

TENNESSEE PUBLIC UTILITY COMMISSION



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

Electronically Filed in TPUC Docket
Room on October 11, 2023 at 1:13 p.m.

October 11, 2023

Mr. Josiah Cox
Limestone Water Utility Operating Company
1630 Des Peres Rd. Suite 140
St. Louis, MO 63131
Sent By Email: jcox@cswrgroup.com

In Re: Docket No. 22-00059, *Application of Limestone Water Utility Operating Company, LLC*
FOR: (1) Authority to Expand Its Certificate of Convenience and Necessity to
Include the Laurel Creek Subdivision and (2) Motion to Waive Commission Rule
1220-04-13-.17(c)(3).

Dear Mr. Cox:

To assist the Commission in its ongoing investigation into the above referenced docket, it is requested that responses be provided to the following:

1. Regarding Commission Rule 1220-04-13-.17(2)(b)(2): Provide a copy of the franchise waiver to be acquired for this project (mentioned in Exhibit 2.2 of the Petition), or in the alternative, provide the applicable franchise agreement.
2. Regarding Commission Rule 1220-04-13-.17(2)(b)(3): The Utility Services Agreement has Craig Hostert signing on behalf of the Developer. Please confirm that Mr. Hostert is an authorized signer regarding the financial interests and intent of Westpark Laurel Creek, LLC.
3. Regarding Commission Rule 1220-04-13-.17(2)(b)(3): The language of the Utility Services Agreement provided as Exhibit 2.3 to the Petition establishes that Limestone will be operating a water system for the developer. However, this is inconsistent with the Petition which requests permission for wastewater service and stating that public water supply will be provided by Sevier County Water. Please explain this inconsistency and submit corrective documentation as appropriate to clarify the terms of the Utility Services Agreement.
4. Regarding Commission Rule 1220-04-13-.17(2)(d)(1): While the Commission recognizes the preliminary engineering reports that accompanied the SOP application were filed as Exhibit 1.8, the actual SOP application from The Tennessee Department of Environment and Conservation was omitted from this filing. Please file a copy of Limestone's SOP application

sent to TDEC, as well as TDEC's letter of receiving a complete application, as well as any draft permits issued by TDEC.

5. Regarding Commission Rule 1220-04-13-.17(2)(d)(2): The Company provided a list of six certified wastewater operators to the Consumer Advocate in Limestone's September 9, 2022, response. Please identify which of these individual(s) will be the operator(s) of Laurel Creek subdivision, and whether these individual(s) will work for Limestone, a Limestone affiliate, or a third party provider.
6. Regarding Commission Rule 1220-04-13-.17(2)(e)(7): Confirm the Developer's ability to grant Limestone title to the assets that will be transferred to Limestone pursuant to the Utility Services Agreement and specify the Map Number and Parcel ID of the land related to this Agreement.
7. As in previous dockets, please refile the information contained in Exhibit 5.2 attached to the June 28, 2022, Petition as non-confidential. Should the Company refuse to lift the confidentiality of this information, Staff requests that the Company provide a legal brief and/or detailed explanation as to why this information should be treated as confidential.

Please provide all responses no later than 2:00 p.m. on Friday, October 20, 2023. Responses may be submitted electronically at tpuc.docketroom@tn.gov with one hard copy mailed to the Docket Manager at the Tennessee Public Utility Commission, 502 Deaderick Street, 4th Floor, Nashville, Tennessee 37243.

Contact Cole McCormick at cole.mccormick@tn.gov or at (615) 770-6871 should you have questions or need clarification of any requested item. Thanks for your attention to this matter.

Sincerely,



David Foster, Director
Utilities Division

C: Melvin Malone (by email to Melvin.Malone@butlersnow.com)
Katherine Barnes (by email to Katherine.Barnes@butlersnow.com)
Karen Stachowski (by email to Karen.Stachowski@ag.tn.gov)
Docket File