

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

December 8, 2023

IN RE:

**PETITION OF SUPERIOR WASTEWATER
SYSTEMS, LLC FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO AMEND ITS
EXISTING SERVICE TERRITORY IN
WILLIAMSON COUNTY, TENNESSEE**

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**DOCKET NO.
23-00051**

ORDER BIFURCATING DOCKET

This matter is before the Hearing Officer of the Tennessee Public Utility Commission (“Commission” or “TPUC”) upon a request to bifurcate the above-captioned docket. Superior Wastewater Systems, LLC (“Superior” or the “Company”) expressed concerned that the intervention of Tennessee Wastewater Systems, Inc. (“TWSI”) would impede the progress of consideration of the remainder of the request contained in Superior’s *Petition of Superior Wastewater Systems, LLC to Amend Existing Service Territory in Williamson County* (“*Petition*”). In its *Petition*, Superior seeks a Certificate of Public Convenience and Necessity (“CCN”) to serve approximately 5,997.24 acres in the Triune and surrounding areas in Williamson County. TWSI’s intervention was based on two parcels being within its Milcrofton service area. Superior suggested that the docket be bifurcated to allow for the remainder of Superior’s *Petition* to be considered at a potentially faster pace. TWSI did not object to bifurcating the docket.

FINDINGS AND CONCLUSIONS

Commission Rule 1220-01-02-.22 provides:

In any contested case the Commission or the Hearing Officer:

(1) May determine that there is no genuine issue as to any material fact. In

reaching such determination, the Commission or Hearing Officer may, in its discretion, hear and determine all or any part of a case, without hearing oral testimony;

(2) May, on its own motion or the motion of any party, allow amendments, consolidate cases, join parties, sever aspects of the case for separate hearings, permit additional claims or contentions to be asserted, bifurcate or otherwise order the course of proceedings in order to further the just, efficient and economical disposition of cases consistent with the statutory policies governing the Commission; and

(3) Shall afford all parties an opportunity to be heard after reasonable notice before exercising these general procedural powers.

The Hearing Officer finds that the request to bifurcate the docket is well taken because bifurcating the docket will potentially expedite consideration of a portion of the request contained in Superior's *Petition*, and there is no opposition to bifurcating the docket. Therefore, the Hearing Officer concludes the request to bifurcate the docket should be granted. All of the docket filings filed in the current docket pertaining to the initial, non-contested request should be moved to a new docket and assigned a new docket number. On the map attached to this Order as Exhibit 1, the areas outlined in red will be considered in the new docket, and the remaining areas will be considered in this docket.

IT IS THEREFORE ORDERED THAT:

1. The above-captioned matter is bifurcated into two separate dockets. Docket No. 23-00051 will be the docket going forward with Tennessee Wastewater Systems, Inc.'s intervention.
2. The Docket Manager is directed to open a new docket file and all docket filings that do not pertain to Tennessee Wastewater, Inc.'s intervention will be moved to that docket.
3. On the map attached as Exhibit 1, the portion outlined in red is designated for consideration in the new docket, and the remaining portion that is not outlined in red will be considered in the current docket, Docket No. 23-00051.


Monica Smith-Ashford, Hearing Officer

EXHIBIT 1

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|  | Area we already serve |  | People who have requested sewer service |
|  | Area not planning to serve |  | Properties under contract for development and sewer plant and drip field site |

