

STATE OF TENNESSEE

Office of the Attorney General



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April 11, 2023

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Electronically Filed in TPUC Docket
Room on April 11, 2023 at 1:44 p.m.

Re: Tennessee Public Utility Commission ("TPUC" or the "Commission"),
Docket No. 23-00016, *Expedited Joint Application of Limestone Water
Utility Operating Company, LLC, and DSH & Associates, LLC, for
Approval of the Acquisition of and to Operate the Wastewater System of
DSH & Associates, LLC, and to Transfer or Issue a Certificate of Public
Convenience and Necessity*

Mr. Malone & Ms. Barnes:

The Consumer Advocate has reviewed the Joint Application filed by Limestone Water Utility Operating Company, LLC ("Limestone") and DSH & Associates, LLC ("DSH") in the above-referenced acquisition Docket.

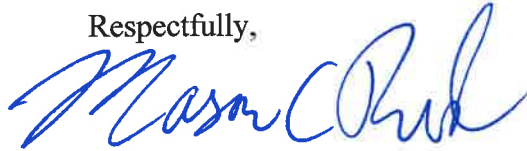
The Joint Application requests, in the alternative, that the Commission grant Limestone a Certificate of Convenience and Necessity. Accordingly, the Consumer Advocate has reviewed Limestone's compliance with the minimum filing requirements set forth in TPUC Rule 1220-04-13-.17 (Attachment A) in addition to its review of Limestone's compliance with the minimum filing requirements for an acquisition, which are set forth in TPUC Rule 1220-04-14-.08 (Attachment B).

The Consumer Advocate appreciates the time and effort that Limestone and DSH put into compiling the Joint Application, as well as Limestone's attention to the Commission's minimum filing requirements. However, the Consumer Advocate could not locate, and thus seeks clarification on, the items set forth in Attachment A hereto, relating to compliance with TPUC

Rule 1220-04-13-.17, and Attachment B hereto, relating to compliance with TPUC Rule 1220-04-13-.08.

The Consumer Advocate would like to thank Limestone in advance for its attention to the Consumer Advocate's requests. If you have questions regarding this request, please contact me at (615) 741-2357.

Respectfully,

A handwritten signature in blue ink, appearing to read "Mason Rush", is written over the typed name.

Mason Rush
Assistant Attorney General

cc: Patsy Fulton, TPUC
Kelly Cashman-Grams, TPUC

ATTACHMENT A – CCN MFRs

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Rule 1220-04-13-.17(2)(a) General Information

1. *Rule 1220-04-13-.17(2)(a)7(i,iii-v)*. The map in Exhibit 1 lacks sufficient detail to comply with the rule. The map does provide street names in accordance with subsection (ii), however, this rule requires a list of other details that are not provided in Exhibit 1. While maps may have been filed in previous dockets, the Joint Petitioners should file the most current maps available in this docket so that the public can readily assess them in this proceeding. Please provide a map or maps that satisfy Rule 1220-04-13-.17(2)(a)7.

ATTACHMENT B – Acquisition MFRs

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Rule 1220-04-14-.08(2) Acquisitions

1. *Rule 1220-04-14-.08(2)e.* The statement in Exhibit 1 lacks sufficient detail to comply with the rule, as it does not “comprehensively describe the service area of the selling utility” and the maps provided in Exhibit 1 do not contain the information required in the rule governing wastewater utility maps and records. Under Rule 1220-04-13-.05, a wastewater utility “shall keep on file in its main office suitable maps, plans, and records showing the entire layout of its wastewater system including the location, size and capacity of each component.” Please provide a comprehensive description of the area, and maps that satisfy this rule and Rule 1220-04-13-.05.
2. *Rule 1220-04-14-.08(2)l.* On page 8 of the “Appendix A” to the Petition, the Company states that the required statement is “contained in the Joint Application.” However, the Consumer Advocate is unable to locate a statement specifically addressing “the particular benefits, costs, or service changes, if any, that affect acquired customers and/or existing customers.” Please provide this statement.
3. *Rule 1220-04-14-.08(2)m.* Exhibit 29 to the Petition shows contributed assets from DSH. However, the “year of report” is 2021. Please provide the same page from DSH’s most recent annual report.

Rule 1220-04-14-.08(5) Acquisitions

1. *Rule 1220-04-14-.08(5).* Limestone & DSH provided a copy of the draft Customer Notification Letter as Exhibit 13 of the Petition. Please provide a copy of proof of the published public notice.