

STATE OF TENNESSEE

Office of the Attorney General



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Electronically Filed in TPUC Docket
Room on October 2, 2024 at 12:36 p.m.

Re: Tennessee Public Utility Commission, 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 Lauren Creek Subdivision and (2) Motion to Waive Commission Rule 1220.04-13-.17(c)(3)*

Dear Ms. Barnes:

On June 28, 2022, Limestone Water Utility Operating Company, LLC (“Limestone” or the “Company”) filed its *Application of Limestone Water Utility Operating Company, LLC for: (1) Authority to Expand its Certificate of Convenience and Necessity to Include the Lauren Creek Subdivision and (2) Motion to Waive Commission Rule 1220.04-13-.17(c)(3)* (“Petition”). The Commission issued its written order approving the Petition on December 19, 2023.¹ The Consumer Advocate has reviewed the Commission’s Order and the docket. Limestone provided a status update on June 20, 2024, stating that the construction is on-going and that none of the required documentation was available yet. On July 24, 2024, Limestone Water submitted a copy of the State Operating Permit for the system.

Last week, the Consumer Advocate reached out to Limestone regarding TPUC’s requirement for a status update every three months. Although Limestone said it would be filing an status update soon, one has not yet been filed. As such, the Consumer Advocate is filing this letter regarding the post-hearing deadlines for Limestone to satisfy. Below are those deadlines followed by comments by the Consumer Advocate. If the comment is in **blue**, the Consumer Advocate has questions or has identified additional information required for the Company to fully comply. If the comment is in **green**, the Consumer Advocate believes Limestone to be in compliance.

¹ Order Approving Petition to Amend Certificate of Convenience and Necessity, TPUC Docket No. 22-00059 (December 19, 2023).

- 2.a. The deed and/or easements for all the land and ownership rights to the wastewater system within fifteen (15) days of being issued and before the first customer is connected to the wastewater system as set forth in contracts submitted to the Commission by Limestone Water Utility Operating Company, LLC. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?
- 2.b. A final copy of the State Operating Permit issued by the Tennessee Department of Environment and Conservation (“TDEC”) within fifteen (15) days of issuance. The Consumer Advocate has reviewed Limestone’s filing on July 24, 2024, of the SOP-22008 and this is complete.
- 2.c. A copy of the as-built plans with signed certification by Limestone Water Utility Operating Company, LLC indicating the wastewater system has been inspected and is approved to begin operation. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?
- 2.d. A copy of the signed plat, once the area of development is approved by the City and/or County government within fifteen (15) days of being issued and before the first customer is connected to the wastewater system. The Consumer Advocate could not locate this information in the Docket. Therefore, it appears this information is not yet available. Is this correct?

The Commission also required an initial compliance status report to be filed six months after the written order was issued and follow-up compliance status reports to be filed every three months thereafter. The Commission’s specific language is as follows:

3. Limestone Water Utility Operating Company, LLC is directed to file a report in this docket demonstrating its compliance with the filing of the above referenced documents. If the required documentation is not filed within six (6) months of this order, then Limestone Water Utility Operating Company, LLC is directed to file a report on the status of the provision of wastewater service to the Laurel Creek Subdivision as well the status of the filing of required documentation. The compliance report shall be updated every three (3) months until installation of the wastewater system is complete.

Please review the requirements and comments set forth above. The Consumer Advocate thanks you for your time and attention to this request. If you have questions, please contact me at (615) 741-2357.

Respectfully,



Karen H. Stachowski
Deputy Attorney General

cc: Kelly Cashman-Grams, TPUC