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February 28, 2013

Vance L. Broemel  
Senior Counsel  
Office of the Attorney General  
P.O. Box 20207  
Nashville, Tennessee 37202-0270

Re: Berry's Chapel Shut-Off Process Tariff Amendments  
TRA Docket No. 13-00027

Dear Vance:

Thank you for your letter which was filed in the above-captioned docket pending at the TRA. Although I would ordinarily only respond to legal pleadings, I am answering your letter because you also sent a copy of it to the general manager of HB&TS Utility District in an apparent attempt to draw the District into this pending litigation.

As you know—although you did not mention it in your letter—the Tennessee Regulatory Authority has determined that if a customer fails to pay his sewer bill, the sewer utility may, following appropriate notice to the customer, interrupt the customer's water service. The TRA's rules state that this may be done either by agreement with the customer's water company or, in the absence of such an agreement, by installing a shut-off valve on the customer's water line.

Shutting off sewer service without shutting off water service may create a serious health hazard. Therefore, the TRA rules concerning the termination of water service by wastewater utilities are mandatory, not optional. The amended tariffs of Berry's Chapel Utility, Inc. were filed to comply with those rules and were submitted to and reviewed by the TRA staff prior to becoming effective on January 6, 2013. Other wastewater utilities have similar tariff provisions that have been in effect for years.

In the event that BCUI is forced to terminate a customer's water service to collect a sewer bill, BCUI will first ask the customer's water company to cut off the service. If the water company is unwilling to perform that function, BCUI has a legal right under its tariff to install a cutoff valve and interrupt water service to enforce payment of the bills. If the customer or the water company believes that BCUI is not acting in accordance with BCUI's tariffs, the customer or the water company may contact BCUI or file a complaint at the TRA.

As you have been told on several occasions, a handful of customers who receive water service from HB&TS owe substantial amounts to BCUI for wastewater service. The amounts owed far exceed any potential refunds owed by BCUI over various billing disputes. BCUI cannot continue to allow customers to receive service without paying for it.

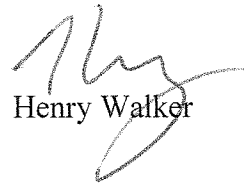
You do not represent HB&TS nor, to my knowledge, do you represent individual customers who owe these large, undisputed bills. You do, however, say that you want to help

BCUI avoid unnecessary legal expenses concerning these issues. In that spirit, I will not expect you to file a reply to this letter. Of course, if HB&TS or any individual customer decides to retain counsel and intervene in the above-captioned docket, they are free to do so.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS LLP

By:



Henry Walker

HW/mkc

cc: Tom Puckett, General Manager  
HB&TS  
505 Downs Boulevard  
Franklin, TN 37064