

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

IN RE:

PETITION OF CARTWRIGHT  
CREEK, LLC TO CHANGE AND  
INCREASE RATES AND CHARGES

DOCKET NO.: 09-00056

CARTWRIGHT CREEK, LLC'S RESPONSE TO WATERBRIDGE  
DEVELOPMENT, INC.'S PETITION TO INTERVENE

COMES NOW Cartwright Creek, LLC, ("Cartwright") by and through counsel, and files its response to the Petition to Intervene of Waterbridge Development, LLC ("Waterbridge").

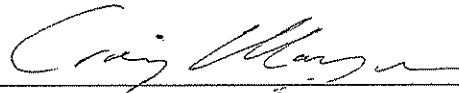
Waterbridge filed its petition "... in case the parties are unable to negotiate their differences and it becomes necessary for TRA to resolve them." The matter before the TRA does not involve negotiating contracts between Cartwright and potential users of Cartwright's facility at issue. As such, Waterbridge is attempting to inject new issues that are not currently before the TRA. Moreover, this is an improper venue to host such negotiations. As such, Waterbridge should be precluded from intervening on the basis that it needs the TRA to negotiate its contract on behalf of Waterbridge.

Waterbridge also seeks to intervene because the rates that Waterbridge may be charged are subject to change. Unlike the negotiation of contracts, the issue of rate changes is being addressed in this matter. However, Waterbridge should still be precluded from intervening. The Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") has already intervened "... on

behalf of the public interest because consumers may be adversely affected by the rate increase and adjustment requested ..." by Cartwright. Therefore, the Consumer Advocate has already intervened on behalf of consumers and entities such as Waterbridge. As such, Waterbridge's involvement in the case would be duplicative and wasteful and could therefore potentially delay the prompt and orderly handling of the proceedings. Based on the foregoing, Waterbridge should also be precluded from intervening on the subject of the proposed rate increase.

Waterbridge has stated no reason why the negotiation of its contract should be addressed in hearings concerning proposed rate increases of Cartwright. Additionally, Waterbridge's interest concerning the rate increase can be adequately represented by the Consumer Advocate. Therefore, Waterbridge should be precluded from intervening

Respectfully submitted this the 31st day of August, 2009.



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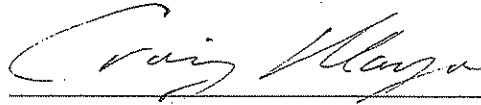
*Attorneys for Cartwright Creek, LLC*

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document on all counsel of record as listed below by placing a copy thereof, in the United States mail, postage prepaid, on this the 31st day of August, 2009.

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Office of the Attorney General  
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