

NASHVILLE, TENNESSEE

IN RE:

**AMENDED PETITION OF EMERSON PROPERTIES,
LLC FOR REVOCATION OF CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY HELD BY
TENNESSEE WASTEWATER SYSTEMS, INC. FOR THE
PORTION OF CAMPBELL COUNTY, TENNESSEE,
KNOWN AS THE VILLAGES OF NORRIS LAKE,
PURSUANT TO TENN. CODE ANN. 65-4-201**

DOCKET NO.
13-00017

ORDER GRANTING CONSUMER ADVOCATE'S PETITION TO INTERVENE

RELEVANT BACKGROUND

During a status conference held on February 26, 2013, the Hearing Officer found that upon a timely and proper amended filing by Emerson Properties, LLC, the matter should proceed as a contested case proceeding and be prepared for a hearing before the panel.¹ Thereafter, on March 1, 2013, Emerson filed its *Amended Petition*, which, while factually identical to its earlier-filed petition for declaratory ruling, more accurately frames its request for relief and/or complaint against Tennessee Wastewater Systems, Inc. under Tenn. Code Ann. § 65-4-201.²

¹ *Order on February 26, 2013 Status Conference* (March 5, 2013).

² *Amended Petition* (March 1, 2013).

Thereafter, on March 15, 2013, the Consumer Advocate filed a *Petition to Intervene* in these proceedings.


PETITION TO INTERVENE

In its *Petition to Intervene*, the Consumer Advocate seeks to intervene in the docket pursuant to Tenn. Code Ann. § 65-4-118, which authorizes the Consumer Advocate to intervene in TRA proceedings in order to represent the interests of Tennessee consumers. Further, the Consumer Advocate asserts that procedures related to Certificates of Public Convenience and Necessity (“CCN”), including the cancellation or termination thereof, might affect ratepayers in the future. Finally, only by receiving notice and service of filings can the Consumer Advocate monitor the proceedings and work to adequately protect the interests of consumers. No filings opposing the request for intervention have been filed in the docket file.

Upon the foregoing, the Hearing Officer finds that the legal rights and interests of Tennessee consumers may be determined in this proceeding, the Consumer Advocate’s petition is timely, and that its intervention will not impair the orderly and prompt conduct of these proceedings. For the foregoing reasons, the Hearing Officer hereby grants the Consumer Advocate’s *Petition to Intervene*. At this time, there are no other petitions to intervene pending in the docket.

IT IS THEREFORE ORDERED THAT:

The Consumer Advocate and Protection Division of the Office of the Attorney General is granted leave to intervene in this proceeding and shall receive copies of any notices, orders, or other documents herein.



Kelly Cashman-Grams, Hearing Officer