

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

IN RE:)	
)	
PETITION OF TENNESSEE)	
WASTEWATER SYSTEMS, INC., TO)	DOCKET NO. 22-00074
AMEND ITS CERTIFICATE OF)	
CONVENIENCE AND NECESSITY)	

DIRECT TESTIMONY OF MATTHEW NICKS

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 Derby Meadows subdivision and Thornton's Refueling and Convenience Store in Robertson County, Tennessee, 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 Derby Meadows and Thornton's.

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 4800 customers in 23 Tennessee counties.

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

A. Yes. Neither property is currently served by any local wastewater provider and as shown in Exhibit 12, the county does not have any intentions of providing service to the properties. Exhibit 11 is the letter from the developer to the utility requesting service.

- Q6. Please describe the proposed Derby Meadows and Thornton's project.**
- A. The Derby Meadows subdivision is located in Robertson County, Tennessee and will consist of 309 residential units and amenities. The Thornton's Refueling and Convenience Store will be serviced by the wastewater system located at Derby Meadows.
- Q7. What type of wastewater collection and treatment system is proposed for Derby Meadows?**
- A. The collection system will consist of grinder pumps at each home and facility along with low pressure sewer system to route sewage to a set of dosing/flow equalization tanks to remove trash and normalize flow to avoid peak surges. The proposed wastewater treatment facility design is an Extended Aeration treatment system including an air diffusion system, clarification chambers and chlorine disinfection chamber.
- Q8. Does TWSI have the managerial and technical ability to own, operate, and maintain the treatment system for Derby Meadows?**
- A. Yes. The treatment and collection system proposed for use at Derby Meadows Subdivision will be 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 Derby Meadows Treatment Facility 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 Derby Meadows and Thornton's?**
- A. Derby Meadows is a residential development and will be charged consistent with Rate Class 1 of the TWSI's residential tariff. Thornton's 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 Derby Meadows and Thornton's?

A. Yes. TWSI currently has in place a \$300,000 bond approved by the Commission. Further the utility has over 4800 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. 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.

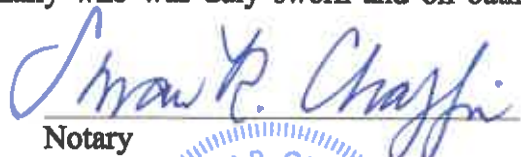
AFFIDAVIT

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

County of Rutherford)
State of Tennessee)

On this 22 th day of July 2022, personally appeared before me, Susan Chaffin, 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:

01/25/26

