BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE
November 6, 2026

IN RE:	)	
	)	
PETITION OF LIMESTONE WATER UTILITY OPERATING COMPANY, LLC TO ELECT AND OPT INTO AN ANNUAL RATE REVIEW MECHANISM AND ARRM TARIFF PURSUANT TO TENN. CODE ANN. § 65-5-103(d)(6)	)	**DOCKET NO. 26-00080**

ORDER GRANTING THE PETITION TO INTERVENE FILED BY THE CONSUMER ADVOCATE

This matter is before the Administrative Judge of the Tennessee Public Utility Commission ("Commission" or "TPUC") to consider the *Petition to Intervene* filed by the Consumer Advocate Division of the Office of the Tennessee Attorney General ("Consumer Advocate") on October 26, 2026.

RELEVANT BACKGROUND

On October 5, 2026, Limestone Water Utility Operating Company, LLC ("Limestone" or "Company") filed its *Petition of Limestone Water Utility Operating Company, LLC to Elect and Opt Into an Annual Rate Review Mechanism and ARRM Tariff Pursuant to Tenn. Code Ann. § 65-5-103(d)(6)* ("*Petition*"). Limestone is a public utility regulated by the Commission that provides water and wastewater utility service to residential and non-residential customers in Tennessee. The *Petition* requests Commission approval to implement an Annual Rate Review Mechanism ("ARRM") and ARRM Tariff. based upon the ratemaking methodology approved in its most recent general rate case.[1]

CONSUMER ADVOCATE'S *PETITION TO INTERVENE*

On October 26, 2026, the Consumer Advocate filed a *Petition to Intervene* seeking to

[1] *Petition* (October 5, 2026).

intervene in the docket in accordance with Tenn. Code Ann. § 65-4-118, which qualifies the Consumer Advocate to represent the interests of Tennessee consumers of public utility services in proceedings before the Commission. The Consumer Advocate asserts that:

> Consumers' interests, including without limitation the proposed increase in rates to be paid by consumers under the Petition, may be affected by determinations and order made by the Commission with respect to: (i) the interpretation, application, and/or implementation of Tenn. Code Ann. § 65-5-103(a), Tenn. Code Ann. § 65-5-103(d) and other relevant statutory and regulatory provisions; (ii) the review and analysis of the documentation, financial spreadsheets, and material provided by Limestone; and (iii) the interpretation, application, and/or implementation of the terms and conditions of the Commission's Orders in TPUC Docket No. 24-00044.[2]

For these reasons, the Consumer Advocate seeks to intervene in these proceedings to represent the interests of Tennessee consumers. Limestone did not file any opposition to the Consumer Advocate's intervention in these proceedings.

FINDINGS & CONCLUSIONS

Tenn. Code Ann. § 4-5-310 establishes the following criteria for granting petitions to intervene:

> (a) The administrative judge or hearing officer shall grant one (1) or more petitions for intervention if:
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> (1) The petition is submitted in writing to the administrative judge or hearing officer, with copies mailed to all parties named in the notice of the hearing, at least seven (7) days before the hearing;
>
> (2) The petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interest may be determined in the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and
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> (3) The administrative judge or hearing officer determines that the interests of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention.
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> (b) The agency may grant one (1) or more petitions for intervention at any time, upon determining that the intervention sought is in the interests

[2] *Petition to Intervene*, p. 2 (October 26, 2026).

> of justice and shall not impair the orderly and prompt conduct of the proceedings.[3]

Although it is not an automatic or absolute right to participate in proceedings before the Commission, Tenn. Code Ann. § 65-4-118(b)(1) provides a general basis for the qualification of the Consumer Advocate to be permitted to intervene as a party to represent the interests of Tennessee public utility consumers. It provides as follows:

> The consumer advocate division has the duty and authority to represent the interests of Tennessee consumers of public utilities services. The division may, with the approval of the attorney general and reporter, participate or intervene as a party in any matter or proceeding before the commission or any other administrative, legislative or judicial body and initiate such proceeding, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and the rules of the commission.[4]

In this docket, Limestone seeks Commission approval of its election to opt into an ARRM and ARRM Tariff for the first time. Because implementation of an ARRM may have ongoing implications for customer rates, the Administrative Judge finds a sufficient factual basis to conclude that legal rights or interests held by Tennessee consumers may be determined in this proceeding.

Therefore, upon due consideration, the Administrative Judge concludes that the legal rights, duties, privileges, immunities, or other legal interest of Tennessee customers may be determined in this proceeding. Further, the Administrative Judge finds that the Consumer Advocate qualifies under law as an intervenor for the purpose of representing those consumer interests, there is no objection to its intervention, and its *Petition to Intervene* was timely filed. Further, the Consumer Advocate's participation should not impair the interests of justice or the orderly and prompt conduct of the proceedings. For these reasons, the Administrative Judge finds that the Consumer Advocate's *Petition to Intervene* should be granted.

[3] Tenn. Code Ann. § 4-5-310 (2021).
[4] Tenn. Code Ann. § 65-4-118(b)(1) (2022).

IT IS THEREFORE ORDERED THAT:

The *Petition to Intervene* filed by the Consumer Advocate Division of the Office of the Tennessee Attorney General is granted. The Consumer Advocate Division of the Office of the Tennessee Attorney General may intervene and participate as a party in this proceeding and, as such, shall receive copies of any notices, orders, or other documents filed herein.



Aaron J. Conklin
Administrative Judge
By Commission Delegated Authority