

**TENNESSEE REGULATORY AUTHORITY
RECEIVED**



2013 AUG 22 PM 3:01

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

T.R.A. DOCKET ROOM

August 22, 2013

Mr. Thomas Hartline
Navitas Utility Corporation
3186-D Airway Avenue
Costa Mesa, CA 92626

RE: Docket 12-00068 - Tariff Filing 2013-0084

Dear Mr. Hartline:

This is to acknowledge receipt of your tariff filing of May 6, 2013. The filing was made to revise the tariff to comply with the Amended Settlement Agreement approved subsequent to the February 13, 2013 hearing in this docket.

Staff requested and was provided changes to the proposed tariff on August 22, 2013.

Therefore, the amended revisions provided August 22, 2013 became effective March 1, 2013 as proposed by the Company.

Please refer to tariff # 2013-0084 in any correspondence regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Foster", is written over the printed name.

David Foster
Chief
Utilities Division

DFpg-1/1-05

3rd Revised TRA Service Schedule No.1
Replacing 2nd Revised TRA Service Schedule No. 1

Residential

Navitas TN NG, LLC
P.O. Box 183
121 Eakly Campus Road
Eakly, Oklahoma 73033

SCHEDULE OF APPROVED RATES
As ordered by the
TENNESSEE REGULATORY AUTHORITY

For billing all Residential Natural Gas Service
In the entire service area of the Company

Effective upon approval by and further order of the Commission, the following schedule shall be charged by Navitas TN NG, LLC, for natural gas served in the territory shown above for the class of service indicated in accordance with the Company's Rules and Regulations, where the Company's distribution mains are suitable for supplying the desired service.

T

RESIDENTIAL "R" SERVICE
Schedule No. 1

AVAILABILITY

Available to any residential or commercial customer within all areas served by Navitas TN NG, LLC.

<u>BASE RATE</u> ⁽¹⁾	<u>Mar. 1, 2013</u> ⁽²⁾	<u>Oct. 1, 2013</u> ⁽³⁾	
Meter charge per month	\$6.00	\$9.00	I
First nine Ccf per month	\$1.555	\$1.665	I
Greater than nine Ccf per month	\$0.595	\$0.795	I

(1) The cost of purchased gas is not included in the base rate/non-commodity charge.

(2) These rates will go into effect the first day of the first full billing period after approval by the TRA.

(3) These rates will go into effect the first day of October 2013 billing period.

CUSTOMER MONTHLY CHARGE

T

A monthly charge for gas delivered from the time of initial service until termination at the customer's request will be billed, unless there is a temporary discontinuance of service in which case there will be a reconnect charge.

PAYMENT TERMS

All bills for service are due upon presentation and the above stated net rate shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payments made after that day shall be for the gross amount plus five percent (5%) of the net bill.

ADJUSTMENTS

Bills for service are subject to adjustment for changes in the cost of purchased gas. Purchased gas adjustments and all applicable taxes and fees are in addition to the above rate.

Issued by: Thomas Hartline
Secretary
2-14-13

Effective: 3-1-2013
Docket No. 12-00068

Industrial, Institutional and Public Tariff

Navitas TN NG, LLC
P.O. Box 183
121 Eakly Campus Road
Eakly, Oklahoma 73033

SCHEDULE OF APPROVED RATES
As ordered by the
TENNESSEE REGULATORY AUTHORITY

For billing all Public, Industrial and Institutional Natural Gas Service
In the entire service area of the Company

Effective upon approval by and further order of the Commission, the following schedule shall be charged by Navitas TN NG, LLC, for natural gas served in the territory shown above for the class of service indicated in accordance with the Company's Rules and Regulations, where the Company's distribution mains are suitable for supplying the desired service.

T

PUBLIC, INDUSTRIAL & INSTITUTIONAL "PII" SERVICE

Schedule No. 2

AVAILABILITY

Available to any public, industrial or institutional customer within all areas served by Navitas TN NG, LLC.

<u>BASE RATE ⁽¹⁾</u>	<u>Feb. 1, 2013⁽²⁾</u>	<u>Oct. 1, 2013⁽³⁾</u>	
Meter charge per month	\$6.00	\$14.00	I
First nine Ccf per month	\$1.555	\$2.885	I
Greater than nine Ccf per month	\$0.595	\$0.755	I

(1) The cost of purchased gas is not included in the base rate.

(2) These rates will go into effect the first day of the first full billing period after approval by the TRA.

(3) These rates will go into effect the first day of the October 2013 billing period.

CUSTOMER MONTHLY CHARGE

T

A monthly charge for gas delivered from the time of initial service until termination at the customer's request will be billed, unless there is a temporary discontinuance of service in which case there will be a reconnect charge.

PAYMENT TERMS

All bills for service are due upon presentation and the above stated net rate shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payments made after that day shall be for the gross amount plus five percent (5%) of the net bill.

ADJUSTMENTS

Bills for service are subject to adjustment for changes in the cost of purchased gas. Purchased gas adjustments and all applicable taxes and fees are in addition to the above rate.

Issued by: Thomas Hartline
Secretary
2-14-13

Effective: 3-1-2013

Docket No. 12-00068

Commercial Tariff

Navitas TN NG, LLC
P.O. Box 183
121 Eakly Campus Road
Eakly, Oklahoma 73033

SCHEDULE OF APPROVED RATES
As ordered by the
TENNESSEE REGULATORY AUTHORITY

For billing all Commercial Natural Gas Service
In the entire service area of the Company

Effective upon approval by and further order of the Commission, the following schedule shall be charged by Navitas TN NG, LLC, for natural gas served in the territory shown above for the class of service indicated in accordance with the Company's Rules and Regulations, where the Company's distribution mains are suitable for supplying the desired service.

T

COMMERICAL "C" SERVICE
Schedule No. 3

AVAILABILITY

Available to any residential or commercial customer within all areas served by Navitas TN NG, LLC.

<u>BASE RATE ⁽¹⁾</u>	<u>Feb. 1, 2013⁽²⁾</u>	<u>Oct. 1, 2013⁽³⁾</u>
Meter charge per month	\$6.00	\$9.00
First nine Ccf per month	\$1.555	\$2.220
Greater than nine Ccf per month	\$0.595	\$0.795

(1) The cost of purchased gas is not included in the base rate/non-commodity charge.

(2) These rates will go into effect the first day of the first full billing period after approval by the TRA.

(3) These rates will go into effect the first day of October 2013 billing period.

CUSTOMER MONTHLY CHARGE

T

A monthly charge for gas delivered from the time of initial service until termination at the customer's request will be billed, unless there is a temporary discontinuance of service in which case there will be a reconnect charge.

PAYMENT TERMS

All bills for service are due upon presentation and the above stated net rate shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payments made after that day shall be for the gross amount plus five percent (5%) of the net bill.

ADJUSTMENTS

Bills for service are subject to adjustment for changes in the cost of purchased gas. Purchased gas adjustments and all applicable taxes and fees are in addition to the above rate.

Issued by: Thomas Hartline
Secretary
2-14-13

Effective: 3-1-2013

Docket No. 12-00068

Rules and Regulations Tariff

Navitas TN NG, LLC
P.O. Box 183
121 Eakly Campus Road
Eakly, Oklahoma 73033

SCHEDULE OF APPROVED RULES AND REGULATIONS

As ordered by the
TENNESSEE REGULATORY AUTHORITY

Applicable to all customers
In the entire service area of the Company

Effective upon approval by and further order of the Commission, the following schedule of Rules and Regulations shall be applied, as appropriate, by Navitas TN NG, LLC, for the applicable services associated with natural gas service in the territory shown above for the class of service, where the Company's distribution mains are suitable for supplying the desired service.

RULES AND REGULATIONS
Schedule No. 4

N

RE-CONNECTION / TEMPORARY DISCONNECTION FEE: When a meter is disconnected, for any reason, and the customer for whom, it was disconnected is reconnected within twelve (12) months of the time of disconnection a reconnection fee as outlined below shall apply.

The Company shall provide prompt and timely reconnection service for all customers within no more than two (2) business days of receiving payment in full for all amounts due including associated fees, deposits, penalties, and other charges, provided if the disconnection was due to none payment and the customer enters into a Budget Repayment Plan then the customers service will be reconnected within two (2) business days of receiving the first installment payment from the past due customer. The following re-connection charges shall apply:

A. Residential customers: A charge equal to six months times the applicable Meter charge per month set forth on Schedule No. 1 of this tariff for customers who, while at the same address, disconnect service for two or more months within a twelve month period. For example, if this charge is applicable to a customer requesting reconnection in September 2013 the charge would equal \$36.00 (6 x \$6.00).

Rules and Regulations Tariff

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SCHEDULE OF APPROVED RULES AND REGULATIONS
As ordered by the
TENNESSEE REGULATORY AUTHORITY

Applicable to all customers
In the entire service area of the Company

RECONNECTION FEE (con't):

N

- B. Commercial customers:** A charge equal to six months times the applicable Meter charge per month set forth on Schedule No. 3 of this tariff for customers who, while at the same address, disconnect service for two or more months within a twelve month period. For example, if this charge is applicable to a customer requesting reconnection in September 2013 the charge would equal \$36.00 (6 x \$6.00).
- C. Industrial customers:** A charge equal to six months times the applicable Meter charge per month set forth on Schedule No. 2 of this tariff for customers who, while at the same address, disconnect service for two or more months within a twelve month period. For example, if this charge is applicable to a customer requesting reconnection in September 2013 the charge would equal \$36.00 (6 x \$6.00).

SERVICE INITIATION FEE:

N

- A. Any service initiation fee shall conform to the separately approved Service Initiation Schedule(s)

LIGHTING:

N

- A. The Company does not provide pilot lighting service.

Rules and Regulations Tariff

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BUDGET REPAYMENT PLAN:

N

- A. The Budget Repayment Plan ("Plan") is available to residential customers and qualifying commercial customers who have not paid billed amounts when due. Simultaneous with the Company providing the customer notice of disconnection the Company shall provide the customer notice of the opportunity to participate in this Plan. If a Plan customer pays its monthly bill past the due date for two consecutive months, it may be dropped from the Plan at the option of the Company.
- B. At the time a consumer elects to participate in the Plan, the customer must also participate in the Level Pay Plan.
- C. The monthly amount required to be paid by the customer shall include the past due bill, including returned check fees and other charges, disconnection and reconnection charges in addition to the Level Pay Plan amount. The Company shall not charge interest to the customer if the customer remains current in their payments under the Plan, including the Level Pay Plan. The Company shall determine the number of months for a Plan based on the total amount of charges due provided under no circumstances shall the repayment period be less than three monthly billing cycles.

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BUDGET REPAYMENT PLAN (con't):

- D. If a customer on a Plan fails to pay a monthly installment as per the terms of the Plan as is more than fifteen (15) business days late on any payment, then the customer's service is subject to disconnection and all past due charges in addition to disconnect/reconnect fees shall be due and payable prior to having service restored. In addition, the Company may also charge a monthly late payment fee equal to five percent (5%) of the net amount due until paid in full.

LEVEL PAY PLAN:

N

A. General Terms and Conditions:

1. The Level Pay Plan is available to residential customer and qualifying commercial customer. Residential and Commercial customers may request participation in the Level Pay Plan at any time during the year. Request for participation can be made by telephone or mail or in person at the Company's business office. The customer must have at least a twelve months usage history with the Company to participate in the Level Pay Plan. If a Level Pay Plan customer pays its monthly bill past the due date for two consecutive months, it may be dropped from the Level Pay Plan at the option of the Company.
2. At the time a customer elects to participate in the Level Pay Plan, except as provided in the Budget Repayment Plan, the account should be current (the account does not have a previous balance and the current billing is not past due).
3. A customer who is unable to bring the account to a current status may be placed on the Level Pay Plan by agreeing to pay the monthly budget amount plus an additional amount over an agreed upon period of time.

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LEVEL PAY PLAN (con't):

B. Level Pay Amount:

1. The amount resulting from the level pay calculation is the level pay payment amount for the next twelve months, until annual review or until changed because of a rate order.

Level Pay Calculation:

- a. Bill one-twelfth (1/12) of the customer's normalized usage at the current month's applicable rate.
- b. Round up to the next dollar.
- c. The level pay amount is identified as a separate item on the gas bill so the participating customer will know the amount to pay.

C. Actual Billing:

1. Participation in the Level Pay Plan has no effect on the Company's approved rate schedules or other billing charges used to calculate the customers' actual monthly billing.
2. The actual monthly billing is shown on the gas bill as a memo item for the customer's information. Actual billing is based on the applicable rate and the meter readings obtained to determine the customer's gas usage for the service period.
3. The difference between actual billings and the budget amounts paid is shown on the customer's bill as Level Pay Plan Balance Forward.

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LEVEL PAY PLAN (con't):

D. Annual Review:

1. The Level Pay Plan accounts are annually reviewed, following the April billing, to calculate the level pay payment amount for the succeeding twelve (12) months.
 - a. Annual Level Pay Plan Review Calculation:
 - (1) Bill one-twelfth (1/12) of the customer's normalized usage at the current months applicable rate.
 - (2) Add in (or subtract as appropriate) one-twelfth (1/12) of the accumulated difference between actual billings and budget payment billings.
 - (3) Round up to the next dollar.

E. Rate Order:

1. In the event of a rate order, Level Pay Plan accounts are reviewed and the Level Pay Plan payment amounts recalculated, using the Annual Review Calculation, to adjust for any increase or decrease in rates.

F. Settlement:

1. Settlement occurs only when participation in the Level Pay Plan is terminated:
 - a. The account is final billed.
 - b. The consumer requests termination from the Level Pay Plan.
 - c. The consumer is removed from the Level Pay Plan by the Company as a result of past-due level pay payment amounts on the account.

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LEVEL PAY PLAN (con't):

F. Settlement (con't):

- d. Settlement is defined as applying the actual account balance (debit or credit) to the customer's next billing.

ALTERNATE ADDRESS NOTIFICATION:

N

- A. A customer may request a billing address different than the physical location where gas service is provided PROVIDED, the person financially responsible for the account provides the Company with prior written authorization. The written authorization must be received at the time the customer request service or if received at a later date the alternate billing address request must be received at least twenty (20) days prior to the next regular billing date or the alternative billing address will not be reflected on the account until the second billing cycle after the request is received.
- B. A customer may request the Company to provide notice of disconnection to an address different than the billing address for the account PROVIDED, the person financially responsible for the account provides the Company with prior written authorization. The written authorization must be received at the time the customer request service or if received at a later date the additional address for disconnect notification request must be received at least twenty (20) days prior to the next regular billing date or the additional address for disconnect notification will not be reflected in the account until the second billing cycle after the request is received. The Company will provide notice of disconnection to the billing address and the additional address for disconnect notification.

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COMPETITIVE SERVICE RATES:

N

- A. Availability: In the event of a particular competitive opportunity when the Company has reason to believe competition for one or more of its customers, or potential customer, is imminent the Company may avail itself of the Tennessee Regulatory Authority competitive service rate rules and develop a special contract containing the rates the Company believes is necessary to obtain or retain the customer, which will require approval by the Tennessee Regulatory Authority in a separate cause.

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LIMITATION OF LIABILITY:

N

- A. The Company shall not be liable for, and the customer shall indemnify, hold harmless and defend the Company from and against any and all liability, proceedings, suits, cost or expense for, damage or injury to persons or property, in any manner directly or indirectly connected with or growing out of the furnishing of natural gas, or with the interruption or termination of natural gas service, except to the extent that the damages are occasioned by the gross negligence or willful misconduct of the Company.