



Henry Walker
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August 3, 2017

Via Electronic Filing

Sharla Dillon
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243

Docket No. 17-00076

Re: Petition of Cartwright Creek, LLC to Amend Service Territory to Include the
Spanntown Development in Williamson County

Dear Sharla:

Cartwright Creek, LLC files the attached petition to amend its service territory in order to provide service to the proposed Spanntown development in Williamson County, Tennessee. I have enclosed our check in the amount of \$25.00 to cover the filing fee.

Please contact me if you should have any questions.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS LLP

By:

Henry Walker

A handwritten signature in blue ink, appearing to read "H. Walker", written over the printed name "Henry Walker".

HW/dbi
Attachment

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

IN RE:)
)
PETITION OF CARTWRIGHT CREEK, LLC)
TO AMEND SERVICE TERRITORY TO) **Docket No. _____**
INCLUDE THE SPANNTOWN)
DEVELOPMENT IN WILLIAMSON COUNTY)

**PETITION OF CARTWRIGHT CREEK, LLC
TO AMEND SERVICE TERRITORY TO INCLUDE
THE SPANNTOWN DEVELOPMENT IN WILLIAMSON COUNTY**

Cartwright Creek, LLC (“Cartwright Creek” or “the Company”) petitions the Tennessee Public Utility Commission (“the Commission”) to amend the Company’s service area to include a proposed development called “Spanntown”, located in Williamson County, Tennessee approximately 2.5 miles east of the Company’s present service territory.

Spanntown is a proposed, high-end residential development on Spanntown Road in Williamson County. Exhibit 1 (attached) shows the location of the development and its proximity to the Company’s existing service area that includes the Arrington Retreat, Hideaway and proposed Hardeman Springs developments. Currently the Company has two hundred residential customers in this area and will have over eight hundred customers when the three developments are fully built-out. Spanntown will add another forty houses with initial construction expected to begin in 2018.

Cartwright Creek has been a regulated provider of wastewater services in Williamson County since 2004. The Company currently has approximately 660 residential and 42 commercial customers. The Company’s contact information is on file at the Commission. As explained in the attached testimony of Company manager Mr. Bruce Meyer (Exhibit 2), the

Company has the managerial, technical and financial ability to provide service to the Spanntown development.

Cartwright Creek's financial viability has been recently reviewed by the Commission in Docket 16-00127, a "Staff assisted" rate case. Order issued January 10, 2017. As a result of that case, the Company's financial situation is now steadily improving and the addition of forty new customers in Spanntown will further strengthen the Company's position. The developer of Spanntown will bear all expenses for the engineering and construction of a collection and treatment system which will then be deeded to Cartwright Creek. The developer has also agreed to pay for the costs of this application.

Wastewater service in Spanntown will be provided through a septic tank effluent pump ("STEP") system, with septic tanks and pumps at each home and a recirculating sand filter ("RSF") treatment system. Cartwright Creek currently owns and operates this type of system at both Arrington Retreat and Hideaway and employs a full-time, licensed wastewater operator to maintain those systems. The same operator will initially manage the Spanntown system. When all the other developments are fully completed, an additional operator will be hired. Cartwright Creek also maintains an office and shop near the Hideaway treatment facility, about five miles from the Spanntown development. As a result, Cartwright Creek can serve Spanntown without a significant increase in resources while collecting tap fees¹ from Spanntown that will be placed into an escrow account and used to maintain and improve Cartwright Creek's facilities in other areas.

¹ The Company will charge residents of Spanntown the same tap fees and recurring charges approved by the Commission for the Arrington and Hideaway developments in Docket 16-00127. A copy of the tariff is attached as Exhibit 5.

As set forth in the attached letter from the Nolensville/College Grove utility district (Exhibit 3), the district does not offer wastewater service and therefore cannot provide wastewater service to Spanntown. As shown in Exhibit 4, the developer of Spanntown has asked Cartwright Creek to provide service to the development. In sum, there is a public need for wastewater service at the proposed Spanntown development, the developer has requested such service from Cartwright Creek, and the Company has the financial, technical and managerial ability to provide the requested service. Therefore, the Company asks that the Commission grant this application to extend the Company's service area to include the proposed Spanntown development.

Respectfully submitted,

By: 

Henry Walker (B.P.R. No. 000272)
Bradley Arant Boult Cummings, LLP
1600 Division Street, Suite 700
Nashville, TN 37203
Phone: 615-252-2363
Email: hwalker@babbc.com

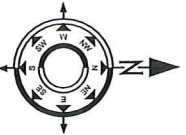
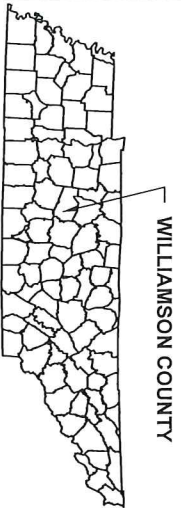
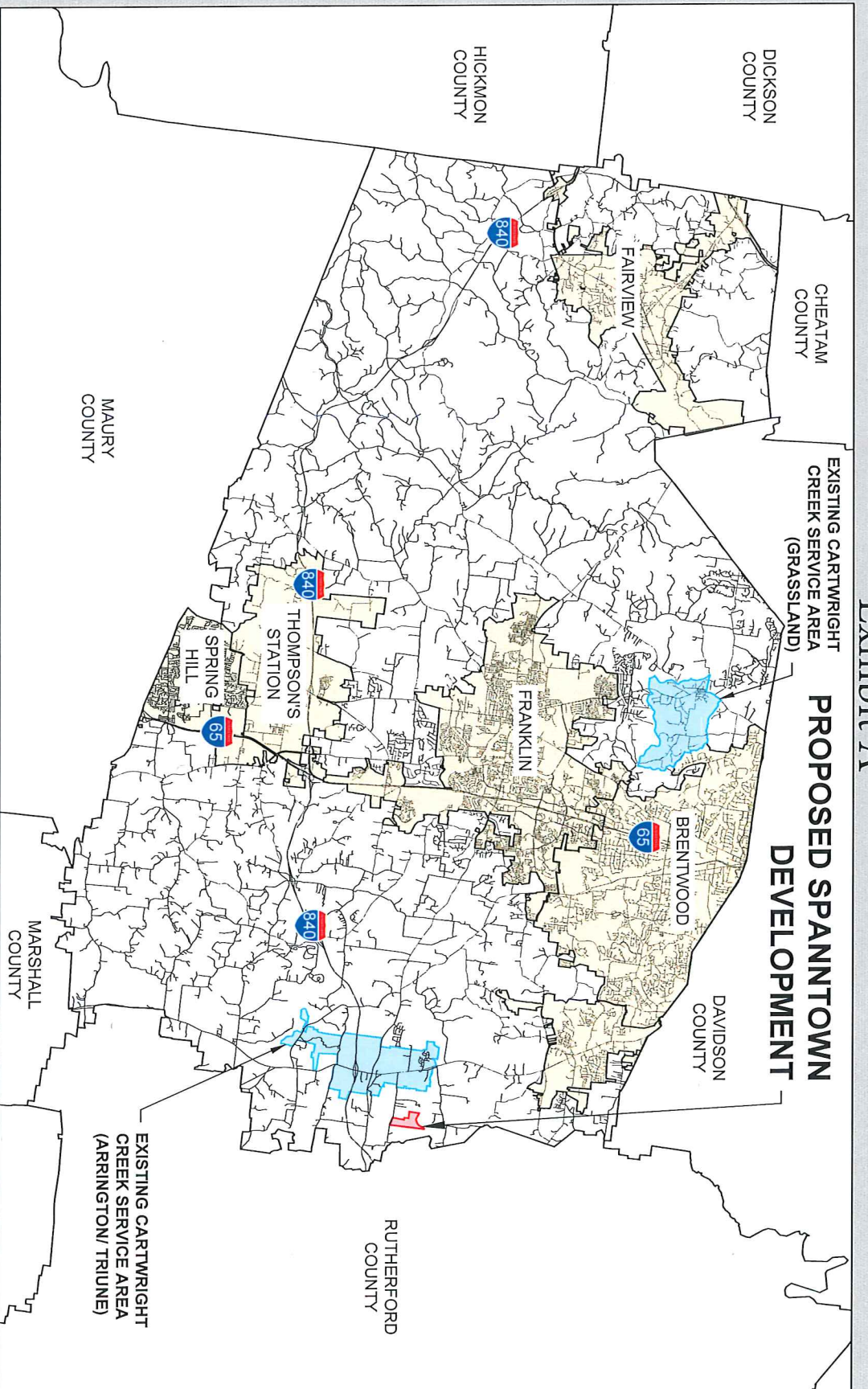
Attorneys for Cartwright Creek, LLC

Exhibit 1

MAPS SHOWING LOCATION OF CARTWRIGHT CREEK'S EXISTING SERVICE AREA
AND LOCATION OF PROPOSED SPANNTOWN DEVELOPMENT.

See attached.

Exhibit A



JUNE 12, 2017

PROPOSED SERVICE AREA MAP

REVISIONS	
NO.	DESCRIPTION

Contact: BRUCE MEYER
 Phone:
 Email: bmeyer@shaffnerws.com

The map displays the Spanantown Development area, outlined in red. Surrounding areas are marked with blue outlines, indicating existing and future treatment systems. Key features include:

- EXISTING ARRINGTON RETREAT TREATMENT SYSTEM** (top right)
- EXISTING HIDEAWAY TREATMENT SYSTEM** (top left)
- FUTURE HARDEMAN SPRINGS TREATMENT SYSTEM** (center right)
- PROPOSED SPANTOWN DEVELOPMENT** (center, red outline)
- RUTHERFORD COUNTY** (bottom left and bottom right)
- S.R. 96** (road labels)
- COX ROAD** (road label)
- 840** (route marker)

[illegible]

BRUCE MEYER

1

bmeyer@sheafferws.com

Exhibit 2

PRE-FILED TESTIMONY OF MR. BRUCE MEYER

See attached.

BEFORE THE TENNESSEE PUBLIC UTILITY COMISSION

IN RE:)
)
PETITION OF CARTWRIGHT CREEK, LLC)
TO AMEND SERVICE TERRITORY TO)
INCLUDE THE SPANNTOWN)
DEVELOPMENT IN WILLIAMSON COUNTY)

Docket No. _____

DIRECT TESTIMONY
of
BRUCE MEYER

ON BEHALF OF CARTWRIGHT CREEK, LLC

June xxxx, 2017

1 ***Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND***
2 ***OCCUPATION FOR THE RECORD.***

3 ***A1.*** My name is Bruce Meyer and my business address is 1551 Thompson's Station
4 Road West, Thompson's Station, TN 37179.

6 ***Q2. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?***

7 ***A2.*** I am employed by Sheaffer Wastewater Solutions, LLC as Operations Manager.

9 ***Q3. HOW LONG HAVE YOU BEEN EMPLOYED BY SHEAFFER***
10 ***WASTEWATER SOLUTIONS?***

11 ***A3.*** I have been employed by Sheaffer Wastewater Solutions ("Sheaffer") for
12 approximately sixteen years.

14 ***Q4. WHAT IS YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE?***

15 ***A4.*** I have a Bachelor's and Master's Degrees in Environmental Engineering from the
16 University of Illinois, Chicago and the Illinois Institute of Technology,
17 respectively. I have over 35 years of experience in various roles in the
18 environmental industry. I currently hold a Professional Engineering license in
19 Tennessee and have State of Tennessee Biological Natural Systems and
20 Collection System II wastewater operator's licenses.

22 ***Q5. WHAT ARE YOUR RESPONSIBILITIES AS THE OPERATIONS***
23 ***MANAGER FOR CARTWRIGHT CREEK, LLC?***

1

2

3 **A5.** I am responsible for the day-to-day operation, engineering and permitting for
4 Cartwright Creek, LLC (“Cartwright Creek”).

5

6 **Q6. PLEASE DESCRIBE THE CARTWRIGHT CREEK SERVICE AREA.**

7 **A6.** Cartwright Creek currently provides service to the Grassland’s area in Williamson
8 County and to the Arrington Retreat and Hideaway subdivisions in the
9 Arrington/Triune area in Williamson County. Another development that
10 Cartwright Creek will serve, Hardeman Springs, will begin construction in late
11 2017. The existing service areas and treatment sites are shown in the map on
12 Exhibit A. The existing service area in the Arrington/Triune area was approved
13 by the Tennessee Regulatory Authority in Docket Nos. 04-00358 and 07-00180.

14

15 **Q7. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
16 **PROCEEDING?**

17 **A7.** The purpose of my testimony is to describe the proposed development and the
18 capability of Cartwright Creek to properly manage and maintain the wastewater
19 treatment and collection systems.

20

21 **Q8. PLEASE DESCRIBE THE PROPOSED SPANNTOWN DEVELOPMENT**

22 **A8.** The proposed Spanntown Development is a residential development consisting of
23 40 homes on approximately 170 acres. It will be developed in two phases. It will

1 be located approximately 2 miles East of Nolensville Road on Spanntown Road in
2 Williamson County. Exhibit 1 shows the Spanntown development location and
3 proximity to Cartwright Creek's existing operations.
4

5 ***Q9. WHAT TYPE OF WASTEWATER COLLECTION AND TREATMENT***
6 ***SYSTEM IS PROPOSED TO PROVIDE SEWER SERVICE?***

7 ***A9.*** The collection system will be a septic tank effluent pump (STEP) system, with
8 septic tanks and pumps at every home. The pumps discharge to common low-
9 pressure collection lines that will convey the wastewater to a central treatment
10 system. The treatment system type will be a Recirculating Sand Filter (RSF).
11 The treated effluent will be disinfected and land applied through drip irrigation.
12 There are hundreds of these collection and treatment systems successfully treating
13 wastewater across Tennessee.
14

15 ***Q10. WHAT IS THE CURRENT STATUS OF THE SPANNTOWN***
16 ***DEVELOPMENT?***

17 ***A10.*** The civil engineering design of the development is underway. The design of the
18 wastewater collection and treatment system has also begun. Construction
19 activity will not commence until Williamson County approval is granted to the
20 overall development, including the wastewater treatment system. The county and
21 state permitting and approval process will continue through this year with site
22 construction and initial home construction in 2018.
23

1 ***Q11. WHAT IS THE STATUS OF PERMITTING WITH THE TENNESSEE***
2 ***DEPARTMENT OF ENVIRONMENT AND CONSERVATION?***

3 ***A11.*** The wastewater collection and treatment systems will be approved via a State
4 Operating Permit (SOP) application and construction drawing approval. The
5 SOP application is expected to be completed and submitted to TDEC in the Fall.
6 A copy of the SOP will be filed with the Commission.

7

8 ***Q12. DOES CARTWRIGHT CREEK HAVE THE MANAGERIAL AND***
9 ***TECHNICAL ABILITY TO OPERATE AND MAINTAIN THE***
10 ***SPANNTOWN DEVELOPMENT'S WASTEWATER TREATMENT***
11 ***SYSTEM?***

12 ***A12.*** Yes. The Spanntown Development's collection and treatment system is fits well
13 into Cartwright Creek's existing operations in the Arrington/Triune area, where
14 there are two existing wastewater collection and treatment systems and an
15 upcoming system owned and operated by Cartwright Creek. We currently have
16 about 200 customers at these developments and at full build out will have 870
17 customers.

18 Cartwright Creek has a full-time, licensed wastewater operator and an office/shop
19 at the existing Hideaway treatment facility, approximately 5 miles from the
20 proposed Spanntown development. His duties include operation of the
21 wastewater treatment system at the Arrington Retreat development,
22 approximately 2.5 miles west of the proposed Spanntown Development. It is
23 anticipated that this operator will at first operate the Spanntown system. When

1 required, Cartwright Creek's other wastewater operators will assist the Hideaway
2 operator. Eventually, as more homes are constructed, an additional operator will
3 be added at the Arrington/Triune area. Due to the existing operations, Cartwright
4 Creek has the equipment and tools required for the regular maintenance and
5 operation of the system. Cartwright Creek's also has established relationships
6 with several qualified contractors to address regular and emergency maintenance
7 needs.

8
9 ***Q13. HOW WILL THE CONSTRUCTION OF THE PROPOSED COLLECTION***
10 ***AND TREATMENT SYSTEM AT THE SPANNTOWN DEVELOPMENT BE***
11 ***MANAGED AND FUNDED?***

12 ***A13.*** The developer will bear all expense for the engineering and construction of the
13 collection and treatment system. Cartwright Creek will review and approve the
14 design and will field inspect and approve the construction. Upon completion and
15 passing final inspection, the systems will be deeded to Cartwright Creek, LLC for
16 ownership and operation.

17
18 ***Q14. WHAT RATES AND CHARGES WILL BE USED FOR AT THE***
19 ***SPANNTOWN DEVELOPMENT?***

20 ***A14.*** Cartwright Creek will use rates approved for the Arrington and Hideaway
21 customers in Docket 16-00127. A rate sheet for Spanntown is attached as Exhibit
22 5.

1 ***Q15. YOU DESCRIBED THE STEP COLLECTION SYSTEM IN A PREVIOUS***
2 ***ANSWER. HOW WILL THE SEPTIC TANKS AND PUMPS AT EACH***
3 ***HOME BE MAINTAINED?***

4 ***A15.*** The Tennessee Department of Environment and Conservation (TDEC) requires a
5 STEP system of this type to be owned by the utility to ensure that it is properly
6 installed and maintained. Therefore, Cartwright Creek will own and maintain the
7 STEP system components at each customer's home. Maintenance will be done
8 by qualified contractors and the homeowner will pay the contractors directly.
9

10 ***Q16. WHY DOES CARTWRIGHT CREEK WANT TO SERVE THIS NEW***
11 ***DEVELOPMENT AND WHAT BENEFIT IS IT TO EXISTING SEWER***
12 ***CUSTOMERS?***

13 ***A16.*** Cartwright Creek wants to serve the Spanntown Development because an increase
14 in customer base helps the financial picture for the utility. Its proximity to
15 existing operations means it can be served with a relatively few new additional
16 resources. And finally, the tap fees from each home will be escrowed and used,
17 with TPUC approval, to improve Cartwright Creek's facilities.
18

19 ***Q17. DOES CARTWRIGHT CREEK HAVE THE FINANCIAL RESOURCES TO***
20 ***PROVIDE SERVICE TO THE SPANNTOWN DEVELOPMENT?***

21 ***A17.*** Yes. Cartwright Creek's financial capability was presented and reviewed by
22 TPUC staff extensively during the work for the 2016 joint rate case in Docket No.
23 16-00127. The rates and charges approved in that case helped the financial

1 picture of the company. Additional customers and tap fees will continue to
2 improve the utility's long term financial situation.

3

4 ***Q18. WILL THE COMPANY ABIDE BY THE ORDERS AND RULES OF THE***
5 ***COMMISSION?***

6 ***A18.*** Yes.

7

8 ***Q19. DOES THIS COMPLETE YOUR TESTIMONY?***

9 ***A19.*** Yes, it does.

Exhibit 3

LETTER FROM NOLENSVILLE/COLLEGE GROVE UTILITY DISTRICT

See attached.



N Nolensville/College Grove Utility District
C P.O. Box 127, 2002 Johnson Industrial Blvd., Nolensville, TN 37135
G Phone No. 615-776-2511 - Fax No. 615-776-2591

March 8, 2017

Mr. David W. Nichols
Ragan Smith Associates, Inc.
315 Woodland St.
Nashville TN 37206

Re: Spanntown Rd Development / 2974 Spanntown Rd. Map (110) Parcel (051.06)
Sanitary Sewer Service Release

Dear Mr. Nichols

Nolensville College Grove Utility District does not provide any sanitary sewer service to any development or developer . So NCG does release its sanitary sewer rights to this property.

The Property address is 2974 Spanntown Rd. Arrington, TN 37014 .
Map (110) Parcel (051.06)

If I can provide any additional information please call or email.

Sincerely,

A handwritten signature in black ink that reads "Mike E. Polston".

Mike E Polston
General Manager
NCG Utility District

Exhibit 4

LETTER FROM DEVELOPER OF SPANNTOWN

See attached.



CHRISTOPHER SMITH
PRINCIPAL

August 3, 2017

Bruce Meyer, Cartwright Creek, LLC
1551 Thompson's Station Road West
Thompson Station, TN 37179

Re:2970 Spanntown Road
Dear Mr. Meyer

I am writing you to request wastewater service at our 170 acre project on Spanntown Road. We would like for you to initiate proceedings to include our proposed project in Cartwright Creek's service area. We anticipate developing 40 large acreage tracts in two phases. Thank you in advance for consideration of this service.

Sincerely:

A handwritten signature in black ink, appearing to read "Chris Smith", with a large, stylized flourish at the end.

Christopher Smith

Exhibit 5

PROPOSED TARIFFS FOR SPANNTOWN DEVELOPMENT

See attached.

EXHIBIT 5

Cartwright Creek
Wastewater Service Tariff
TRA #1 – Rate Schedules

Original Sheet #1-xx
Effective Date: _____, 2017

SCHEDULE OF RATES & CHARGES SPANNTOWN SERVICE TERRITORY

Residential Monthly Wastewater Service:

All Residential Customers	\$55.25
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Commercial Monthly Wastewater Service:

Rate per 1,000 Gallons per Month (Actual or Estimated Flow)	\$8.75
Minimum Monthly Charge	37.00

Miscellaneous Charges:

Monthly Capital Recovery Surcharge	\$7.50
Returned Check Charge	\$25.00
Disconnection Charge	\$10.00
Reconnection Charge	\$15.00
Late Payment Penalty	5.00%

All customers are also required to provide a refundable security deposit equal to twice the estimated monthly bill prior to obtaining service.

Property Owner/Builder/Developer Fees:

Residential Tap Fee	\$5,000.00
Commercial Tap Fee per Gallon per Day Peak Usage	\$14.29*
Construction Inspection Fee	\$250.00
Construction Reinspection Fee	\$50.00

A property owner, builder or developer may apply to the Company for a Service Connection to an existing wastewater treatment facility owned and operated by the Company. If acceptable to the Company, the applicant shall sign the Contracts for Service and pay the Company the required Tap Fees and other applicable fees pursuant to this Tariff.

**- Commercial Tap Fees are computed by multiplying the peak daily usage (estimated or known)*

** \$14.29, or \$5,000.00 whichever is greater.*