

October 23, 2026

VIA ELECTRONIC FILING

Hon. Herbert H. Hilliard, Chairman
Ectory Lawless, Docket Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

Electronically Filed in TPUC Docket Room
on October 23, 2026 at 12:44 p.m.

RE: *Joint Application of Limestone Water Utility Operating Company, LLC, and the City of Grand Junction, for Approval of the Acquisition of and to Operate the Saulsbury Distribution Water System, and to Transfer or Issue a Certificate of Public Convenience and Necessity, TPUC Docket No. 26-00036*

Dear Chairman Hilliard:

Enclosed for filing is Limestone Water Utility Operating Company, LLC's ("Limestone") Proposed Amended Procedural Schedule. While Limestone and the Consumer Advocate Division ("Consumer Advocate" or "CAD") worked cooperatively to try and craft a procedural schedule that both parties could agree upon and submit jointly, we were not able to do so.

As set forth in the Proposed Amended Procedural Schedule of the Consumer Advocate submitted on October 22, 2026, the outstanding item that the parties could not resolve is CAD's request for a third round of discovery. As outlined below, there are several reasons that CAD's request for an additional round of discovery should be summarily denied.

First, the Procedural Schedule issued by the Commission in this proceeding provided the CAD with two (2) rounds of discovery. Limestone responded to both rounds of the CAD's discovery. Second, the CAD's rationale for an additional round of discovery is that the Commission issued data requests *after* the CAD submitted its Pre-filed Testimony. This is certainly a novel rationale, as the Commission often issues data requests during various stages of proceedings, including after the submission of Pre-filed Testimony by Intervenor and even after the submission of Pre-filed Rebuttal Testimony. If the Commission grants the CAD's surprising request upon its stated rationale, such a new precedent will no doubt be invoked in future contested cases before the Commission. Third, not only is CAD's rationale for additional discovery insufficient, but it also fails to acknowledge that CAD may use any responses to the Commission's pending data requests at the hearing. It is noteworthy here that Limestone's September 23, 2026, Responses to the Commission's Second Data Requests were filed *after* the submission of the

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

MELVIN J. MALONE
615.651.6705
C 615.948.7801
melvin.malone@butlersnow.com

*T 615.651.6700
F 615.651.6701
www.butlersnow.com*

CAD's Pre-filed Testimony and that fact did not elicit a request for an additional round of discovery from CAD.

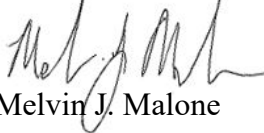
Fourth, a review of the questions submitted by the Commission in its October 2, 2026, data requests easily reveals that the questions submitted therein, as well as those submitted by the Commission on September 10, 2026, could have been submitted by the CAD either on July 9, 2026, or on August 7, 2026. In fact, the Commission's July 2, 2026, data requests were submitted *before* the CAD submitted any discovery to Limestone, and the questions in the Commission's October 2nd data requests emanate from the Commission's July 2, 2026, inquiries. Therefore, the two rounds of discovery granted by the Commission provided CAD with ample and fair opportunity to submit discovery at its discretion. For the foregoing reasons, CAD's request should be denied.

Finally, not only has the CAD asked for a third round of discovery, but it has requested that such additional discovery occur after the submission of Joint Applicants' Pre-filed Rebuttal Testimony. This is more than surprising; it is patently unfair. If the CAD were reasonably persuaded that the pending responses to the Commission's data requests were reasonable grounds for another round of discovery, there would be no need to delay such additional requests until after the submission of Pre-filed Rebuttal Testimony. The Consumer Advocate contends that "rebuttal testimony may introduce new claims or facts in the record." Again, this exposes the overall groundless nature of CAD's requests for a third round of discovery because the Commission has ordered that "Rebuttal Testimony should be limited only to issues raised in the Consumer Advocate's Direct Testimony."¹ The CAD asserts that its request "will not disrupt the procedural schedule." This is not necessarily accurate, as its request may raise issues leading to a request from the Joint Applicants to supplement rebuttal testimony.²

In sum, we appreciate the Consumer Advocate collaborating with the Joint Applicants to try and arrive at a mutually satisfactory schedule. Still, for the reasons set forth above, CAD's request for a third round of discovery in this proceeding should be summarily denied.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw
Attachment

¹ *Order on June 20, 2026, Status Conference, Consumer Advocate's Motion for Entry of a Procedural Schedule, and Consumer Advocate's Motion to Extend Time for Hearing*, p. 7, TPUC Docket No. 26-00036 (July 2, 2026).

² The CAD's contention that the Commission's practice of not permitting discovery after the submission of rebuttal testimony "is largely to accommodate strict statutory deadlines" is both unsupported and inaccurate.

October 23, 2026

Page 3

cc: Eric Rocchio, Central States Water Resources
Russ Mitten, Central States Water Resources
Mayor Curtis Lane, City of Grand Junction
Ryan McGehee, Consumer Advocate Division
Shilina B. Brown, Consumer Advocate Division

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

**JOINT APPLICATION OF LIMESTONE)
WATER UTILITY OPERATING)
COMPANY, LLC, AND THE CITY OF)
GRAND JUNCTION, FOR APPROVAL)
OF THE ACQUISITION OF AND TO)
OPERATE THE SAULSBURY)
DISTRIBUTION WATER SYSTEM, AND)
TO TRANSFER OR ISSUE A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY)**

DOCKET NO. 26-00036

JOINT APPLICANTS' PROPOSED AMENDED PROCEDURAL SCHEDULE

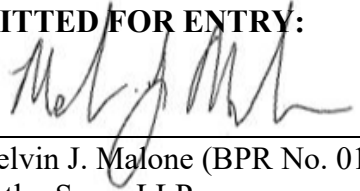
The Joint Applicants, Limestone Water Utility Operating Company, LLC ("Limestone") and the City of Grand Junction, respectfully submit the following Proposed Amended Procedural Schedule in this TPUC Docket No. 26-00036 pursuant to instructions by the Hearing Officer.

Due Date	Filing / Activity
October 29, 2026	Joint Applicants' Rebuttal Testimony
January 14, 2026	Deadline for Filing Settlement Agreement
January 21, 2026	Pre-Hearing Motions
February 4, 2026	Pre-Hearing Status Conference
February 16, 2027	Target Hearing Date

- All filings shall be filed in the TPUC docket room by 2:00 p.m. (Central Time) on the date due.
- Nothing herein restricts the parties from participating in additional informal discovery.
- Copies of all discovery exchanged between the parties shall be filed with TPUC within three business days of the exchange of information.
- All spreadsheets shall be filed in Excel format with working formulas intact.
- Any Pre-filed Testimony should include all supporting worksheets in Excel format with working formulas intact.
- Rebuttal Testimony should be limited only to issues raised in the Consumer Advocate's Direct Testimony and should include the page and line number of the Consumer Advocate's testimony that is being rebutted.

SUBMITTED FOR ENTRY:

BY:


Melvin J. Malone (BPR No. 013874)
Butler Snow LLP
Neuhoff Building
1320 Adams Street, Suite 1400
Nashville, TN 37208
(615) 651-6700
Melvin.Malone@butlersnow.com

*Attorneys for Limestone Water Utility Operating
Company, LLC*

CERTIFICATE OF SERVICE

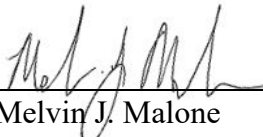
I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

City of Grand Junction
Attn: Mayor Curtis Lane
150 Tippah Street
Grand Junction, TN 38039
grandjunction@bellsouth.net

Ryan McGehee, Esq.
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
ryan.mcgehee@ag.tn.gov

Shilina B. Brown, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
shilina.brown@ag.tn.gov

This the 23rd day of October 2026.


Melvin J. Malone