

February 13, 2023

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VIA ELECTRONIC FILING

Hon. Herbert H. Hilliard, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

RE: *In Re: Application of Limestone Water Utility Operating Company, LLC for Authority to Purchase Title to the Assets, Property, and Real Estate of a Water System, Candlewood Lakes, and for a Certificate of Public Convenience and Necessity, TPUC Docket No. 21-00059*

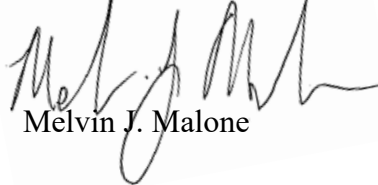
Dear Chairman Hilliard:

Attached for filing please find Limestone Water Utility Operating Company, LLC's *Motion to Change the Date of the Hearing and to Change the Date of Filing of Pre-Filed Testimony and Memorandum in Support of Limestone's Motion* in the above-captioned matter.

As required, the original plus four (4) hard copies will be mailed to your office. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw

Attachment

cc: Russ Mitten

James P. Urban, Consumer Advocate Division

Karen H. Stachowski, Consumer Advocate Division

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

IN RE:)
)
APPLICATION OF LIMESTONE)
WATER UTILITY OPERATING)
COMPANY, LLC FOR AUTHORITY)
TO PURCHASE TITLE TO THE)
ASSETS, PROPERTY, AND REAL)
ESTATE OF A WATER SYSTEM,)
CANDLEWOOD LAKES, AND FOR A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY)

DOCKET NO. 21-00059

**MOTION OF LIMESTONE WATER UTILITY OPERATING
COMPANY, LLC TO CHANGE THE DATE OF THE HEARING
AND TO CHANGE THE DATE OF FILING OF PRE-FILED TESTIMONY**

Pursuant to the *Notice of Hearing and Filing of Pre-Filed Testimony* issued by the Tennessee Public Utility Commission (“Commission” or “TPUC”) on February 1, 2023, in the above-captioned matter, Limestone Water Utility Operating Company, LLC (“Limestone” or “Petitioner”) respectfully submits this *Motion to Change the Date of the Hearing and to Change the Date of Filing of Pre-Filed Testimony*. For the reasons set forth in its supporting memorandum, and for just cause shown, Limestone respectfully requests that the Commission grants this motion.

Respectfully submitted,

BUTLER SNOW LLP

By: 

Melvin Malone

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Company, LLC*

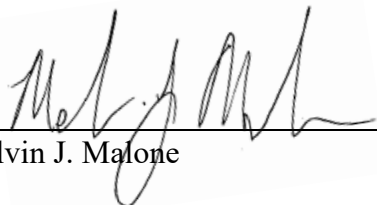
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

James P. Urban, Esq.
Deputy Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
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Karen H. Stachowski, Esq.
Senior Assistant Attorney General
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Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Karen.Stachowski@ag.tn.gov

This the 13th day of February 2023.



Melvin J. Malone

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

IN RE:

**APPLICATION OF LIMESTONE
WATER UTILITY OPERATING
COMPANY, LLC FOR AUTHORITY
TO PURCHASE TITLE TO THE
ASSETS, PROPERTY, AND REAL
ESTATE OF A WATER SYSTEM,
CANDLEWOOD LAKES, AND FOR A
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

DOCKET NO. 21-00059

**MEMORANDUM IN SUPPORT OF MOTION TO CHANGE THE DATE OF THE
HEARING AND TO CHANGE THE DATE OF FILING OF PRE-FILED TESTIMONY**

Pursuant to the *Notice of Hearing and Filing of Pre-Filed Testimony* (“Notice”) issued by the Tennessee Public Utility Commission (“TPUC” or “Commission”) on February 1, 2023, in the above-captioned matter, Limestone Water Utility Operating Company, LLC (“Limestone”) respectfully submits this *Memorandum in Support of Limestone’s Motion to Change the Date of the Hearing and to Change the Date of Filing of Pre-Filed Testimony*. For the reasons set forth below, and for just cause shown, Limestone respectfully requests that the Commission change the date of the hearing from February 27, 2023, to March 20, 2023, and change the date of filing of pre-filed testimony from February 15, 2023, to March 6, 2023.

I.

DISCUSSION AND SUPPORT

On May 20, 2021, Limestone submitted its Application of Limestone Water Utility Operating Company, LLC for Authority to Purchase Title to the Assets, Property, and Real Estate of a Water System, Candlewood Lakes, and for a Certificate of Public Convenience and Necessity.

On January 5, 2023, the Commission issued its *Order Approving Settlement Agreement and Transfer of Systems, Granting Certificate of Convenience and Necessity, and Disallowing Continuation of Candlewood Lakes POA's Water Availability Fee*. On January 20, 2023, Limestone submitted a petition for reconsideration of the Commission's January 5, 2023 Order.

In the *Notice*, the Commission set the hearing on the petition for reconsideration for February 27, 2023. Further, the agency set the date for submitting pre-filed testimony of witnesses who will appear and testify at the hearing for February 15, 2023. Limestone witness Josiah Cox testified at the October 10, 2022, hearing in this matter and will be Limestone's witness testifying in support of its petition for reconsideration. Unfortunately, Mr. Cox is currently scheduled to testify before the Mississippi Public Service Commission on February 27, 2023. Due to Mr. Cox unavailability to appear before the Commission on February 27th, Limestone respectfully requests that this matter be rescheduled for the Commission's next regular Conference anticipated to be held on March 20, 2023. If the Commission approves Limestone's request to reschedule the hearing date, we also request that the date for the submission of pre-filed testimony also be changed to a date closer to the March 20, 2023, such as March 6, 2023.

II.

CONCLUSION

For the foregoing reasons, and for just cause shown, Limestone Water Utility Operating Company, LLC respectfully requests the Commission to change the date of the hearing from

February 27, 2023, to March 20, 2023, and to change the date of filing of pre-filed testimony from February 15, 2023, to March 6, 2023.

Respectfully submitted,

BUTLER SNOW LLP

By: 

J.W. Luna

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*Counsel for Limestone Water Utility Operating
Company, LLC*

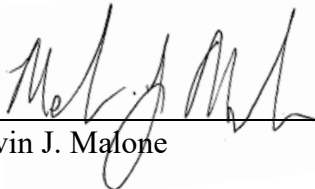
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James P. Urban, Esq.
Deputy Attorney General
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Karen H. Stachowski, Esq.
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Office of the Tennessee Attorney General
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This the 13th day of February 2023.



Melvin J. Malone