

October 26, 2023

Electronically Filed in TPUC Docket Room on October 26, 2023 at 12:51 p.m.

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: 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), TPUC Docket No. 22-00059

Dear Chairman Hilliard:

As a follow-up to the Consumer Advocate's December 6, 2022, letter in the above-captioned matter, Limestone Water Utility Operating Company, LLC, is submitting the attached Bond pursuant to TPUC Rule 1220-04-13-.17(2)(e)(11). This Bond is fully executed as compared to the Bond filed on October 20, 2023.

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, Limestone Water Utility Operating Company, LLC Vance L. Broemel, Consumer Advocate Division Karen H. Stachowski, Consumer Advocate Division

Bond Number: 100808241
Initial Premium: \$6,600.00

Subdivision Improvement Faithful Performance Bond

| KNOW ALL PERSONS BY THESE PRESENTS: |
|---|
| That we, Westpark Investments, LLC as Principal, an |
| American Contractors Indemnity Company |
| a corporation organized and existing under the laws of the State of <u>California</u> and authorized to transact a general surety business in the State of <u>Tennessee</u> , as Surety, are held and firmly bound unto |
| Limestone Water Utility Operating Company, LLC |
| as Obligee, in the amount of |
| ** Three Hundred Thrity Thousand and 00/100 ** Dollar |
| (\$330,000.00) lawful money of the United States of America, for the payment whereof, well and tru to be made, we hereby bind ourselves, our heirs, executors, administrators, jointly and severally, firmly by these presents. |
| THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH, that |
| WHEREAS, The Board of Supervisors of the County of Sevier (or the City Council of the City of), State of Tennessee , and the Principal have entered into an agreemen whereby principal agrees to install and complete certain designated public improvements described asConstruction of waste water treatment system |
| In Tract Number / Parcel Map No. <u>Parcel ID: 092-020-025 & 092-020-01</u> |
| WHEREAS, said Principal is required by the Obligee to furnish a bond for the faithful performance of the subject improvements. NOW, THEREFORE, if the above-bounden Principal shall install the offsite improvements as indicated above in accordance with the plans approved by the Obligee, then this obligation shall be null and void, otherwise to remain in full force and effect. |
| Signed and sealed this <u>18th</u> day of <u>October</u> , <u>2023</u> . |
| Principal (s): |
| By: |
| Surety: |
| American Contractors Indemnity Company |
| By: Alexis Pong Attorney-In-Fact |

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

| State of California County ofLOS ANGELES | _) |
|--|--|
| On OCT 1 8 2023 before me | P. KANEGAWA PEREZ, NOTARY PUBLIC (insert name and title of the officer) |
| ALEVIC DONG | (msert harne and title of the officer) |
| personally appearedALEXIS PONG | |
| who proved to me on the basis of satisfactory | evidence to be the person(s) whose name(s) is/are |
| | wledged to me that he/she/they executed the same in |
| his/her/their authorized capacity(ies), and that person(s), or the entity upon behalf of which the | |

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

P. KANEGAWA PEREZ
COMM. #2461695
Notary Public - California
Los Angeles County
Comm. Expires Sep. 25, 2027

CALIFORNIA ACKNOWLEDGMENT

| A notary public or other officer completing this certificate ver to which this certificate is attached, and not the truthfulness | ifies only the identity of the individual who signed the document s, accuracy, or validity of that document. |
|---|--|
| county of} | - f |
| on 0 CX ObeV 22, 2023 before me, | Navan Navuer, Notaru |
| Date Clavia Nacle | Here Insert Name and Title of the Officer |
| ersonally appeared | <i>N</i> + |
| 3 | Name(s) of Signer(s) |
| the within instrument and acknowledged to me that | ature(s) on the instrument the person(s), or the entity |
| NANCY NGUYEN Notary Public - California Orange County | I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. |
| | MUTATION I I I III I |
| Commission # 2425287 My Comm. Expires Nov 6, 2026 | WITNESS my hand and official seal. |
| Commission # 2425287 My Comm. Expires Nov 6, 2026 | Signature In 1 |
| Commission # 2425287 My Comm. Expires Nov 6, 2026 Place Notary Seal and/or Stamp Above | |
| Place Notary Seal and/or Stamp Above Completing this information can be | Signature of Notary Public |
| Place Notary Seal and/or Stamp Above Completing this information can be | Signature of Notary Public Signature of Notary Public deter alteration of the document or |
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| Place Notary Seal and/or Stamp Above Completing this information can of fraudulent reattachment of this Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — □ Limited □ General | Signature Signature of Notary Public Signature of Notary Public Deter alteration of the document or form to an unintended document. Number of Pages: Signer's Name: Corporate Officer – Title(s): Partner – Limited General |
| Place Notary Seal and/or Stamp Above Completing this information can of fraudulent reattachment of this Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — □ Limited □ General Individual □ Attorney in Fact | Signature Signature of Notary Public Signature of Notary Public ONAL deter alteration of the document or form to an unintended document. Number of Pages: Corporate Officer – Title(s): Partner – Limited D General Individual Attorney in Fact |
| Place Notary Seal and/or Stamp Above Completing this information can a fraudulent reattachment of this Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — □ Limited □ General Individual □ Attorney in Fact Individual □ Guardian or Conservator Other: | Signature Signature of Notary Public DONAL deter alteration of the document or form to an unintended document. Number of Pages: Corporate Officer – Title(s): Partner – □ Limited □ General Individual □ Attorney in Fact Individual □ Guardian or Conservator |



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That American Contractors Indemnity Company of the State of California, a California corporation, does hereby appoint,

ALEXIS PONG

| | | | AL | ヒスコン | P | JNG | | | |
|---|---|---|---|-----------------------------------|---------------------------|--|--|-------------------------|---|
| its true and lawful A | ttorney-in-Fa | act, with full au | thority to ex | xecute o | n its l | behalf bond | number _ | | 100808241 |
| issued in the o | course of | its business Three millio | and to n and 00/ | bind 100 | the | Company | thereby, | in (_ | an amount not to excee \$3,000,000.00). |
| This Power of Attorn by the Board of Dire September, 2011. | ey is grante ctors of AMI | and is signed RICAN CONT | and sealed RACTORS | by facsi INDEMN | imile u NTY (| under and by COMPANY a | y the autho at a meetin | ority o | of the following resolutions adopte by called and held on the 1 st day o |
| "Be it Resolved, that and is hereby vested act for and on behalf | with full po | wer and author | ity to appoir | nt any or | ne or i | e-President, more suitabl | any Secre le persons | as A | or any Assistant Secretary shall b ttorney(s)-in-Fact to represent an |
| and deliver, any and including any and all and any and all notice | d all bonds, consents fo es and docur | recognizances, r the release of ments canceling | contracts, retained pe or terminati | agreeme ercentage ing the C | ents o es and compa | r indemnity d/or final est iny's liability | and other imates on thereunde | cond engir r, and | company, to execute, acknowledg ditional or obligatory undertaking- neering and construction contracts dany such instruments so execute aled and effected by the Corporat |
| | ficate relating | g thereto by fac | simile, and | any pow | ver of | attorney or | certificate | beari | hereafter affixed to any power of ing facsimile signature or facsimile is attached." |
| The Attorney-in-Fact bond and does not in | | | | | | | | | Power of Attorney is specific to things. |
| IN WITNESS WHEF President on this 18 th | REOF, Amer day of April | ican Contractor, 2022. | MATTER INCOME | CTORS AND SECOND | any ha | AMERI | CAN CON | TRAC | ffixed hereto and executed by it |
| | | | TA CALI | 8 1111 | ann. | | Ada | am S. | Pessin, President |
| A Notary Public or of this certificate is att | | | certificate v | erifies or | | | | ual w | ho signed the document to which |
| State of California County of Los Angele | es | | | | | | | | |
| Contractors Indemnit | y Company, and acknov | who proved to ledged to me t | me on the b | asis of souted the | atisfa sam | ctory evider e in his auth | nce to be the norized cap | ne pe pacity | n S. Pessin, President of America rson whose name is subscribed t y, and that by his signature on th |
| I certify under PENA | TY OF PER | JURY under th | e laws of the | e State o | of CAL | IFORNIA th | at the fore | going | g paragraph is true and correct. |
| WITNESS my hand a | and official se | al. | | | | Notary Po | O. CARREJO | ٦ | |
| Signature | MOUNT ! | <u> 10 </u> | (seal) | | | Commis | geles County sion # 2398710 opires Apr 23, 202 | 26 | |
| I, Kio Lo, Assistant Se adopted by the Board Power of Attorney no | of Directors | of said Compa | any as set fo | orth abov | ve, are | e true and c | orrect trans | script | ower of Attorney and the resolution is thereof and that neither the said |
| IN WITNESS WHER | REOF, I hav | re hereunto sei October | my hand | and affix 2023 | xed th | ne seals of | said Comp | panie | es at Los Angeles, California thi |
| Bond No Agency No | 100808241 6077 | | | | | FRICAN IN | %014F65AIL1 SEPT 25 1990 | A Liver William | Kic Lo, Assistant Secretary |

| Bond No.: | 100808241 |
|-----------|-----------|
| | |

Premium: Included in Performance Bond

PREMIUM INCLUDED IN PERFORMANCE BOND

SUBDIVISION IMPROVEMENTS LABOR AND MATERIAL BOND

| KNOW ALL MEN BY THESE PRESE | NTS: | | |
|---|--|--|---|
| That we, | Westpark Investments, LL | | , as Principal, and |
| American Contractors Inden | nnity Company, a | corporation organized and | doing business under and by |
| virtue of the laws of the State of | | | |
| Tennessee as Surety, are he Obligee, in the penal sum of ** Th | | | |
| payment, well and truly to be made, we these presents. | e bind ourselves, our heirs, e | executors and successors, j | ointly and severally firmly by |
| THE CONDITION OF THE OBLIGATI | ON IS SUCH THAT: | | |
| Whereas, the above-named Principal, | has entered into an agreeme | ent which is made a part of t | this bond, with the |
| | , State of | Tennessee , as | Obligee, for the designated |
| public improvements in the subdivision | | Construction of waste water tre | atment system |
| as required by the applicable state lav | √ . | | |
| Whereas, under the terms of said agre a good and sufficient payment bo | ement, principal is required bond with the | efore entering upon the per Limestone Water Utility Operatin | rformance of the work, to file g Company, LLC |
| | to secure the claims | of the Principal's subcontra | ectors and suppliers. |
| Now, therefore, said principal and the | | | |
| materialmen and other persons emple thereon of any kind, that said surety vand also in case suit is brought upon the and fees, including reasonable attorned in successfully enforcing such obligation | will pay the same in an amounts bond, will pay, in addition to | he aforesaid agreement for int not exceeding the penal of the penal sum thereof, cos | material furnished or labor sum hereinabove set forth, ts and reasonable expenses |
| in successfully enforcing such obligation the judgment therein rendered. | on, to be awarded and fixed b | y the court, and to be taxed | as costs and to be included |
| Should the condition of this bond be f and remain in full force and effect. | ully performed, then this obliq | gation shall become null an | d void, otherwise it shall be |
| The Surety hereby stipulates and ag agreement or the specifications accome hereby waive notice of any such changes in witness whereof, this instrumer 18th of October 2023 | npanying the same shall in an ge, extension, alteration or ad | y manner affect its obligatio Idition. | ons on this bond, and it does |
| Principal (s): | Su | rety: | |
| Westpark nvestme | nts, LLC | American Contractors | Indemnity Company |
| Ву: | Ву | Alexis Pong | , Attorney In Fact |
| / 1 | | Alexis Forig 🗸 | , Attorney in Fact |

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

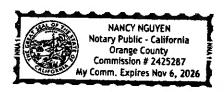
| valuely of that documents |
|---|
| State of California County of |
| On OCT 1 8 2023 before me, P. KANEGAWA PEREZ, NOTARY PUBLIC (insert name and title of the officer) |
| personally appeared ALEXIS PONG who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. |
| I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. |
| WITNESS my hand and official seal. P. KANEGAWA PEREZ COMM. #2461695 Notary Public - California Los Angeles County My Comm. Expires Sep. 25, 2027 |

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

| State of California | l | |
|--|---|------------------------------|
| County of Drange | | 1 |
| on October 22, 2023 b | efore me, NAVA NAMEN | 1. Notary PUBLIC |
| personally appeared | HOSTELT Here insert Name and | l Title of the Officer 🧸 ் |
| beloomen, appeared | Name(s) of Signer(s) | |
| who proved to me on the basis of satis | rfactory evidence to be the person(s) who | ee name(s) is/are subscribed |
| who proved to me on the basis of satis | sfactory evidence to be the person(s) who | se name(s) is/are subscribed |

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature .

Place Notary Seal and/or Stamp Above

Signature of Notary Public

| | OPTI | ONAL | | | | | |
|---------------------------------------|---|---------------------------------|-------------------------|--|--|--|--|
| | Completing this information can of fraudulent reattachment of this | | | | | | |
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| Document Date: _ | | N | umber of Pages: | | | | |
| Signer(s) Other Th | nan Named Above: | | | | | | |
| Capacity(ies) Cla | imed by Signer(s) | | | | | | |
| Signer's Name: | | Signer's Name: | | | | | |
| □ Corporate Office | er – Title(s): | □ Corporate Officer – Title(s): | | | | | |
| ☐ Partner - ☐ Lir | | □ Partner - □ Limite | d 🗆 General | | | | |
| □ Individual | Attorney in Fact | □ Individual | | | | | |
| □ Trustee | Guardian or Conservator | □ Trustee | Guardian or Conservator | | | | |
| □ Other: | | □ Other: | | | | | |
| Signer is Represer | nting: | Signer is Representing | g: | | | | |
| | | | | | | | |



18th day of

Bond No.

Agency No.

October

100808241

6077_

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That American Contractors Indemnity Company of the State of California, a California corporation, does hereby appoint,

| | | | ALEXI | 5 P | UNG | | | | | |
|--|--|--|--|--------------------------------------|---|--|---------------------------------|---|-------------------------------------|---|
| its true and lawful | Attorney-in-Fa | act, with full auth | ority to execute | on its | behalf bond | number | | 100808 | 241 | , |
| | course of | its business Three million | and to bind | the | Company | thereby, | in (| an amount \$3,000,00 | not 00.00 | to exceed). |
| This Power of Attor by the Board of Dir September, 2011. | rney is granted rectors of AME | d and is signed a ERICAN CONTRA | nd sealed by faction of the sealed by factions in the sealed by faction of the sealed by faction | simile INITY | under and by COMPANY a | the authout the transfer to th | ority of ng duly | the following it called and he | resoluti ∌ld on t | ons adopted he 1 st day of |
| "Be it Resolved, that and is hereby veste act for and on beha | ed with full po alf of the Comp | wer and authority cany subject to th | to appoint any le following prov | one or isions: | more suitabl | e persons | as At | torney(s)-in-Fa | ict to re | epresent and |
| Attorney-in-Fact ma and deliver, any ar including any and a and any and all notic by any such Attorned Secretary. | nd all bonds, all consents fo ices and docur ey-in-Fact sha | recognizances, c r the release of ro nents canceling o Il be binding upor | contracts, agree etained percents or terminating the n the Company a | ments or ges and Compassif sig | or indemnity d/or final esti any's liability ned by the Pi | and other imates on thereunde resident ar | condi enginer, and nd sea | itional or obligatering and con any such instru led and effecte | atory unstruction uments and by the | indertakings, on contracts, so executed ne Corporate |
| Be it Resolved, that attorney or any cert seal shall be valid a | tificate relating | g thereto by facs | imile, and any p | ower of | attorney or | certificate | bearir | ng facsimile sig | ed to a ynature | ny power of or facsimile |
| The Attorney-in-Factorial bond and does not | | | | | | | | | ey is sp | ecific to this |
| IN WITNESS WHE President on this 18 | EREOF, Amer 8 th day of April | ican Contractors , 2022. | Indemnity Com | SEAN SEAN | | CAN CON | ITRAC | TORS INDEM | INITY C | |
| | | | CALIFORNIA | C. Williams | | | | Pessin, Presid | | |
| A Notary Public or this certificate is a | | | | | | | ual wh | o signed the d | ocume | nt to which |
| State of California County of Los Ange | eles | | | | | | | | | |
| On this 18 th day of A Contractors Indemnthe within instrumer instrument the person | nity Company, nt and acknow | who proved to mail who proved to me the | ie on the basis o at he executed t | f satisfa he sam | actory eviden ne in his auth | ice to be th norized cap | he per pacity, | son whose nar | me is s | ubscribed to |
| I certify under PENA | ALTY OF PER | JURY under the | laws of the State | of CA | LIFORNIA th | at the fore | going | paragraph is t | rue and | i correct. |
| WITNESS my hand Signature | and official se | eal. 40 | (seal) | | Hotary Pu Los An Commiss | O. CARREJO iblic - California geles County sion # 2398710 opires Apr 23, 20 | | | | |
| I, Kio Lo, Assistant S adopted by the Boa Power of Attorney n | rd of Directors | s of said Compan | y as set forth ab | ove, ai | e true and co | orrect tran | scripts | wer of Attorney thereof and the | y and th nat neit | e resolution her the said |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this

Visit tmhcc.com/surety for more information HCCSOZZPOAACIC07/2023

Kic Lo, Assistant Secretary

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:

Vance L. Broemel, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Vance.Broemel@ag.tn.gov

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

This the 26th day of October 2023.

Melvin J. Malone