

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)	
)	
JOINT PETITION OF SUPERIOR WASTEWATER SYSTEMS, LLC, AND TPUC STAFF (AS A PARTY) TO INCREASE RATES AND CHARGES)	Docket No. 22-00087
)	
)	

**SUPERIOR WASTEWATER SYSTEMS, LLC’S RESPONSE TO CONSUMER
ADVOCATE’S MOTION TO COMPEL**

On December 21, 2022 the Consumer Advocate Division filed a Motion to Compel in this Docket. The Consumer Advocate argues that Tennessee law encourages broad discovery. Superior Wastewater Systems, LLC (“the Company”) agrees that Tennessee law encourages broad discovery in most instances. The scope of this particular Docket is extremely limited and the Consumer Advocate has requested information outside the scope of this Docket. The purpose of this staff assisted rate case is to establish base rates only.

As noted in the Consumer Advocate’s Motion, the Company has objected to DR 2-7 through 2-13 on the grounds that the information sought is irrelevant in this Docket and not calculated to lead to discoverable information. Each Data Request seeks information pertaining to escrow accounts which is the subject of another Docket, 21-00086, a staff-initiated compliance audit. The determination of the treatment of escrow accounts is not being considered in this docket. Therefore, the Consumer Advocate’s discovery questions regarding escrow funds could not lead to any information relevant this Docket and interjecting this discovery is irrelevant and unduly burdensome-designed only for the purpose of unnecessary delay.

Party Staff is engaged in the compliance audit of the Company’s escrow accounts in Docket, Docket 21-00086. The Consumer Advocate has filed a Petition to Intervene in the Compliance Audit.

However, there is no rational basis for such intervention until the TPUC Staff completes its audit, which is in process. Any issues regarding the Company's escrow accounts will be addressed in that Docket after the review is complete and offered for consideration.

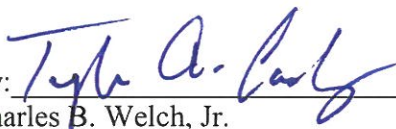
Further, the Company is in no way precluded from objecting to the Consumer Advocate's intervention in Docket 21-00086 simply by raising objections in this Docket. The Consumer Advocate's attempt to consolidate the issues of these two dockets is irrational and will cause inefficiencies.

In addition, since the Advocate admits that its intervention in this docket was solely related to "concerns" regarding the escrow account, and since the escrow account is not a component of this Docket, the Commission should discount anything offered by the Consumer Advocate as irrelevant and immaterial to the issues before the Commission for consideration.

Wherefore, the Company respectfully ask the Commission to deny the Consumer Advocate's Motion to Compel.

Dated this 6th day of January 2023.

Respectfully Submitted,

By: 
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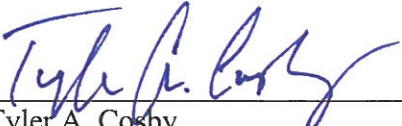
CERTIFICATE OF SERVICE

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

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This the 6th day of January, 2023.



Tyler A. Cosby