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March 27, 2007

Tennessee Ethics Commission  
Sun Trust Bank Building  
201 4<sup>th</sup> Avenue N., 18<sup>th</sup> Floor  
Nashville, TN 37219

RECEIVED  
2007 MAR 29 PM 12:47  
TENNESSEE  
ETHICS COMMISSION

**Re: The Elk River Public Utility District in Franklin and Coffee Counties, Tennessee**

Dear Sir:

This firm is general counsel for the Elk River Public Utility District in Franklin and Coffee Counties, Tennessee (Elk River).

According to my interpretation of T.C.A. 8-17-102(c) Elk River is automatically governed by the Ethics Policy adopted by Coffee County, the county in which the largest number of its customers are served and no resolution or action by Elk River is required to comply with T.C.A. 8-17-103. If you have a different interpretation would you please let me know what you think is required for Elk River to comply with T.C.A. 8-17-103.

On March 13, 2007 the Coffee County Commission adopted the Tennessee County Technical Advisory Service (CTAS) policy. If a separate notification to you on behalf of Elk River is required by T.C.A. 8-17-104 or 105, please consider this letter the notification that the CTAS model policy has been adopted for Elk River.

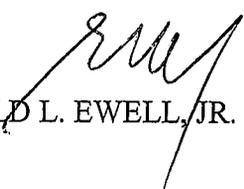
I also have a question regarding the application of the disclosure requirements of T.C.A. 8-50-502. Elk River's commissioners are elected or reelected by the other commissioners then in office, not the voters at large.

Tennessee Code 8-50-501(a)(19) imposes certain disclosure requirements on appointees or candidates for "local public office as defined in § 2-10-102." In reviewing § 2-10-102 the definition of a "local public office" is one "filled by the voters." Accordingly it would be my interpretation that the disclosure requirements of T.C.A. 8-50-501 do not apply to the Commissioners of Elk River as they do not hold an office or position "filled by the voters." If you have a differing interpretation, please let me know.

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Thank you for your help in these matters.

Very truly yours,



GERALD L. EWELL, JR.

GLEjr:pc

Cc: Mike Gundersen