

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

July 2, 2026

IN 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)

DOCKET NO.
26-00036

**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**

This matter came before the Administrative Judge during a Status Conference held via videoconference on June 30, 2026, on the *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* (“*Joint Application*”). The Status Conference was convened by the Administrative Judge upon the agreement of the Parties, as noticed on June 26, 2026, to discuss the status of the case, to finalize a procedural schedule that disposes of the *Consumer Advocate’s Motion for Entry of a Procedural Schedule* (“*Motion for Procedural Schedule*”) and the *Consumer Advocate’s Notice of Deficiencies in the Minimum Filing Requirements in This Docket and Motion to Extend Time for Hearing* (“*Motion to Extend Time*”), and to discuss the progress of the docket.

Appearances were made by the following:

Limestone Water Utility Operating Company, LLC (“Limestone”) and the City of Grand Junction (“Grand Junction”) – Melvin Malone, Esq., and Jonathan Allen, Esq.; Butler Snow LLP, Neuhoff Buildings, 1320 Adams Stree, Suite 1400, Nashville, TN 37208.

Consumer Advocate Division in the Office of the Attorney General (“Consumer Advocate”) – Ryan McGehee, Esq., and Karen Stachowski, Esq., P.O. Box 20207, Nashville, Tennessee, 37219.

I. REPRESENTATION

As a preliminary issue, the Administrative Judge requested clarification concerning the representation of Limestone and Grand Junction, inquiring whether Mr. Malone and the law firm of Butler Snow represented both or only Limestone. The Administrative Judge ordered that either the City Attorney for Grand Junction, or other attorney, enter an appearance on behalf of Grand Junction, or that a Joint Representation Conflict Waiver, executed by representatives of Limestone and Grand Junction be filed in the docket as has been the practice in similar matters.

II. PROCEDURAL SCHEDULE

A. Consumer Advocate’s *Motion for Procedural Schedule*

On June 4, 2026, the Consumer Advocate filed its *Motion for Procedural Schedule*, stating that the Parties were unable to reach an agreement on a proposed hearing date. The Consumer Advocate stated that its preferred hearing date is November 2, 2026, while Limestone’s preferred hearing date is September 14, 2026.¹ The Consumer Advocate proposed a procedural schedule based upon a November 2, 2026, hearing date that takes into account their finite resources and obligations and requirements to other docketed proceedings.² The Consumer Advocate asserts that the record contains no indication that the residents of the City of Saulsbury, who are the customers

¹ *Motion for Procedural Schedule*, p. 1 (June 4, 2026).

² *Id.* at 2.

of the water system at issue, have been provided notice concerning the proposed transaction.³ The *Motion for Procedural Schedule* also identified confusion concerning the identification number of the water system at issue in this docket.⁴ Finally, the Consumer Advocate asserts that the November 2026 target hearing date provides their office the time and availability to fully evaluate the *Joint Application* while balancing its responsibilities to other Commission dockets and statutory deadlines.⁵

B. Limestone’s Response to the *Motion for Procedural Schedule*

Limestone filed its response to the *Motion for Procedural Schedule* on June 9, 2026. Limestone argued that the Consumer Advocate’s proposed schedule would result in an unnecessarily long, eight-month regulatory review, which is inconsistent with Commission Rule 1220-04-14-.08(1). Limestone also asserted that the Consumer Advocate’s proposed schedule in this docket is longer than the schedule the Commission adopted in Docket No. 25-00074 concerning the acquisition Piedmont Natural Gas.⁶

C. Consumer Advocate’s *Motion to Extend Time*

Subsequently, the Consumer Advocate filed its *Motion to Extend Time*, which argued that the *Joint Application* did not constitute a completed application as required by Commission Rule 122-04-14-.08(1). Therefore, the time period established for the scheduling of a hearing under the rule should be reset upon the filing of supplemental information that would complete the application.⁷ In support of its position, the Consumer Advocate provided an Exhibit that charted the minimum filing requirements (“MFR”) established by the Commission for a Certificate of

³ *Id.* at 3.

⁴ *Id.*

⁵ *Id.* at 4.

⁶ *Limestone Water Utility Operating Company, LLC’s Response to the Consumer Advocate’s Motion for Entry of a Procedural Schedule*, pp. 2-3 (June 9, 2026).

⁷ *Motion to Extend Time*, p. 4 (June 11, 2026).

Public Convenience and Necessity (“CCN”) and for an acquisition, and the deficiencies of the *Joint Application* with respect to each of these MFR.⁸

D. Limestone’s Response to the *Motion to Extend Time*

Upon agreement to extend the time for Limestone to respond to the *Motion to Extend Time*,⁹ Limestone filed its response on June 23, 2026.¹⁰ The Joint Applicants disagreed that the *Joint Application* did not comply with the MFR in the Commission Rule on acquisitions, but instead listed the MFRs for both the CCN Rules and Acquisition Rules, and the corresponding responsive information provided along with the *Joint Application*, as an Appendix to the *Joint Application*.¹¹ The Joint Applicants addressed each of the each of the issues that the Consumer Advocate asserted was deficient in its Notice and to each of the issued identified in the Consumer Advocate’s chart attached to the *Motion to Extend*. The Joint Applicants argued that while the Consumer Advocate identified some items that required clarification, the clarification or revisions do not render the *Joint Application* incomplete. Therefore, the Consumer Advocate’s request to reset the period established by Rule 1220-04-14-.08(1) should be denied.

E. Findings and Conclusions

Commission Rule 1220-04-14-.08(1) requires the Commission to approve or deny an application for acquisition within 120 days of the filing of a complete application by the filing utility.¹² The Commission or Hearing Officer may extend the deadline for an additional 60 days for good cause shown.

⁸ *Id.* at Attach.

⁹ See *Limestone Water Utility Operating Company Request for Additional Time to Formally Respond to the Consumer Advocate’s Motion to Extend Time* (June 18, 2026).

¹⁰ *Joint Applicants’ Response to the Consumer Advocate’s Notice of Deficiencies in the Minimum Filing Requirements and Motion to Extend Time for Hearing* (June 23, 2026).

¹¹ *Id.* at 2.

¹² Tenn. R. & Regs. 1220-04-14-.08(1).

In the present docket, the *Joint Application* was filed on April 24, 2026. Counting from that date, without consideration of whether the *Joint Application* was complete on that date, the 120-day deadline is August 22, 2026. Both Parties presented procedural schedules that extended beyond that date. October 21, 2026, is 180 days subsequent to the original date of filing. The Commission does not have a published Commission Conference date in October; therefore, the closest Commission Conference date prior to the 180-day deadline is September 14, 2026.

The Consumer Advocate has raised concerns about whether the *Joint Application* was a complete application for the purposes of Commission Rule 1220-04-14-.08, arguing that the deficiencies of the application reset the clock for calculation of the Acquisition Rule deadline. The Joint Applicants argue that other than clarifying or corrective information, the *Joint Application* includes information concerning all of the MFRs for both a CCN filing and an acquisition filing.

The Rule does not provide further definition or clarification on what constitutes a completed application. As evidenced by the filings of the Parties, reasonable minds can differ as to whether an application is complete.

The goal and design of any procedural schedule is to efficiently move the proceedings forward to a hearing and final conclusion on the merits. The procedural schedule should also allow adequate time for Commission Staff to analyze the docket filings, make recommendations to the voting panel of Commissioners, and submit the recommendations to the panel for their timely review and analysis. At the present time, Commission Staff has finite resources as it balances the demands of statutory deadlines associated with recently completed dockets, as well as dockets with deadlines near the scheduled September Commission Conference. Resources are strained due to staffing issues which makes it difficult to complete the necessary analysis for this docket to be prepared for hearing at the scheduled September Commission Conference. Therefore, the

Administrative Judge declines to rule on whether the *Joint Application* was complete on the date of its filing, but rather, in accordance with Commission Rule 1220-01-01-.05, the Administrative Judge finds good cause to waive the deadline established in Commission Rule 1220-04-14-.08(1). I further find that in order to allow the Parties and Commission Staff ample time to analyze the filings and prepare the case for hearing while avoiding unnecessary delay, this matter should be set for a targeted hearing date of November 2, 2026. The Administrative Judge hereby establishes the Procedural Schedule set forth in **Exhibit A** attached to this Order, as discussed with Parties during the Status Conference.

IT IS HEREBY ORDERED.



Aaron J. Conklin, Administrative Judge

EXHIBIT A
PROCEDURAL SCHEDULE
Docket No. 26-00036
June 30, 2026

Due Date	Filing/Activity
July 9, 2026	Consumer Advocate's 1 st Discovery Request
July 30, 2026	Joint Applicants' Response to 1 st Discovery Request
August 6, 2026	Consumer Advocate's 2 nd Discovery Request
August 20, 2026	Joint Applicants' Response to 2 nd Discovery Request
September 10, 2026	Consumer Advocate's Pre-Filed Testimony
September 17, 2026	Joint Applicants' Discovery Request
October 1, 2026	Consumer Advocate's Response to Discovery Request
October 12, 2026	Joint Applicants' Rebuttal Testimony
October 12, 2026	Deadline for Filing Settlement Agreement
October 16, 2026	Pre-Hearing Motions
October 22, 2026	Pre-Hearing Status Conference
November 2, 2026	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.