

# BUTLER | SNOW

January 29, 2026

**VIA ELECTRONIC FILING**

Hon. David Jones, Chairman  
c/o Ectory Lawless, Docket Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4th Floor  
Nashville, TN 37243  
[TPUC.DocketRoom@tn.gov](mailto:TPUC.DocketRoom@tn.gov)

Electronically Filed in TPUC Docket  
Room on January 29, 2026 at 2:04 p.m.

**RE: *Application of Two Rivers Utility, LLC for a Certificate of Public Convenience and Necessity, TPUC Docket No. 25-00073***

Dear Chairman Jones:

Attached for filing please find Two Rivers Utility, LLC's and Consumer Advocate Division of the Office of the Tennessee Attorney General's *Joint Agreed Motion to Submit Case to Commission for a Hearing of the Merits on the Record ("Paper" Hearing)* in the above-captioned matter.

As required, copies will follow. Should you have any questions concerning this filing or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw

Attachment

cc: Craig Chrestman, Two Rivers Utility  
Joey Wimberley, Two Rivers Utility  
Karen H. Stachowski, Esq., Consumer Advocate

*Neuhoff Building  
1320 Adams Street, Suite 1400  
Nashville, TN 37208*

MELVIN J. MALONE  
615.651.6705  
C 615.948.7801  
[melvin.malone@butlersnow.com](mailto:melvin.malone@butlersnow.com)

T 615.651.6700  
F 615.651.6701  
[www.butlersnow.com](http://www.butlersnow.com)

BUTLER SNOW LLP

99331694.v1

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

<b>IN RE:</b>	)	
	)	
<b>APPLICATION OF TWO RIVERS UTILITY, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</b>	) ) ) ) )	<b>DOCKET NO. 25-00073</b>

---

**JOINT AGREED MOTION TO SUBMIT CASE TO COMMISSION  
FOR HEARING OF THE MERITS ON THE RECORD (“PAPER” HEARING)**

---

The hearing in the above-captioned matter (the “*Hearing*”) is set by the Tennessee Public Utility Commission (the “Commission” or “TPUC”) for February 17, 2026, at 10:00 a.m. (CST), in Conference Room G.201 located on the Ground Floor of the Andrew Jackson State Office Building, 500 Deaderick Street, Nashville, Tennessee 37243. For good cause shown, Two Rivers Utility, LLC (“Two Rivers”) and the Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate” or “CAD”) submit this *Joint Agreed Motion to Submit Case to Commission for Hearing of the Merits on the Record (“Paper Hearing”)* (the “*Motion*”). In support of the *Motion*, Two Rivers and the Consumer Advocate Division respectfully submit the following:

As the Commission is aware, the parties have engaged in good faith and cooperative discovery and have also submitted pre-filed testimony. Given the developed record, and the cooperative discussions between the parties, the Two Rivers and the CAD have consulted and agreed that the proposed procedure outlined in this *Motion* is an acceptable course for adoption by the Commission.

Further, there is only a single remaining contested issue presented in this case. Excepting the issue regarding the amount of the developer's performance bond, the CAD agrees that the Applicant has satisfied the requirements for the approval of its application for a Certificate of Convenience and Necessity.<sup>1</sup> The parties' respective positions on the developer's performance bond issue are set forth in the official record, including pre-filed testimony.

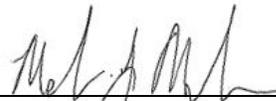
Therefore, Two Rivers and the Consumer Advocate jointly request that the Commission resolve the single remaining contested issue on the merits based upon the official record in TPUC Docket No. 25-00073 and accept this official record, including discovery, into evidence. The parties are fully persuaded that the developed record in this case is sufficient for the Commission to resolve the lone contested issue on the merits without a live hearing. Therefore, under the circumstances presented, the parties waive a "live" hearing, including opening and closing statements, witness summaries and cross-examination. The parties believe the contested issue can be resolved in full on the record in Docket No. 25-00073. In the event the Commission requires any information not already contained with the existing record in Docket No. 25-00073 to resolve the contested issues without an in-person, "live" hearing, the parties agree to timely respond to any forthcoming Commission Data Requests.

WHEREFORE, based on the foregoing, and for good cause shown, Two Rivers Utility, LLC and the Consumer Advocate Division respectfully request that the Commission enter an Order granting the *Joint Agreed Motion to Submit Case to Commission for a Hearing on the Merits on the Record*.

---

<sup>1</sup> The issue regarding depreciation was resolved by agreement of the parties with Two Rivers' supplemental filing on January 29, 2026.

Respectfully submitted this 29<sup>th</sup> day of January 2026.

BY:   
\_\_\_\_\_  
MELVIN J. MALONE  
Butler Snow LLP  
1320 Adams Street, Suite 1400  
Nashville, TN 37208  
Tel: (615) 651-6700  
Email: [melvin.malone@butlersnow.com](mailto:melvin.malone@butlersnow.com)

*Attorneys for Two Rivers Utility, LLC*

BY:   
\_\_\_\_\_  
KAREN H. STACHOWSKI  
Deputy Attorney General  
Office of the Tennessee Attorney General  
Consumer Advocate Division  
P.O. Box 20207  
Nashville, TN 37202-0207  
Tel: (615) 741-2357  
Email: [Karen.Stachowski@ag.tn.gov](mailto:Karen.Stachowski@ag.tn.gov)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Karen H. Stachowski, Esq.  
Deputy Attorney General  
Office of the Tennessee Attorney General  
Consumer Advocate Division  
P.O. Box 20207  
Nashville, TN 37202-0207  
[Karen.Stachowski@ag.tn.gov](mailto:Karen.Stachowski@ag.tn.gov)

Vance Broemel, Esq.  
Managing Attorney  
Office of the Tennessee Attorney General  
Consumer Advocate Division  
P.O. Box 20207  
Nashville, TN 37202-0207  
[Vance.Broemel@ag.tn.gov](mailto:Vance.Broemel@ag.tn.gov)

This the 29<sup>th</sup> day of January 2026.

  
\_\_\_\_\_  
Melvin Malone