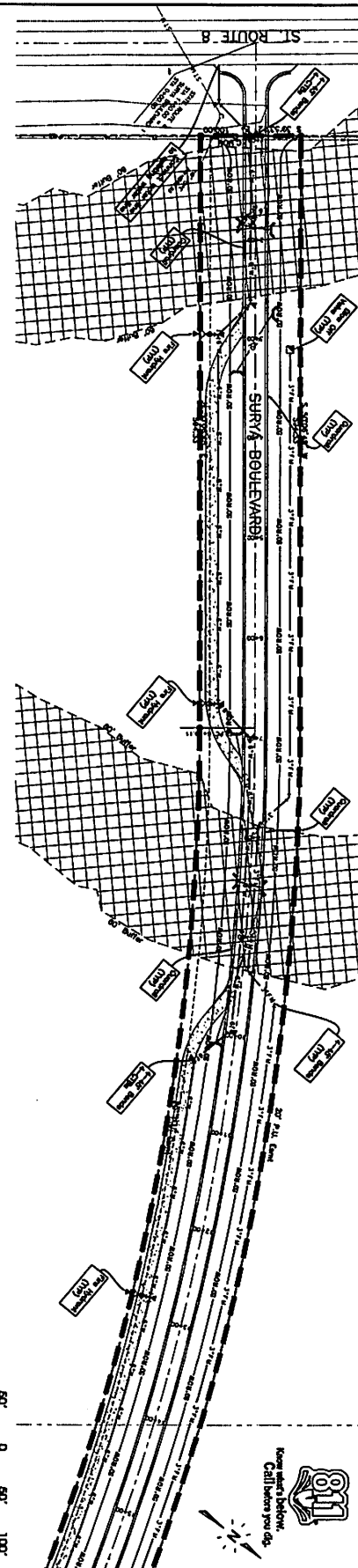
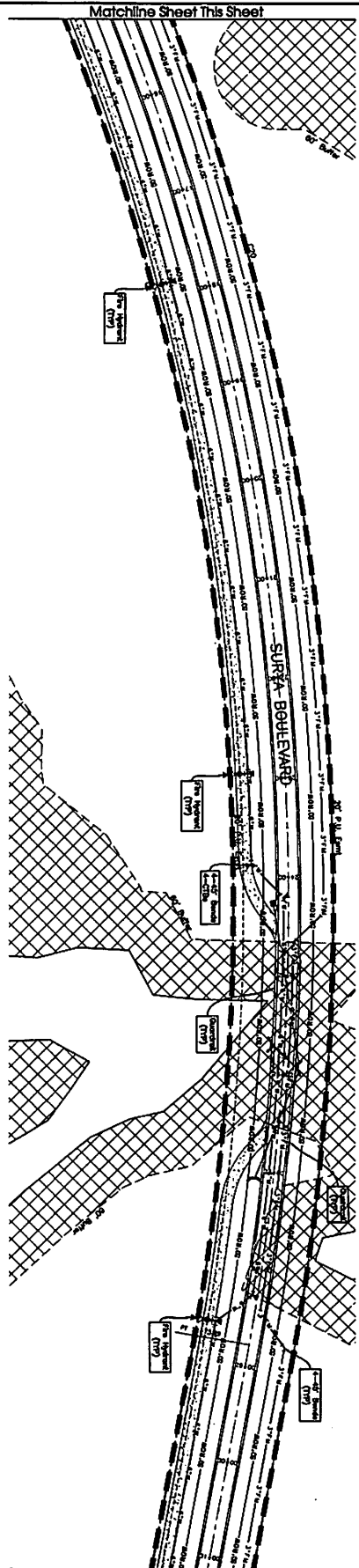
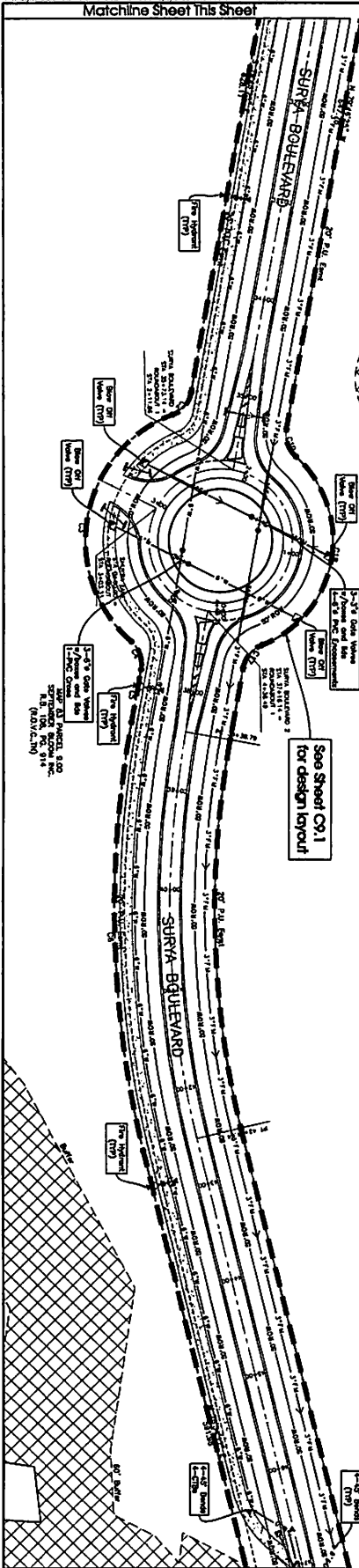
SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE

850 MIDDLE TENNESSEE BOULEVARD • MEMPHIS, TENNESSEE 37128
PHONE: (915) 850-7901 E-MAIL: R.HOUZE@SEC-CIVIL.COM FAX: (915) 850-2567
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By: Richard Houze Date: 4/1/22
Richard Houze, P.E. TN. Reg. #108494

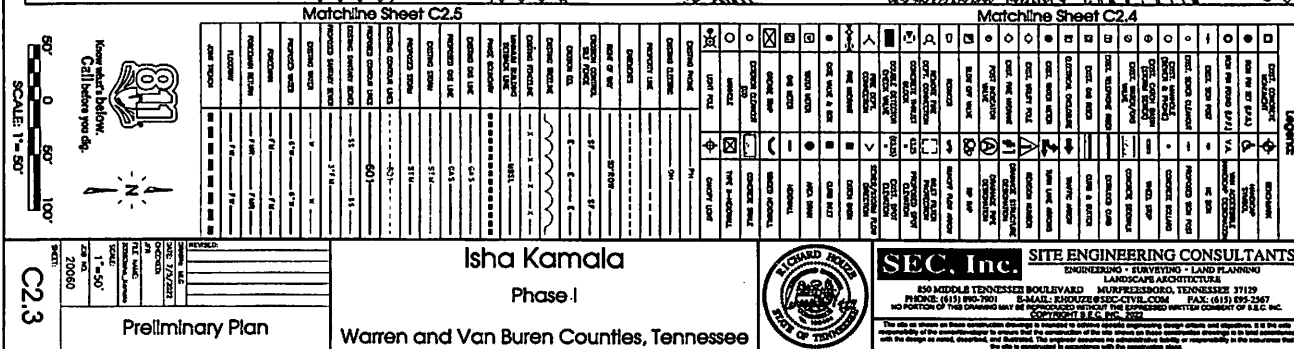


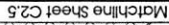
Sheet C0.0
Isha Kamala
Construction Drawings
S.E.C. Project #20060
Date: 7-5-2022
Revised:



<p>C2.0</p> <p>20060</p> <p>Preliminary Plan</p>	<p>Isha Kamala</p> <p>Phase I</p> <p>Warren and Van Buren Counties, Tennessee</p>	<p>SEC, Inc.</p> <p>SITE ENGINEERING CONSULTANTS</p> <p>ENGINEERING • SURVEYING • LAND PLANNING</p> <p>LANDSCAPE ARCHITECTURE</p> <p>850 MIDDLE TENNESSEE BOULEVARD NASHVILLE, TENNESSEE 37219</p> <p>PHONE: (615) 850-7601 FAX: (615) 850-2567</p> <p>EMAIL: INFO@SEC-CIVIL.COM</p> <p>NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE WRITTEN CONSENT OF SEC, INC.</p> <p>Copyright © SEC, Inc. 2022</p>
	<p>The site is shown as being developed in accordance with the information shown on these drawings and is not to be used for any other purpose without the written consent of SEC, Inc. The accuracy of the information shown on these drawings is not to be used for any other purpose without the written consent of SEC, Inc. The accuracy of the information shown on these drawings is not to be used for any other purpose without the written consent of SEC, Inc.</p>	

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MAP 80 PARCEL 13.00
SUSAN FRITZ
R.B. 92, PG. 959
(R.O.V.C., TN)

Open Space
and Puddle[illegible][illegible]

Legend:

2.4

Preliminary Plan

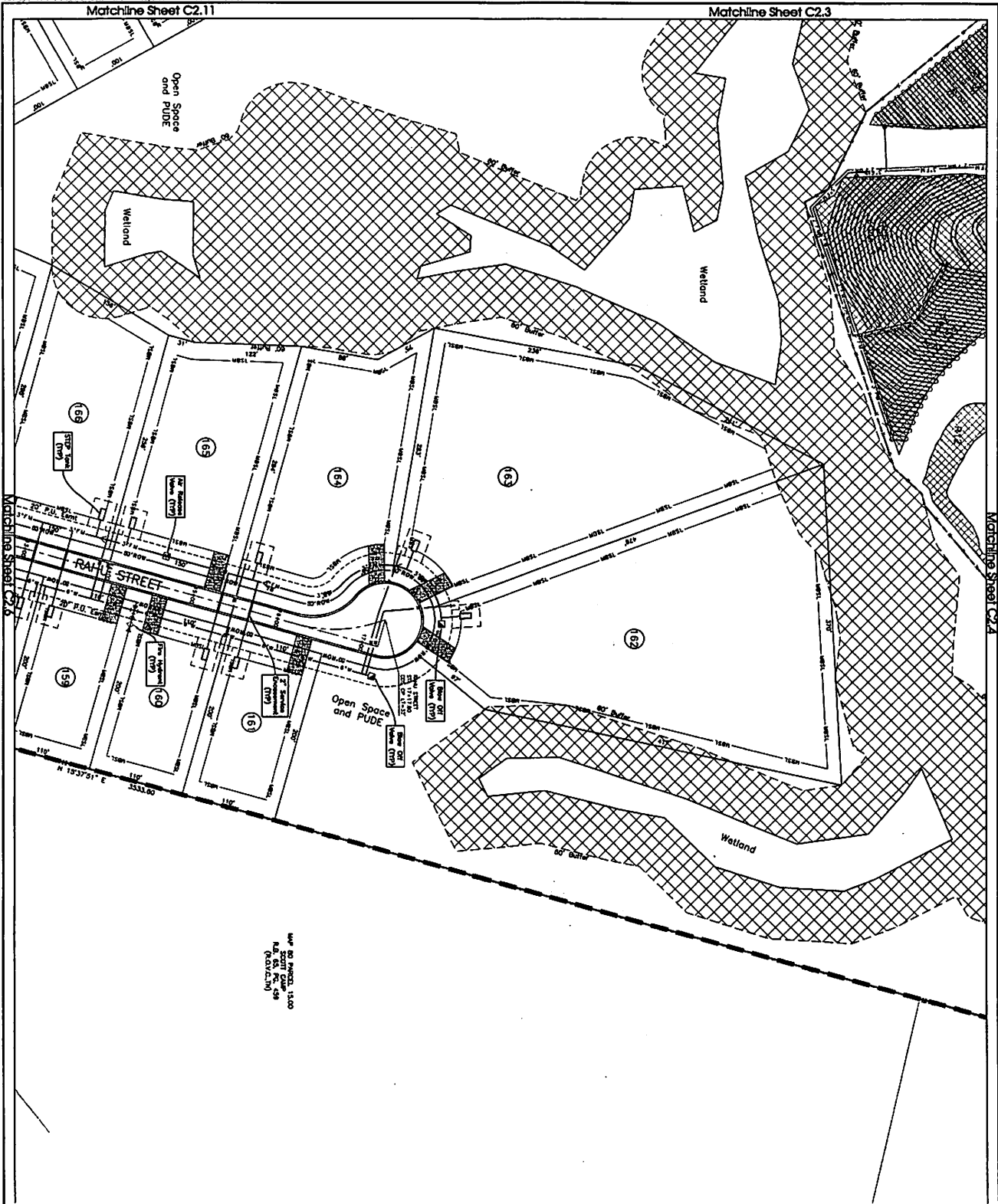
Isha Kamala
Phase I

**SEC, Inc.**

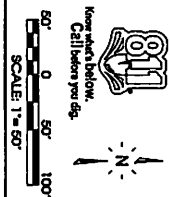
SITE ENGINEERING CONSULTANTS
ENGINEERING & SURVEYING & LAND REVENUE

430 MINNIE TENNESSEE BOULEVARD **MURFREESBORO, TENNESSEE 37132**
PHONE: (615) 890-3001 **E-MAIL: KNOX@E-CEC-CYLL.COM** **FAX: (615) 897-2467**
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SEE SHEET C2.11 FOR
RALEIGH STREET
(PLAN & ELEV.)



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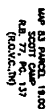
Preliminary Plan

Isha Kamala

Phase I

Warren and Van Buren Counties, Tennessee

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE
850 MIDDLE TENNESSEE BOULEVARD, SUITE 200, MEMPHIS, TENNESSEE 38119
PHONE: (901) 590-7700 FAX: (901) 590-7701
E-MAIL: INFO@SEC-CIVIL.COM
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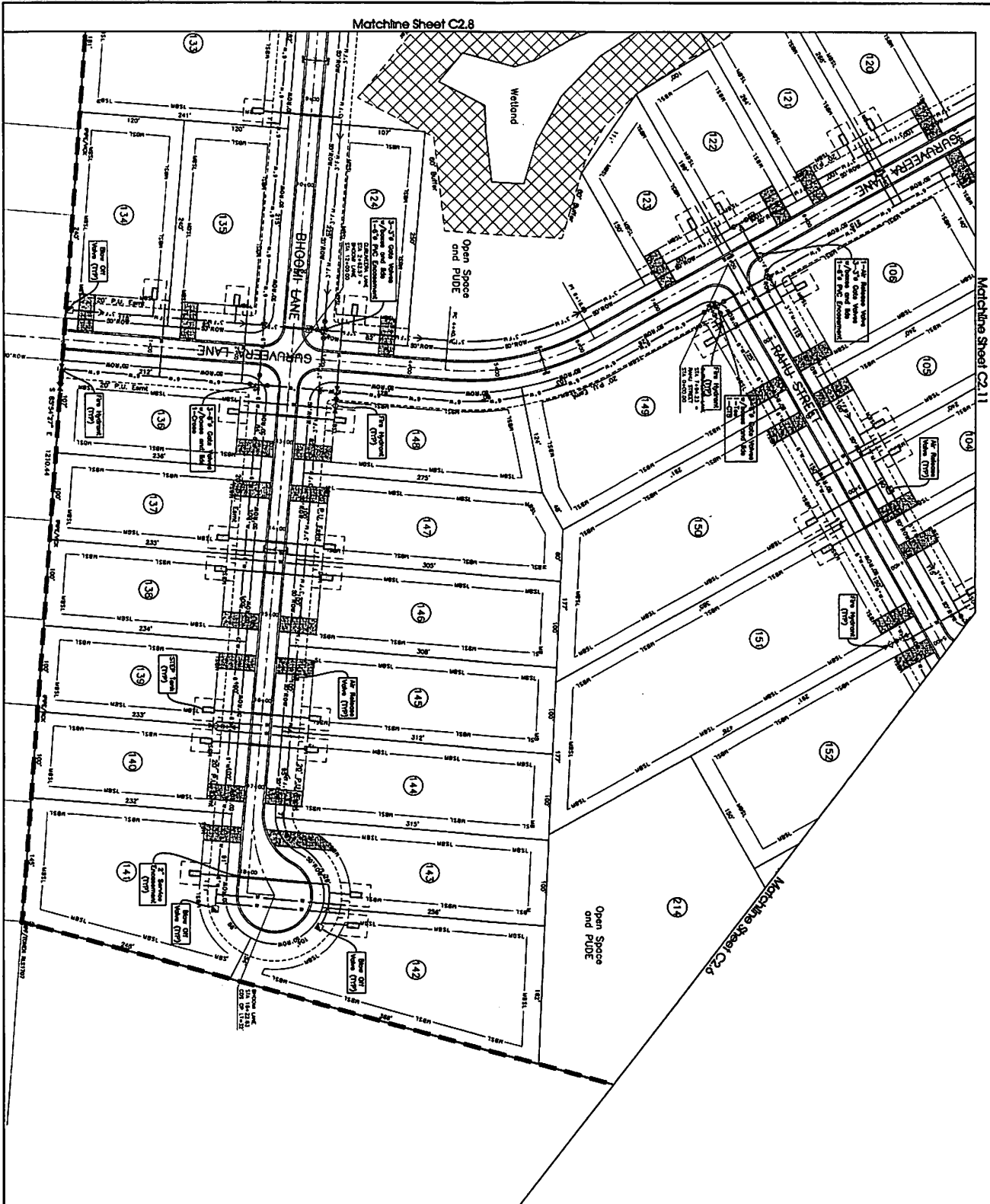
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Warren and Van Buren Counties, Tennessee



850 MIDDLE TENNESSEE BOULEVARD LANDMARK ARCHITECTURE
MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: RHOUZE@SDC-CIVIL.COM FAX: (615) 895-2567
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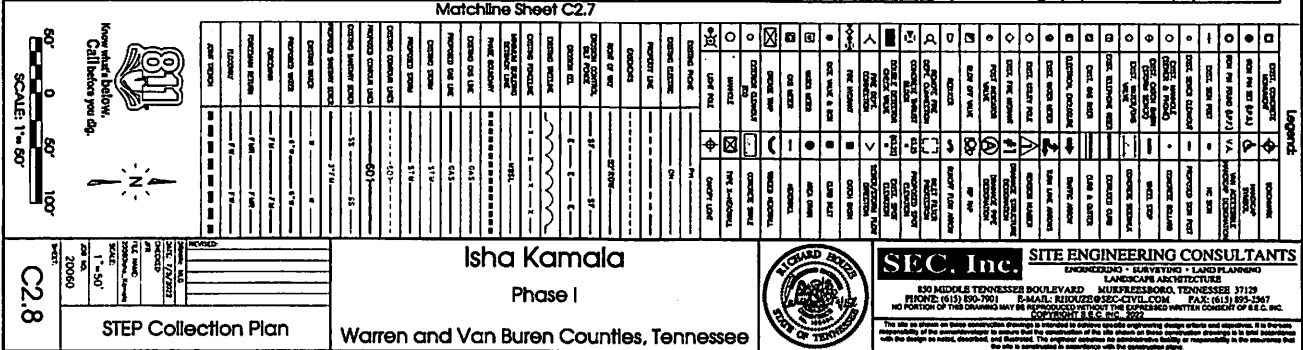
The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the sole responsibility of the owner/developer to ensure that the construction of the site shown on these construction drawings is in total accordance with the design as noted, described, and approved. The engineer assumes no administrative liability or responsibility in the occurrence that the site is constructed in accordance with the construction plan.

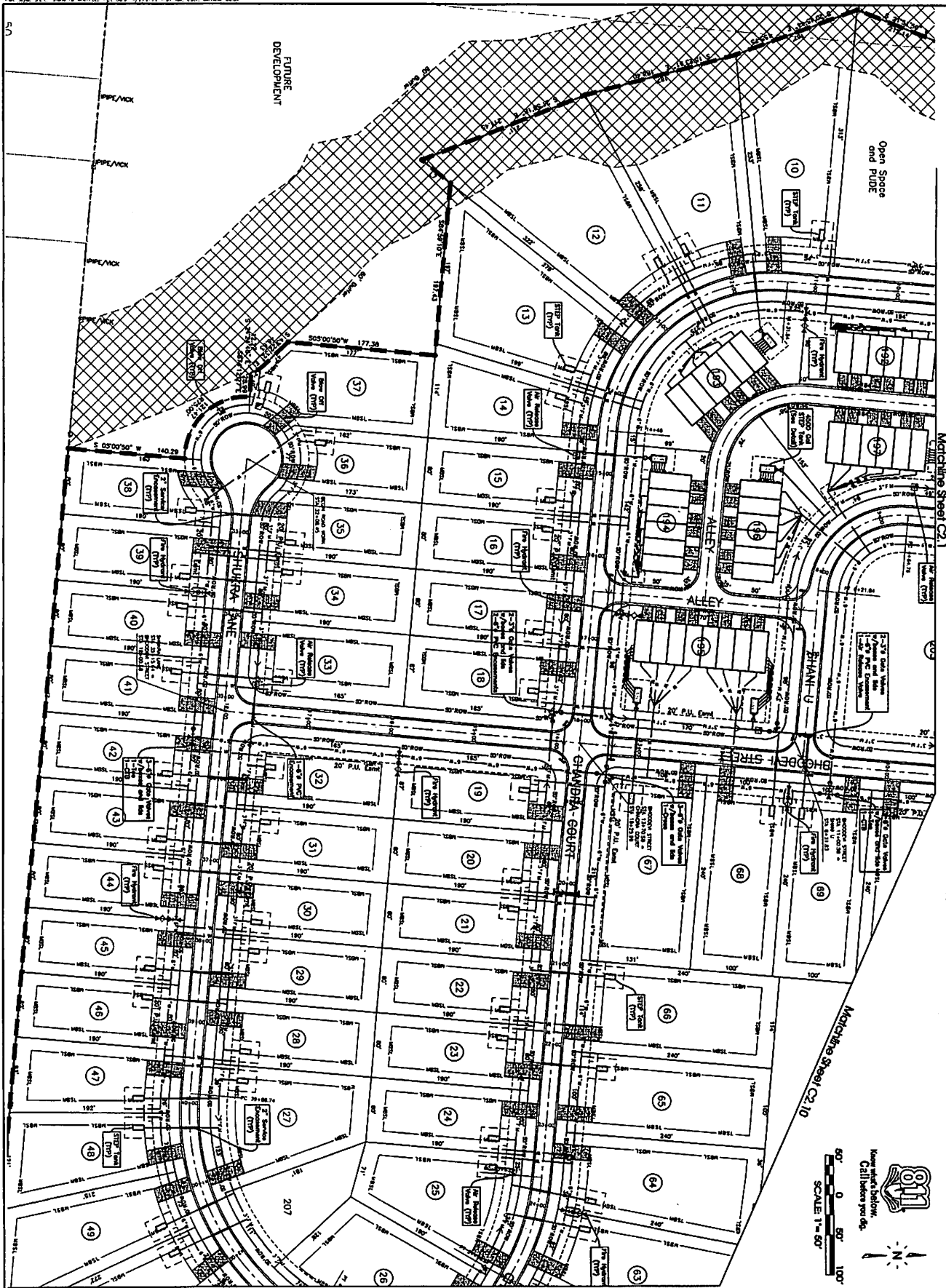


Know what's below.
Call before you dig.

SCALE: 1" = 50'

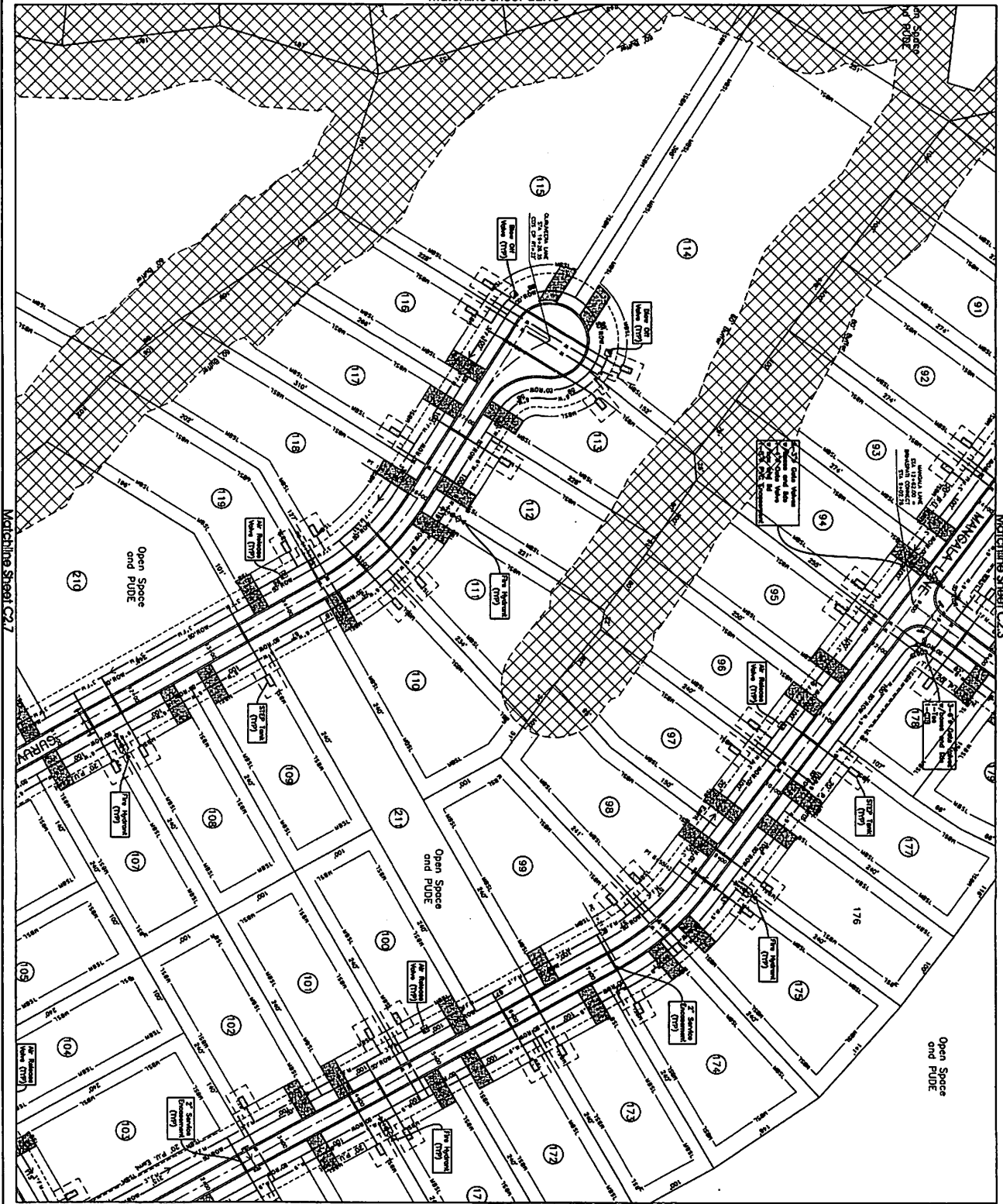
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<p>C2.9</p> <p>20060</p> <p>20060</p>	<p>REVISION</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>05/27/2022</td> <td>PRELIMINARY PLAN</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	05/27/2022	PRELIMINARY PLAN	<p>Isha Kamala</p> <p>Phase I</p> <p>Warren and Van Buren Counties, Tennessee</p>	<p>SEC, Inc. SITE ENGINEERING CONSULTANTS</p> <p>330 MIDDLE TENNESSEE BOULEVARD MEMPHIS, TENNESSEE 37129 PHONE: (901) 990-7901 FAX: (901) 995-2547 E-MAIL: INFO@SEC-CIVIL.COM NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE WRITTEN CONSENT OF SEC, INC.</p>
	NO.	DATE	DESCRIPTION						
	1	05/27/2022	PRELIMINARY PLAN						
	<p>Preliminary Plan</p>	<p>SEC, Inc.</p>	<p>THIS SITE PLAN SHOWS THE PROPOSED DEVELOPMENT OF THE SITE SHOWN ON THESE PRELIMINARY DRAWINGS. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO SEC, INC. AND FOR THE COMPLETION OF THE SITE IN ACCORDANCE WITH THE CONSTRUCTION PLANS.</p>						
<p>20060</p>	<p>SEC, Inc.</p>	<p>SEC, Inc.</p>							
<p>20060</p>	<p>SEC, Inc.</p>	<p>SEC, Inc.</p>							

Matchline Sheet C2.10

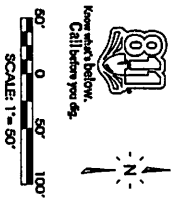


Matchline Sheet C2.7

Matchline Sheet C2.3

Matchline Sheet C2.6

Matchline Sheet C2.5



Bring all the below,
Call before you dig.



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C2.11

Isha Kamala
Phase I

Warren and Van Buren Counties, Tennessee

SPEC, Inc. SITE ENGINEERING CONSULTANTS
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Preliminary Plan

EXHIBIT C

Isha Kamala Project Map

Legend
○ ROW

