

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

IN RE:)	
)	
PETITION OF TENNESSEE)	
WASTEWATER SYSTEMS, INC., TO)	DOCKET NO. 24-00037
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 Burns subdivision in Williamson 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 Mosely Farm.

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 almost 6000 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 neither Williamson County nor the Nolensville College Grove Utility District will provide service. (See Exhibits 12A and 12B) Exhibit 11 is the letter from the developer to the utility requesting service.

Q6. Please describe the proposed Burns project.

- A. The Burns subdivision is located in Williamson County, Tennessee. The subdivision is proposed to have 293 single family homes. The Burns subdivision will connect to the existing Cox-Ladd Treatment Facility which will be expanded to accommodate the additional 83,700 gpd of wastewater flow to the plant.

Q7. What type of wastewater collection and treatment system is proposed for the Burns subdivision?

- A. The proposed system consists of watertight effluent pressure collection system, utilizing STEP/STEG tanks and a recirculating media filter treatment system. The treated effluent will be land applied for disposal. This subdivision is connecting to the Cox-Ladd Treatment Facility which will be expanded to accommodate the additional wastewater volume from the Burns subdivision.

Q8. Does TWSI have the managerial and technical ability to own, operate, and maintain the treatment system for Burns?

- A. Yes. The treatment and collection system proposed for use at Burns 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 Burns 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. Adenus Solutions Group, LLC, an affiliate of TWSI will construct the system. The construction agreement is still being negotiated and that information will be filed in this docket as soon as it is available. 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 Burns customers?

- A. Burns customers will be charged rates consistent with Rate Class 1 of TWSI's Residential Rate tariff. (Exhibit 30 of the Petition).

Q11. Does TWSI have the financial resources to provide service to the Burns subdivision?

- A. Yes. TWSI currently has in place a \$300,000 bond approved by the Commission. Further the utility has almost 6000 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, and 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 if applicable?

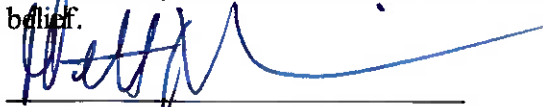
A. Yes.

Q13. 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 15th day of May 2024, 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

