

## Office of the Attorney General



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January 7, 2025

Chairman David F. Jones  
c/o Ectory Lawless, Docket Room Manager  
Tennessee Public Utilities Commission  
502 Deadrick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243  
[TPUC.docketroom@tn.gov](mailto: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 January 2, 2025. Two issues are of concern to the Consumer Advocate.

1. Additional Wasteload. Starting on page 2 of the Status update, Limestone stated that the Commission "specifically amended Limestone's CCN to include the Nash Ridge Subdivision." Further, Limestone expects the completion of the Grasslands' upgrade will coincide with the completion of homes in the Nash Ridge development. But according to Limestone, even if the Grasslands' upgrade takes longer than expected, Limestone's engineer states "that the 39 Nash Ridge homes could be added to the existing system."
2. Noncompliance with NPDES Permit. In his affidavit filed on July 25, 2024, Mr. Freeman stated that "Grassland has consistently satisfied mass loading permit limits since January 25." (Paragraph 5). However, in this most recent filing, Limestone admits that the Grasslands System has had several permit exceedances over the past few months.

In this recent filing, Limestone stated that the Tennessee Department of Environment and Conservation ("TDEC") will need to approve the collection system for the Nash Ridge development before it connects to the Grasslands System. It appears that Limestone is making a

distinction between TDEC's approval of the collection system versus approval for additional wasteload to the existing Grassland System from the Nash Ridge development. Limestone seems to treat the Commission's decision in the above-referenced docket as permission to add homes onto the existing Grasslands System without the authorization of TDEC so long as Limestone's engineer states that the Grassland's system can handle the additional wasteload.

The Consumer Advocate expressed its concern about Limestone adding additional homes to the non-compliant Grasslands System. In fact, since the filing of the affidavit which stated there were no permitting exceedances, the Grasslands system has exceeded permit limits in the past few months. These exceedances occurred without the additional wasteload from the Nash Ridge Development. The Consumer Advocate continues to express its concern regarding the additional wasteload from the Nash Ridge development to the existing Grasslands System as it set out in our previous letter from August 29, 2024.

The Consumer Advocate requests that the Commission requires Limestone to provide documentation from TDEC authorizing the additional wasteload from the Nash Ridge development.

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.