

BUTLER | SNOW

September 29, 2014

VIA ELECTRONICALLY

Hon. Herbert H. Hilliard, Chairman
Tennessee Regulatory Authority
c/o Sharla Dillon, Dockets and Records Manager
502 Deaderick Street, 4th Floor
Nashville, TN 37243

**RE: In Re: Petition of Piedmont Natural Gas Company, Inc. for Approval of a
CNG Infrastructure Rider to its Approved Rate Schedules and Service
Regulations, TRA Docket No. 14-00086**

Dear Chairman Hilliard:

Enclosed for filing please find the *Amended Petition to Intervene of Tennessee Fuel and Convenience Store Association* in the above-captioned matter.

As required, an original of this filing, along with four (4) hard copies, will follow. Should you have any questions concerning this filing, or require additional information, please do not hesitate to let me know.

Very truly yours,

BUTLER SNOW LLP


Melvin J. Malone

clw
Attachment

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

IN RE:

**PETITION OF PIEDMONT NATURAL
GAS COMPANY, INC. FOR
APPROVAL OF A CNG
INFRASTRUCTURE RIDER TO ITS
APPROVED RATE SCHEDULES AND
SERVICE REGULATIONS**

DOCKET NO. 14-00086

AMENDED PETITION TO INTERVENE

On September 24, 2014, pursuant to Tenn. Code Ann. §§ 65-4-104, 65-2-107, 65-5-103 *et. seq.*, 4-5-310 and TRA Rules 1220-1-2-.02 and 1220-1-2-.08, the Tennessee Fuel and Convenience Store Association (“TFCA”), respectfully and timely petitioned the Tennessee Regulatory Authority (“TRA” or “Authority”) to grant TFCA full intervention into this proceeding, as the interests of TFCA and its members may be adversely affected by Piedmont Natural Gas Company, Inc.’s (“Piedmont”) proposed Petition for Approval of a CNG Infrastructure Rider to Its Approved Rate Schedules and Service Regulations (“*Petition*”). For its cause, and in support of its Amended Petition to Intervene, TFCA would show as follows:

1. Originally chartered in 1929, TFCA currently represents more than 250 member companies, including wholesalers, retailers, truck stops, heating oil businesses, lubricant distributors and bulk storage facilities, as well as the many companies that supply products and services to these businesses.

2. TFCA maintains its principal offices at 430 Enos Reed Drive, Nashville, Tennessee 37210.

3. TFCA members offer varieties of vehicular fuel for sale to the general public throughout the State of Tennessee, including in the area in which Piedmont transports, distributes and sells natural gas to Tennessee consumers, and TFCA competes against other businesses that provide vehicle fuel for sale to the general public. And, many TFCA members are natural gas customers of Piedmont.¹

4. Piedmont is a public utility regulated by the Authority and is engaged in the business of transporting, distributing and selling natural gas in the State of Tennessee.

5. On or about August 29, 2014, Piedmont filed the *Petition* requesting approval from the TRA of a CNG Infrastructure Ride pursuant to Tenn. Code Ann. § 65-5-103 *et. seq* (Public Chapter No. 245).

6. According to the *Petition*, Piedmont is currently offering compressed natural gas (“CNG”) for sale to fleets and personal natural gas vehicles and is currently operating two (2) publicly accessible CNG filling stations within its service areas in Tennessee.²

7. In the *Petition*, Piedmont is requesting, among other things, the recovery of certain costs of new capital investments, including the construction of CNG facilities and the expansion of existing CNG infrastructure, and certain expenses incurred as a direct result of its efforts to provide and offer CNG to the public as a motor fuel.³

8. TFCA’s and its members’ legal rights, duties, privileges, immunities or other legal interests will be determined in this proceeding. Only by participating in this proceeding can TFCA work adequately to protect its interests and the interests of its members.

¹ The second sentence of this paragraph is the only modification herein to the Petition to Intervene filed in this docket on September 24, 2014.

² *Petition*, TRA Docket No. 14-00086, p. 3 (Aug. 29, 2014)

³ *Id.* at 5-7.

9. Due to TFCA's and its members' direct interest in this proceeding, TFCA respectfully seeks full intervention rights and the convening of a contested case.⁴

10. The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing Petitioner's request.

WHEREFORE, Petitioner Tennessee Fuel and Convenience Store Association respectfully ask the Authority to grant this Petition to Intervene.

RESPECTFULLY SUBMITTED,



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Attorneys for Petitioner

Dated: September 29, 2014

⁴ The Authority has previously suspended the effective date of the Compressed Natural Gas Infrastructure Rider requested in this matter by Piedmont through and including December 1, 2014, or until further order of the Authority, whichever occurs sooner.

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:

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and External Relations Officer
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This the 29th day of September, 2014.



Melvin J. Malone