

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE</b>	)	
<b>WASTEWATER SYSTEMS, INC., TO</b>	)	<b>DOCKET NO. 21-00026</b>
<b>AMEND ITS CERTIFICATE OF</b>	)	
<b>CONVENIENCE AND NECESSITY</b>	)	

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**DIRECT TESTIMONY OF MATTHEW NICKS**

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**Q1. What is your name and business address?**

A. My name is Matthew Nicks and my business address is 851 Aviation Parkway, Smyrna TN, 37167.

**Q2. By whom are you employed and in what capacity?**

A. I am the President of Tennessee Wastewater Systems, Inc. ("TWSI").

**Q3. What is the purpose of your testimony in this proceeding?**

A. The purpose of my testimony is to support the petition filed by TWSI to amend its CCN to include The Pointe subdivision in Clay County, TN, describe the proposed development, and attest to the financial, managerial, and technical capabilities of TWSI to properly own, operate, and maintain the wastewater treatment and collection system for The Pointe subdivision.

**Q4. Please describe TWSI's service territory.**

A. In 1994 the Public Service Commission (predecessor to the TPUC) granted TWSI (then called On-Site Systems, Inc.) its initial CCN. Since that time, TWSI has been granted over 100 CCNs and provides wastewater service to over 4100 customers in 23 Tennessee counties.

**Q5. Please describe the proposed The Pointe Subdivision.**

A. The Pointe is located in Clay County, Tennessee. The development is planned for approximately 420 single family residences, however TWSI has only been asked to serve 179 of the lots as the rest will either be on individual septic systems or not be built upon. The lots that TWSI will serve are identified on Exhibit 7B filed with the Petition.

**Q6. What type of wastewater collection and treatment system is proposed for The Pointe?**  
A. The collection system will be a septic tank effluent pump (STEP) system, with septic tanks and pumps at each home. The tanks discharge to collection lines that will convey the wastewater to the central treatment system which will be a Recirculating Media Filter type system. The treated effluent will be disinfected, and land applied through drip irrigation. This type of system is in the majority of systems owned and operated by TWSI.

**Q7. Does TWSI have the managerial and technical ability to own, operate, and maintain the treatment system for The Pointe?**

A. Yes. The treatment and collection system proposed for use at The Pointe is similar to the majority of systems already owned, operated, and maintained by TWSI. TWSI's system operators and maintenance personnel will be responsible for ensuring the system is maintained and operated in compliance with TDEC regulations.

In addition to the operations and maintenance personnel, TWSI will continually monitor the system through remote telemetry and the HAWKMS system. HAWKMS gives the operators the ability to remotely monitor and control their plants. Utilizing this technology not only allows TWSI to operate and maintain sites more efficiently, but also more economically as it cuts down on the need for additional personnel, equipment, and allows the utility to optimize energy consumption based on plant conditions. Including TWSI owned systems, there are over 300 wastewater facilities using this technology.

**Q8. How will the construction of the wastewater treatment system and facility for The Pointe be managed and funded?**

A. The wastewater treatment system and facility will be constructed by the developer and conveyed to TWSI as a contribution in aid of construction. The developer is contracting with TWSI affiliate Adenus Solutions Group, LLC to do the work. Once construction is complete and the system is approved and accepted by the utility, TWSI will be granted all necessary easements and deeded ownership of the system and land upon which the system and drip disposal areas are constructed.

**Q9. What rates and charges will be used for The Pointe?**

A. TWSI will apply the Rate Class 1 Residential Rate to this development. That rate is \$52.07 a month. The tariff sheet is Exhibit 30 of the Petition.

**Q10. Does TWSI have the financial resources to provide service to The Pointe?**

A. Yes. TWSI currently has in place a \$300,000 bond approved by the Commission. Further the utility has over 4100 customers in Tennessee which makes adding a new territory less of a financial burden to the company. The Company is also able to offset initial operations and maintenance costs through the monthly access fees paid to TWSI by owners of empty

lots. A copy of the 5-year projection for the development has been included with the Petition as Exhibit F.

**Q11. Will TWSI abide by the orders and rules of the Commission, including the affiliate transaction rule?**


A. Yes.

**Q12. Does this complete your testimony?**

A. Yes.

### AFFIDAVIT

My name is Matthew Nicks and the attached direct testimony is true and correct to the best of my knowledge.

  
Matthew Nicks

County of Rutherford       )  
State of Tennessee       )

On this 12th day of February 2021, personally appeared before me, Suzanne Christman, a notary public, the above-named Matthew Nicks known to me personally who was duly sworn and on oath executed the above Affidavit.



  
Notary

My commission expires: 10/26/2024