STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Total Environmental Solutions, Inc. for Approval of Customer Agreement and Related Responsibilities, Rates and Charges

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2007 - 359 - W/S

(Please type or print)
Submitted by: John F. Beach

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☒ Affidavit	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☐ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☒ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Print Form Reset Form

ELLIS : LAWHORNE

Carol Roof
Direct dial: 803/779-0066
croof@ellislawhorne.com

October 22, 2007

FILED ELECTRONICALLY AND ORIGINAL VIA 1ST CLASS MAIL SERVICE
The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Petition of Total Environmental Solutions, Inc. for Approval of Customer Agreement and related responsibilities, rates and charges
Docket No. 2007-359-C, ELS File No. 557-11368

Dear Mr. Terreni:

Enclosed for filing on behalf of TESI is the Affidavit of Patsy Land for filing in above-referenced proceeding.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning via the United States Postal Service in the envelope provided.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

ELLIS, LAWHORNE & SIMS, P.A.

Carol Roof
Paralegal

CR/I
cc: Mr. Bill Schoening
enclosure (original)

THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2007-359-C

IN RE: Petition of Total Environmental Solutions, Inc. for Approval of Customer Agreement and related responsibilities, rates and charges	)))))))	**AFFIDAVIT OF PATSY LAND**

The Affiant, after having first being duly sworn, deposes and states as follows:

1) My name is Patsy Land and I am the Customer Service Representative of Total Environmental Solutions, Inc.;

2) On October 15, 2007, I caused to be served on the current customers of Foxwood Hills, Westminster, South Carolina by First Class mail service a Notice containing the language set forth in the Notice of Filing which is attached hereto as **Exhibit 1**.

3) Upon information and belief, the mailing of this notice fully complies with the South Carolina Public Service Commission's instructions issued in this docket on October 10, 2007.

Patsy Land

Patsy Land

Sworn and subscribed before me
this 15th day of October, 2007

Janis K. Makeffey

Notary Public for South Carolina
My Commission Expires: 11-15-09

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING

DOCKET NO. 2007-359-W/S

APPLICATION OF TOTAL ENVIRONMENTAL SOLUTIONS, INC. FOR APPROVAL OF CUSTOMER AGREEMENT AND RELATED RESPONSIBILITIES, RATES AND CHARGES

Total Environmental Solutions, Inc. ("Applicant," "Utility," or "TESI") has filed an Application with the Public Service Commission of South Carolina ("Commission") for approval of a Customer Agreement between it and certain of TESI's customers for consideration and approval. The Application was filed pursuant 26 S.C. Code Ann. Regs. 103-541 (Supp. 2006) and other pertinent authority.

The Applicant is a public utility currently authorized to provide water and wastewater services in Oconee County, South Carolina under the jurisdiction of the Commission. TESI's current rates and charges for water and wastewater service were approved in Docket No. 2004-90-W/S by way of Order No. 2006-292(A) dated May 9, 2006.

The Applicant seeks approval of the arrangements set forth in the September 12, 2007 Consent Agreement between the South Carolina Department of Health and Environmental Control ("DHEC") and TESI related to the repair and maintenance of grinder pumps in Foxwood Hills (the "Consent Agreement"), along with the Agreement between Total Environmental Solutions, Inc. and Property Owner/Customer ("Customer Agreement") attached to that Consent Agreement. DHEC and TESI negotiated pursuant to a DHEC Board Order dated May 24, 2007, and, on September 12, 2007, came to an agreement that is embodied in the Consent Agreement. In this Consent Agreement, DHEC and TESI lay out a detailed plan through which TESI will ultimately undertake the regulatory responsibility for the repair and maintenance of certain current and future grinder pumps located on customer properties in Foxwood Hills.

According to the Application, the Customer Agreement addresses TESI's need for access to grinder pumps on the customers' premises for inspection, maintenance, repair and replacement, and also clearly sets forth the respective customer and utility responsibilities for the grinder pumps.

In sum, TESI seeks the following relief from the Commission:

a. approval of the Application and Customer Agreement;
b. approval for Applicant to seek execution of the Customer Agreement with Applicant's customers,
c. permission for the Applicant to address the repair, maintenance and replacement of applicable grinder pumps within Foxwood Hills, in the Consent Agreement and the Customer Agreement;
d. approval of the amendment of Applicant's tariff, as necessary, to reflect such arrangements; and
e. either waiver of a hearing on the Application or expeditious review of the Application.

A copy of the Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at www.psc.sc.gov and is available from John F. Beach, Esquire and Jessica J. O. King, Esquire, Ellis Lawhorne & Sims, P.A., 1501 Main Street, 5th Floor, Post Office Box 2285, Columbia, South Carolina 29202.

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **November 9, 2007,** and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. ***Please refer to Docket No. 2007-359-W/S.***

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211 and John F. Beach, Esquire, and Jessica J. O. King, Esquire, at the above address, on or before **November 9, 2007,** and indicate the amount of time required for his presentation. ***Please refer to Docket No. 2007-359-W/S.***

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before **November 9, 2007**. ***Please refer to Docket No. 2007-359-W/S.***

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211

10/19/07