

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

March 3, 2025

IN RE:)	
)	
PETITION OF SWEETWATER KOA HOLIDAY)	DOCKET NO.
CAMPGROUND TO DETERMINE IF A CCN IS)	24-00084
NEEDED)	

INITIAL DETERMINATION THAT CCN IS NOT REQUIRED

This matter is before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) upon the Letter of Determination for CCN Requirement (“*Petition*”) filed on December 26, 2024, on behalf of Sweetwater Campground Holdings, LLC (“Sweetwater” or “Petitioner”) requesting a determination by the Commission that a Certificate of Public Convenience and Necessity (“CCN”) is not required to provide wastewater service to an expansion project at Sweetwater KOA Holiday Campground (“Sweetwater Campground”). The proposed project site will be located at 269 Murray’s Chapel Road, Sweetwater, Tennessee 37874.¹

THE *PETITION*

According to the *Petition*, as part of a campground expansion project, Sweetwater is constructing a private wastewater system that will be owned and maintained by Sweetwater to provide service to sixty-two (62) Recreational Vehicle (“RV”) sites.² The *Petition* states “[t]his system will be exclusively managed and maintained by the campground at no cost to its users. The system will be used by registered guests and employees of the campground and will not be

¹ *Petition* (December 26, 2024).

² *Id.*

accessible to neighboring properties or to the general public.”³

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 Administrative Judge finds that Sweetwater is not a public utility because the wastewater system at the Sweetwater Campground expansion project will be built, owned, and maintained by Sweetwater for the exclusive use of the registered guests and employees of Sweetwater. Therefore, under the facts set forth in the *Petition*, the Administrative Judge concludes that Sweetwater is not a “public utility” as defined by Tenn. Code Ann. § 65-4-101(6) and is not required to obtain a CCN from the Commission. If any of the facts or circumstances set forth in the *Petition* regarding the provision of wastewater service at Sweetwater Campground should change, the Petitioner must notify the Commission immediately.

IT IS THEREFORE ORDERED THAT:

1. Sweetwater Campground Holdings, LLC is not required to obtain a Certificate of Public Convenience and Necessity from the Tennessee Public Utility Commission to provide wastewater service in the manner set forth in its *Petition* to its expansion project at Sweetwater KOA Holiday Campground located at 269 Murray’s Chapel Road in Sweetwater, Tennessee.

2. Sweetwater Campground Holdings, LLC must notify the Tennessee Public Utility

³ *Id.*

Commission immediately of any changes in the provision of wastewater service to Sweetwater KOA Holiday Campground by filing an update in this docket file. Changes to the provision of wastewater service may alter the determination set forth in this Order.

3. Any party aggrieved by the decision of the Administrative Judge in this Initial Order may file a Petition for Appeal with the Tennessee Public Utility Commission within fifteen (15) days from the date of this Initial Order.


Monica Smith-Ashford, Administrative Judge