

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

IN RE:)	
)	
REQUEST TO APPOINT A HEARING)	
OFFICER TO DETERMINE WHETHER)	DOCKET NO. 14-00007
TO INITIATE A SHOW CAUSE)	
PROCEEDING AGAINST KING'S)	
CHAPEL CAPACITY FOR)	
VIOLATIONS OF THE STATUTES AND)	
RULES REGULATING WASTE WATER)	
UTILITIES)	
)	

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 actions taken in this matter involving King's Chapel Capacity ("King's Chapel"). 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. King's Chapel is a public utility regulated by the Authority and provides wastewater service to consumers located in Williamson County, Tennessee.

3. On January 23, 2014, the Compliance Division staff of the TRA filed a Memorandum requesting the TRA to “appoint a Hearing Officer to determine whether to initiate a show cause proceeding against King’s Chapel Capacity for violations of the statutes and rules regulating waste water utilities.” Compliance Division’s Memorandum at 1. In that Memorandum, the Compliance Division Staff “assert[ed] that King’s Chapel Capacity (“King’s Chapel”) has violated the laws regulating waste water utilities and that these violations may require customer refunds as well as the imposition of civil penalties in order to ensure future compliance by King’s Chapel.” Compliance Division’s Memorandum at 1.


4. The Compliance Division Staff also stated in their Memorandum, at 1, that King’s Chapel’s financial security was inadequate:

On May 20, 2011, the previous General Counsel for the Authority sent King's Chapel a letter explaining that the bonds that had previously been submitted were no longer acceptable for compliance with TENN. COMP. R. & REGS. 1220-4-13-.07(2) and that proof of compliance with the rules was to be submitted not later than July 1, 2011. King's Chapel has failed to submit any evidence of compliance with TENN. COMP. R. & REGS. 1220-4-13-.07 to the Authority. The last time the Authority approved King's Chapel's financial security was in an order dated September 16, 2008.

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 this 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)
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Dated: 31 January 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:

Shiva Bozarth, Legal Counsel
Tennessee Regulatory Authority
500 Deaderick Street
4th Floor
Nashville, TN 37242-0001

John Powell
King's Chapel Capacity
1413 Plymouth Drive
Brentwood, TN 37027

This the 31 day of January 2014.

Vance L. Broemel
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