

# TENNESSEE PUBLIC UTILITY COMMISSION

Electronically Filed in TPUC Docket  
Room on March 3, 2026 at 9:28 a.m.



Andrew Jackson State Office Bldg,  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243-0001

## **NOTICE OF FILING**

**IN RE:** *Petition of Edge Wastewater, LLC for a Certificate of Convenience and Necessity to Include the Baker Farms Subdivision in Maury County, Tennessee (With Exhibits and Direct Testimony of Matthew Nicks)*

**DOCKET NO.:** 26-00017

**DATE:** March 3, 2026

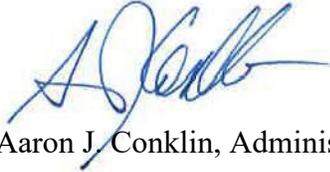
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On March 2, 2026, Mr. R. Matthew Nicks, President of Edge Wastewater, LLC (“Edge”) filed a Petition in this docket on behalf of Edge. Tennessee law requires that corporate entities be represented by counsel in contested case matters. The Tennessee Public Utility Commission published a *Notice Concerning Attorney Representation in Contested Case Proceedings Before the Commission* (“*Notice on Attorney Representation*”) on August 28, 2023, providing notice of the types of matters before the Commission that require attorney representation. A copy of the *Notice on Attorney Representation* is attached as Exhibit 1. A Petition for a Certificate of Public Convenience and Necessity (“CCN”) is deemed to be a contested case by statute.<sup>1</sup> Therefore, Edge is required to be represented by an attorney licensed in the State of Tennessee or otherwise admitted pro hac vice in the above referenced docket.

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<sup>1</sup> Tenn. Code Ann. § 4-5-102 (West 2026).

Edge is required to have local counsel submit an entry of appearance in this matter by **April 3, 2026**. If an attorney does not file an appearance on behalf of Edge as required, this matter will be dismissed without prejudice, and the docket will be administratively closed.

A handwritten signature in blue ink, appearing to read 'A. Conklin', with a stylized flourish at the end.

Aaron J. Conklin, Administrative Judge

# **EXHIBIT 1**

# TENNESSEE PUBLIC UTILITY COMMISSION



Andrew Jackson State Office Bldg.  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243-0001

August 28, 2023

## NOTICE CONCERNING ATTORNEY REPRESENTATION IN CONTESTED CASE PROCEEDINGS BEFORE THE COMMISSION

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Notice is hereby given that, in accordance with Tennessee law, representation by a Tennessee licensed attorney is required for any corporation or limited liability company appearing as a party in any contested case proceeding before the Commission. The Tennessee Uniform Procedures Act, Tenn. Code Ann. § 4-5-101 *et seq.* defines a contested case as:

. . . a proceeding, including a declaratory proceeding, in which the legal rights, duties or privileges of a party are required by any statute or constitutional provision to be determined by an agency after an opportunity for a hearing. Such proceeding may include rate making; price fixing; granting of certificates of convenience and necessity; the making, review or equalization of tax assessments; the granting or denial of licenses, permits or franchises where the licensing board is not required to grant the licenses, permits or franchises upon the payment of a fee or the finding of certain clearly defined criteria; and suspensions of, revocations of, and refusals to renew licenses. An agency may commence a contested case at any time with respect to a matter within the agency's jurisdiction.<sup>1</sup>

Contested cases before the Commission include, but are not limited to, rate cases, petitions for a certificate of public convenience and necessity (“CCN”), petitions to amend a CCN, petitions to provide competing local telecommunications services, applications for certificate to provide operations services and/or resell telecommunication services, and show cause proceedings.

In administrative law matters under the Uniform Administrative Procedures Act, a corporate party may participate in a hearing by a duly authorized representative.<sup>2</sup> The Tennessee Court of Appeals differentiates between “informal, information gathering proceeding[s]” wherein

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<sup>1</sup> Tenn. Code Ann. § 4-5-102(3) (2023).

<sup>2</sup> Tenn. Code Ann. § 4-5-305(a).

a non-attorney may be a corporate party participant pursuant to Tenn. Code Ann. § 4-5-305(a), and “formal adversarial proceedings as in a contested case proceeding” in which a non-attorney may not represent a corporate party.<sup>3</sup>

It is well settled Tennessee law that a corporation may not act *pro se* in contested legal matters, nor may it be represented by an officer or other non-lawyer agent. Tennessee courts have held that allowing a corporation, or an officer on behalf of a corporation, to sign pleadings would result in the unauthorized practice of law.<sup>4</sup> Preparation and filing of documents that initiate contested case proceedings require the professional judgment of an attorney and as such, is the practice of law.<sup>5</sup> As such, all contested case proceedings before the Commission in which a business entity is participating as a party must be represented by legal counsel, as discussed in this notice.

**FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:**

  
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Kelly Cashman Grams, General Counsel

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<sup>3</sup> *Tenn. Envtl. Council v. Water Quality Control Bd.*, 254 S.W.3d 396, 407 (Tenn. Ct. App. 2007).

<sup>4</sup> *Old Hickory Eng'g & Mach. Co., Inc. v. Henry*, 937 S.W.2d 782, 785-786 (Tenn. 1996).

<sup>5</sup> *Id.*