

# BUTLER | SNOW

December 5, 2023

## VIA ELECTRONIC FILING

Hon. Herbert H. Hilliard, Chairman  
c/o Ectory Lawless, Docket Room Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243  
[TPUC.DocketRoom@tn.gov](mailto:TPUC.DocketRoom@tn.gov)

Electronically Filed in TPUC Docket Room  
on November 6, 2023 at 10:13 a.m.

**RE:    *Joint Application of Limestone Water Utility Operating Company, LLC, and Integrated Resource Management, Inc. d/b/a IRM Utility, Inc., for Approval of the Acquisition of and to Operate the Wastewater System of Integrated Resource Management, Inc. d/b/a IRM Utility, Inc., and to Transfer or Issue a Certificate of Public Convenience and Necessity, TPUC Docket No. 23-00037***

Dear Chairman Hilliard:

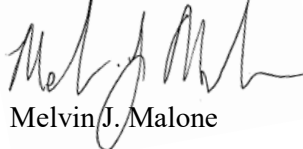
Attached for filing please find *Limestone Water Utility Operating Company, LLC's Supplemental Response to Consumer Advocate's Second Set of Discovery Requests* in the above-captioned docket.

Please note that the Supplemental Response to DR 2.1 contains **CONFIDENTIAL INFORMATION**. Also, **Supplemental Exhibit 22**, which is being submitted as a part of the Supplemental Response to DR 2.1, is being submitted **UNDER SEAL** as **CONFIDENTIAL and PROPRIETARY**. Both a public version and a nonpublic, **CONFIDENTIAL** version of the Supplemental Response to DR 2.1 and **Supplemental Exhibit 22** are attached.

As required, the original plus four (4) hard copies will be mailed to your office. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

## Attachments

cc: Russ Mitten, Limestone Water Utility Operating Company, LLC  
Chuck B. Welch, Jr., Farris Bobango PLC  
Vance L. Broemel, Consumer Advocate Division  
Karen H. Stachowski, Consumer Advocate Division  
Shilina B. Brown, Consumer Advocate Division

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BUTLER SNOW LLP

# **PUBLIC VERSION**

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>JOINT APPLICATION OF LIMESTONE</b>	)	
<b>WATER UTILITY OPERATING</b>	)	
<b>COMPANY, LLC, AND INTEGRATED</b>	)	
<b>RESOURCE MANAGEMENT, INC.</b>	)	
<b>D/B/A IRM UTILITY, INC., FOR</b>	)	
<b>APPROVAL OF THE ACQUISITION OF</b>	)	<b>DOCKET NO. 23-00037</b>
<b>AND TO OPERATE THE</b>	)	
<b>WASTEWATER SYSTEM OF</b>	)	
<b>INTEGRATED RESOURCE</b>	)	
<b>MANAGEMENT, INC. D/B/A IRM</b>	)	
<b>UTILITY, INC., AND TO TRANSFER OR</b>	)	
<b>ISSUE A CERTIFICATE OF PUBLIC</b>	)	
<b>CONVENIENCE AND NECESSITY</b>	)	

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**LIMESTONE WATER UTILITY OPERATING COMPANY, LLC’S  
SUPPLEMENTAL RESPONSE TO CONSUMER ADVOCATE’S  
SECOND SET OF DISCOVERY REQUESTS**

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Limestone Water Utility Operating Company, LLC (“Limestone”), by and through counsel, hereby submits its Supplemental Response to the Second Discovery Requests propounded by the Consumer Advocate Division of the Attorney General’s Office (“Consumer Advocate”).

**GENERAL OBJECTIONS**

1. Limestone objects to all requests that seek information protected by the attorney-client privilege, the work-product doctrine and/or any other applicable privilege or restriction on disclosure.
2. Limestone objects to the definitions and instructions accompanying the requests to the extent the definitions and instructions contradict, are inconsistent with, or impose any obligations beyond those required by applicable provisions of the Tennessee Rules of Civil

Procedure or the rules, regulations, or orders of the Tennessee Public Utility Commission (“TPUC” or “Authority”).

3. The specific responses set forth below are based on information now available to Limestone, and Limestone reserves the right at any time to revise, correct, add to or clarify the objections or responses and supplement the information produced.

4. Limestone objects to each request to the extent that it is unreasonably cumulative or duplicative, speculative, unduly burdensome, irrelevant or seeks information obtainable from some other source that is more convenient, less burdensome or less expensive.

5. Limestone objects to each request to the extent it seeks information outside Limestone’s custody or control.

6. Limestone’s decision, now or in the future, to provide information or documents notwithstanding the objectionable nature of any of the definitions or instructions, or the requests themselves, should not be construed as: (a) a stipulation that the material is relevant or admissible, (b) a waiver of Limestone’s General Objections or the objections asserted in response to specific discovery requests, or (c) an agreement that requests for similar information will be treated in a similar manner.

7. Limestone objects to those requests that seek the identification of “any” or “all” documents or witnesses (or similar language) related to a particular subject matter on the grounds that they are overbroad and unduly burdensome and exceed the scope of permissible discovery.

8. Limestone objects to those requests that constitute a “fishing expedition,” seeking information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence and is not limited to this matter.

9. Limestone does not waive any previously submitted objections to the Consumer Advocate's discovery requests.

**SUPPLEMENTAL RESPONSE**

**2.1.** Refer to the company's response to Consumer Advocate DR No. 1-10. Additionally, refer to <Confidential Exhibit 22>. Is it the Company's contention that [REDACTED] is not a commercial customer.

**Responsible Witness: Eric Rocchio**

**RESPONSE:** The Company inadvertently mislabeled [REDACTED] as a residential customer in Confidential Exhibit 22. It is the Company's belief that [REDACTED] should be labeled as a commercial customer.

**SUPPLEMENTAL RESPONSE:** Since the submission of its Responses to the Consumer Advocate's Second Set of Discovery Requests, the Company has been advised by the Seller that [REDACTED] is not a customer of Seller. Therefore, Company is hereby submitting attached **Supplemental Exhibit 22**, which does not include [REDACTED] as a customer of Seller.

**PUBLIC VERSION**

**SUPPLEMENTAL EXHIBIT 22**

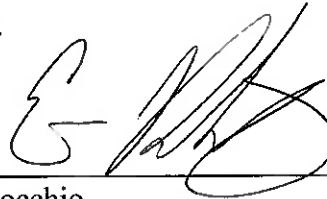
[illegible]

STATE OF MISSOURI )

COUNTY OF ST. LOUIS )


BEFORE ME, the undersigned, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Eric Rocchio, being by me first duly sworn deposed and said that:

He is appearing as a witness on behalf of Central States Water Resources before the Tennessee Public Utility Commission, and duly sworn, verifies that the data requests and discovery responses are accurate to the best of his knowledge.

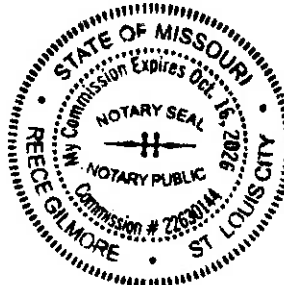


Eric Rocchio

Sworn to and subscribed before me  
this 4<sup>th</sup> day of DECEMBER, 2023.

  
Notary Public

My Commission expires: 16 OCT 2026



CERTIFICATE OF SERVICE

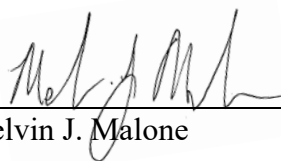
I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Vance L. Broemel, Esq.  
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Consumer Advocate Division  
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This the 5<sup>th</sup> day of December 2023.

  
\_\_\_\_\_  
Melvin J. Malone