

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

IN RE:)	
)	
PETITION OF SUPERIOR WASTEWATER)	
SYSTEMS, LLC TO AMEND EXISTING)	
SERVICE TERRITORY IN WILLIAMSON)	Docket No. 23-00051
COUNTY)	

UNOPPOSED MOTION TO LIFT STAY ON PROCEEDINGS

Petitioner Superior Wastewater Systems, LLC (“Superior”) respectfully moves to lift the stay on this proceeding, which is no longer warranted. Counsel for Superior has conferred with counsel for Intervenor Tennessee Wastewater Systems, Inc. (“TWSI”), who has advised that TWSI is not opposed to the relief sought in this Motion. As grounds for this Motion, Superior states as follows:

1. Superior filed this Petition on July 6, 2023, in order to obtain a Certificate of Convenience and Necessity for the purposes of providing wastewater services to certain portions of Williamson County, Tennessee.

2. On December 1, 2023, TWSI filed a Motion to Hold Proceedings in Abeyance pending the outcome of Superior’s lawsuit filed against TWSI in Williamson County Chancery Court, No. 23CV-53047.

3. On January 23, 2024, the Commission entered an Order Granting Motion to Hold Docket in Abeyance. In relevant part, this Order stated that Docket 23-00051 was “held in abeyance until the conclusion of the related Williamson County Chancery Court Case” referenced above.

4. On July 30, 2024, the Williamson County Chancery Court entered an Order dismissing Case No. 23CV-53047.

5. Although Superior disagrees with the Court's ruling and believes it has grounds for a meritorious appeal, that process is likely to take, at a minimum, several months, which would be followed by several additional months of litigation in Chancery Court in the event of a successful appeal. In other words, appealing could result in a further delay of this proceeding by several additional years.

6. In the interest of avoiding further delays in its ability to provide necessary public services to Williamson County, therefore, Superior has elected to forego its right to appeal to the Williamson County Chancery Court Order, thereby bringing that matter to a conclusion.

7. Because the Williamson County Chancery Court case has now concluded, there are no longer any grounds for holding this proceeding in abeyance.

WHEREFORE, Superior respectfully requests that this Court lift the stay it has placed on this proceeding and allow matters to proceed before the Commission in this docket.

Respectfully submitted,

Sims|Funk, PLC

By: 

Erik C. Lybeck, #35233
3102 West End Ave., Suite 1100
Nashville, TN 37203
(615) 425-7030 – Telephone
(615) 649-8565 – Facsimile
elybeck@simsfunk.com

*Counsel for Superior Wastewater Systems,
LLC*

CERTIFICATE OF SERVICE

I certify that a true and correct version of the foregoing was served in PDF format by electronic mail to the following counsel of record on August 21, 2024:

Henry Walker
Bradley
1600 Division Street, Suite 700
Nashville, TN 37203
hawalker@bradley.com

Jeff Riden
Tennessee Wastewater Systems, Inc.
851 Aviation Parkway
Smyrna, TN 37167
Jeff.riden@adenus.com

By: 