

**BAKER
DONELSON**
BEARMAN, CALDWELL
& BERKOWITZ, PC

COMMERCE CENTER
SUITE 1000
211 COMMERCE STREET
NASHVILLE, TENNESSEE 37201
PHONE: 615.726.5600
FAX: 615.726.0464
MAILING ADDRESS:
P.O. BOX 190613
NASHVILLE, TENNESSEE 37219

www.bakerdonelson.com

ROBERT M. STEELE
Direct Dial: (615) 726-5741
Direct Fax: (615) 744-5741
E-Mail Address: rsteele@bakerdonelson.com

December 29, 2006

J. Richard Collier, Esq.
General Counsel
Tennessee Regulatory Authority
360 James Robertson Parkway
Nashville, TN 37243-0505

VIA HAND-DELIVERY

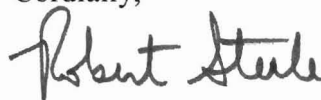
IN RE: Application of Community Initiative for a CCN to Provide Natural Gas Services in Certain Areas of Macon County, TN (including within the City of Red Boiling Springs); to Approve the Transfer of Customer and Certain Assets and Customers of RBS Gas Utility, Inc.; to Approve Franchise from the City of Red Boiling Springs; to Confirm Cancellation of Special Contract of RBS Utility, Inc.; and to Set Rates and Approve Tariff

Docket No. 06-00281

Dear Mr. Collier:

Enclosed with this letter are the original and 13 copies of a Petition to Intervene filed in the above-referenced matter on behalf of our client, Nestlé Waters North America, Inc. A check in the amount of \$25.00 is also enclosed. Thank you for your attention to this matter.

Cordially,



Robert M. Steele

RMS/bjk
Enclosures

Cc: John A. Gupton III, Esq.
K. David Waddell, Esq.

N RMS 542N RMS 605682 v1
0-0 12/29/2006

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 29, 2006

IN RE: Application of Community Initiative)	
for a CCN to Provide Natural Gas Services)	
in Certain Areas of Macon County, TN)	
(including within the City of Red Boiling)	
Springs); to Approve the Transfer of Customer)	Docket
and Certain Assets and Customers of RBS Gas)	No.
Utility, Inc.; to Approve Franchise from the)	06-00281
City of Red Boiling Springs; to Confirm)	
Cancellation of Special Contract of RBS)	
Utility, Inc.; and to Set Rates and Approve)	
Tariff)	

PETITION TO INTERVENE

Nestlé Waters North America, Inc. (“NWNA”) petitions the Tennessee Regulatory Authority (“TRA”) to intervene as a matter of right in the above-captioned proceeding pursuant to Tenn. Code Ann. § 4-5-310 (b) and Tenn. Comp. Rules & Regs. § 1220-1-2-.08.

The above-captioned docket concerns the application for approval of a purchase by Community Initiative from a receiver of the assets and services of the local utility that provides natural gas to the NWNA water bottling plant in Macon County. This proceeding also explicitly seeks cancellation of a Gas Service Agreement previously entered into by and between NWNA and the prior utility owner, RBS Gas Utility, Inc., at the time when NWNA was locating and constructing its manufacturing facility there. Moreover, this docket involves TRA consideration of a new and significantly changed rate and tariff structure to be charged by the applicant for providing natural gas service to NWNA and other customers in and near Red Boiling Springs.

The legal rights, duties, privileges, immunities, or other legal interests of NWNA may be determined in this proceeding and affected by its outcome, and NWNA thus qualifies as an intervener under law including also Tenn. Code Ann. § 65-2-107. Granting of this Petition to Intervene will not impair the orderly and prompt consideration of this application or conduct of the proceeding. NWNA therefore requests that this Petition to Intervene be granted.

Respectfully submitted,

NESTLÉ WATERS NORTH AMERICA, INC.,
by its attorneys

A handwritten signature in dark ink, reading "Robert M. Steele", is written over a horizontal line.

John A. Gupton III
Robert M. Steele
K. David Waddell
Baker Donelson Bearman Caldwell &
Berkowitz, P.A.
211 Commerce Street, Suite 1000
Nashville, TN 37201
615-726-5600
615-726-0464 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing Petition to each of the following persons by deposit into the U.S. Mail on this 29th day of December, 2006.

Mr. Kenneth Hollis
Mayor of Red Boiling Springs
P.O. Box 190
166 Dale Street
Red Boiling Springs, TN 37150
Fax: 615-699-2199

Mr. Bill Wells
Mayor, City of Lafayette
P.O. Box 275
200 E. Locust Street
Lafayette, TN 37083
Fax: 615-666-2922

Mr. Shelvy Linville
Macon County Mayor
Public Square, Rm. 201, Courthouse
Lafayette, TN 37083
Fax: 615-666-5323

Mr. Glen L. Tilton, President
Community Initiative
4305 Overstreet Drive
Cookeville, TN
Fax: 931-372-2500

Mr. Jeffery A. Callahan, President
AUI, LLC
222 W. Spring Street
Cookeville, TN
Fax: 931-372-2500

Mr. Jack Robinson, Jr., Esq.
Gullett, Sanford, Robinson & Martin PLLC
315 Deaderick St., 11th Floor
Nashville, TN
Fax: 615-256-6339

Mr. Paul Thompson
Executive V.P. & General Manager
Tri-County Electric Membership Corporation
P.O. Box 40
Lafayette, TN 37083-0040
Fax: 615-688-2141

Upper Cumberland Electric Membership Corporation
P.O. Box 159
S. Carthage, TN 37030-0159
Fax: 615-735-2603


Robert M. Steele