

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

IN RE:)	
)	
PETITION OF MEADOWS TOWNHOME)	DOCKET NO.
DEVELOPMENT LOCATED IN COOPERTOWN,)	25-00037
ROBERTSON COUNTY, TENNESSEE TO)	
DETERMINE IF A CCN IS NEEDED)	

INITIAL DETERMINATION THAT A CCN IS NOT REQUIRED

This matter is before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) upon the letter filed on May 27, 2025 (“Petition”) on behalf of Cove Residential Holdings IV, LLC (“Cove Holdings” or “Petitioner”), seeking a determination whether a Certificate of Public Convenience and Necessity (“CCN”) is required for The Meadows Townhome Development (“The Meadows” or “Project”) to provide wastewater service to the proposed Project. The proposed project site will be located in Coopertown in Robertson County, Tennessee.

THE PETITION

The Petition states that the private wastewater system will be constructed and owned by the owner/ developer of the proposed Project, Cove Holdings, and a wastewater operator certified by the Tennessee Department of Environment and Conservation (“TDEC”) will be hired to maintain the system. Also, in a Response to a Staff Data Request, the Petitioner confirmed the Project would consist of all rentals with a maximum lease term of one year, and none of the

townhomes would be listed for sale.¹ According to the Petition:

The Meadows Townhome development project will require State Operating Permit from TDEC. Cove Residential Holdings IV, LLC will own the property, wastewater system, and all structures and improvements. The townhome tenants Fees will never be charged for use of the wastewater system. As required for operation and maintenance of the wastewater system, the property owner shall maintain a contract with a qualified wastewater operator certified by TDEC. A Pre-application meeting was held with TDEC, and the minutes of that meeting are included herewith as part of our TPUC submittal. TDEC has requested a determination from TPUC that a CCN is not required for the construction and operation of the wastewater treatment system prior to submittal of the preliminary Plan & report and final construction plans for SOP.²

FINDINGS AND CONCLUSIONS

Tenn. Code Ann. § 65-4-101(6)(A) defines a public utility as:

every individual, copartnership, association, corporation, or joint stock company, its lessees, trustees, or receivers, appointed by any court whatsoever, that own, operate, manage or control, within the state, any interurban electric railway, traction company, all other common carriers, express, gas, electric light, heat, power, water, telephone, telegraph, telecommunications services, or any other like system, plant or equipment, affected by and dedicated to the public use, under privileges, franchises, licenses, or agreements, granted by the state or by any political subdivision thereof.

Based on the information provided in the Petition, the Administrative Judge finds that Cove Holdings is not a public utility because the wastewater system at the proposed Project will be built, owned, and maintained by the owner/developer of The Meadows, Cove Holdings, for the exclusive use of the residents of The Meadows. Therefore, under the facts set forth in the Petition, the Administrative Judge concludes that Cove Holdings is not a “public utility” as defined by Tenn. Code Ann. § 65-4-101(6) and is not required to obtain a CCN from the Commission. If any of the facts or circumstances set forth in the Petition regarding the provision of wastewater service at The

¹ Response to Commission Staff Data Request (June 27, 2025).

² Petition, p. 1 (May 27, 2025).

Meadows should change, the Petitioner must notify the Commission immediately.

IT IS THEREFORE ORDERED THAT:

1. Cove Residential Holdings IV, LLC is not required to obtain a Certificate of Public Convenience and Necessity from the Tennessee Public Utility Commission to provide wastewater service in the manner set forth in its Petition to The Meadows Townhome Development to be built in Coopertown in Robertson County, Tennessee.

2. Cove Residential Holdings IV, LLC must notify the Tennessee Public Utility Commission immediately of any changes in the provision of wastewater service to its development by filing an update in this docket file. Changes to the provision of wastewater service may alter the determination set forth in this Order.

3. Any party aggrieved by the decision of the Administrative Judge in this Initial Order may file a Petition for Appeal with the Tennessee Public Utility Commission within fifteen (15) days from the date of this Initial Order.


Monica Smith-Ashford, Administrative
Judge