

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

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

THE CONSUMER ADVOCATE’S MOTION TO AMEND PROCEDURAL SCHEDULE

The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) hereby submits this *Motion to Amend Procedural Schedule* to allow and establish a date for the Consumer Advocate to file a written response to the *Proposed Recovery by Superior Wastewater Systems, LLC If [sic] Its Incurred Incremental Legal, Regulatory, Administrative and Delay Costs Associated with the Intervention of the Consumer Advocate in this Docket* (“Proposal”)¹ filed April 12, 2023, by Superior Wastewater Systems, LLC (“Company”), and to set a subsequent date for oral argument on the same if requested by the Hearing Officer. For the reasons set forth herein, the Consumer Advocate respectfully requests that the Tennessee Public Utility Commission (“TPUC” or the “Commission”) grant this motion.

The Company and Party Staff (“Joint Petitioners”) filed their *Joint Petition* on September 9, 2022.² The Consumer Advocate was granted intervention on November 21, 2022.³ The parties to this Docket submitted a *Joint Filing of Proposed Procedural Schedule* on November 29, 2022.⁴

¹ *Proposed Recovery by Superior Wastewater Systems, LLC If (sic) Its Incurred Incremental Legal, Regulatory, Administrative and Delay Costs Associated with the Intervention of the Consumer Advocate in this Docket*, TPUC Docket No. 22-00087 (Apr. 12, 2023).

² *Joint Petition*, TPUC Docket No. 22-00087 (Sept. 9, 2022).

³ *Order Granting the Petition to Intervene filed by the Consumer Advocate*, TPUC Docket No. 22-00087 (Nov. 21, 2022).

⁴ *Joint Filing of Proposed Procedural Schedule*, TPUC Docket No. 22-00087 (Nov. 29, 2022).

The Hearing Officer entered an *Order Establishing Procedural Schedule* on December 8, 2022, adopting the procedural schedule proposed by the parties.⁵ On January 11, 2023, the Joint Petitioners filed a *Motion for Approval of Deferral and Recovery of Rate Case Expense*,⁶ to which the Consumer Advocate filed a response on January 18, 2023.⁷

A contested case hearing was held before the Commission on February 27, 2023, in accordance with the established procedural schedule. At the conclusion of the hearing, Chairman Hilliard gave the following verbal ruling on the deferral motion:

With regard to the motion for approval of deferred [sic] 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.⁸

The Commission immediately voted in approval of the Chairman's motion. Thus, the parties to this Docket must be allowed to file proof regarding the Company's proposed recovery for consideration by the Commission prior to a determination. However, the procedural schedule as entered on December 8, 2022, ends with the February 27, 2023, hearing date.

Accordingly, the Consumer Advocate respectfully requests that the procedural schedule be amended to allow for the Consumer Advocate's response to the recently filed Proposal and to set a date for argument, if necessary.

[Signature on following page]

⁵ *Order Establishing Procedural Schedule*, TPUC Docket No. 22-00087 (Dec. 8, 2022).

⁶ *Motion for Approval of Deferral and Recovery of Rate Case Expense*, TPUC Docket No. 22-00087 (Jan. 11, 2023).

⁷ *Consumer Advocate's Response to Motion for Approval of Deferral and Recovery of Rate Case Expense*, TPUC Docket No. 22-00087 (Jan. 18, 2023).

⁸ See the excerpt from the hearing transcript attached hereto as Exhibit A.

RESPECTFULLY SUBMITTED,



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CA's Motion to Amend the Procedural Schedule

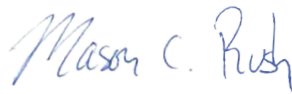
CERTIFICATE OF SERVICE

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

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On this the 17th day of April 2023.



MASON C. RUSH
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