

Statement from Douglas P. Turner, presented to the Tennessee Public Utility Commission (TPUC) 2nd Public Comment Session February 13, 2025, on the matter of Docket #2400044 - 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.

Good afternoon. I'm Doug Turner, residing at [REDACTED]. I am a service customer of Limestone for sewer services in the River Rest community in the Grassland area of unincorporated Franklin, in Williamson County TN. **This proposed rate increase will seriously impact my utility costs and monthly budget, so I must OBJECT to this action by Limestone.**

Several points:

1) Representatives of Limestone and Central States Water Resources ("CSWR") - the affiliated company that has operational oversight over Limestone - met with residents of the River Rest Homeowners Association (RR-HOA) in August 2023, stating (while responding to questions) that repairs and upgrades to the Cartwright Creek Water Treatment Plant ("Cartwright" aka "Limestone Grassland") "...should start in about 9 months from now, and should take about 3 months to complete. So, they (Limestone) expect to complete the upgrades about a year from now...". They also stated that 552 taps (residential and commercial sewer accounts) were served by Cartwright / Limestone Grassland. They also stated that the plant was in bad condition, suffering from neglect and lack of maintenance.

2) Limestone sent a short-notice letter dated 02/05/2025 – which we received on 02/10/2025 – informing us of the proposed rate increase and "... an opportunity for customers to participate by submitting written comments or presenting oral comments at a TPUC meeting scheduled for Tuesday February 18, 2025", as well as a "...scheduled Zoom conference meeting on Tuesday February 11, 2025 from 4 pm to 5:30 pm CST to answer any questions you may have regarding our service to your community". . **Affected Limestone customers were NOT given adequate and/or proper notification of this rate increase, especially in this modern era of electronic communications and notifications of customers already in Limestone's / CSWR's online billing system; NO prominent notices were posted.** There was also a hastily scheduled second Zoom conference meeting on Wednesday 02/12/2025 from 5:00 pm to 6:30 pm for further comments from just-informed affected customers of Limestone in the Grassland area. **See my heavily marked-up copy of the letter, with many notes that I made from those Zoom meetings.** Aaron Silas, Director of Regulatory and Customer Operations of CSWR, was the host / moderator of both those Zoom calls.

ACTION ITEM #1: That the TPUC grant an immediate postponement on any decision regarding this rate and fee increase request, for a minimum of 30 days, to allow affected customers adequate time to review, and provide written and/or in-person comment to the TPUC.

3) In the mailed letter received by Limestone customers (referenced above), there was **never stated** the new rate amount of \$86.64 per month, nor what a percentage that increase would amount to (example: 108% [more than double] for Limestone Grassland residential customers, per the rate filing chart included in Mr. Silas's Direct Testimony filing of 7/16/2024). There was no link or website included to the Docket #2400044, the petition or any other supporting documentation. **We had to find that information on our own.**

ACTION ITEM #2: That the TPUC REJECTS this rate and fee increase request, as excessive and unwarranted.

4) Arron Silas, when questioned on a \$7.50 surcharge imposed on Cartwright customers (to build up an additional fund for repairs and upgrades to the Cartwright / now Limestone Grassland plant) approximately 10 years ago – and continued to this day by Limestone – Silas stated that “... we have proposed removing that \$7.50 surcharge... with this rate increase...”. However, after an initial review of some of the publicly available documents (and they are extensive), I have yet to find anything in writing in this rate increase proposal to indeed permanently remove this \$7.50 surcharge. Additionally, that surcharge implied on the 552 customer taps (accounts) of the Cartwright / Limestone Grassland system amount to approximately a half million dollars (\$500,000.00) over those 10 years, and our River Rest community has not seen any evidence of repairs, improvements or upgrades in this system since Limestone took it over.

ACTION ITEM #3: That the TPUC IMMEDIATELY rescinds this \$7.50 rate surcharge, regardless of what other actions are taken by the TPUC regarding the rate and fee increases requested by Limestone.

ACTION ITEM #4: That the TPUC conduct an immediate audit of Limestone’s operations and claimed expenses for the claimed repairs, improvements and upgrades to the Cartwright / Limestone Grassland plant. What happened to the \$500,000.00 collected these past 10 years?

5) In the short-notice letter dated 02/05/2025 from Limestone, Limestone stated that “... the proposal adjustments reflect approximately \$9.5 million spent to acquire, upgrade, and invest in infrastructure critical to the health and well-being of communities across the state...”. On the Zoom conference call on Wednesday 02/12/2025, in response to a question, Aaron Silas stated that “...six [6] community systems were served by this 9.5 million expenditure...”. **That equates to nearly \$1.6 million average per system.** Further, Mr. Silas stated that “...the Grassland plant was the plant in need of the most repairs and upgrades...”. Per the chart “Petitioner’s Exhibit AJS-5” listed in Mr. Silas’s Direct Testimony filing of 7/16/2024, there are 2,319 customers (aka taps) listed (1,794 residential, 525 commercial). Based on the 552 taps serviced by Limestone Grassland, that accounts for 23.8% of the total taps serviced by Limestone in this filing. That equates to approximately \$2.25 million is so allocated to repairs and upgrades to the Limestone Grassland system, **yet we have seen no evidence of any such extensive repairs or upgrades over the past 2 years.**

Further, in early January 2025, the Limestone/Grassland plant had a major system malfunction and overflow of raw sewage, flooding and damaging a soccer field and surrounding trails and areas with human sewage. Until repairs are made – **and they have NOT YET been made, to our knowledge - several temporary, portable diesel pumps are pumping sewage in order to prevent a backflow and buildup of sewage in our toilets and sinks in our homes in River Rest.**

ACTION ITEM #5: That – echoing Action Item #4 - the TPUC conduct an immediate audit of Limestone’s operations and claimed expenses for the claimed repairs, improvements and upgrades to the Cartwright / Limestone Grassland plant, that supposedly amount anywhere in the range of \$1.6 million to \$2.25 million over the last 2 years, IN ADDITION to the \$500,000 supposedly reserved for such repairs and upgrade sunder Action Item #4.

ACTION ITEM #6: That the TPUC IMMEDIATELY enforce – through coordination with TDEC and any other regulatory agency – the immediate cleanup by Limestone of the raw sewage, waste water and damage to the River Rest community facilities, and commence needed repairs to its pumps and facilities.

5) Cartwright – and currently Limestone – have allowed the continual operation of waste trucks “honey dippers”) over the past 15+ years to and from the sewer plant, damaging our roadway and parking lots; this is a privately-maintained road under RR-HOA, and is NOT a Williamson County maintained roadway. Some minor repairs were undertaken by Cartwright a few years before the plant was acquired by Limestone.; that was a good start, but nothing further happened by Cartwright. Current estimates are that necessary repairs range from \$150,000 to \$250,000. Discussions have been by the RR-HOA Board with Limestone, but nothing definitive has occurred.

ACTION ITEM #7: That Limestone be held accountable for repairs and/or replacement of paving, underlying materials and all labor and installation costs of replacing the long-damaged roadway and parking lots.

6) Longer term, the Limestone Grassland plant is in a floodplain, evidenced by serious flooding and damages incurred as a result of the May 2010 historic floods.

ACTION ITEM #8: Any plans by Limestone, CSWR and/or its successors to upgrade and/or expand this plant MUST include appropriate engineering, design and grade to prevent any further damage to the River Rest community. Further, any noise, smells, offensive odors, security lighting or other items emanating from the operations of the Limestone Grassland plant must NOT negatively impact the River Rest community and surrounding neighbors.

6) Finally (for now) I have a concern regarding Equivalent Residential Units (“ERUs”) the assignment of ERU rating factors for commercial enterprises in the Grassland community business district, and the adjusted (i.e. discounted) rate of 0.5 being proposed by Limestone to the Grassland Elementary and Middle Schools. For instance, a local chain farm supply business has a special featured dog/pet wash (highly praised by the community) in it’s facility; certainly NOT the waste water generated by a car wash facility, but indeed higher than most business. What is THEIR ERU rating? **Any unduly low, inequitable allocation of a rating on a business or school impacts the calculation of allocated costs and proposed rates, which can severely impact and raise the rates on residential customers.** While residents want to reasonable support our local business, churches and schools, we do NOT want to unnecessarily subsidize their lower sewer rates and fees.

ACTION ITEM #9: That the TPUC review (again) the proposed ERU factors, assignments and internal reports from Limestone, regarding unwarranted and/or unsupported discounts rates to businesses. Further, I request that the TPUC rejects the proposed ERU rate of 0.5 to the Grassland Schools, and instead approve an ERU of 0.75.

Thank you for your attention and consideration regarding this matter. Further comments and supporting documentation will be submitted via the TPUC Comment website.

Sincerely,

Douglas P. Turner

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