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James F. Mitchell, III
Partner

July 10, 2024

Electronically Filed in TPUC Docket
Room on July 10, 2024 at 1:49 p.m.

Hon. Herbert H. Hilliard, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243

Re: Joint Application of Limestone Water Utility Operating Company, LLC and Bridget J. Willhite as Administrator CTA of the Estate of Glenna Newport, for approval of the Acquisition of and to Operate the Newport Resort Water System, and to Transfer or Issue a Certificate of Public Convenience and Necessity
Docket No. 24-00034

Dear Sir or Madam:

Enclosed please find the original and four (4) copies of the Answers of Bridget J. Willhite as Administrator CTA of the Estate of Glenna Newport to Consumer Advocate's Second Set of Discovery Requests for filing in the above-referenced matter. By copy of this correspondence, I am providing copies of the same by email to all parties in this matter.

With best regards, I remain

Yours very truly,

WILLHITE & MITCHELL, PLLC


Bridget J. Willhite

BJW:mle
Enclosure

cc: TN Public Utilities Commission – Via Email: tpuc.docketroom@tn.gov
Ms. Katherine Barnes – Via Email: Katherine.Barnes@butlersnow.com
Mr. Melvin Malone – Via Email: Melvin.Malone@butlersnow.com
Ms. Victoria B. Glover – Via Email: victoria.glover@ag.tn.gov
Ms. Shilina B. Brown – Via Email: shilina.brown@ag.tn.gov
Ms. Michelle Mairs – Via Email: michelle.mairs@tn.gov;
Mr. Cole McCormick – Via Email: cole.mccormick@tn.gov
Ms. Terra Allen – Via Email: terra.allen@ag.tn.gov
Mr. Russ Mitten – Via Email: rmitten@cswrgroup.com
Mr. Dave Woodsmall – Via Email: dwoodsmall@cswrgroup.com

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)
)
JOINT APPLICATION OF LIMESTONE)
WATER UTILITY OPERATING)
COMPANY, LLC, AND BRIDGET J.)
WILHITE, AS ADMINISTRATOR CTA)
OF THE ESTATE OF GLENNA)
NEWPORT, FOR APPROVAL OF THE)
ACQUISITION OF AND TO OPERATE)
THE NEWPORT RESORT WATER)
SYSTEM, AND TO TRANSFER OR)
ISSUE A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY)

DOCKET NO. 24-00034

**ANSWERS OF BRIDGET J. WILLHITE AS ADMINISTRATOR CTA OF
THE ESTATE OF GLENNA NEWPORT
TO CONSUMER ADVOCATE'S SECOND SET OF DISCOVERY REQUESTS**

Comes Bridget J. Willhite, Administrator CTA of the Estate of Glenna Newport, and in response to the Consumer Advocate's Second Set of Discovery Requests, and answers as set forth herein. This Administrator CTA was appointed by Rhea County Chancery Court as the Administrator CTA of the Estate of Glenna Newport on May 12, 2022, and only has personal and specific knowledge from that date forward.

GENERAL OBJECTIONS

1. Estate Administrator 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. Estate Administrator 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”).

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

4. Estate Administrator 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. Estate Administrator objects to each request to the extent it seeks information outside Estate Administrator’s custody or control.

6. Estate Administrator’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 Estate Administrator’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. Estate Administrator 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. Estate Administrator 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. Estate Administrator does not waive any previously submitted objections to the Consumer Advocate’s discovery requests.

SECOND SET OF DISCOVERY REQUESTS

2-1. Source & Support. Provide the date that the Water System was placed into service.

RESPONSE: As stated above, This Administrator CTA was appointed by Rhea County Chancery Court as the Administrator CTA of the Estate of Glenna Newport on May 12, 2022, and only has personal and specific knowledge from that date forward. Monte Newport advised this Administrator CTA that the water system was placed into service on or about 1965.

2-2. Source & Support. Refer to the Newport Resort Response to Consumer Advocate DR No.

1-1. Specifically, refer to Exhibit D, Tennessee Department of Environment and Conservation (“TDEC”) Sanitary Survey as filed in the response and provide answers to the following:

- a. Refer to marked Section 6, Subsection A, Adequate Storage. Has Newport Resort provided a response to the deficiency noted by TDEC regarding this subsection? If yes, provide the response.

RESPONSE: No formal written response has been filed. However, after receiving the January 23, 2024 letter, numerous leaks were detected and repaired by NRWS decreasing daily usage of water from 30,000 to 40,000 gallons a day to 10,000 to 14,000 gallons a day as of May 2024. In addition, the new owner of 1041 Whites Creek Road, Spring City, TN, Tradewinds Investment Properties, GP, ran a water line at its on cost and tapped directly into Utility District of North Rhea’s waterline. NRWS’s system’s well and transfer lines are located on this land. Tradewinds Investment Properties, GP installed a valve to allow NRWS to access their tap, if necessary, to provide emergent water flow. As we understand the requirements, the need for a storage tank in the event of an emergency was eliminated as NRWS has access to North Rhea Utility water system as a backup as of May 2024.

- b. Refer to marked Section 6, Subsection B, Inspection and Maintenance of Reservoirs, Tank and Clearwell. Has Newport Resort provided a response to the deficiency noted by TDEC regarding this subsection? If yes, provide the response.

RESPONSE: No formal written response has been filed. No tank inspection report has been filed. The operator attempted to take photographs of the tank but has been unable to get a clear view of the tank safely.

- c. Refer to marked Section 7, Subsection E, Map of Distribution System. Has the Newport Resort provided a response to the deficiency noted by TDEC regarding this subsection? If yes, provide the response.

RESPONSE: Attached as Exhibit A is a Map of the Distribution System.

- 2-3. Explanation. Refer to the Newport Resort's Response to Discovery Request No. 1-5.

Confirm that the Newport Resort will transfer the referenced customer deposits as a part of this transaction.

RESPONSE: There is no separate trust account for the deposits. The deposits have been placed in operating account and used to pay for expenses to stop significant leaks in the system and upgrade the system to stay in compliance with State regulations. Any funds remaining in the operating account will be transferred as part of this transaction.

- 2-4. Source & Support. Provide the date and amount of any capital investments for the system.

RESPONSE: As stated above, This Administrator CTA was appointed by Rhea County Chancery Court as the Administrator CTA of the Estate of Glenna Newport on May 12, 2022, and only has personal and specific knowledge from that date forward. Monte Newport advised this Administrator CTA that he is unaware that any capital investments were made for NRWS.

- 2-5. Explanation. Refer to the Newport Resort's Response to Consumer Advocate DR No. 1-

3. Confirm there have been no Financial Statements since the inception of the system; if not confirmed provide the most recent financial statement available.

RESPONSE: As stated above, This Administrator CTA was appointed by Rhea County Chancery Court as the Administrator CTA of the Estate of Glenna Newport on May 12, 2022, and only has personal and specific knowledge from that date forward. Monte Newport advised this Administrator CTA that he is aware of no Financial Statements since the inception of the system during his time working in the system or while his father or uncle managed the system prior to him.

EXHIBIT “A”

**to the Answers of Bridget J. Willhite as Administrator
CTA of The Estate of Glenna Newport to Consumer
Advocate’s Second Set of Discovery Requests**

**In Re: Joint Application of Limestone Water Utility
Operating Company, LLC et al
TPUC No. 24-00034**



RHEA COUNTY, TENNESSEE


PROPERTY INFORMATION



This map is not a legal document, used for tax purposes only.

VERIFICATION

I, BRIDGET J. WILLHITE, Administrator CTA of the Estate of Glenna Newport, being first duly sworn, make oath that the foregoing Answers of Bridget J. Willhite as Administrator CTA of the Estate of Glenna Newport to Consumer Advocate's Second Set of Discovery Requests are true and correct to the best of my information, knowledge, and belief.




BRIDGET J. WILLHITE
Administrator CTA of the Estate of Glenna Newport,

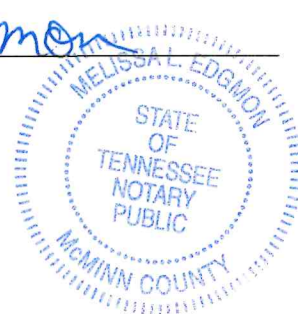
STATE OF TENNESSEE §
COUNTY OF McMINN §

Personally, appeared before me, the undersigned, a Notary Public in and for said County and State, the within named individual, **BRIDGET J. WILLHITE, Administrator CTA of the Estate of Glenna Newport**, with whom I am personally acquainted (or upon the basis of satisfactory evidence presented to me), who, after being duly sworn, made oath that she executed the foregoing for the purposes therein contained.

WITNESS my hand and seal this 10th day of July, 2024.




NOTARY PUBLIC
My Commission Expires: 4/26/2027



RESPECTFULLY SUBMITTED this 10th day of July, 2024.

WILLHITE & MITCHELL, PLLC

BY: 
BRIDGET J. WILLHITE, BPR #21951
Administrator CTA for
Estate of Glenna Newport, Deceased
1 East Madison Avenue
P. O. Box 885
Athens, TN 37371-0885
Phone: (423) 745-7447

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served upon the following by delivering a true and exact copy of same via email addressed as follows:

Melvin Malone
Katherine Barnes
Butler Snow LLP
The Pinnacle at Symphony Place
150 Third Avenue South, Suite 1600
Nashville, TN 37201
Email: Melvin.Malone@butlersnow.com
Email: Katherine.Barnes@butlersnow.com

Victoria B. Glover
Assistant Attorney General
Shilina B. Brown
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, Tennessee 37202-0207
Email: victoria.glover@ag.tn.gov
Email: shilina.brown@ag.tn.gov

This 10th day of July 2024.

WILLHITE & MITCHELL, PLLC

By: 
BRIDGET J. WILLHITE