

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF BERRY'S CHAPEL</b>	)	
<b>UTILITY, INC. TO INCREASE RATES</b>	)	<b>DOCKET NO. 14-00004</b>
<b>AND CHARGES; TARIFF TO</b>	)	
<b>RECOVER THE COST OF FINANCIAL</b>	)	
<b>SECURITY; IMPLEMENTATION OF</b>	)	
<b>PASS THROUGHs FOR SLUDGE</b>	)	
<b>REMOVAL, ELECTRICITY,</b>	)	
<b>CHEMICALS AND PURCHASED</b>	)	
<b>WATER</b>	)	

---

**PETITION TO INTERVENE**

---

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 petitions the Tennessee Regulatory Authority ("TRA" or "Authority") to grant the Consumer Advocate's intervention into this proceeding on behalf of the public interest, because consumers may be adversely affected by Berry's Chapel Utility, Inc.'s, ("Berry's Chapel" or "BCUI ") Petition to increase rates. For cause, Petitioner 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 utility services by initiating and intervening as a party in proceedings before the Authority in accordance with the Uniform Administrative Procedures Act and Authority rules.

2. Berry's Chapel is a public utility regulated by the Authority and provides wastewater service to consumers located in Williamson County, Tennessee. Approximately 800

residential consumers and two non-residential consumers, Walnut Grove Elementary School and Berry's Chapel Church of Christ, receive waste water service from Berry's Chapel.


3. On January 16, 2014, Berry's Chapel filed in the Authority a Petition to change and increase the rates and charges paid by consumers for wastewater service. The Petition seeks an increase in operating revenues to \$844,300.00, an increase of \$99,000. Petition at ¶ 3. According to BCUI, this represents a rate increase of 13.35% for the households, the elementary school and church served by Berry's Chapel. The Petition also seeks "pass throughs" which appear to be above the \$844,300 rate increase. Some of the consumers are owed monies wrongfully collected by BCUI in violation of state law and a settlement agreement. In addition, BCUI seeks to have ratepayers pay an additional \$1.08 per month for financial security required to be funded by BCUI.

4. The rate increase, "pass throughs", late charges, application, reconnection and sewer access fees and monthly fee for bonding sought by Berry's Chapel may not be just and reasonable and require investigation. In this matter, the Consumer Advocate seeks to represent the interests of the households and non-residential customers served by Berry's Chapel.

5. Only by participating in this proceeding can the Consumer Advocate work adequately to protect the interests of consumers.

WHEREFORE, Petitioner respectfully asks the Authority to grant the Petition to Intervene.

RESPECTFULLY SUBMITTED,

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

Vance L. Broemel

VANCE L. BROEMEL (BPR #011421)  
Senior Counsel  
Office of the Tennessee Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-8733

Dated: January 23, 2014.

CERTIFICATE OF SERVICE

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

Mr. Henry Walker, Esq.  
Bradley Arant Boult Cummings LLP  
1600 Division Street, Suite 700  
PO Box 340025  
Nashville, Tennessee 37203

This the 23 day of January, 2014.

Vance L. Broemel  
Vance L. Broemel