

# BUTLER | SNOW

May 10, 2023

Electronically Filed in TPUC Docket  
Room on May 10, 2023 at 11:02 a.m.

## VIA ELECTRONIC FILING

Hon. Herbert H. Hilliard, Chairman  
c/o Ectory Lawless, Docket Room Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243  
[TPUC.DocketRoom@tn.gov](mailto:TPUC.DocketRoom@tn.gov)

**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 *Report Demonstrating Compliance with Contingencies in the Order Approving Petition of Reconsideration of Order Approving Settlement Agreement, Transfer of Systems, Granting of Certificate of Convenience and Necessity, and Disallowing Continuation of Candlewood Lakes POA's Water Availability Fee* in the above-captioned matter. Please note that Exhibit 1 – List of Customers is being submitted **UNDER SEAL** as **CONFIDENTIAL and PROPRIETARY**. Both a public version and a nonpublic, **CONFIDENTIAL** version of Exhibit 1 – List of Customers are attached.

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.

Sincerely,

BUTLER SNOW LLP



Katherine Barnes

clw

Attachments

cc: Russ Mitten

James P. Urban, Consumer Advocate Division

Karen H. Stachowski, Consumer Advocate Division

*The Pinnacle at Symphony Place  
150 3<sup>rd</sup> Avenue South, Suite 1600  
Nashville, TN 37201*

**KATHERINE B. BARNES**  
615.651.6797  
[katherine.barnes@butlersnow.com](mailto:katherine.barnes@butlersnow.com)

*T 615.651.6700  
F 615.651.6701  
[www.butlersnow.com](http://www.butlersnow.com)*

BUTLER SNOW LLP

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

<b>IN RE:</b>	)	
	)	
<b>APPLICATION OF LIMESTONE</b>	)	
<b>WATER UTILITY OPERATING</b>	)	
<b>COMPANY, LLC FOR AUTHORITY</b>	)	
<b>TO PURCHASE TITLE TO THE</b>	)	<b>DOCKET NO. 21-00059</b>
<b>ASSETS, PROPERTY, AND REAL</b>	)	
<b>ESTATE OF A WATER SYSTEM,</b>	)	
<b>CANDLEWOOD LAKES, AND FOR A</b>	)	
<b>CERTIFICATE OF PUBLIC</b>	)	
<b>CONVENIENCE AND NECESSITY</b>	)	

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**REPORT DEMONSTRATING COMPLIANCE WITH CONTINGENCIES IN THE  
ORDER APPROVING PETITION OF RECONSIDERATION OF ORDER  
APPROVING SETTLEMENT AGREEMENT, TRANSFER OF SYSTEMS,  
GRANTING OF CERTIFICATE OF CONVENIENCE AND NECESSITY, AND  
DISALLOWING CONTINUATION OF CANDLEWOOD LAKES POA’S WATER  
AVAILABILITY FEE**

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On May 1, 2023, the Tennessee Public Utility Commission (“TPUC” or “Commission”) issued its *Order Approving Petition of Reconsideration of Order Approving Settlement Agreement, Transfer of Systems, Granting of Certificate of Convenience and Necessity, and Disallowing Continuation of Candlewood Lakes POA’s Water Availability Fee* (“Order”).<sup>1</sup> In the Order, the Commission conditioned its approval of the *Stipulation and Settlement Agreement*,<sup>2</sup> entered into by Limestone Water Utility Operating Company, LLC (“Limestone”), the Consumer Advocate Division of the Office of the Tennessee Attorney General, Candlewood Lakes Property Owners

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<sup>1</sup> *Order Approving Petition of Reconsideration of Order Approving Settlement Agreement, Transfer of Systems, Granting of Certificate of Convenience and Necessity, and Disallowing Continuation of Candlewood Lakes POA’s Water Availability Fee*, p. 18-19, TPUC Docket No. 21-00059 (May 1, 2023).

<sup>2</sup> *Stipulation and Settlement Agreement*, TPUC Docket No. 21-00059 (Aug. 19, 2022).

Association, Inc., and Candlewood Lakes POA Water Works, Inc., on Limestone's filing the following documents:

- a. A list of all customers of the water system, including those customers and lot owners currently paying only the Water Availability Fee; and
- b. A proof of notice to all customers of the water system, including those customers and lot owners currently paying only the Water Availability Fee, that the ownership and operation of the water system has transferred to Limestone and Limestone will assess and charge rates for the provision of water utility service.

A list of all customers of the water system, including those customers and lot owners paying only the Water Availability Fee is attached **UNDER SEAL as CONFIDENTIAL and PROPRIETARY EXHIBIT 1**. Proof of notice to all customers of the water system, including those customers and lot owners paying only the Water Availability Fee, that the water system's ownership and operation has transferred to Limestone and Limestone will assess and charge rates for the provision of water utility services is attached as **Exhibit 2**.

Therefore, Limestone has complied with all the conditions listed in the Order.

Respectfully submitted,

BUTLER SNOW LLP

By: Katherine Barnes

Katherine Barnes

Melvin Malone

The Pinnacle at Symphony Place

150 Third Avenue South, Suite 1600

Nashville, TN 37201

Tel: (615) 651-6700

[Katherine.Barnes@butlersnow.com](mailto:Katherine.Barnes@butlersnow.com)

[Melvin.Malone@butlersnow.com](mailto:Melvin.Malone@butlersnow.com)

COUNSEL FOR LIMESTONE WATER UTILITY  
OPERATING COMPANY, LLC

# **PUBLIC VERSION**

## **EXHIBIT 1**

### **List of Customers**

## **EXHIBIT 2**

### **Proof of Notice to Customers**

**BEFORE THE  
TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE  
DOCKET NO. 21-00059**

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**Affadavit of Mailing by Limestone Water Utility Operating Company, LLC**

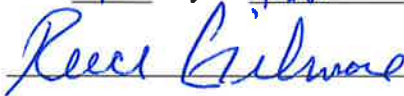
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Personally appeared before me, Aaron Silas, who after being duly sworn, deposes and states as follows: I caused to be mailed on the 2<sup>nd</sup> day of May, 2023, via First-Class Mail, to all customers in the Candlewood Lakes service area at the customer addresses maintained in the company's files, one copy of the attached Customer Letter.

  
\_\_\_\_\_  
Aaron Silas, Director of Regulatory Operations

SWORN TO AND SUBSCRIBED BEFORE ME

This 4<sup>TH</sup> day of MAY, 2023

  
\_\_\_\_\_

Notary Public for MISSOURI



My Commission Expires: OCT 16<sup>TH</sup>, 2024

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  
[James.Urban@ag.tn.gov](mailto:James.Urban@ag.tn.gov)

Karen H. Stachowski, Esq.  
Senior Assistant Attorney General  
Office of the Tennessee Attorney General  
Consumer Advocate Division  
P.O. Box 20207  
Nashville, TN 37202-0207  
[Karen.Stachowski@ag.tn.gov](mailto:Karen.Stachowski@ag.tn.gov)

This the 10<sup>th</sup> day of May 2023.



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Katherine Barnes