

TENNESSEE PUBLIC UTILITY COMMISSION

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November 16, 2023

Erik C. Lybeck, Esq.
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Nashville, TN 37203

VIA Email to elybeck@simsfunk.com

RE: *In re: Petition of Superior Wastewater Systems, LLC for a Certificate of Convenience and Necessity to Amend its Existing Service Territory in Williamson County, Tennessee,*
Docket No. 23-00051

Dear Erik:

First, allow me to thank you and Mr. Powell, Mr. Novak, and Mr. Buss for meeting with Commission Staff on November 6, 2023 concerning the Eastern portion (i.e. the portion for which there are no intervenors in the bifurcated service area requested) in above referenced docket. Following up on the meeting, I wanted to ensure that information that was discussed in the meeting is included in the docket record for consideration. Therefore, to assist the Commission in its ongoing investigation in the above referenced docket, please provide responses to the following:

1. During the November 6th meeting, changes to Williamson County regulations applicable to requested service area were discussed, e.g., housing density per acre, zoning allowances for drip fields, etc. Please provide a copy of the current Williamson County code, ordinance, resolution, or other regulation applicable to the requested service area and a brief description of any recent changes to such code, ordinance, resolution, or regulation as discussed in the November 6, 2023 meeting.
2. During the November 6th meeting, Superior representatives stated that additional parcel owners in the identified service area, have requested that Superior provide wastewater service. The map provided in Exhibit 1.8 to the *Petition*, identifies parcels that have requested sewer service from Superior in green. Parcels that appear as white on the map are within the requested geographic service area but had not requested wastewater service at the time of the filing. Please provide an updated map identifying any additional parcels that have requested wastewater service.

3. During the November 6th meeting, Superior representatives stated that the system to be installed is different from systems that have typically been installed by Superior and other TPUC regulated wastewater utility providers. Please describe the differentiation between how the proposed system will provide wastewater utility service and how other systems operated by Superior provide wastewater service. Include in the description the significance of the distinction between the types of systems described.
4. The TPUC has established policy that a Certificate of Public Convenience and Necessity ("CCN") will be granted only where a present and actual intent to provide service to the location exists rather than a desire to "lock up" a service area. Since many parcels on the map provided in Exhibit 1.8 to the *Petition* are within the requested service area but have not currently requested that Superior provide wastewater service (i.e., white parcels on the map), please state and describe Superior's present and actual intent to provide service to the entire service area identified (i.e., excluding areas shaded blue on the Exhibit 1.8 map for which are identified as "area not planning to serve").

Please provide responses to these requests as soon as possible to expedite the investigation and consideration of the *Petition*. Should you have any questions about these requests, please do not hesitate to contact me.

Sincerely,



Aaron J. Conklin
Senior Counsel