

TENNESSEE PUBLIC UTILITY COMMISSION



Andrew Jackson State Office Bldg.
502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

Electronically Filed in TPUC Docket
Room on July 11, 2023 at 3:21 p.m.

July 11, 2023

Mr. Josiah Cox
Limestone Water Utility Operating Company
1630 Des Peres Rd. Suite 140
St. Louis, MO 63131
Email: jcox@cswrgroup.com
Sent via email.

In Re: Docket No. 23-00036, *Limestone Water Utility Operating Company, LLC's Application to Expand its Certificate of Public Convenience and Necessity to Serve the Nash Ridge Subdivision.*

Dear Mr. Cox:

To assist the Commission in its ongoing investigation into the above referenced docket, it is requested that responses be provided to the following:

1. Regarding Commission Rule 1220-04-13-.17(2)(a)(7)(v): Page 12 of the Petition filing indicates that the build-out of the wastewater system will be established in three separate phases. Please provide a map showing the approximate area where each phase will be located.
2. Regarding Commission Rule 1220-04-13-.17(2)(b)(3): If an agreement between the Developer and its designated contractor exists for this project, please provide a copy.
3. Regarding Commission Rule 1220-04-13-.17(2)(d)(2): Although the Petition states this information was filed as Exhibit 16, the required information cannot be found in Exhibit 16. Exhibit 15 filed with the Petition does provide Certificates of Competency for Dana L. Douglas, but the Commission rule requires a copy of the State Operator's Certificate for the operator of the wastewater system at Nash Ridge/Grasslands.
4. Regarding Commission Rule 1220-04-13-.17(2)(d)(1): Provide documentation from the Tennessee Department of Environment and Conservation stating that the existing NPDES permit for the Grasslands wastewater system is sufficient to handle or can be modified to sustain the additional load being transported from the proposed Nash Ridge Subdivision.

5. Regarding Commission Rule 1220-04-13-.17(2)(e)(9): Provide estimates of costs and customers added by month for the first five (5) years based upon the construction build-out schedule for developers in the service area of the proposed wastewater system. For each year, by month, provide an estimated number of customers by customer class anticipated to be served by the wastewater system. Include the utility's basis and assumptions used for these projections. Provide this information in a spreadsheet in Microsoft Excel format with all assumptions clearly documented.
6. Regarding Commission Rule 1220-04-13-.17(2)(e)(11): The Developer issued a performance bond for a project in "Franklin" County with the "Tennessee Public Utility Commission" as the beneficiary. Please re-submit a complete performance bond with the Utility as the beneficiary for the Nash Ridge project in Williamson County, Tennessee.
7. Regarding Commission Rule 1220-04-13-.17(2)(f)(5): The Direct Testimony of Todd Thomas did not contain a statement that the applicant is aware of the requirement of Commission Rule 1220-04-13-.09(7) concerning the completion of the construction of the wastewater system within three years of the Commission's written approval of the CCN. Please amend the testimony to include this statement.
8. Regarding Commission Rule 1220-04-13-.17(2)(a)(11): Please provide a copy of Serenity Trust's Certificate of Trust (COT). If one cannot be provided, please provide a copy of the Trust Agreement for Serenity Trust.
9. Regarding Commission Rule 1220-04-13-.17(2)(e)(6): The Utility Service Agreement filed on June 21, 2023, states that the Developer "Serenity Trust" will be contributing \$100,000 to the facilities the Utility will use to collect accepted sewage. Is the Company using this amount as its estimate of CIAC for the Nash Ridge Subdivision? A copy of a Construction Design/Build Agreement between the Developer and Contractor for the value of work performed has not been filed in the docket. Please file the detailed cost of construction per phase in this docket.
10. In Commission Docket No. 21-00053, the Commission granted Limestone permission to acquire the assets of Cartwright Creek and the CCN for that territory. On July 16, 2021, the Company responded to the Consumer Advocate's DR 1-7 that it believes \$1.1 million would be required to bring the wastewater system at Grasslands into compliance with operational and environmental standards. The Company also responded to DR 1-26 of the Consumer Advocate explaining that Limestone estimated \$540,000 for collection inflow and infiltration repairs recommended by Inflow Design Group to the Grasslands system. Please identify by project, including costs, and discuss in detail the purpose of each repair/capital project improvement made since Limestone's purchase for the Grasslands system.

Please provide all responses no later than 2:00 p.m. on Tuesday, July 25, 2023. Responses may be submitted electronically at tpuc.docketroom@tn.gov with one hard copy mailed to the Docket Manager at the Tennessee Public Utility Commission, 502 Deaderick Street, 4th Floor, Nashville, Tennessee 37243.

Please contact me at David.foster@tn.gov or by phone at (615) 770-6884 should you have questions or need clarification of any requested item. Thanks for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "David N. Foster". The signature is written in a cursive, slightly slanted style.

David Foster, Director
Utilities Division

C: Via email:

Melvin.Malone@butlersnow.com

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Docket File