



851 Aviation Parkway  
Smyrna, TN 37167

September 30, 2020

David Foster, Director Utilities Division  
Tennessee Public Utilities Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243

RE: Docket No. 20-00109, *Petition of Superior Wastewater Systems, LLC to Amend its Certificate of Public Convenience and Necessity to Provide Wastewater Service to the Fox Parcel in Williamson County, Tennessee.*

Dear Mr. Foster:

Tennessee Wastewater Systems, Inc. ("TWWS" or "Company") provides the following responses to the Commission Staff's data request issued on September 25, 2020 in the above referenced matter:

1. Please state whether the Fox Parcel is within service area granted to TWWS. If so, please specify and reference such authority.

**RESPONSE:** The Fox Parcel is within the service area granted to TWWS in Docket No. 97-01393. The territory map filed with and approved by the Commission in the docket show this parcel is within the Company's certificated territory.

2. (a) If the Fox Parcel is within TWWS' certificated service area, please state whether the Company is providing service within this parcel.

**RESPONSE:** The Company offers service throughout the service territory and is willing and able to provide it to anyone who requests it. Presently the Company is not providing service within this parcel as service has not yet been requested, though TWWS has the ability and willingness to do so.

(b) If TWWS is not serving this parcel, please state whether the Company has the requisite facilities in place to provide sewer service to this area.

**RESPONSE:** TWWS has a regional wastewater facility capable of providing service to parcels within the eastern portion of the Company's Milcrofton territory, including the Fox Parcel.

(c) If TWWS is currently capable of serving this area, identify all existing facilities that are in place, along with any additional infrastructure, that would be needed to provide service.

**RESPONSE:** The Cox Ladd Treatment Facility is available and able to provide service to the Fox Parcel and others within the eastern portion of the Company's Milcrofton service territory. Infrastructure will be installed to allow connection to the facility at Hwy. 96, directly across from King's Chapel subdivision. Service to the Fox Parcel will require additional piping infrastructure to

connect the parcel to the collection system at Hwy 96. Additional drip infrastructure will need to be installed for disposal, but the developer, based on the application appears to have adequate drip soils available for that purpose.

(d) State whether TWWS has acquired the necessary easements and sufficient land and all other necessary local and state approvals to serve the Fox Parcel.

**RESPONSE:** No, the developer has yet to discuss this project with TWWS to determine what, if any easements and land are necessary to provide service.

TWWS holds the CCN for the area which includes the Fox Parcels. TWWS also has a State Operating Permit ("SOP") for the Cox Ladd facility. The permit would need to be modified to include any new development connecting to the facility, including the Fox Parcel, however TWWS would not anticipate any issues with obtaining approval for a permit modification as the permit for the facility has been modified several times already. No local approvals are necessary for TWWS to provide service, though the developer is required to show proof that a CCN and SOP have been granted to the wastewater provider before the project can be presented to the Williamson County Planning Commission for consideration and approval.

3. In the event that the Fox Parcel is within TWWS' certificated service area and TWWS is not serving or is unable or unwilling to serve these two parcels, state whether the Company will relinquish the parcels.

**RESPONSE:** The Fox parcel is within TWWS' certificated service area and the Company is able and willing to provide wastewater service to the parcel. However, based on the initial filing made by Superior, it appears Superior intends to connect this parcel to the existing King's Chapel Treatment Facility. Based on this representation, TWWS is willing to relinquish the Fox Parcel to Superior upon the Commission determining Superior has the requisite managerial, financial, and technical abilities to provide service to the parcel. However, if the intent or plans change and a separate onsite system will be built to serve the parcel, TWWS objects to relinquishing the parcel as the parcel is rightly in the Company's service territory and TWWS is just as capable of providing service through an onsite system as Superior and as the CCN holder, should be afforded the right to provide service to the parcel within its certificated territory.

If the Commission has any further questions or I can be of further assistance, please do not hesitate to contact me.

Kind regards,



Jeff Riden  
General Counsel

EC: Charles Welch – [cwelch@farris-law.com](mailto:cwelch@farris-law.com)