

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

IN RE:

**JOINT APPLICATION OF LIMESTONE
WATER UTILITY OPERATING COMPANY, LLC
AND BRIDGET J. WHILHITE, AS ADMINISTRATOR
CTA OF THE ESTATE OF GLENNA NEWPORT, FOR
APPROVAL OF THE ACQUISITION OF AND TO
OPERATE THE NEWPORT RESORT WATER SYSTEM,
AND TO TRANSFER OR ISSUE A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

DOCKET NO. 24-00034

**DIRECT TESTIMONY
OF
BRUCE SPAULDING, Jr., P.E.**

October 21, 2024

1 **Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND OCCUPATION FOR**
2 **THE RECORD.**

3 **A1.** My name is Bruce Spaulding, Jr. My business address is Joel B. Spaulding & Co., Inc.
4 The home office is located at 3322 West End Ave, Suite 106, Nashville, Tennessee 37203.

5 **Q2. WHAT IS YOUR POSITION WITH JOEL B. SPAULDING & CO., INC.?**

6 **A2.** I am a Professional Engineer and have been employed there since 1978. The firm was
7 established January 1, 1965 and as Consulting Engineers we have served numerous cities,
8 counties, and utility districts throughout Tennessee and Northern Alabama. Professional
9 activities have centered on the design of water and sewage treatment plants, pumping
10 stations, lift stations, water distribution systems, sewage collection systems, as well as
11 fire halls, headquarters/shop buildings, and streetscape improvements.

12 **Q3. WHAT IS THE ENGINEERING FIRM OF JOEL B. SPAULDING & CO., INC.'S**
13 **PRIMARY FOCUS?**

14 **A3.** The firm has focused on municipal consulting for 60 years. The firm has prepared
15 hundreds of studies, reports, applications, and construction plans and specifications. The
16 firm specializes in securing State and Federal funds for local governments.

17 **Q4. PLEASE DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL**
18 **EXPERIENCE.**

19 **A4.** I received a Bachelor of Science Degree in Civil Engineering from the University of
20 Tennessee in 1979 and was registered as a Professional Engineer in 1983. During my 46-
21 year career I have been responsible for the design of well over \$200,000,000 worth of
22 public works projects, including water distribution systems, water storage tanks, pumping
23 stations, water plants, water plant expansions, sewage lift stations, intake structures,

streetscapes, headquarters buildings, and fire halls. I develop and maintain the hydraulic models and system maps for the Town of Tiptonville and numerous water utility districts across the State of Tennessee.

I routinely assist communities in securing project financing from the USDA Office of Rural Development, the Community Development Block Grant Program, and other State and Federal agencies. I am familiar with and frequently advise clients on the administrative procedures associated with the various programs.

Q5. WHAT IS YOUR BACKGROUND WITH NORTH UTILITY DISTRICT OF RHEA COUNTY?

A5. North Utility District was officially created in December 1993, under the Utility District Law of 1937 and is a unit of local government. I have been working with them before their inception and I have provided guidance from the beginning. NUDRC began providing water in April of 1997 to approximately 200 customers and as of September 2023 their water lines front over 85% of the homes in the North Rhea County Area, providing clean drinking water to about 1450 customers presently. Their service area beings north of the city limits of the Town of Spring City and extends to Watts Bar Lake and runs to the Roane County line and includes the Roddy community. The District utilizes two 300,000-gallon storage tanks, and is supplied by a 300 gallon per minute connection with the Town of Spring City, a 300 GPM connection with the City of Rockwood Water Department. The District also operates a 100 GPM well and water treatment plant. NUDRC is regulated by the Tennessee Department of Environment and Conservation (TDEC) and operates as an approved public water system operating under Public Water System ID # 0000970.

Q6. NUDRC HAS STATED IN ITS PETITION TO INTERVENE P. 3, ¶7 THAT IT
“HAS THE RESOURCES TO PROVIDE IMMEDIATE MAINTENANCE AND
OR REPAIRS AND REPLACEMENT OF THE ANTIQUATED SYSTEM
BELONGING TO NEWPORT RESORT WATER SYSTEM . . . WITHOUT
DELAY.” PLEASE EXPLAIN WHAT RESOURCES NUDRC CURRENTLY
POSSESSES IN ORDER TO PROVIDE “IMMEDIATE MAINTENANCE AND
OR REPAIRS AND REPLACEMENT” TO NRWS.

A6. NUDRC currently has over \$1,000,000 in reserves which can be used for the currently
needed repairs to NRWS and for the complete replacement of the entire water distribution
system now serving the Newport Resort community.

Q7. CAN YOU PROVIDE AN ESTIMATE OF THE NECESSARY REPAIR AND
REPLACEMENT COSTS FOR THE NRWS?

A7. Yes. The estimated cost of the entire replacement of the Newport Resort Water System as
is required to bring it to TDEC approved standards is approximately \$500,000.

Q8. WHAT IS THE ESIMATED TIME IT WOULD TAKE FOR NUDRC TO
COMPLETE THE NECESSARY REPAIR AND REPLACEMENT OF THE
NRWS?

A8. The implementation timeline for the complete replacement of the NRWS water
distribution system in conformance with TDEC standards is shown below:

Plans and Specs/ TDEC Approval	45 Days
Bid Period	30 Days
Bid Award/ Mobilization	45 Days
Initiate Construction	30 Days
Construction Completion	120 Days
Total Days Required	270 Days

67 **Q9. DO YOU HAVE AN ESTIMATE OF HOW QUICKLY NUDRC CAN BEGIN THE**
68 **REPAIR AND REPLACEMENT OF NRWS?**

69 **A9.** Repairs to NRWS required to keep the existing system operating during the 270 day
70 replacement schedule can be implemented on a routine basis once the NRWS is merged
71 into NUDRC. Please refer to the implementation timeline in my previous answer
72 regarding the time required to completely replace the existing system.

73 **Q10. WILL NUDRC NEED TO REPLACE OR REPAIR THE EXISTING NRWS**
74 **PLANT (MINUS THE DISTRIBUTION SYSTEM) IN ORDER FOR NUDRC TO**
75 **PROVIDE SERVICE TO NRWS CUSTOMERS?**

76 **A10.** The existing NRWS "plant," which at my last site visit entailed a well, a bleach pump,
77 and a 1,500 gallon plastic agricultural-grade tank, will likely not be utilized by NUDRC.

78 **Q11. UNDERSTANDING THAT NECESSARY REPAIR AND REPLACEMENT OF**
79 **NRWS WILL TAKE SOME TIME, PLEASE PROVIDE THE INTERIM**
80 **ACTIONS NUDRC WILL TAKE TO ENSURE THAT THE EXISTING**
81 **CUSTOMERS OF NRWS WILL HAVE POTABLE AND CONSISTENT WATER**
82 **DELIVERY.**

83 **A11.** NRWS's emergency connection to NUDRC will remain in place to insure a safe and
84 reliable water source for NRWS's customers. Danah Thunquist, who currently serves as
85 operator for NRWS, and who is also a current employee of NUDRC, will continue to
86 serve as NRWS operator.

87 **Q12. PLEASE CONFIRM THAT NUDRC HAS THE TECHNICAL, MANAGERIAL,**
88 **AND ENGINEERING CAPABILITIES TO OPERATE THE NRWS SYSTEM.**

89 **A12.** NUDRC is a mature public water system currently providing water to over 1450
90 customers, one of which is a large industry that uses approximately 2,000,000 gallons per
91 month. NUDRC has been operating since 1994 and is operating under TDEC
92 regulations. As a public utility district, NUDRC operates under the fiscal scrutiny of the
93 TN State Comptroller's Office. NUDRC submits an annual audit to the Comptroller and
94 operates with the same fiscal transparency as a municipality.

95 **Q13. IS NRWS CURRENTLY OPERATING WITHIN THE TERRITORY OF NUDRC?**
96

97 **A13.** NRWS was established some years before the NUDRC was organized and was excluded
98 from the incorporated boundaries delineated in the Order which created NUDRC. NRWS
99 is otherwise surrounded by the NUDRC service area and NUDRC has a 6" water main on
100 Whites Creek Road immediately adjacent to NRWS. NUDRC is the only practical
101 successor to the NRWS as the provider of potable water in the NRWS community.

102 **Q14. IS NUDRC AWARE OF ANY APPROVAL OF TPUC, OR ITS PREDECESSORS,**
103 **GRANTING APPROVAL FOR NRWS TO OPERATE IN ITS TERRITORY?**

104 **A14.** No, the NRWS precedes the creation of the NUDRC.

105 **Q15. DOES THIS CONCLUDE YOUR TESTIMONY?**

106 **A15.** Yes. However, I reserve the right to supplement my testimony if additional information
107 becomes available.

VERIFICATION

I, BRUCE SPAULDING, JR., being duly sworn, state that I am authorized to testify on behalf of North Utility District of Rhea County in the above-referenced docket, that if present before the Commission and duly sworn, my testimony would be as set forth in my pre-filed testimony in this matter, and that my testimony herein is true and correct to the best of my information, knowledge, and belief.

Bruce Spaulding P.E.

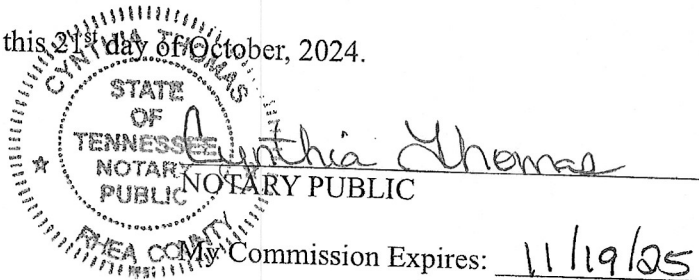
BRUCE SPAULDING, JR.,

STATE OF TENNESSEE

COUNTY OF RHEA

Personally, appeared before me, the undersigned, a Notary Public in and for said County and State, the within named individual, **BRUCE SPAULDING, JR.**, with whom I am personally acquainted (or upon the basis of satisfactory evidence presented to me), who, after being duly sworn, made oath that he/she executed the foregoing for the purposes therein contained.

WITNESS my hand and seal this 21st day of October, 2024.



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DOCKET NO. 24-00034

**DIRECT TESTIMONY
OF
DANAH THUNQUIST**

October 21, 2024

1 **Q1. PLEASE STATE YOUR NAME, OCCUPATION AND CERTIFICATIONS FOR**
2 **THE RECORD.**

3 **A1.** My name is Danah Thunquist. I am employed by North Utility District of Rhea County
4 (NUDRC), serving as Water Treatment Plant Operator for seven years now. I am
5 concurrently employed by the Town of Spring City as Water Treatment Plant Operator,
6 serving for the past 13 years, as well as being the contracted Water Treatment Plant
7 Operator with NRWS for the past 2 years. I am a Grade III Water Treatment Plant
8 Operator, licensed with the State of Tennessee. I have had training in advanced water
9 treatment processes, system management, and regulatory compliance, focusing on
10 complex treatment technologies, process control and plant administration.

11 **Q2. WHAT DO YOUR DUTIES INCLUDE AS A CERTIFIED GRADE III**
12 **OPERATOR IN THE THREE WATER TREATMENT PLANTS WHERE YOU**
13 **ARE EMPLOYED?**

14 **A2.** I operate and maintain the Water Treatment Plants and perform laboratory testing and
15 analysis of water samples and collect water distribution samples to assure compliance
16 with state and federal laboratory and testing requirements. Part of my duties are to make
17 decisions that affect the quality and quantity of the water that is distributed to the water
18 customers at NUDRC, Town of Spring City and NRWS. I am responsible for
19 maintaining quality control and quality assurance and inventory.

20 **Q3. NUDRC RECENTLY CONNECTED THE TRADEWINDS INVESTMENT**
21 **PROPERTY ("TRADEWINDS") TO ITS OWN WATER SYSTEM AND NRWS**
22 **DID NOT OBJECT TO THIS ACTION. WHEN CONNECTING THE**
23 **TRADEWINDS INVESTMENT PROPERTY, NUDRC ALSO CONNECTED THE**

24 REMAINING CUSTOMERS OF THE NRWS. CAN YOU PROVIDE THE
25 DATE(S) THAT NUDRC CONNECTED AND BEGAN PROVIDING SERVICE TO
26 THE TRADEWINDS AND NRWS CUSTOMERS. IF THE DATE(S) OF
27 CONNECTIONS OF TRADEWINDS AND NRWS OCCURRED AT DIFFERENT
28 TIMES, PROVIDE THE DATES FOR EACH AND AN EXPLANATION OF WHY
29 THEY WERE NOT COMPLETED CONCURRENTLY.

30 A3. Approximately June 1, 2024 the meter was installed for Tradewinds Investments. NUDRC
31 started providing water service to the remainder of the NRWS customer base through the
32 emergency connection on August 26, 2024.

33 Q4. CAN YOU PROVIDE A NARRATIVE DESCRIPTION AND A SCHEMATIC OF
34 THE RECENT CONNECTION FROM THE COUNTY TO BOTH THE
35 TRADEWINDS AND TO NRWS.

36 A4. Tradewinds Investments are connected to NUDRC's 6" main on Whites Creek Road
37 through a 2" meter connection. A service line was run by Tradewinds Investments to
38 supply water to their campground. Additionally, Tradewinds Investments ran a new
39 emergency connection service line to supply the NRWS tank with a shut off valve.
40 Tradewinds Investments also installed a separate "ghost" line in the event that a separate
41 master meter should need to be installed at a later date for the NRWS to purchase water
42 from NUDRC on a long term/permanent basis

43 Q5. CAN YOU PROVIDE A NARRATIVE OF THE WORK REQUIRED TO
44 CONNECT NUDRC WITH TRADEWINDS AND NRWS.

45 A5. NUDRC contractors placed a 2" tap on the 6" main located on Whites Creek Road. They
46 then placed a meter assembly with a 2" meter with all required parts (corp stop, setter, etc).

47 **Q6. WHAT WAS THE COST TO CONNECT TRADEWINDS AND NRWS TO THE**
48 **NUDRC?**

49 **A6.** The cost to connect Tradewinds Investment to NUDRC was approximately \$7,000. This is
50 the cost of the meter, setting the meter and all other related meter parts.

51 **Q7. IS THE CONNECTION BETWEEN NRWS AND THE NUDRC**
52 **METERED? IF NOT, DOES NUDRC INTEND TO INSTALL A METER**
53 **AT THIS INTERCONNECTION?**

54 **A7.** The emergency connection is not metered to NRWS. It passes through the Tradewinds'
55 meter and I am keeping up with the amount of gallons provided through the master meter
56 for NRWS. In the event of an agreement to purchase water from NUDRC long term
57 there will be a master meter installed and the above referenced ghost line will be
58 activated.

59 **Q8. IS IT THE NUDRC'S UNDERSTANDING THAT THIS CONNECTION**
60 **BETWEEN IT AND NRWS IS TEMPORARY IN NATURE?**

61 **A8.** It is the understanding of NUDRC that the current situation is temporary until the
62 electrical issues at the NRWS water plant are resolved, unless NUDRC and NRWS
63 determine it to be advantageous or necessary to continue the connection.

64 **Q9. IS THE CONNECTION BETWEEN THE NUDRC, TRADEWINDS, AND NRWS**
65 **SUCH THAT THE NUDRC CAN SIMPLY PROVIDE WATER TO TRADEWINDS**
66 **ALONE?**

67 **A9.** Yes, all valves leading to the NRWS well and tank can be shut off to allow only water to
68 be provided to Tradewinds Investments

69 **Q10. WHAT WOULD IT TAKE TO "DISCONNECT" NRWS FROM THE NUDRC?**

70 A10. NRWS can be disconnected from NUDRC by closing all valves leading to the NRWS
71 tank/well. This can be done by one employee in a matter of minutes with one T handled
72 wrench.

73 Q11. WHEN THE COUNTY CONNECTED NRWS TO ITS SYSTEM, WAS IT THE
74 NUDRC'S UNDERSTANDING THAT SUCH ACTION WAS PART OF THE
75 PROCESS FOR NUDRC'S EVENTUAL ACQUISITION OF NRWS?

76 A11. NUDRC connected NRWS to our system through the meter at the Tradewinds site as an
77 emergency connection to ensure that the residents of NRWS would have access to reliable
78 water if needed. While the emergency connection won't fix the issues of broken mains and
79 leaks, however, it will help in the event of pump issues. I have no knowledge of whether
80 acquisition of NRWS was discussed at the time.

81 Q12. DOES THIS CONCLUDE YOUR TESTIMONY?

82 A12. Yes. However, I reserve the right to supplement my testimony if additional information
83 becomes available.

VERIFICATION

I, DANAH THUNQUIST, being duly sworn, state that I am authorized to testify on behalf of North Utility District of Rhea County in the above-referenced docket, that if present before the Commission and duly sworn, my testimony would be as set forth in my pre-filed testimony in this matter, and that my testimony herein is true and correct to the best of my information, knowledge, and belief.

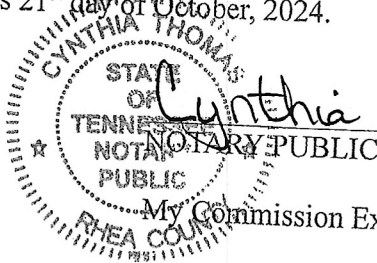
Danah Thunquist
DANAH THUNQUIST

STATE OF TENNESSEE

COUNTY OF RHEA

Personally, appeared before me, the undersigned, a Notary Public in and for said County and State, the within named individual, **DANAH THUNQUIST**, with whom I am personally acquainted (or upon the basis of satisfactory evidence presented to me), who, after being duly sworn, made oath that he/she executed the foregoing for the purposes therein contained.

WITNESS my hand and seal this 21st day of October, 2024.



My Commission Expires: 11/19/25

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DOCKET NO. 24-00034

**DIRECT TESTIMONY
OF
JIM VINCENT**

October 21, 2024

1 **Q1. PLEASE STATE YOUR NAME, AND BUSINESS ADDRESS FOR THE RECORD.**

2 **A1.** My name is Jim Vincent. My business address is 1475 Market Street, Suite 300, Dayton,
3 Tennessee where I currently serve as County Executive for Rhea County, Tennessee.

4 **Q2. PLEASE DESCRIBE YOUR PROFESSIONAL EXPERIENCE.**

5 **A2.** I have spent most of my life in public service both in local and Tennessee state
6 government. While on the Hamilton County Commission I served on the Board of the
7 Waste Water Treatment Association and the County Planning Commission. I then served
8 four years in the Tennessee House of Representatives. In the State Legislature I had
9 numerous opportunities to work with utility districts and as County Executive of Rhea
10 County, I have worked closely with all our utility districts getting infrastructure grants
11 and making board appointments. This experience has provided me with a clear
12 understanding of the importance of public confidence in all our public services.

13 **Q3. ARE YOU AWARE OF THE PROBLEMS WITH NEWPORT RESORT WATER**
14 **SYSTEM'S INABILITY TO RELIABLY SERVE THEIR CUSTOMERS?**

15 **A3.** Yes, I am well aware of Newport's ongoing problems. All utility districts have occasional
16 water service failure due to pumps breaking, waterlines rupturing, treatment plant issues
17 and the like. In the past, anytime Newport Resort Water System has had a water failure
18 such as a pump or waterline rupture, when most utility districts would make repairs
19 within a few short hours, Newport Resort Water System takes anywhere from 3-5 days to
20 fix an issue and all the while the customers are out of water. This happens on a regular
21 basis because of the lack of equipment, parts and a lack of financial resources to update
22 their system. When the community experiences this type of poor service for a basic need
23 like potable water, they call their elected officials and expect us to solve this problem.

24 This has been a real problem for myself and other elected officials in Rhea County as we
25 try to answer questions for disgruntled and unhappy customers. However, in reality, we
26 have no ability to make any improvements to the Newport Resort Water System as it is a
27 privately owned company and a very poorly maintained water system. I am even aware
28 that unhappy residents attend the North Utility District's Board meetings pleading for
29 assistance.

30 **Q4. HAVE YOU HAD CONVERSATIONS WITH BOARD MEMBERS OF NORTH**
31 **UTILITY DISTRICT ABOUT WAYS TO RESOLVE THESE MATTERS?**

32 **A4.** Yes. I thought they were coming to some agreements that North Utility District would
33 serve this area. I understand that North Utility District has met with Bridget Willhite, the
34 attorney for Newport Resort Water System, multiple times over the last few years letting
35 her know they would like to purchase the Newport water system. North Utility District
36 even passed a resolution assuring the owners of Newport Resort Water System that they
37 were a viable solution to their problem and that North Utility District would make every
38 effort to be able to serve their long-neglected water customers in the short term and the
39 long term.

40 **Q5. WHAT HAVE YOU LEARNED RECENTLY ABOUT THOSE PROPOSED**
41 **PLANS?**

42 **A5.** After much discussion and negotiation over the years we discovered that Newport has
43 agreed to sell to an out-of-state company, which is what brought us here before the
44 Commission.

45 **Q6. WHAT CONCERNS DO YOU HAVE ABOUT THE DECISION BY NEWPORT**
46 **TO SELL TO AN OUT-OF-STATE COMPANY?**

47 A6. I have several concerns. Many of the customers in the Newport Resort community are
48 retired individuals on fixed incomes or low-income families and budgets can be very
49 stretched to make ends meet. It is my understanding that Newport customers' monthly
50 water bills are currently about \$19.00 per month, understanding that they are being serviced
51 by an old and unreliable system. North Utility District has agreed to service Newport's
52 customers for \$45 a month per resident. But Limestone Water has stated that their
53 monthly fee would be \$85. I understand that because they are an out-of-state company
54 they really cannot compete with local water rates. But I think most people would find it
55 quite objectionable to get an increase in their water bill by more \$65.00 per month when
56 there is a utility district in their own back yard offering excellent service for less than half
57 of what Limestone is offering. In my opinion this should be one of the first points to be
58 considered.

59 **Q7. WHAT OTHER CONCERNS DO YOU HAVE?**

60 A7. We should also consider North Utility District has an office right outside of the Newport
61 Resort community, which will allow them to service the Newport customers much more
62 conveniently than an out-of-state company. North Utility District has service technicians
63 and trucks in this community, available on a daily basis, if necessary, as well as parts in
64 stock to make repairs within hours of a call, which will also make for a better service to
65 the residents of the community. In comparison Limestone's home office is in St. Louis,
66 Missouri. I understand they likely have satellite offices in the southern region but they
67 have no service trucks or technicians or parts or a customer service office in our area to
68 service the customers of Rhea County. It would all have to be handled remotely. So you
69 have already disgruntled customers, with years of dealing with an unreliable water

70 provider, having to make out of town phone calls and waiting on out of town service. It
71 does not solve their problem whatsoever. It is not surprising to me that the Newport
72 Resort residents are not in support of this purchase, nor am I.

73 **Q8 DO YOU BELIEVE IT IS IN THE BEST INTEREST OF RHEA COUNTY**
74 **CITIZENS FOR THIS COMMISSION TO DECLINE TO ALLOW LIMESTONE**
75 **TO PURCHASE NEWPORT RESORT WATER SYSTEM?**

76 **A8.** Absolutely yes. Newport Resort Water System has asked North Utility District to come to
77 their aid and North Utility District, like a good neighbor did just that. Newport will
78 always need North Utility District to be their back up water source because a water
79 system provider needs alternatives for unforeseen problems. No one knows what
80 Limestone's intentions are going forward to supply water to this community or their
81 plans for a backup source and affordability for clean drinking water matters most. North
82 Utility District added a tap and connection into the Newport System and are now
83 furnishing water to the community, it seems to me that solves the problem. We now have
84 an opportunity to service this area with one of our better water utility districts. The people
85 deserve to be served by local Rhea County citizens and not an out-of-state company that
86 cannot provide expedient service from that distance. I hope that the decision is made to
87 allow a Rhea County utility to service Rhea County Citizens. We would like to be able to
88 hold to the same standards for all of our water utility districts in Rhea County which is to
89 serve the customers well by providing consistently affordable clean potable water.

90 **Q9. DOES THIS CONCLUDE YOUR TESTIMONY?**

91 **A9.** Yes. However, I reserve the right to supplement my testimony if additional information
92 becomes available.

and duly sworn, my testimony would be as set forth in my pre-filed testimony in this matter, and that my testimony herein is true and correct to the best of my information, knowledge, and belief.

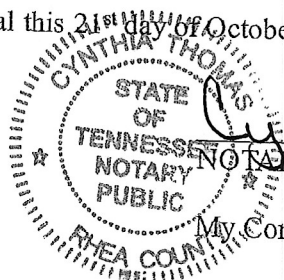
Jim Vincent
JIM VINCENT

STATE OF TENNESSEE

COUNTY OF RHEA

Personally, appeared before me, the undersigned, a Notary Public in and for said County and State, the within named individual, **JIM VINCENT**, with whom I am personally acquainted (or upon the basis of satisfactory evidence presented to me), who, after being duly sworn, made oath that he/she executed the foregoing for the purposes therein contained.

WITNESS my hand and seal this 21st day of October, 2024.

 Cynthia Thomas
NOTARY PUBLIC
My Commission Expires: 11/19/25