



**FLUVANNA COUNTY ATTORNEY**

**Deputy County Attorneys:**

Donna R. DeLoria  
William W. Tanner  
Jessica F. Smith

**Frederick W. Payne**  
414 East Jefferson Street  
Charlottesville, Virginia 22902

Telephone: (434) 977-4507  
Facsimile: (434) 977-6574

September 4, 2009

Hon. Joel H. Peck, Clerk  
State Corporation Commission  
Tyler Building  
1300 East Main Street  
Richmond, Virginia 23219

**Via FedEx Overnight Priority**

Re: Johnson v. Fluvanna County Board of Supervisors, et al. -- CASE NO. CLK-2009-00012

Dear Mr. Peck,

Enclosed please find Respondent, Fluvanna County Board of Supervisor's, original Response to Report of Howard P. Anderson, Jr., Hearing Examiner in the above-styled-case and fifteen copies of the same. Please cause these to be filed in due course.

If you have any questions or concerns please let me know.

Sincerely yours,

Frederick W. Payne  
County Attorney

Enclosures

Cc: Douglas R. Johnson, Greg L. Hoffman, William G. Broaddus, Robert L. Hodges, KurtJ. Krueger, Jonathan B. Orne

2009 SEP -8 A 11:52  
CLERK OF SUPERVISORS  
STATE CORPORATION COMMISSION

**COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
At Richmond**

DOUGLAS ROBERT JOHNSON,  
Petitioner,

v.

CASE NO. CLK-2009-00012

FLUVANNA COUNTY BOARD OF SUPERVISORS,  
LOUISA COUNTY BOARD OF SUPERVISORS,  
and  
JAMES RIVER WATER AUTHORITY,  
Respondents.

**RESPONSE OF FLUVANNA COUNTY BOARD OF SUPERVISORS  
TO REPORT OF HOWARD P. ANDERSON, JR., HEARING EXAMINER**

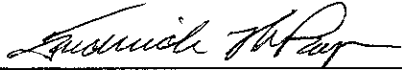
Comes now your respondent the Fluvanna County Board of Supervisors (“Fluvanna”), by counsel, and for its Response to the Report of Howard P. Anderson, Jr., Hearing Examiner (“Report”) filed herein states as follows:

1. Fluvanna agrees with the recommendation of Howard P. Anderson, Jr., Hearing Examiner in his Report to dismiss the Petition.
2. Fluvanna adopts by reference and reserves its positions as set forth on all filings in the above-styled case previously provided by respondents Fluvanna, Louisa County Board of Supervisors and James River Water Authority.

Therefore Fluvanna respectfully prays that that the Commission deny and dismiss the Petition with prejudice.

Respectfully Submitted,

FLUVANNA COUNTY BOARD OF SUPERVISORS  
By Counsel



---

Frederick W. Payne (VSB # 14185)

Fluvanna County Attorney

414 East Jefferson Street

Charlottesville, Virginia 22902

Telephone: 434-977-4507

Facsimile: 434-977-6574

fwpayne@paynehodous.com

*Counsel for Respondent Fluvanna County Board of Supervisors*

**CERTIFICATE OF SERVICE**

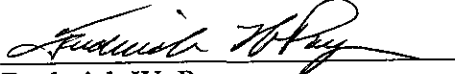
I hereby certify that on this 4<sup>th</sup> day of September, 2009, I caused a true and correct copy of the foregoing pleading to be sent via first class U.S. mail, postage prepaid to the following:

Douglas R. Johnson, *pro se*  
571 Long Acre Road  
Palmyra, Virginia 22963  
*Petitioner*

Greg L. Hoffman, Esquire (VSB # 47763)  
Louisa County Attorney  
P.O. Box 160  
1 Woolfolk Avenue  
Louisa, Virginia 23093  
*Counsel for Respondent Louisa County Board of Supervisors*

William G. Broaddus, Esquire (VSB # 5284)  
Robert L. Hodges, Esquire (VSB # 31396)  
McGuireWoods LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219  
*Counsel for Respondent James River Water Authority*

Jonathan B. Orne, Esq.  
Office of General Counsel  
State Corporation Commission  
Tyler Building, 10th Floor  
1300 East Main Street  
Richmond, Virginia 23219  
*Counsel for State Corporation Commission*

  
Frederick W. Payne