

8.23% on a rate base of \$135,820,256.”² According to TAWC, the required additional annual gross revenues would approximate \$10,586,344.³ Additionally, the Company is seeking to implement certain rate adjustment and tracking mechanisms.⁴

At an Authority Conference held on June 7, 2012, Chairman Kenneth C. Hill, Director Sara Kyle and Director Mary W. Freeman, the panel assigned to this docket, voted unanimously to convene a contested case proceeding and to appoint Chairman Hill as Hearing Officer for the purpose of preparing this matter for hearing, including handling preliminary matters and establishing a procedural schedule to completion.

The Consumer Advocate and Protection Division of the Office of the Attorney General, the City of Chattanooga, the Town of Signal Mountain and Walden’s Ridge Utility District have all petitioned for, and have been granted, intervention in this matter.

PETITION TO INTERVENE

On August 24, 2012, the Chattanooga Regional Manufacturers Association (“CRMA”) filed a *Petition to Intervene*. In the petition, CRMA seeks intervention pursuant to Tenn. Code Ann. § 65-2-107, which allows any interested party to intervene and become a party to a contested case. No party has objected to CRMA’s *Petition*.

Tenn. Code Ann. § 4-5-310(a) sets forth 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;

(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 *Id.*

³ *Id.*

⁴ *Id.* at 4-5.

(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 the law; and

(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.

Upon review of these criteria, the Hearing Officer determines that the legal rights and interests of CRMA may be determined in this proceeding, the petition of CRMA is timely and the intervention will not impair the orderly and prompt conduct of these proceedings. For these reasons and applying the standards set forth in Tenn. Code Ann. § 4-5-310(a), the Hearing Officer grants the intervention of CRMA.

The procedural schedule, as amended and adopted on August 21, 2012, remains in full force and effect.

IT IS SO ORDERED.


Kenneth C. Hill, Hearing Officer