

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

IN RE:)	
)	
SHOW CAUSE PROCEEDING AGAINST)	DOCKET NO. 14-00041
TENNESSEE WASTEWATER SYSTEMS,)	
INC., FOR MATERIAL NON-)	
COMPLIANCE AND/OR VIOLATION OF)	
TENN. R. & REGS. 1220-04-13, <i>et seq.</i>)	

PETITION TO INTERVENE IN SHOW CAUSE DOCKET

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 in this "show cause" proceeding on behalf of the public interest. 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 utilities 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. Emerson Properties, LLC ("Emerson") purchased The Villages at Norris Lake ("The Villages") from the bankrupt debtor The Villages at Norris Lake, LLC through a bankruptcy proceeding.

3. Tennessee Wastewater Systems, Inc. ("TWSI") had contracted to provide wastewater systems for The Villages and obtained a State Operating Permit from the Tennessee Department of Environment and Conservation ("TDEC") for The Villages subdivision. TWSI also obtained a Certificate of Public Convenience and Necessity ("CCN"), as shown in the April 11, 2007 Order of TRA Docket No. 06-00277. TWSI, however, has never provided any wastewater service to The Villages.

4. On March 1, 2013, Emerson filed its amended Petition in TRA Docket No. 13-00017 requesting the TRA to cancel or terminate TWSI's CCN for the property Emerson now owns as a result of the bankruptcy.

5. The procedures related to CCNs, including but not limited to cancelling or terminating CCNs, may affect ratepayers in the future.

6. After a hearing on November 25, 2013, on Emerson's petition to revoke TWSI's CCN in TRA Docket No. 13-00017, the TRA ordered that:

Tennessee Wastewater Systems, Inc. shall appear before the Tennessee Regulatory Authority at 1:00 p.m. DCT on April 14, 2014, in the Hearing Room G.201 located on the ground floor of the Andrew Jackson State Office Building at 500 Deaderick Street, Nashville, TN 37243 and show cause why the Authority should not proceed to take action against it for the unlawful actions and omissions alleged against it, including, but not limited to, revoking the amendment to its CCN to serve the Villages at Norris Lake and imposing civil penalties and sanctions for violation of TRA Rules 1220-4-13-.07(5).

Order Initiating Show Cause Proceeding Against Tennessee Wastewater Systems, Inc., in TRA Docket No. 13-00017 at 12.

7. At the hearing in this matter on November 25, 2013, the Consumer Advocate was limited in its participation as set forth in the Pre-Hearing Order of November 20, 2013 in TRA

Docket No. 13-00017. In order to avoid any similar limitation, the Consumer Advocate is filing the present Petition to Intervene in this Show Cause Docket.

8. Only by participating in this proceeding, which includes not only whether TWSI's CCN should be revoked but also the issue of whether fines and penalties should be imposed, can the Consumer Advocate protect the interest 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 (BPR #11421)
Assistant Attorney General
Consumer Advocate and Protection Division
P.O. BOX 20207
Nashville, Tennessee 37202-0207
(615) 741-8733
(615) 741-1026-FAX

*Signed w/
permission
Charlene
Acumiller*

CERTIFICATE OF SERVICE

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

C. Mark Troutman, Esq.
Troutman & Troutman, P.C.
P.O. Box 757
LaFollette, TN 37766
(423) 566-6001

Henry Walker, Esq.
Bradley Arant Boult Cummings, LLP
1600 Division Street, Suite 700
Nashville, TN 37203
615-252-2363

Jean Stone, General Counsel
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

This the 22nd day of April, 2014.

Vance Broemel
Vance L. Broemel
*Signed w/
permission
Charlene
McMiller*