

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

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IN RE:

JOINT PETITION OF CARTWRIGHT
CREEK, LLC AND WATERBRIDGE
DEVELOPMENT FOR APPROVAL
OF SPECIAL CONTRACT

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DOCKET NO. 09-00173

T.R.A. DOCKET ROOM

**RESPONSE OF CONSUMER ADVOCATE TO JOINT PETITION FOR APPROVAL OF
SPECIAL CONTRACT**

Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate"), pursuant to Tenn. Code Ann. § 65-4-118, respectfully submits to the Tennessee Regulatory Authority ("TRA" or "Authority") this Response to the Joint Petition of Cartwright Creek, LLC ("Cartwright Creek") and Waterbridge Development, Inc. ("Waterbridge") for Approval of Special Contract. As its response the Consumer Advocate would show as follows:

1. The Consumer Advocate is authorized by Tenn. Code Ann. § 65-4-118 to represent the interests of Tennessee consumers of public utilities services in proceedings before the Authority in accordance with the Uniform Administrative Procedures Act and Authority Rules.

2. Cartwright Creek is a public utility regulated by the Authority. Cartwright Creek sells wastewater services to consumers in the State of Tennessee. Cartwright Creek's principal place of business in Tennessee is 2002 Richard Jones Road, Nashville, Tennessee 37215.

3. On October 15, 2009, Cartwright Creek and Waterbridge filed with the Authority a Joint Petition for Approval of Special Contract which would allow Cartwright Creek to begin to provide wastewater treatment services to the property owned by Waterbridge and located in Williamson County, Tennessee.

4. Prior to that filing, Cartwright Creek had filed with the Authority a Petition to Change and Increase Rates and Charges for its customers and potential customers, including Waterbridge. The Consumer Advocate has intervened in that rate making proceeding (TRA Docket No. 09-00056) and the hearing on that rate case is currently set for November 9, 2009.


5. The Consumer Advocate has reviewed the Proposed Special Contract between Cartwright Creek and Waterbridge for the provision of wastewater services by Cartwright Creek to the land owned by Waterbridge in Williamson County, Tennessee. The Consumer Advocate has no objection to the proposed contract and has no plans to intervene or object in this Docket.

6. The Consumer Advocate makes this filing in order to confirm to the Authority that it does not intend to object or intervene in order to aid in the expediting of the TRA's review and approval of the proposed Special Contract. The Consumer Advocate would state that it would be of benefit to all parties and the ratepayers of Tennessee if the proposed Special Contract was reviewed and a final decision rendered prior to the November 9, 2009 hearing in Cartwright Creek's pending rate case (No. 09-00056). In order for the rates assessed at the November 9th hearing to be based on the true customer data expected in the future, the issue of Cartwright Creek's obligations and opportunities for the Waterbridge property need to be resolved.

The Consumer Advocate therefore makes this filing to assist the TRA in its decision making process by confirming that the Consumer Advocate will not intervene or otherwise oppose the Joint Petition of Cartwright Creek and Waterbridge in this proceeding.

RESPECTFULLY SUBMITTED,

ROBERT E. COOPER, JR. (BPR#010934)
Attorney General and Reporter


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Dated: October 22nd, 2009.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response on was served via U.S. Mail or electronic mail upon:

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This the 22nd day of October, 2009.



MARY LEIGH WHITE