

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

JOINT PETITION OF CROSSROADS)
UTILITIES, LLC (“CROSSROADS”) AND LMH)
UTILITIES CORP. (“LMH”) FOR APPROVAL AND)
AUTHORIZATION OF: (A) THE ACQUISITION)
BY CROSSROADS OF LMH’S WASTEWATER)
UTILITY PROPERTY (THE “LMH SYSTEM”) IN)
DEARBORN COUNTY, INDIANA PURSUANT TO)
THE PURCHASE AGREEMENT THEREFOR;) CAUSE NO. 45833
(B) APPROVAL OF ACCOUNTING AND RATE BASE)
TREATMENT; (C) APPROVAL OF THE APPLICATION)
OF LMH’S EXISTING RATES AND CHARGES AFTER)
CLOSING; (D) APPROVAL OF CROSSROADS’)
RULES AND REGULATIONS)
FOLLOWING CLOSING; (E) APPLICATION OF)
LMH’S DEPRECIATION ACCRUAL RATES TO SUCH)
ACQUIRED PROPERTIES; AND (F) THE APPROVAL OF)
THE TRANSFER OF LMH’S CERTIFICATE OF)
TERRITORIAL AUTHORITY TO CROSSROADS.)

VERIFIED PRE-FILED DIRECT TESTIMONY OF ZACH TUCKER

SUBMITTED ON BEHALF OF

CROSSROADS UTILITIES, LLC

January 3, 2023

1 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND BRIEF BUSINESS**
2 **DESCRIPTION.**

3 A. My name is Zach Tucker. I serve as the Operations Manager for Envirolink of Indiana,
4 LLC (“Envirolink Indiana”), which is an affiliate of Crossroads Utilities, LLC
5 (“Crossroads”). My business address is 23596 Suite C, Jeb Dr., Lawrenceburg, IN 47025.
6 Envirolink Indiana has served as the contract operator for the LMH Utilities Corp.
7 wastewater system (the “LMH System”) since May, 2022. I am directly involved in the
8 day-to-day operations of the LMH System and serve as the Operator Responsible in
9 Charge.

10 **Q. PLEASE STATE YOUR EDUCATIONAL BACKGROUND.**

11 A. I received a Bachelor of Arts from Indiana University in 2009. As part of his testimony
12 describing the managerial and technical abilities of Crossroads, my biographic information
13 is attached to the testimony of Mr. Myers.

14 **Q. WOULD YOU BRIEFLY DESCRIBE YOUR PROFESSIONAL EXPERIENCE?**

15 A. I hold an Indiana Class II Wastewater Operator license, which was awarded to me in 2014.

16 **Q. PLEASE DESCRIBE YOUR HISTORY WORKING WITH THE LMH SYSTEM.**

17 A. My family built the LMH System and I began working with the LMH System in January
18 of 2011. My responsibilities with the LMH System began with my assisting our previous
19 operator at LMH Plant. My responsibilities have evolved over time to manager of daily
20 operations since May of 2011, when the previous operator left the position. In May, 2022,
21 I was hired by Envirolink Indiana and I have continued my role in the day-to-day operations
22 of the LMH System under the contract between LMH and Envirolink Indiana.

1 **Q. DO YOU WORK ON ENVIRONLINK INDIANA’S BEHALF FOR ANY OTHER**
2 **INDIANA SYSTEMS?**

3 A. No.

4 **Q. HOW WOULD YOU DESCRIBE THE LMH SYSTEM?**

5 A. I agree with the description of the LMH System provided by other witnesses. The LMH
6 System was built in 1987. The LMH System consists of a 480,000 gallon per day
7 wastewater treatment plant, 17 lift stations, 1,331 service connections, approximately
8 180,339 feet of gravity collection mains and approximately 32,068 feet of force mains.
9 Included with my testimony as **Attachment ZT-1** is a simplified diagram of the LMH
10 treatment plant. Also included as **Attachment ZT-2** is a map showing the location of the
11 LMH System relative to the county’s boundaries and a map showing the location of LMH’s
12 facilities. Generally speaking, the LMH System is providing adequate wastewater service.
13 As I will discuss below, parts of the LMH System have experienced system overflows and
14 LMH has worked to remedy issues raised by the Indiana Department of Environmental
15 Management (“IDEM”) inspection reports. I agree with Mr. Myers and Mr. Lagaly that
16 there are several opportunities for improvements to the LMH System that will result in a
17 more efficient and cost-effective system so that customers continue to receive good quality
18 service in the future.

19 **Q. HOW HAS THE LMH SYSTEM CHANGED SINCE THE LAST LMH BASE RATE**
20 **CASE IN 2019?**

1 A. In the last LMH base rate case docketed as Cause No. 45307-U, the Indiana Office of
2 Utility Consumer Counselor (“OUCC”) witness James Parks testified¹ that in its July, 2019
3 inspection report, IDEM noted three concerns with the LMH System:

4 1. IDEM rated the receiving water as unsatisfactory, due to the post-
5 aeration steps and effluent pipe containing a whitish substance associated
6 with the de-chlorination chemical sodium thiosulfate, which is used as part of
7 the treatment process.

8 2. IDEM also noted that overall housekeeping of the facility should be
9 addressed. The inspector observed heavy vegetation, trees, and/or
10 limbs growing into the "L"/digester tank and throughout the facility and
11 several debris piles from the SBR tanks were observed throughout the
12 facility.

13 3. The IDEM inspector also noted several deficiencies in LMH’s on-
14 site laboratory.

15

16 I prepared LMH’s responsive communication to IDEM outlining LMH’s plans to address
17 IDEM’s concerns. The IDEM inspection and LMH’s response are included as **Attachment**
18 **ZT-3** to my testimony. We proceeded to remove vegetation around the specified tanks and
19 implemented a plant-wide cleanup, including reorganizing equipment and inventory, as
20 well as cleaning debris and unwanted vegetation around tanks, fences, and other structures.
21 There is still some vegetation growing up from two baffles in the “L”- Tank digester, which
22 we are aware of and have plans to remove once more of the foliage falls away.

23 **Q. PLEASE DESCRIBE ALL KNOWN INFRASTRUCTURE, ENVIRONMENTAL,**
24 **OR OTHER ISSUES AFFECTING THE LMH SYSTEM.**

25 A. Three lift stations on the north side of the LMH System have experienced overflows or
26 backups of its collection system resulting in 7 reportable incidents to IDEM over the past

¹ Cause No. 45307-U, testimony of James Parks at 3.

1 two years, which are included as **Attachment ZT-4** to my testimony. Additionally, there
2 are treatment inefficiencies in the way the tanks are aerated; NH₃ (ammonia) removal has
3 been a problem at times due to under-aeration which could be remedied by updated
4 diffusers in the bottoms of the tanks. Also, the collection system is treating more than just
5 wastewater because sump pumps from certain houses are tied into the system, which itself
6 is aging out of its useful life span (approximately 35 years old in certain areas), causing
7 excess flows during wet weather times. It also appears that certain lift stations and/or
8 gravity lines conveying the sewage are under sized. I agree with Mr. Myers and Mr. Lagaly
9 that there are numerous areas for improvement in the operations and maintenance of the
10 LMH System that will provide greater reliability and operational efficiency such as the use
11 of CCTV in the collection system, lift stations telemetry, additional spare parts, improved
12 effluent discharge, sludge press improvement, general maintenance improvements and the
13 implementation of best practices, as well as hiring more employees. I also agree with Mr.
14 Myers that LMH's customer service capabilities could be improved through the
15 implementation of reverse 411 informational announcements, additional billing options
16 such as ACH, credit card payments and in -person payment, as well as 24/7 customer
17 support.

18 **Q. IS THE LMH SYSTEM CURRENTLY SUBJECT TO ANY ENVIRONMENTAL**
19 **ENFORCEMENT ACTIONS?**

20 A. None that I am aware of.

21 **Q. HAVE THERE BEEN ANY ADDITIONS OR IMPROVEMENTS TO THE LMH**
22 **SYSTEM SINCE LMH FILED ITS LAST BASE RATE CASE IN CAUSE NO.**
23 **45307-U?**

1 A. No.

2 **Q. HAVE THERE BEEN ANY ADDITIONS OR IMPROVEMENTS TO THE LMH**
3 **SYSTEM SINCE THE APPRAISALS WERE CONDUCTED?**

4 A. No.

5 **Q. DO YOU BELIEVE LMH'S CUSTOMERS WILL BENEFIT FROM**
6 **CROSSROADS' ACQUISITION OF THE LMH SYSTEM?**

7 A. Yes. I believe that customers will benefit from the improvements to the LMH System that
8 Mr. Myers and Mr. Lagaly describe. I also believe that customer service will be enhanced
9 by the implementation of the operational changes they describe. Based on my interactions
10 with the Crossroads team and my experience with its affiliate, Envirolink Indiana, I believe
11 that customers of the LMH System will see an improved system, more responsive customer
12 service, and an overall better quality of service as a result of Crossroads' acquisition of the
13 LMH System.

14 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

15 A. Yes.

16 4456009_1

VERIFICATION

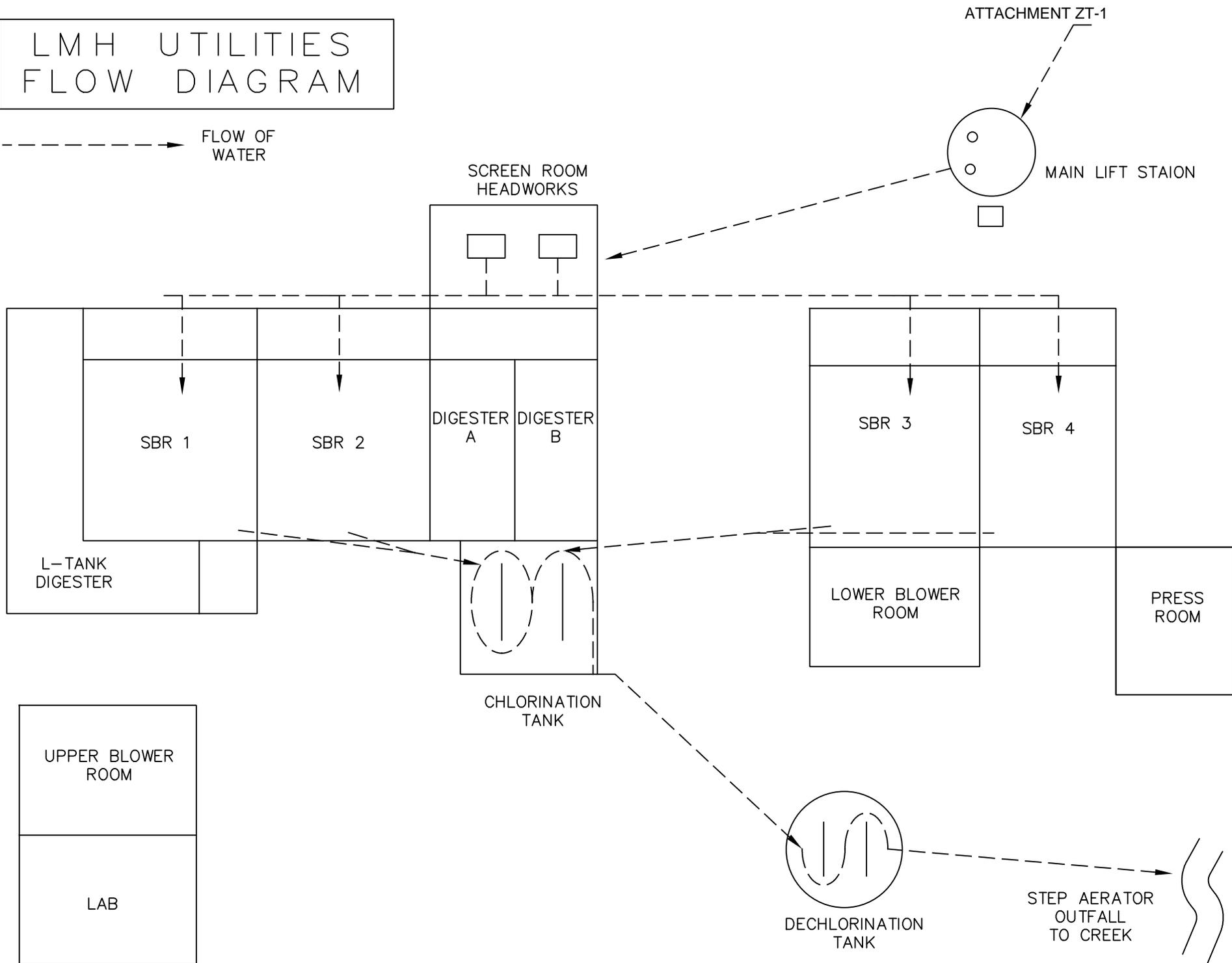
I hereby verify that the foregoing testimony is true and accurate to the best of my knowledge and belief.

DATED: 12-16-2022

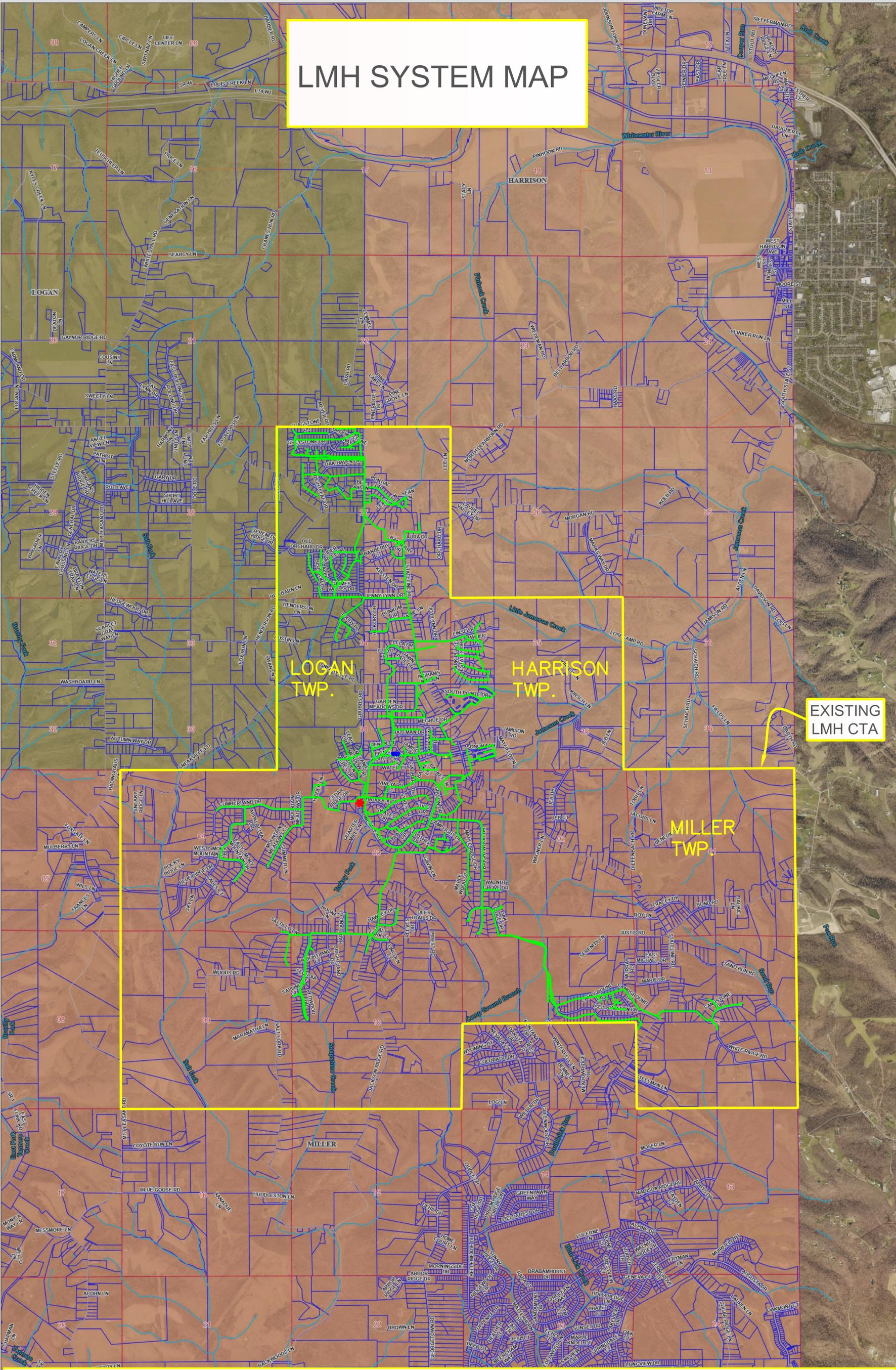
By:  _____

LMH UTILITIES FLOW DIAGRAM

---> FLOW OF WATER



LMH SYSTEM MAP



Legend
 Parcels
 Sections
 Roads
 Streams

NOTES

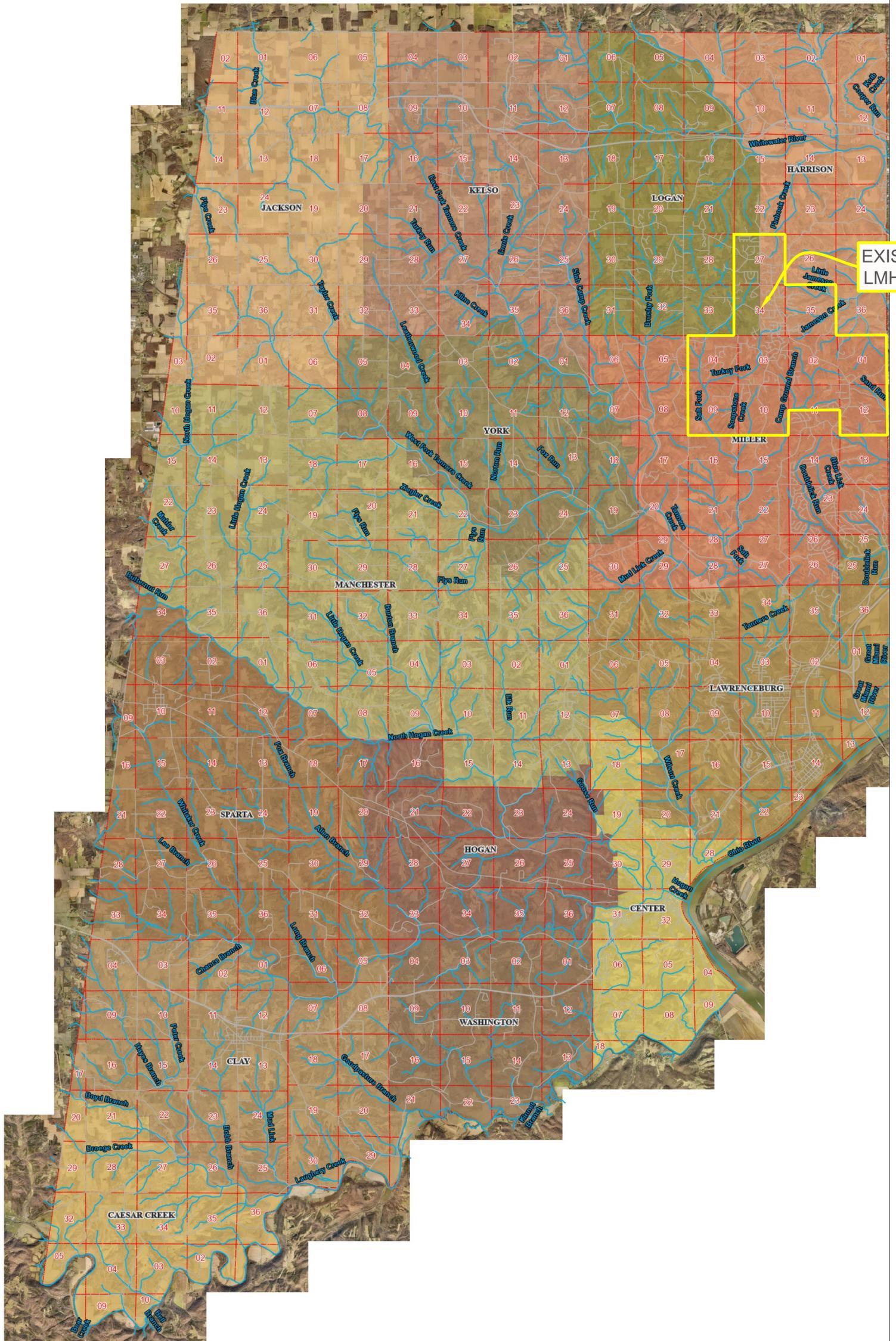
- 1) SCALE: 1" = 0.25 mi
- 2) MAP UNDERLAY FOR LMH SYSTEM SHOWING ALL ROADS, STREAMS, PROPERTY LINES, SECTIONS, & TOWNSHIPS WAS PRODUCED FROM DEARBORN COUNTY GIS WEBSITE

LEGEND

- ★ LOCATION OF EXISTING LMH UTILITIES WWTP
- EXISTING LMH SEWER MAINS



LMH CTA DEARBORN COUNTY INDIANA



EXISTING
LMH CTA

NOTES:

- 1) SCALE: 1" = 1 mi
- 2) MAP UNDERLAY FOR LMH SYSTEM SHOWING ALL ROADS, STREAMS, PROPERTY LINES, SECTIONS, & TOWNSHIPS WAS PRODUCED FROM DEARBORN COUNTY GIS WEBSITE

