

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

January 9, 2026

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| IN RE: |) | |
| |) | |
| PETITION OF TENNESSEE INTEGRATED |) | DOCKET NO. |
| RESOURCE MANAGEMENT, INC. FOR A |) | 25-00075 |
| CERTIFICATE OF CONVENIENCE AND |) | |
| NECESSITY TO PROVIDE WASTEWATER |) | |
| UTILITY SERVICE TO RIVER GORGE RANCH |) | |
| SUBDIVISION LOCATED IN MARION COUNTY, |) | |
| TENNESSEE |) | |

**ORDER APPROVING AMENDED PETITION FOR A
CERTIFICATE OF CONVENIENCE AND NECESSITY**

This matter came before Chairman David F. Jones, Vice Chairman John Hie, Commissioner Herbert H. Hilliard, Commissioner Clay R. Good, and Commissioner Kenneth C. Hill of the Tennessee Public Utility Commission (“TPUC” or “Commission”), the voting panel assigned to this docket, during a regularly scheduled Commission Conference held on December 8, 2025. The panel convened to consider the *Amended Petition of Integrated Resource Management, Inc. for a Certificate of Convenience and Necessity* (“*Amended Petition*”) filed by Integrated Resource Management, Inc. d/b/a IRM Utility, Inc. (“IRM,” “Company,” or “Petitioner”) on October 23, 2025.

BACKGROUND AND PETITION

IRM is a corporation organized under the laws of the State of Tennessee, with a principal place of business at 3444 Saint Andrews Drive, White Pine, Tennessee.¹ The Company holds a CCN to provide wastewater services within designated service areas in the State of Tennessee. IRM filed an initial petition on September 18, 2025, before filing the *Amended Petition* on October

¹ *Amended Petition*, p. 3 (October 23, 2025).

23, 2025. In its *Amended Petition*, IRM seeks to expand its service area to provide wastewater services to the Amenity I Area of River Gorge Ranch Subdivision. River Gorge Ranch will be located on Aetna Mountain in the City of Guild, Marion County, Tennessee.² The development area will be bordered on the west, north, and east by the Tennessee River, and on the southwest by Running Water Creek.³ The service area to be known as the Amenity I Area of River Gorge Ranch is planned to include restaurants, venues, commercial shops, a welcome center, twenty-four (24) townhomes, fourteen (14) cabins, and ten (10) duplexes.⁴

The Amenity I Area will be developed in three (3) phases. Phase 1 will establish the restaurants, venues, commercial shops, and welcome center, with an estimated completion date in December 2025. Phase 2 will include the cabins, with an estimated completion date of August 2026. Phase 3 will include the townhomes, with an estimated completion date of March 2027.⁵ IRM stated that the rates, terms, and conditions of services provided by the Company to its other customers will not change as a result of the transaction, and noted that any future adjustments will be made pursuant to Commission requirements.⁶

In support of the *Amended Petition*, Mr. Cox testified that IRM sought to provide wastewater services to the mixed residential and commercial development in Marion County, Tennessee, to be known as River Gorge Ranch.⁷ According to Mr. Cox, the final development will comprise approximately 2,200 residential properties, consisting of both residential homes and rental units.⁸

² *Id.* at 1-2.

³ *Id.*, Appendix A, p.9.

⁴ *Id.* at 3.

⁵ *Id.* at 3-4.

⁶ *Id.* at 6.

⁷ *Id.*, Exhibit 1, Jeffrey W. Cox, Pre-Filed Direct Testimony (“Exhibit 1”), p.1 (October 23, 2025).

⁸ *Id.*, Exhibit 1, at 2 (October 23, 2025).

Mr. Cox testified that IRM has the managerial, technical, and financial capabilities to provide wastewater service. According to Mr. Cox, IRM will operate an onsite wastewater disposal system similar in design and function to the Company's wastewater facilities serving Isha Enclave, Wild Briar, Grand View, Compass Pointe, and Emory Pointe, among other IRM systems.⁹ Mr. Cox asserted that the project aligns with IRM's growth plan and that the Company has the resources necessary to manage the site.¹⁰

IRM filed a copy of the *Utility Services Agreement* ("*Services Agreement*") negotiated on August 25, 2025, between IRM and Thunder Air, Inc., d/b/a Thunder Enterprises ("*Developer*"). The *Services Agreement* provides that, in accordance with the plans and specifications approved jointly by the Developer and IRM's engineers or representatives, the Developer will be responsible for constructing the wastewater treatment system that will serve Phase One of the development.¹¹ Furthermore, the *Services Agreement* requires the Developer to convey title transferring ownership of the treatment system and a Perpetual Utility Easement ("*Easement*") for the real property where the treatment system is installed to IRM.¹²

IRM has identified C&D Recycling, LLC, as the licensed Contractor responsible for the build-out of the wastewater system for this development.¹³ An itemization of the estimated construction cost in the amount of \$1,712,444 was provided.¹⁴ The estimate included \$1,427,037 in anticipated construction expenses, plus an additional twenty percent (20%) for contingencies. The Company stated that the final estimated costs for construction are dependent on time and cost increases.¹⁵

⁹ *Id.*, Exhibit 1, at 1.

¹⁰ *Id.*, Exhibit 1, at 1.

¹¹ *Id.*, Exhibit 2, *Utility Services Agreement*, ("*Exhibit 2*"), pp.1-2 (October 23, 2025).

¹² *Id.*, Exhibit 2, at 2.

¹³ IRM's Filing of Updated Contractor's License for the Wastewater Installation for River Gorge Ranch, (November 7, 2025).

¹⁴ *Amended Petition*, Exhibit 20 (October 23, 2025).

¹⁵ *Id.*, Appendix A, at 14 (October 23, 2025).

IRM filed a copy of its Tennessee Department of Environment and Conservation (“TDEC”) permit modification application for the treatment facility to serve the Amenity I Area of River Gorge Ranch Subdivision.¹⁶ In an update, IRM filed a copy of its draft State Operating Permit and Construction Plan Approval from TDEC.¹⁷ No party sought intervention in this matter.

THE HEARING

A hearing in this matter was held before the voting panel of Commissioners during the regularly scheduled Commission Conference on December 8, 2025, as noticed by the Commission on November 25, 2025. Participating in the hearing were:

Integrated Resource Management – Charles B. Welch, Jr., Esq., Farris Bobango, PLC, 414 Union Street, Suite 1105, Nashville, Tennessee, President, Jeffrey W. Cox, Jr., President, 3444 Saint Andrews Drive, White Pine, Tennessee.

During the hearing, Jeffrey W. Cox, Jr., President of IRM, presented testimony on behalf of the Company and adopted and summarized his Pre-Filed Direct Testimony, with no corrections or revisions. Mr. Cox was subject to questioning by the voting panel of Commissioners and Commission Staff. Members of the public were given an opportunity to offer comments, but none were received.

STANDARD FOR COMMISSION APPROVAL

A public utility is not permitted to begin construction or operation of a new utility service without first obtaining a CCN from the Commission, as set forth in Tenn. Code Ann. § 65-4-201(a), which states:

No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the commission, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no

¹⁶ *Id.*, Exhibit 3, State Operating Permit Application & Engineering Report (October 23, 2025).

¹⁷ TDEC Draft of State Operating Permit No. SOP-24026 IRM Utility, Inc. Amenity 1 Sewer System River Gorge Ranch Guild, Marion County, Tennessee, and Approval Letter (October 30, 2025).

person or corporation not at the time a public utility shall commence the construction of any plant, line, system, or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate; provided, however, that this section shall not be construed to require any public utility to obtain a certificate for an extension in or about a municipality or territory where it shall theretofore have lawfully commenced operations, or for an extension into territory, whether within or without a municipality, contiguous to its route, plant, line, or system, and not theretofore receiving service of a like character from another public utility, or for substitute or additional facilities in or to territory already served by it.¹⁸

Additionally, in order to obtain a CCN to provide wastewater service, TPUC Rule 1220-04-13-.17(1) provides:

Any public wastewater utility requesting a Certificate of Public Convenience and Necessity (“CCN”) in accordance with Tenn. Code Ann. §§ 65-4-201, et seq., shall file an application that complies with Rule 1220-01-01-.03 and this rule. Each applicant shall demonstrate to the Commission that it possesses sufficient managerial, financial, and technical capabilities to provide the wastewater services for which it has applied. Each application shall demonstrate that there exists a public need for wastewater service and include the required financial security consistent with Tenn. Code Ann. § 65-4-201, and these rules.¹⁹

The rule further establishes minimum filing requirements for new or expanded applications for CCNs.²⁰

FINDINGS AND CONCLUSIONS

Based on the evidentiary record, the panel found that IRM has the requisite managerial, technical, and financial capabilities to operate the wastewater system to serve Phase One of the proposed River Gorge Ranch Subdivision in Marion County, Tennessee.

There are, however, certain documents that must be filed with the Commission that cannot be finalized or are otherwise unavailable until after a CCN is granted. Therefore, the panel voted unanimously that IRM be granted an expansion of its CCN to serve Phase One of the wastewater

¹⁸ Tenn. Code Ann. § 65-4-109 (2022).

¹⁹ Tenn. Comp. R. & Regs. 1220-04-13-.17.

²⁰ *Id.*

system contingent upon the Company filing the following documents in this docket: (1) the deed and/or easements for all the land and ownership rights to the wastewater system within 15 days of being issued and before the first customer is connected to the wastewater system, as set forth in contracts submitted by IRM; (2) a final copy of the State Operating Permit issued by the Tennessee Department of Environment and Conservation within 15 days of issuance; (3) a copy of the as-built plans with signed certification by IRM confirming that the wastewater system has been inspected and is approved to begin operation; (4) a copy of the signed plat once the area of development is approved by the City and/or County government within 15 days of being issued and before the first customer is connected to the wastewater system; (5) a copy of the performance bond from the developer or builder of the wastewater system made payable to the IRM to ensure the completion of the wastewater system. The performance bond shall be for an amount equal to or greater than the cost of the system as provided in contracts between the builder, developer, and/or utility; and (6) the final amount of contributed capital being transferred to IRM no later than 15 days after the final plat is signed.

The panel further directed IRM to file a final report in this docket confirming its compliance with these filing requirements before providing wastewater service to Phase One of River Gorge Ranch Subdivision. In the event that compliance is not attained and a report is not filed, the panel directed IRM to file a progress report within six months of the date this order is issued and every three (3) months thereafter until the installation is complete, reporting on the provision of wastewater service to Phase One of River Gorge Ranch Subdivision, as well as the status of its compliance with each of the aforementioned filing requirements.

IT IS THEREFORE ORDERED THAT:

1. The *Amended Petition of Integrated Resource Management, Inc. for a Certificate of Convenience and Necessity* filed on October 23, 2025, by Integrated Resource Management,

Inc. is approved, subject to Integrated Resource Management, Inc. filing the following in this docket:

a. The deed and/or easements for all the land and ownership rights to the wastewater system within 15 days of being issued and before the first customer is connected to the wastewater system, as set forth in the contracts submitted to the Commission by Integrated Resource Management, Inc.;

b. A copy of the final State Operating Permit issued by the Tennessee Department of Environment and Conservation within fifteen (15) days of its issuance;

c. A copy of the as-built plans, with certification from Integrated Resource Management, Inc., showing that the inspection has been completed and approval to begin operation has been obtained;

d. A copy of the signed plat, once the area of development is approved by the City and/or County government, within fifteen (15) days of issuance and before the first customer is connected to the wastewater system;

e. A copy of the performance bond from the developer or builder of the wastewater system, payable to Integrated Resource Management, Inc., to ensure the completion of construction of the wastewater system. The performance bond shall be in an amount equal to or greater than the cost of the system as provided in contracts between the builder, developer, and/or utility; and

f. The final amount of contributed capital transferred to Integrated Resource Management, Inc., no later than fifteen (15) days after the final plat is signed by Integrated Resource Management, Inc..

2. Integrated Resource Management, Inc. is directed to file a report in this docket demonstrating its compliance with the filing of the above-referenced documents. If the required

documentation is not filed within six (6) months of this order, Integrated Resource Management, Inc. is directed to file a report on the status of the provision of wastewater service to the Amenity I Area of River Gorge Ranch Subdivision in the City of Guild, Marion County, Tennessee, as well as the status of its compliance with each of the filing requirements. The compliance report shall be updated every three (3) months until installation of the wastewater system is complete.

3. Any person who is aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within fifteen (15) days from the date of this Order.

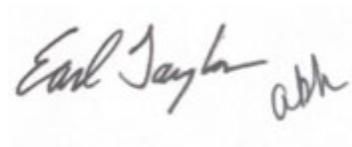
4. Any person who is aggrieved by the Commission's decision in this matter has the right to judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from the date of this Order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Chairman David F. Jones,
Vice Chairman John Hie,
Commissioner Herbert H. Hilliard,
Commissioner Clay R. Good, and
Commissioner Kenneth C. Hill concurring.**

None dissenting.

ATTEST:



Earl R. Taylor, Executive Director