

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

**March 31, 1998**

<b>IN RE: PETITION OF ON SITE</b>	<b>)</b>	
<b>SYSTEMS, INC. TO AMEND ITS</b>	<b>)</b>	<b>DOCKET NO.: 97-01393</b>
<b>CERTIFICATE OF CONVENIENCE</b>	<b>)</b>	
<b>AND NECESSITY</b>	<b>)</b>	

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**ORDER APPROVING PETITION OF ON-SITE SYSTEMS, INC. TO AMEND ITS  
CERTIFICATE OF CONVENIENCE AND NECESSITY FOR EXPANSION OF SERVICE  
AREA**

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This matter is before the Tennessee Regulatory Authority (the "Authority") for a decision on the Petition of On-Site Systems, Inc. (hereafter the "Company") to amend its Certificate of Convenience and Necessity for expansion of its service area to include a portion of Williamson County, now a part of the Milcrofton Utility District.

On April 4, 1994, On-Site Systems, Inc., received a Certificate of Convenience and Necessity, in Docket No. 93-09040, from the Tennessee Public Service Commission, to provide sewage collection, treatment and disposal for the proposed Oakwood development in Maury County, Tennessee. On August 4, 1997, the Authority approved the Company's Petition to expand its service territory in Montgomery County and in Rutherford County. The Company's current tariff provides for a monthly rate of \$8.49 for sewer service.

This Petition was filed by the Company on August 6, 1997, to expand their service territory to include a portion of the Milcrofton Utility District in Williamson County. The Company represents in its Petition that the Milcrofton Utility District does not currently provide

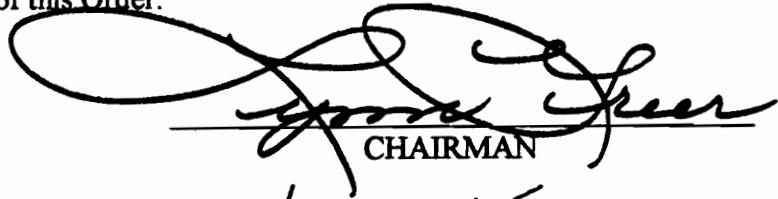
sewer services to its customers. The Company further represents that a small portion of the Milcrofton Utility District receives sewer service from the City of Franklin, Tennessee. This portion is not included in the current Petition by the Company. The Petition also states that the Microfton Utility District desires sewer service in the proposed service area in the Petition, but does not want either the expense or responsibility of operating the system. The Company further states that the Milcrofton Utility District has given permission to the Company to provide sewer service by letter agreement. A copy of the letter with attached site map from the Utility District is attached as Exhibit A.

On September 23, 1997, this Petition came before the Authority at a regularly scheduled Directors' Conference. Upon consideration of the Petition and pertinent portions of the record, the Directors find the Petition to be consistent with other service-area territory expansion requests previously approved by the Authority for On-Site Systems, Inc. Therefore, the Authority unanimously approves the Company's Petition.

**IT IS THEREFORE ORDERED THAT:**

1. The Petition of On-Site Systems, Inc., to amend its Certificate of Convenience and Necessity to expand its service territory to include a portion of the Milcrofton Utility District in Williamson County is hereby approved;
2. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order; and

3. Any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

  
CHAIRMAN

  
DIRECTOR

  
DIRECTOR

ATTEST:

  
EXECUTIVE SECRETARY

# MILCROFTON UTILITY DISTRICT

1226A Lakeview Drive  
Franklin, Tennessee 37067  
(615) 794-5947  
FAX (615) 791-9872

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## RESOLUTION

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Whereas, a representative of On-Site Systems, Inc. appeared before the District's Board of Commissioners and requested that the Board consider taking over the operation of a low-pressure pipe wastewater disposal system for a proposed subdivision within the District's boundaries; and

Whereas, the District has never been involved in the wastewater business and has no desire to engage in the wastewater disposal or treatment business;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners that the District does not desire to enter into the wastewater disposal business within its boundaries at the present time and will not agree to takeover the operation of any system installed by On-Site Systems, Inc. for any subdivision within the District's boundaries.

Dated: June 18, 1997

  
Howard G. Smithson, President

  
Everett Barnard, Vice President

  
Otis Groom, Secretary/Treasurer

**Exhibit 1 -Map Attachment**

**Explanatory Notes**

**Proposed service area**

The intent of the markings on the attached Map is to outline the Milcrofton Utility District and to exclude from the district areas that are currently being provided sewer service by the City of Franklin. In addition, any areas within the city limits of Franklin are also excluded from the proposed service area

