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# KINGS CHAPEL CAPACITY

T.P.U.C. DUCKET ROOM

19-0043

Providing Superior Wastewater Service to Tennessee

March 27<sup>th</sup> 2019

Tennessee Public Utility Commission  
502 Deadrick Street, 4<sup>th</sup> Floor  
Nashville, TN 37014

In Re: Petition of Kings Chapel Capacity, LLC to Amend Service Territory to  
Include the Hill Parcel and Roberts Parcel For the Kings Chapel  
Development In Williamson County

Dear Sir or Madam:

Please accept for filing the above captioned petition to amend the service area of Kings  
Chapel Capacity, LLC to include two adjacent parcels.

Respectfully Submitted



John Powell

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

IN RE: )  
PETITION OF KINGS CHAPEL )  
CAPACITY, LLC TO AMEND SERVICE )  
TERRITORY TO INCLUDE THE HILL )  
PARCEL AND ROBERTS PARCEL FOR )  
THE KINGS CHAPEL DEVELOPMENT IN )  
WILLIAMSON COUNTY )

Docket No.

19-0043

**PETITION OF KINGS CHAPEL CAPACITY, LLC  
TO AMEND SERVICE TERRITORY TO INCLUDE  
THE HILL PARCEL AND ROBERTS PARCEL FOR THE KINGS  
CHAPEL DEVELOPMENT IN WILLIAMSON COUNTY**

Kings Chapel Capacity, LLC (or "the Company") petitions the Tennessee Public Utility Commission ("the Commission") to amend the Company's service area to include (2) proposed parcels called "Roberts Parcel" and "Hill Parcel" located in Williamson County, Tennessee, directly adjacent to the north and west of the Company's present service territory.

Exhibit 1 (attached) shows the location of the connected development and its proximity to the Company's existing service area, Kings Chapel. Currently the Company has two hundred sixty- nine residential customers in this service area and will have over six hundred thirty- two customers in this service area when the two developments are fully built. The Roberts and Hill parcels will add one hundred seventy residential customers with initial construction expected to begin in 2019.

As explained in the attached testimony of Company owner Mr. John Powell (Exhibit 2), the Company has the managerial, technical and financial ability to provide service to these new parcels.

The developer of the Robert & Hill parcels will bear all expenses for the engineering, treatment expansion, construction of a collection system and additional soils for drip fields which will then be deeded to Kings Chapel Capacity, LLC. The developer has also agreed to pay for the costs of this proceeding.

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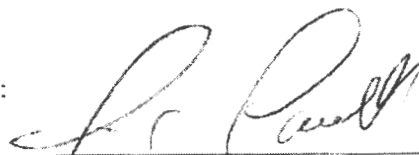
T.P.U.C. DOCKET ROOM

Wastewater service to the Hill and Robert Garret parcels will be provided by collection tanks at each home, wastewater from collection tanks will be gravity feed to force mains sending wastewater to the existing waste water treatment system, after treated the affluent will be sent to drip fields

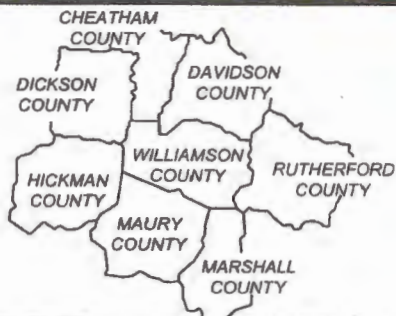
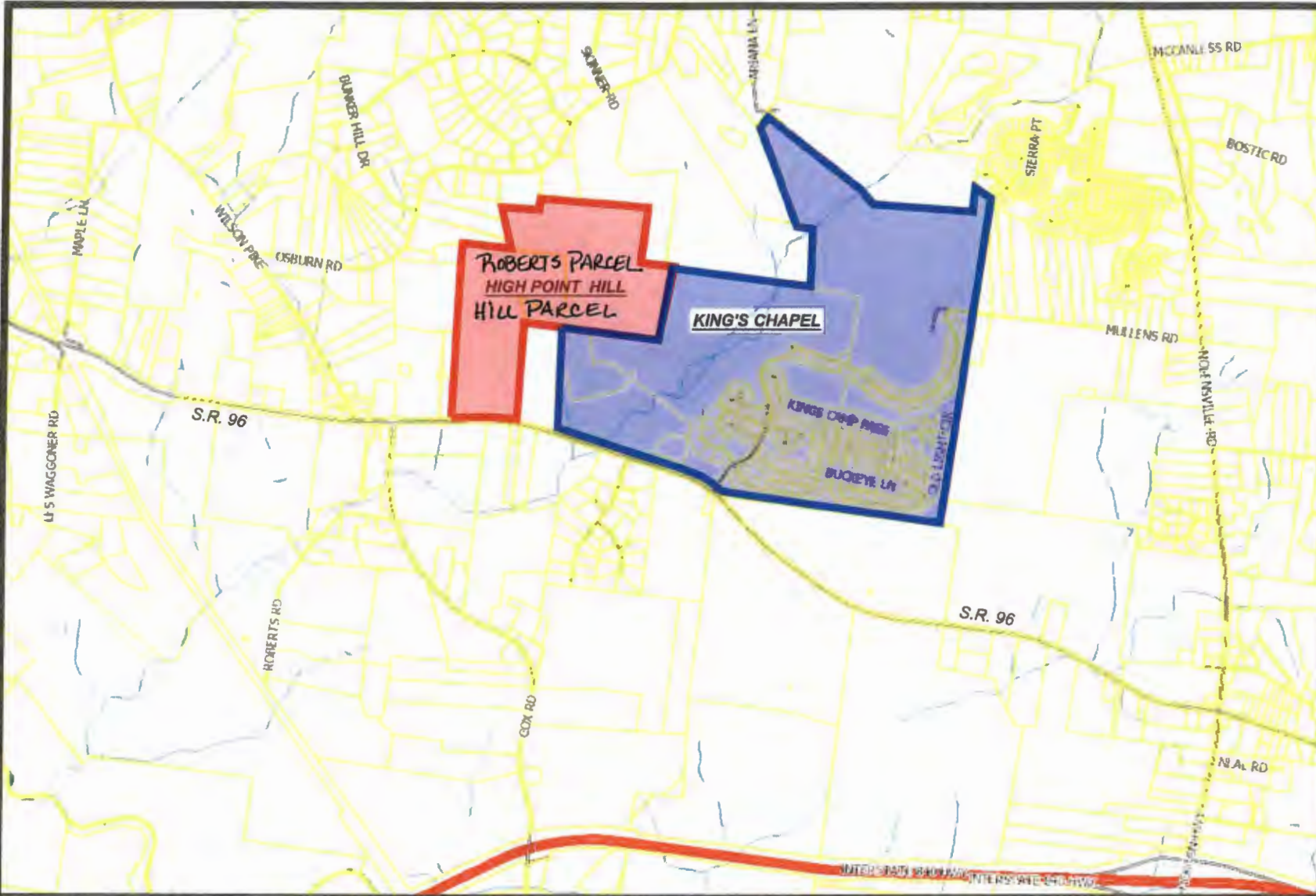
Kings Chapel Capacity, LLC, has the technical, managerial and financial capabilities to provide wastewater service to this area, as requested by the developer. The company therefore asks that the commission amend the company's service area to include these two parcels.

Respectfully Submitted,

By:



John Powell  
Kings Chapel Capacity, LLC  
9539 Mullens Road  
Arrington, TN 37014  
615-496-8681  
John-Powell@comcast.net



**CIVIL INFRASTRUCTURE ASSOCIATES**



**KING'S CHAPEL COMMUNITY  
 &  
 HIGH POINT HILL COMMUNITY  
 ARRINGTON, TENNESSEE**

307 HICKERSON DRIVE  
 MURFREESBORO, TENNESSEE 37129  
 PHONE: 615-693-7070

ORIGINAL  
 ISSUE DATE: 27 MAR 2019

**ATTACHMENT 1**  
**PROPOSED  
 SERVICE  
 AREA MAP  
 (ENLARGED VIEW)**

# EXHIBIT 2

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE

PETITION OF KING'S CHAPEL  
CAPACITY, LLC TO AMEND ITS  
EXISTING SERVICE TERRITORY IN  
WILLIAMSON COUNTY

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DOCKET NO.

19-00043

DIRECT TESTIMONY  
of  
JOHN POWELL

ON BEHALF OF KING'S CHAPEL CAPACITY, LLC

*March 29, 2019*

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

3 ***A1.*** My name is John Powell and my business address is 9539 Mullens Road,  
4 Arrington, TN 37014.  
5

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

7 ***A2.*** I am the owner and president of King's Chapel Capacity, LLC ("KCC") a  
8 provider of wastewater utility service, regulated by this Commission.  
9

10 ***Q3. WHAT ARE YOUR RESPONSIBILITIES FOR KCC?***

11 ***A3.*** I am responsible for the day-to-day operation, permitting, and long-term planning.  
12 Among other things, this includes supervision of the system; review and approval  
13 of expenditures; reviewing and resolving customer issues; scoping and obtaining  
14 proposals for maintenance work; establishment of contracts; contact with  
15 regulatory personnel on existing and future permit requirements and issues;  
16 preparation of portions of and review of tariff documents; investigation of  
17 physical and operational conditions of the distribution systems; and evaluation of  
18 proposals for plant upgrades and replacement.  
19

20 ***Q4. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS***  
21 ***PROCEEDING?***

22 ***A4.*** The purpose of my testimony is to present information to the Tennessee Public  
23 Utility Commission on the managerial, financial, and technical capabilities of



1 KCC in order to amend our Certificate of Convenience & Necessity to allow KCC  
2 to provide wastewater service to the Hill & Roberts parcels.

3  
4 ***Q5. PLEASE DESCRIBE THE NEW SERVICE AREA.***

5 ***A5.*** The proposed service territory encompasses the Hill and Roberts parcels in  
6 Williamson County and is immediately adjacent to our existing service territory  
7 as shown on Exhibit 1 to our Petition. KCC ultimately anticipates providing  
8 wastewater service to 170 single family homes in this area.

9  
10 ***Q6. DOES A NEED PRESENTLY EXIST FOR WASTEWATER SERVICE IN***  
11 ***THIS AREA?***

12 ***A6.*** Yes. Currently there is no provider of wastewater service in this area. Therefore,  
13 in order to address the need for adequate and timely wastewater service to the  
14 proposed Hill & Roberts parcels subdivision, KCC is asking the TPUC to amend  
15 our existing Certificate of Convenience & Necessity.

16  
17 ***Q7. WHAT TYPE OF WASTEWATER COLLECTION AND WASTEWATER***  
18 ***TREATMENT IS KCC PROPOSING TO PROVIDE SEWER SERVICE***  
19 ***TO THIS AREA?***

20 ***A7.*** The collection system from the house's collection tanks will be gravity feed to a  
21 treatment facility utilizing a recirculating sand filtration system and an Orenco Ax  
22 Max system out lined in the amended SOP amendment

**Q8. WHAT IS THE CURRENT STATUS OF THE ROBERT AND HILL  
PARCEL'S DEVELOPMENT?**

**A8.** The civil engineering design of the development is underway. The design includes the wastewater collection system. Construction activity will not commence until Williamson County and TDEC approval is granted to the overall development. The County and State permitting and approval process will continue through this year with site construction in late 2019.

**Q9. DOES KCC POSSESS THE MANAGERIAL CAPABILITIES TO  
OPERATE A WASTEWATER DISTRIBUTION SYSTEM?**

**A9.** Yes. As the Commission is aware, I have managed the operations of KCC since its inception in 2004. I am very proud that KCC has the lowest wastewater rates of any privately-owned utility in Tennessee. In addition, to my knowledge, the Commission has never had a customer complaint regarding KCC's operations. Finally, KCC has engaged legal, accounting and regulatory experts to advise and assist it with the managerial responsibilities of operating a wastewater distribution system.

**Q10. DOES KCC POSSESS THE FINANCIAL CAPABILITIES TO OPERATE  
A WASTEWATER DISTRIBUTION SYSTEM?**

**A10.** Yes. However, the entire cost of the Robert and Hill Parcels wastewater system will be funded by the developers of the Robert and Hill parcels subdivision. Therefore, I do not expect that KCC's provision of wastewater service to this area



1 to result in any drain on the financial resources of either KCC or myself. KCC  
2 will review and approve the wastewater system design and will field inspect and  
3 approve the construction. Upon completion and passing final inspection, the  
4 collection system will become the responsibility of KCC for ownership and  
5 operation.

6  
7 ***Q11. DOES KCC POSSESS THE TECHNICAL CAPABILITIES TO OPERATE***  
8 ***A WASTEWATER DISTRIBUTION SYSTEM?***

9 ***A11.*** Yes. KCC has engaged a qualified engineer to be its wastewater distribution  
10 operator and to monitor and test the wastewater distribution system of KCC on a  
11 regular basis in compliance with TDEC rules.

12  
13 ***Q12. WHAT RATES AND CHARGES WILL BE USED FOR THE ROBERT***  
14 ***AND HILL DEVELOPMENT?***

15 ***A12.*** KCC intends to apply its existing wastewater rates to new customers in the Robert  
16 and Hill parcel development.

17  
18 ***Q13. DOES KCC, ANY OF ITS AFFILIATES, OR YOURSELF HAVE ANY***  
19 ***FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, THE***  
20 ***CONSTRUCTION OF THE PROPOSED WASTEWATER SYSTEM, OR***  
21 ***THE PROVISION OF MATERIALS & SUPPLIES FOR THE***  
22 ***CONSTRUCTION OF THE PROPOSED WASTEWATER SYSTEM?***

1 **A13.** No. The only financial interest that KCC, its affiliates or I will have with the  
2 development is the provision of wastewater service under rates authorized by the  
3 Tennessee Public Utility Commission.  
4  
5

6 **Q14. WHY DOES KCC WANT TO SERVE THIS NEW DEVELOPMENT AND**  
7 **WHAT BENEFIT IS IT TO THE EXISTING SEWER CUSTOMERS?**

8 **A14.** KCC wants to provide service to the Robert and Hill parcel development because  
9 it is immediately adjacent to our existing service territory, meaning that it can be  
10 served with relatively few incremental resources. In addition, this increase in our  
11 customer base will provide KCC with a greater economy of scale to maintain low  
12 rates to our existing customers.  
13

14 **Q15. WILL KCC ABIDE BY THE ORDERS AND RULES OF THE**  
15 **COMMISSION?**

16 **A15.** Yes.  
17

18 **Q16. DOES THIS COMPLETE YOUR TESTIMONY?**

19 **A16.** Yes, it does.

**NASHVILLE LAND AND HOUSING GROUP, LP**

% Waits Development Group, LLC

P.O. Box 111285

Nashville, Tn 37222

March 27, 2019

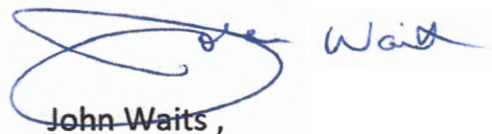
Mr. John Powell  
Kings Chapel Capacity, LLC  
P.O. Box 40  
Arrington, TN 37014

Dear Mr. Powell

Please accept this letter as a formal request to provide waste water service to the Hill and Roberts parcels contiguous to your wastewater plant and the subdivision known as Kings Chapel.

We would like to initiate proceedings to include this project into the Kings Chapel Capacity Wastewater systems service area. We anticipate 170 residential homes to be built over a multiyear plan.

Respectfully Requested

A handwritten signature in blue ink, appearing to read "John Waits", is written over a circular stamp or seal.

John Waits ,

Manager