

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

**IN RE:**

**PETITION OF TENNESSEE**

**WASTEWATER SYSTEMS, INC., TO**

**AMEND ITS CERTIFICATE OF**

**CONVENIENCE AND NECESSITY**

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**DOCKET NO. 21-00096**

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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 Nolensville Catholic Church in Williamson 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 Nolensville Catholic Church.

**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 4250 customers in 23 Tennessee counties.

**Q5. Does a public need exist for wastewater services in the proposed service area?**

A. Yes. The property is not currently served by any wastewater provider and as shown in Exhibits 12A and 12B, neither the local water utility nor the county have any intentions of providing service. Exhibit 11 is the letter from the developer to the utility requesting service.

**Q6. Please describe the proposed Nolensville Catholic Church project.**

- A. Nolensville Catholic Church is located in Williamson County, Tennessee. The project consists of separate buildings for a church, offices, schools and supporting facilities. The site is identified on Exhibit 7 filed with the Petition. The site is immediately adjacent to another of TWSI's service territories, The Enclave at Dove Lake (SOP #15-00025), however that facility is not able to be expanded to accommodate the flow from the church and school.

**Q7. What type of wastewater collection and treatment system is proposed for Nolensville Catholic Church?**

- A. The collection system will be a septic tank effluent pump (STEP) system, with septic tanks and pumps at each building. 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.

**Q8. Does TWSI have the managerial and technical ability to own, operate, and maintain the treatment system for Nolensville Catholic Church?**

- A. Yes. The treatment and collection system proposed for use at Nolensville Catholic Church 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.

**Q9. How will the construction of the wastewater treatment system and facility for Nolensville Catholic Church 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 a non-affiliate of TWSI to complete 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.

**Q10. What rates and charges will be used for Nolensville Catholic Church?**

- A. This is a commercial project and rates will be charged consistent with TWSI's commercial tariff (Exhibit 30 of the Petition).

**Q11. Does TWSI have the financial resources to provide service to Nolensville Catholic Church?**

- A. Yes. TWSI currently has in place a \$300,000 bond approved by the Commission. Further the utility has over 4250 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 31.

**Q12. Will TWSI abide by the orders and rules of the Commission, including the affiliate transaction rule, if applicable?**

- A. Yes.

**Q13. The Petition states the developer has not decided on a contractor for the project. Is TWS aware of Rule 1220-04-13-.09(7) concerning the completion of the construction of the wastewater system within three years of TPUC's written approval of the CCN?**

- A. Yes.

**Q14. Does this complete your testimony?**

- A. Yes.

# AFFIDAVIT

My name is Matthew Nicks and I affirm that all the information contained in the petition and in the testimony of Matthew Nicks filed in this Docket are true to the best of my knowledge and belief

Matthew Nicks  
Matthew Nicks

County of Rutherford           )  
State of Tennessee           )

On this 25 th day of August 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.



Suzanne M Christman  
Notary

My commission expires: Oct. 21, 2024