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

Address: Ellis, Lawhorne & Sims, PA
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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 25, 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 from The Greenville News 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.

The Greenville News

greenvilleonline.com

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Ellis, Lawhorne
& Sims, PA

Classified Advertising

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Ad No: 4121392 **Class:** 0008 Legal Notices (News) **Rate:** Legal Rates

Runs:

Saturday, October 13, 2007 **Lines:** 193

AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for ***The Greenville News***, do hereby testify that the attached legal ad was published on 193 lines as set forth above, in The Greenville News beginning on 10/13/2007 and ending on 10/13/2007

Susan F. Mullinax
Legal Advertising Agent

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Notary Public for the State of South Carolina
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Ad Text:

</684>4121392 □
PUBLIC SERVICE □
COMMISSION OF □
SOUTH CAROLINA □
DOCKETING DEPARTMENT<qc>
</676>NOTICE OF FILING<Qc>
AND HEARING<QC>
</684>DOCKET NO. 2007-359-WS □
APPLICATION OF TOTAL
ENVIRONMENTAL SOLU'
TIONS, INC. FOR APPROVAL
OF CUSTOMER AGREE'
MENT AND RELATED RE'
SPONSIBILITIES, RATES
AND CHARGES<QL>
</684>Total Environmental Solutions,
Inc. ("Applicant," "Utility," or
"TESI") has filed an Applica'
tion with the Public Service
Commission of South Carolina
("Commission") for approval of
a Customer Agreement be'
tween 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.<QL>
The Applicant is a public utility
currently authorized to provide
water and wastewater services
in Oconee County, South Caroli'
na 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.<QL>
The Applicant seeks approval
of the arrangements set forth
in the September 12, 2007 Con'
sent Agreement between the
South Carolina Department of
Health and Environmental Con'
trol ("DHEC") and TESI relat'
ed to the repair and
maintenance of grinder pumps
in Foxwood Hills (the "Consent
Agreement"), along with the
Agreement between Total En'
vironmental Solutions, Inc. and
Property Owner/Customer
("Customer Agreement") at'
tached to that Consent Agree'
ment. 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 un′ dertake the regulatory respon′ sibility for the repair and maintenance of certain current and future grinder pumps lo′ cated on customer properties in Foxwood Hills.<QL>

According to the Application, the Customer Agreement ad′ dresses TESI's need for access to grinder pumps on the cus′ tomers' premises for inspec′ tion, maintenance, repair and replacement, and also clearly sets forth the respective cus′ tomer and utility responsibili′ ties for the grinder pumps.<QL>

In sum, TESI seeks the fol′ lowing relief from the Commis′ sion:<QL>

a. approval of the Application and Customer Agreement;<QL>

b. approval for Applicant to seek execution of the Customer Agreement with Applicant's customers,<QL>

c. permission for the Applicant to address the repair, mainte′ nance and replacement of ap′ plicable grinder pumps within Foxwood Hills, in the Consent Agreement and the Customer Agreement;<QL>

d. approval of the amendment of Applicant's tariff, as nec′ essary, to reflect such arrange′ ments; and<QL>

e. either waiver of a hearing on the Application or expeditious review of the Application.<QL>

A copy of the Application can be obtained from the Commis′ sion at the following address: Public Service Commission of South Carolina, Docketing De′ partment, 101 Executive Center Drive, Columbia, South Caroli′ na 29210. Additionally, the Ap′ plication is available on the Commission's website at www.psc.sc.gov and is avail′ able from John F. Beach, Es′ quire and Jessica J. O. King, Esquire, Ellis Lawhorne & Sims, P.A., 1501 Main Street, 5th Floor, Post Office Box 2285, Columbia, South Carolina 29202.<QL>

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above ad′ dress, for the purpose of re′

ceiving testimony and other evidence from all interested parties regarding this Applica′ tion. The time and date of this hearing will be furnished to all interested parties at a later date.<QL>

Any person who wishes to par′ ticipate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commis′ sion's Rules of Practice and Procedure on or before Novem′ ber 9, 2007, and indicate the amount of time required for his presentation. Please include an email address for receipt of fu′ ture Commission correspon′ dence in the Petition to Intervene. Please refer to Docket No. 2007-359-W/S.<QL>

Any person who wishes to testi′ fy and present evidence at the hearing, if scheduled, should notify the Docketing Depart′ ment, 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, Es′ quire, at the above address, on or before November 9, 2007, and indicate the amount of time required for his presenta′ tion. Please refer to Docket No. 2007-359-W/S.<QL>

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 No′ vember 9, 2007. Please refer to Docket No. 2007-359-W/S.<ql>

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.<qc>

Persons seeking information about the Commission's Proce′ dures should contact the Com′ mission at (803) 896-5100.<qc>

Public Service Commission<qc>
of South Carolina<qc>
Attn: Docketing Department<qc>
Post Office Drawer 11649<qc>

Columbia, South Carolina 29211
<qc>

THANK YOU FOR YOUR ADVERTISEMENT!
If I can be of further assistance, please call : Frank
4370