

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

IN RE: JOINT PETITION OF SUPERIOR  
WASTEWATER SYSTEMS, LLC, AND  
TPUC STAFF (AS A PARTY) TO INCREASE  
RATES AND CHARGES

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**Docket No. 22-00087**

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**PROPOSED RECOVERY BY SUPERIOR WASTEWATER SYSTEMS, LLC IF ITS  
INCURRED INCREMENTAL LEGAL, REGULATORY, ADMINISTRATIVE AND  
DELAY COSTS ASSOCIATED WITH THE INTERVENTION OF THE CONSUMER  
ADVOCATE IN THIS DOCKET**

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On February 27, 2023, the Commission heard this matter at its regularly scheduled conference. At the conclusion of the Hearing in this Docket, the Commission approved an increase in revenues of \$78,086 as recommended in the Joint Petition filed by Superior Wastewater Systems, LLC (“Superior”) and the Commission Party Staff.<sup>1</sup>

In addition, the Commission also approved a motion for Superior to recover its rate case expenses as follows:

*With regard to the motion for approval of deferred and recovery of rate case expense filed by the joint petitioners on January 11, I move that the motion be granted in part. I find that it is reasonable to defer consideration of rate case expense in order for the parties to fully present evidence of such expense. Because additional evidence is required to determine the total amount of rate case expense incurred due to the procedural progression of this matter, the amount to be recovered and the period of recovery will be determined upon consideration of proof to be filed by the parties.<sup>2</sup>*

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<sup>1</sup> Transcript of Proceedings, Docket No. 22-00087, February 27, 2023, Page 62.

<sup>2</sup> *Id.* at 63.

Superior has now aggregated its incremental Legal, Regulatory, Administrative, and Delay costs associated with this rate case that are not included in rates for the Commission's consideration, which are summarized below.

Item	Amount
Legal Costs of Farris Bobango PLC	\$19,378
Regulatory Costs of William H. Novak	13,400
Administrative Costs of Superior Wastewater	5,060
Delay Costs	29,951
<b>Total Costs</b>	<b>\$67,789</b>
Projected Customers	350
<b>Cost per Customer</b>	<b>\$193.68</b>
Recovery Period (Months)	18
<b>Proposed Surcharge</b>	<b>\$10.76</b>

We have included the supporting workpapers for these costs in a separately sealed confidential package and would ask that they not be included on the Commission's website.<sup>3</sup>

The Delay Costs included above represent Superior's incremental losses that have been incurred solely due to the intervention of the Consumer Advocate in this Docket. Specifically, Superior's purpose for initiating this rate case with the Party Staff as a joint filing was to minimize the cost of preparing the rate study and to expedite the regulatory process.<sup>4</sup> Instead, the delays caused by the Consumer Advocate's intervention actually lengthened the rate review period beyond the 180-day period in a traditional rate case. Therefore, Superior is now asking the Commission to allow it to recover these Delay Costs caused by the Consumer Advocate's intervention in this Docket. We recognize that our request to recover Delay Costs is unique,

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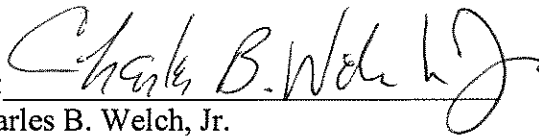
<sup>3</sup> The Delay Costs have been calculated and submitted for consideration by William H. Novak, CPA on behalf of Superior.

<sup>4</sup> Similar joint rate cases had been completed for IRM Utility in Docket No. 15-00130 and Cartwright Creek in Docket No. 16-00127.

however the circumstances in this Docket have left Superior with no other avenue for recovering these costs.<sup>5</sup>

Dated this 12<sup>th</sup> day of April 2023.

Respectfully Submitted,

By: 

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<sup>5</sup> Specifically, these circumstances include a joint rate case for a small utility operating at a loss with no provision for emergency rate relief.

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above-reference document was served via electronic mail on this the 12<sup>th</sup> day of April, 2023, upon the following persons:

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/s/ Charles B. Welch, Jr.  
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