

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

September 23, 2025

IN RE:)	
)	
PETITION OF DUNBAR ROAD DUPLEX)	DOCKET NO.
PROJECT LOCATED IN CROSSVILLE,)	25-00063
CUMBERLAND COUNTY, TENNESSEE TO)	
DETERMINE IF A CCN IS 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 August 20, 2025, by Christina Passon (“Ms. Passon” or “Petitioner”) regarding the Dunbar Road Duplex Project requesting a determination by the Commission that a Certificate of Public Convenience and Necessity (“CCN”) is not required to provide sewer service to an expansion project of rental duplexes on private property owned by Christina and David Passon. The proposed project site will be located at Dunbar Road, Crossville, Tennessee 38572 in Cumberland County.¹

THE PETITION

According to the Petition, the project consists of six duplexes, totaling 24 bedrooms. Petitioner currently owns 4 duplexes on 10 acres of private property and is seeking to expand the rental properties. According to the Petition, “we are expanding our rental duplexes which will have their own septic systems to serve the new buildings.” The rental duplexes will have lease terms of

¹ Petition (August 20, 2025).

no more than one year and the area is not being served by a utility provider.² The Septic System will be maintained by the Petitioner and the fee will be included in the rent charged for the duplexes.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 the Dunbar Road Duplex Project is not a public utility because the system will be built, owned, and maintained by Petitioner for the exclusive use of the tenants of the Dunbar Road Duplexes. Therefore, under the facts set forth in the Petition, the Administrative Judge concludes that the Dunbar Road Duplex Project 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 sewer service at the Dunbar Road Duplex Project should change, the Petitioner must notify the Commission immediately.

IT IS THEREFORE ORDERED THAT:

1. Christina and David Passon are not required to obtain a Certificate of Public Convenience and Necessity from the Tennessee Public Utility Commission to provide sewer service in the manner set forth in the Petition to the expansion project at the Dunbar Road Duplex

² Data Response (September 17, 2025).

³ *Petition* (August 20, 2025).

Project located at Dunbar Road, Crossville, Tennessee 38572 in Cumberland County.

2. Christina and David Passon must notify the Tennessee Public Utility Commission immediately of any changes in the provision of service to the Dunbar Road Duplex Project by filing an update in this docket file. Changes to the provision of 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