

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**February 13, 2025**

**IN RE:**

**PETITION OF LIMESTONE WATER UTILITY  
OPERATING COMPANY, LLC TO INCREASE  
CHARGES, FEES AND RATES AND FOR APPROVAL OF  
A GENERAL RATE INCREASE AND CONSOLIDATED  
RATES**

**DOCKET NO.  
24-00044**

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**PRE-HEARING ORDER**

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Pursuant to Tenn. Code Ann. § 4-5-306(d) and Commission Rule 1220-1-2-.12, this matter came before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) at Pre-Hearing Conference held via teleconference on February 5, 2025. The Pre-Hearing Conference was held to establish the orderly conduct of the hearing on the *Petition* for a general rate increase and for consolidated rates filed by Limestone Water Utility Operating Company, LLC (“Limestone”) on July 16, 2024. The Hearing is scheduled to be held on Tuesday, February 18, 2025, at 10:00 a.m. (CST) and continuing as necessary through February 21, 2025. Limestone and the Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”), the parties in this matter, participated in the Pre-Hearing Conference.

A Public Comment session was held in this matter at Pickwick Landing State Park on January 30, 2025, and another will be held in Nashville on February 13, 2025. The public will be given additional opportunities to comment before the hearing begins and at designated times during the hearing. There has been a great deal of interest from members of the public in this docket and many comments have been filed in the docket file. The ratemaking process is complex, and the Commission wants the public to be well informed about these proceedings. Therefore, the parties

were asked to take some time during this Hearing to provide additional explanation and general information regarding the provisions of the *Petition*, the Consumer Advocate's role, etc. for members of the public who are not experienced with the ratemaking process. Accordingly, the parties were provided additional time for Opening Statements and Witness Summaries than is customary for most rate case proceedings to accomplish this added educational component. In addition, the parties may be given some latitude during the Hearing if witnesses slightly exceed their allotted summary time.

## **PROCEDURAL MATTERS**

The following order of the Hearing has been established and agreed upon:

### **A. NOTICE OF HEARING & PUBLIC COMMENT**

On February 7, 2025, a *Notice of Hearing* was issued notifying the public that a Hearing on the *Petition* filed on July 16, 2024, is to be held at **10:00 a.m. CST on Tuesday, February 18, 2025**. As was included in the notice, members of the public are encouraged to participate by filing written comments in the docket file and/or presenting verbal comments during the Hearing.

### **B. OPENING STATEMENTS**

Each party is permitted between (20) and (25) minutes to present an opening statement. Limestone will present its Opening Statement first, followed by the Consumer Advocate.

### **C. EXHIBITS & DOCUMENTS**

The parties will establish a date to exchange any demonstrative exhibits related to a witness's pre-filed testimony. Each party should have its own copy of all exhibits, including those appended to pre-filed testimony, available for reference during the Hearing.

#### **D. WITNESSES**

During direct examination, a time limit has been established for each witness to summarize the pre-filed testimony. In addition, witnesses should be advised that they should not discuss their testimony with other witnesses, and they remain subject to recall for rebuttal purposes and should remain available throughout the length of the proceedings. The witnesses and time limits are set forth below:

- **Limestone will present the witnesses in the order listed below. Each witness will be allotted the amount of time indicated next to his or her name to provide a summary of their testimony.**

1. **Mike Duncan** - 20 minutes
2. **Clare Donovan** - 10-15 minutes
3. **Brent Thies** - 15-20 minutes
4. **Dylan D'Ascendis** – 20 minutes
5. **Todd Thomas** – 10 minutes
6. **Jacob Freeman** – 10-15 minutes
7. **Aaron Silas** – 10 minutes

- **The Consumer Advocate will present the witnesses below in the following order with the listed time limits.**

1. **William H. Novak** – 15 minutes
2. **David Dittmore** – 15 minutes
3. **Clark Kaml** – 15 minutes
4. **Aaron Rothschild** - 20 minutes

#### **E. EXAMINATION OF WITNESSES AND QUESTIONS BY THE COMMISSION**

While re-direct examination of a witness is allowed, the parties are reminded that it is to be limited to matters elicited during cross-examination that require clarification. It is not appropriate to raise new issues during re-direct examination. Re-cross examination is not permitted except in the event that a new issue is raised during the immediately preceding re-direct examination. The parties

should be aware that the Commissioners might ask questions at any time during a witness's testimony and after cross-examination. The Commission's Advisory Staff will have an opportunity to ask questions as well.

#### **F. POST-HEARING BRIEFS**

The parties have chosen to file post-hearing briefs instead of presenting closing remarks at the Hearing. Generally, post-hearing briefs should be filed about two (2) weeks after the transcript from the hearing becomes available. As discussed during the Pre-Hearing Conference, more definitive dates will be provided after the Hearing concludes.

#### **Summary Outline of Hearing**

For the convenience of the presiding panel and the parties, a *Procedural Outline of Hearing* has been provided as Attachment A to this Order.

#### **IT IS SO ORDERED THAT:**

The Hearing scheduled to be held at **10:00 a.m. CST on February 18, 2025**, shall be conducted in accordance with the requirements and deadlines set forth in this Pre-Hearing Order unless otherwise ordered by the Chairman or presiding Commissioner.

  
Monica Smith-Ashford, Administrative Judge

**ATTACHMENT A**

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF LIMESTONE WATER UTILITY</b>	)	<b>DOCKET NO.</b>
<b>OPERATING COMPANY, LLC TO INCREASE</b>	)	<b>24-00044</b>
<b>CHARGES, FEES AND RATES AND FOR APPROVAL OF</b>	)	
<b>A GENERAL RATE INCREASE AND CONSOLIDATED</b>	)	
<b>RATES</b>	)	

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**PROCEDURAL OUTLINE OF HEARING**

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Time/Date: **February 18, 2025, at 10:00 a.m. (CST)**

**Hearing on the Merits**

Hearing Convened by Presiding Commissioner and Introductions

- A. Public Comment
- B. Preliminary Issues
- C. Opening Statements (20-25 Minutes each):
  - 1) Limestone
  - 2) Consumer Advocate

D. Witness Summaries:

**Limestone Witness**

**Mike Duncan**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony	Twenty (20) minutes
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Cross-examination	Consumer Advocate
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Re-direct examination	Limestone
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Re-cross examination	(if requested & determined appropriate)
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Questions	TPUC Commissioners and/or Advisory Staff
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**Limestone Witness****Clare Donovan**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Ten to Fifteen (10-15) minutes

Cross-examination      Consumer Advocate

Re-direct examination      Limestone

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

**Limestone Witness****Brent Thies**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Fifteen to Twenty (15-20) minutes

Cross-examination      Consumer Advocate

Re-direct examination      Limestone

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

**Limestone Witness****Dylan D'Ascendis**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Twenty (20) minutes

Cross-examination      Consumer Advocate

Re-direct examination      Limestone

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

**Limestone Witness****Todd Thomas**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Ten (10) minutes

Cross-examination      Consumer Advocate

Re-direct examination      Limestone

Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

**Limestone Witness**

**Jacob Freeman**

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten to Fifteen (10-15) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Limestone
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

**Limestone Witness**

**Aaron Silas**

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Limestone
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

**Consumer Advocate Witness**

**William H. Novak**

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Fifteen (15) minutes
Cross-examination	Limestone
Re-direct examination	Consumer Advocate
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

**Consumer Advocate Witness****David Dittemore**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Fifteen (15) minutes

Cross-examination      Limestone

Re-direct examination      Consumer Advocate

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

**Consumer Advocate Witness****Clark Kaml**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Fifteen (15) minutes

Cross-examination      Limestone

Re-direct examination      Consumer Advocate

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

**Consumer Advocate Witness****Aaron Rothschild**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony      Twenty (20) minutes

Cross-examination      Limestone

Re-direct examination      Consumer Advocate

Re-cross examination      (if requested & determined appropriate)

Questions      TPUC Commissioners and/or Advisory Staff

E. Public Comment

F. Hearing Adjourned