## BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

## NASHVILLE, TENNESSEE

July 6, 2023

IN RE:	
PETITION OF SUPERIOR WASTEWATER	DOCKET NO.
SYSTEMS, LLC FOR A CERTIFICATE OF	23-00049
CONVENIENCE AND NECESSITY TO AMEND ITS )	
EXISTING SERVICE TERRITORY IN  WHILLIAMSON COUNTY TERRITORY IN	
WILLIAMSON COUNTY, TENNESSEE	

## **ORDER DISMISSING PETITION WITHOUT PREJUDICE**

This matter is before the Hearing Officer, duly appointed by the voting panel of Commissioners of the Tennessee Public Utility Commission ("Commission" or "TPUC") and designated by General Counsel, to administer certain preliminary issues that may arise during the preparation of this matter for hearing before the Commission. On June 27, 2023, John Powell filed a *Petition of Superior Wastewater Systems, LLC to Amend Existing Service Territory in Williamson County* ("Petition") in the above-captioned docket. The Petition was submitted by Mr. Powell as President of Superior Water Service, LLC ("Superior"), however, Mr. Powell is not a licensed attorney.

It has been communicated to Mr. Powell in previous dockets that petitions filed with the Commission must be filed by an attorney. The Attorney General stated in a letter to Earl Taylor dated January 9, 2017, "Mr. Powell's acts of drafting, signing, and filing a Petition on behalf of a business entity to initiate a hearing before the Tennessee Public Utility Commission (TPUC) constitutes the practice of law because the drafting of court pleadings requires a lawyer's professional judgment." Further, the Hearing Officer stated in his Order in TPUC Docket No. 08-00202 that "...because Mr.

Powell is not an attorney, his participation does not allow him to perform any act that requires the

professional judgment of a lawyer." Mr. Powell was mailed a copy of the Attorney General's letter,

he should be aware of the Order issued in Docket No. 08-00202, and similar Notices have been issued

in Docket Nos. 17-00120, 20-00109, 21-00001, and an Order Requiring Superior to Obtain Counsel

was issued in Docket No. 21-00086. Mr. Powell was sent copies of all of these filings.

The Hearing Officer finds that Mr. Powell has been informed on many occasions that an

attorney is required to file a Petition on behalf of and to represent Superior in proceedings before the

Commission, yet he filed the *Petition* in this matter for Superior, without an attorney. Therefore, the

Hearing Officer concludes the *Petition* should be dismissed without prejudice.

IT IS THEREFORE ORDERED THAT:

The Petition of Superior Wastewater Systems, LLC to Amend Existing Service Territory in

Williamson County is dismissed without prejudice, and the docket is closed.

Monica Smith-Ashford, Hearing Officer

2