

STATE OF TENNESSEE

Office of the Attorney General



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Chairman David F. Jones
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utilities Commission
502 Deadrick Street, 4th Floor
Nashville, TN 37243
TPUC.docketroom@tn.gov

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

Dear Chairman Jones:

The Consumer Advocate has reviewed Limestone Water's filing on July 25, 2024, which included an affidavit from CSWR's Director of Engineering. In this affidavit, Mr. Jacob Freeman, an engineer licensed in the State of Missouri, stated:

6. Based on my observations of Grassland, recent historical results of wastewater testing conducted at Grassland, and my best professional judgment, it is my belief that the Grassland facility can continue to satisfy its permit mass loading requirements with the addition of all thirty-nine houses proposed for construction in Nash Ridge.
7. In conversations with TDEC officials, they have stated they are not concerned about Limestone Water's exceeding the design flow of the Grassland system, as long as Grassland continues to meet all mass loading requirements of its TDEC operating permit.

The Consumer Advocate reached out to counsel for Limestone and counsel for the Tennessee Department of Environment and Conservation ("TDEC") to get clarification about whether Limestone was authorized by TDEC to add the 39 homes from Nash Ridge to the existing Grasslands System. Samantha Buller-Young with TDEC's Office of General Counsel—the attorney of record for Limestone's Consent Order, Case No. 33-0086—explained that Limestone

Water would be required to receive authorization from the Engineering Services Unit ("ESU") before adding new residences to the existing Grassland System. This is contrary to Limestone's position set forth above, and there is no record in TDEC's Dataviewer that ESU has provided such authorization to Limestone Water.

Due to the conflicting information described above, the Consumer Advocate requests the Commission seek clarification from Limestone Water regarding TDEC-ESU's authorization for adding the 39 homes from Nash Ridge to the existing Grasslands System.

If you have questions regarding this request, please contact me at (615) 741-2375.

Sincerely,



Karen H. Stachowski
Deputy Attorney General

cc: Kelly Cashman-Grams, TPUC
David Foster, TPUC
Melvin J. Malone, Esq.
Katherine B. Barnes, Esq.
Samantha Buller-Young, TDEC-OGC
Henry Walker, Esq.