

26-00070

Dear Consumer Advocate:

I respectfully request the Consumer Advocate Division's review of Limestone Water's classification and billing of my detached single-family vacation home at [REDACTED]

The central issue is straightforward: Limestone's tariff classifies service according to the property's "primary use," but Limestone required me to prove that the home is my "full-time residence" and is not a rental property. I believe that substitutes a materially different standard for the language in the filed tariff.

The attached five-page package provides the relevant tariff quotations, Limestone's written position, the property and billing facts, a chronology, the issues presented, and the specific review I am requesting. This matter is also associated with TPUC Complaint No. 26-0293 / File 260293 and Docket No. 24-00044.

Please confirm receipt and let me know whether you need the underlying email correspondence, bills, usage records, photographs, floor plans, or other supporting documentation.

I have copied Carlos Black and the TPUC Consumer Complaint Division so that this request is included in the existing complaint record.

Thank you for your consideration.

Sincerely,

Mark A. Weber, P.E.

[REDACTED]

REQUEST FOR CONSUMER ADVOCATE REVIEW

[REDACTED]
[REDACTED]
TPUC Complaint No. 26-0293 | TPUC Docket No. 24-00044

DATE	August 13, 2026
TO	Tennessee Attorney General's Office Consumer Advocate Division TNConsumerAdvocate@ag.tn.gov
FROM	Mark A. Weber, P.E. [REDACTED] [REDACTED]
COPIES	Carlos Black, Tennessee Public Utility Commission TPUC Consumer Complaint Division

Dear Consumer Advocate:

I respectfully request your review of Limestone Water's classification and billing of my detached single-family vacation home as commercial service at four equivalent residential units (ERUs). The central issue is whether Limestone may replace the tariff's actual standard - **primary use** - with a different test requiring the property to be my **primary or full-time residence**.

My wife and I are retired. We bought this house so that we, our extended family, and our guests can come to Tennessee to relax. It remains our personal dwelling and vacation home. It has one water meter and one wastewater connection. Occasional seasonal rental does not change the property's primary use into a hotel, apartment house, or other commercial facility.

Limestone's July 23, 2026 written position states:

"Properties are considered commercial and in order for the Address Type to be re-evaluated, you would need to send in documentation proving that the location of [REDACTED] is your full-time residence and not a rental property in order to qualify for residential status."

That is not the test stated in the tariff. I ask the Consumer Advocate to examine this interpretation in connection with Docket No. 24-00044 and the broader interests of Limestone customers, and to determine whether further formal action is warranted.

Respectfully,

Mark A. Weber, P.E.

1. Executive Summary

Limestone's tariff distinguishes residential from commercial service based on the customer's **primary use** of the property. Limestone instead demanded proof that the property is my **full-time residence**. Those are materially different standards. A person can use a property primarily as a personal dwelling without making it his or her legal, permanent, or full-time residence.

Tariff standard	Limestone's applied standard	Why it matters
Residential: "primary use is for the Customer's personal dwelling"	Proof that the property is the customer's "full-time residence" and "not a rental property"	The tariff asks what the property's primary use is; it does not require permanent occupancy or forbid every rental.
Commercial: "primary use is for other than the Customer's personal dwelling"	Vacation or rental status treated as automatically commercial	This effectively adds conditions that do not appear in the quoted definitions.

Requested review

- Determine whether Limestone's primary-residence/full-time-residence requirement is consistent with the filed tariff's primary-use language.
- Examine the legal and factual basis for classifying this single-family home as commercial and assigning it four ERUs.
- Request Limestone's governing policy, decision records, source and date for the asserted 26-person capacity, and method for selecting and rounding the ERU factor.
- Consider the issue in Docket No. 24-00044 and whether intervention, briefing, appeal, or another formal remedy is appropriate for affected customers.
- Coordinate this review with TPUC Complaint No. 26-0293 and advise what additional evidence or procedural step would be useful.

2. Property and Billing Facts

Property	Detached single-family vacation home at [REDACTED]
Owners' use	Personal vacation dwelling for Mark and his wife, both retired, and their extended family and guests; occasional seasonal rental
Utility configuration	One water meter and one wastewater connection
Limestone account	[REDACTED]
Physical description	Eight bedrooms and five-and-one-half bathrooms
Limestone classification	Commercial / Apartment House; four ERUs at \$73 each, or \$292 monthly
Usage	Historical average water consumption approximately 6,924 gallons per month
Four-ERU design flow	36,000 gallons per month (4 x 300 gallons/day x 30 days)

The usage comparison is corroborative, not the sole basis of my position. My principal point is that Limestone first must apply the tariff's correct classification standard. The approximately 6,924-gallon average is about 19% of the 36,000-gallon monthly design volume represented by four ERUs.

3. Chronology

Date	Event
March 25, 2026	Public comment submitted in TPUC Docket No. 24-00044 concerning Limestone's rate treatment.
June 15, 2026	Limestone assigns the property an Apartment House classification and four ERUs.
July 2026	Mark requests the tariff basis, classification policy, ERU calculations, and supporting records.
July 23, 2026	Limestone says proof that the property is Mark's full-time residence and not a rental property is required to qualify for residential status.
July 28, 2026	Mark files TPUC consumer complaint, later identified as No. 26-0293 / File 260293.
August 3, 2026	Limestone issues its formal resolution, relying on eight bedrooms, five bathrooms, an asserted published sleeping capacity of 26, a hotel occupancy factor of 0.17 ERU per guest, and a four-ERU charge.
August 3, 2026	Mark submits a rebuttal to TPUC, disputing the classification, factual errors, unsupported capacity, and tariff interpretation.
August 11, 2026	During a telephone call, Carlos Black states that TPUC's hands are tied because Limestone is not violating the tariff. Mark follows up in writing, emphasizing primary use versus primary residence.
August 13, 2026	This request is submitted to the Consumer Advocate Division.

4. Issues Presented

Tariff interpretation

The tariff language supplied by Limestone focuses on primary use. Requiring a full-time or primary residence appears to substitute a different criterion and may improperly exclude vacation homes that remain personal dwellings.

Categorical treatment of rentals

The quoted tariff definitions do not state that any rental activity automatically converts a personal dwelling to commercial service. The relevant question remains the property's primary use.

Hotel factor and Apartment House label

Limestone applied a hotel guest factor and an Apartment House label to a detached single-family dwelling without identifying tariff language that makes either treatment applicable.

Capacity and factual support

Limestone cited a published capacity of 26 but did not identify the source or date. Its resolution also called the property Family Affairs rather than Family Affair, listed the address as [REDACTED] rather than [REDACTED] and stated five bathrooms rather than five-and-one-half.

ERU calculation

Limestone multiplied 26 guests by 0.17 ERU to obtain 4.42 and assigned four ERUs. The source, selection, and rounding method require explanation, especially where the billing classification itself is disputed.

Broader customer impact

Other Limestone customers have reported similar treatment. A uniform interpretation that replaces primary use with primary residence could affect a broader class of vacation-home and seasonal-use customers.

Exhibit A - Tariff Definitions

The relevant tariff language provided in the correspondence is reproduced below. The complete filed tariff and its effective version should control.

Residential Service: "the provision of wastewater service to a Customer whose primary use is for the Customer's personal dwelling."

Commercial Service: "the provision of service to a Customer whose primary use is for other than the Customer's personal dwelling."

The contrast is direct: both definitions turn on **primary use**. Neither quoted definition uses the words primary residence, legal residence, permanent residence, or full-time residence.

Exhibit B - Limestone's July 23, 2026 Position

"Properties are considered commercial and in order for the Address Type to be re-evaluated, you would need to send in documentation proving that the location of [REDACTED], is your full-time residence and not a rental property in order to qualify for residential status."

This statement supplies the clearest evidence of the disputed standard. It conditions residential status on full-time residence and absence of rental activity, neither of which appears in the quoted residential-service definition.

Exhibit C - Summary of Limestone's August 3, 2026 Resolution

- Described the property as Family Affairs and listed the address as [REDACTED].
- Stated that the dwelling has eight bedrooms and five bathrooms.
- Relied on a published sleeping capacity of 26 guests, without identifying the publication, date, or record used.
- Applied a hotel factor of 0.17 ERU per guest: $26 \times 0.17 = 4.42$ ERUs, assigned as four ERUs.
- Applied Limestone's \$73 monthly charge per ERU, producing a \$292 monthly charge.
- Explained that the calculation is based on design occupancy rather than actual water usage.
- Offered a formal ERU review if additional materials such as a facility description, business-use information, photographs, floor plans, occupancy information, or similar records were submitted.

Mark's corrections: the home's name is Family Affair; the street is [REDACTED]; and the dwelling has five-and-one-half bathrooms. More fundamentally, correcting these details does not resolve whether the property was classified under the proper tariff standard.

Exhibit D - August 11, 2026 Follow-up to Carlos Black

Dear Mr. Black:

Thank you for speaking with me today regarding my complaint involving Limestone Water and the classification of my property at [REDACTED]

During our conversation, you explained that the TPUC's hands are tied because, in your view, Limestone is not violating its tariff. I respectfully disagree and ask that the Commission reconsider that conclusion.

The tariff defines Residential Service as "the provision of wastewater service to a Customer whose primary use is for the Customer's personal dwelling." It defines Commercial Service as service to a customer whose primary use is for something other than the customer's personal dwelling.

The tariff says primary use. It does not say primary residence, permanent residence, legal residence, or full-time residence.

Limestone, however, told me that I must prove that [REDACTED] is my full-time residence and not a rental property in order to qualify for residential status. That replaces the tariff's primary-use standard with a different and more restrictive primary-residence standard.

This property is a vacation home for me and my wife and for our extended family. We are both retired, and we bought the house so that we and our family can come to Tennessee, spend time together, and relax. Its primary use is as our personal dwelling and vacation home. The fact that it is not our full-time residence does not mean its primary use is commercial.

For that reason, I believe Limestone's interpretation violates the tariff as written. If Limestone intended residential service to apply only to a customer's full-time or primary residence, the tariff could have said so. It does not.

Please place this email in the complaint file and explain in writing why replacing primary use with primary residence is considered consistent with the tariff.

Sincerely,
Mark A. Weber, P.E.

Exhibit E - Usage and ERU Comparison

Measure	Monthly volume	Relative to 4 ERUs
Historical average water consumption	Approx. 6,924 gallons	Approx. 19%
One-ERU design flow	9,000 gallons	25%
Four-ERU design flow	36,000 gallons	100%

Calculation: 4 ERUs x 300 gallons per day x 30 days = 36,000 gallons per month. This comparison is offered as context and corroboration; the threshold dispute remains the meaning and application of the tariff's primary-use language.

Official reference

Tennessee Attorney General, Consumer Advocate Division - Protecting Utility Customers:
<https://www.tn.gov/attorneygeneral/working-for-tennessee/protecting-utility-customers.html>

This submission is a request for regulatory review and customer advocacy. It is not intended to substitute for the complete complaint record, filed tariff, or official docket materials.