

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**IN RE:**

**PETITION OF WATERLOO RV PARK LOCATED  
IN LAWRENCEBURG, LAWRENCE COUNTY,  
TENNESSEE TO DETERMINE IF A CCN IS  
NEEDED**

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**DOCKET NO.  
25-00038**

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**INITIAL DETERMINATION THAT A CCN IS NOT REQUIRED**

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This matter is before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) upon the letter filed on May 29, 2025 (“Petition”) on behalf of Five Rivers Group Investments, LP (“Five Rivers” or “Petitioner”), seeking a determination whether a Certificate of Public Convenience and Necessity (“CCN”) is required for the Waterloo RV Park Development (“Waterloo RV” or “Project”) to provide wastewater service to the proposed Project. The proposed project site will be located outside of Lawrenceburg, Tennessee.

**THE PETITION**

The Petition states that the private wastewater system will be constructed and owned by the owner/ developer of the proposed Project, Five Rivers, and a wastewater operator certified by the Tennessee Department of Environment and Conservation (“TDEC”) will be hired to maintain the system. According to the Petition:

The project consists of approximately 100 RV stalls, 50 cabins, pool, clubhouse and amenities. The Extended Aeration wastewater treatment plant and related system components to be privately owned, operated and maintained by Five Rivers Group Investments, LP. The wastewater system will serve the proposed development and no other users or parcels in Lawrenceburg, TN. LLC is the owner of the property (per attached deed) and the proposed wastewater system... Five Rivers

Group Investments, LP will own the property, wastewater system, and all structures and improvements. The RV visitors will never be charged for use of the wastewater system. As required for operation and maintenance of the wastewater system, the property owner shall maintain a contract with a qualified wastewater operator certified by TDEC.<sup>1</sup>

## **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 Five Rivers is not a public utility because the wastewater system at the proposed Waterloo RV will be built, owned, and maintained by the owner/developer of the Project, Five Rivers, for the exclusive use of the customers and visitors of Waterloo RV. Therefore, under the facts set forth in the Petition, the Administrative Judge concludes that Five Rivers 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 Waterloo RV should change, the Petitioner must notify the Commission immediately.

## **IT IS THEREFORE ORDERED THAT:**

1. Five Rivers Group Investments, LP 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 proposed Waterloo RV Park Development to be

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<sup>1</sup> Petition, p. 1 (May 29, 2025).

built outside of Lawrenceburg, Tennessee.

2. Five Rivers Group Investments, LP must notify the Tennessee Public Utility Commission immediately of any changes in the provision of wastewater service to its development 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