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IN THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE

IN RE:

TARIFF FILING OF KING'S CHAPEL
CAPACITY TO TRUE-UP BONDING
COSTS (TARIFF NO. 20140176)

DOCKET NO. 14-00158

PETITION TO INTERVENE

Herbert H. Slatery III, 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 because consumers' interests, rights, duties or privileges may be determined or affected by the proceeding. 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 ("UAPA"), Tenn. Code Ann. § 4-5-101 *et seq.*, and Authority rules.

2. King's Chapel Capacity, LLC ("King's Chapel" or "Company") is a public utility regulated by the Authority. It provides wastewater services to customers located in Williamson County, Tennessee.

3. The present Docket No. 14-00158 is related to a prior matter, Docket No. 14-00007. On December 12, 2014, King's Chapel filed in TRA Docket No. 14-00007 a document

entitled *Tariff Filing of King's Chapel Capacity to true-up bonding costs* [sic]. The Consumer Advocate filed a Petition to Intervene in TRA Docket No. 14-00007 on January 1, 2014, currently pending before the TRA. The *Tariff Filing of King's Chapel Capacity to true-up bonding costs* filing stated as follows:

On December 19, 2008 the TRA issued an Order in Docket 08-00069 approving the tariff of King's Chapel Capacity ("KCC") to implement a pass through charge effective February 2009 for bonding costs imposed by Williamson County.

The tariff pages and supporting documentation attached to this letter trues-up this bonding cost from February 2009 through September 2014. These tariff pages have an effective date of December 1, 2014.

Id. at 2. Thus, the filing itself refers to a "true-up" to charges paid by consumers, implying a refund may be in order.

4. The TRA subsequently moved the *Tariff Filing of King's Chapel Capacity to true-up bonding costs* into TRA Docket No. 14-00158 for review and future consideration by the Authority. *Order Suspending Tariff For Sixty (60) Days And Appointing A Hearing Officer*, TRA Docket No. 14-00158 (Jan. 14, 2015) ("*Order Suspending Tariff*"); and *Order Holding Docket in Abeyance Pending Resolution of King's Chapel's Tariff to True-up Bonding Costs in Docket No. 14-00158*, TRA Docket No. 14-00007 (Jan. 26, 2015) at 4.

5. In the *Order Suspending Tariff*, the TRA specifically referred to the fact the bonding costs at issue were recovered from customers:

On December 12, 2014, King's Chapel Capacity, LLC ("King's Chapel") submitted a tariff to true-up the bonding costs it recovers from its customers. The tariff changes have a proposed effective date of February 1, 2015.

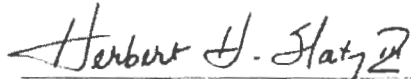
6. This docket, therefore, involves the issue of whether refunds should be made to consumers and how much those refunds should be.

7. The Consumer Advocate maintains that consumers have an interest in whether they receive such refunds and how much those refunds should be, and that such interest may be determined or affected by this proceeding.

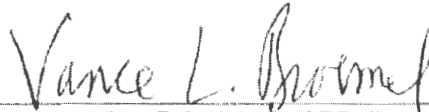
8. Only by participating as a party to this proceeding can the Consumer Advocate adequately carry out its statutory duty to represent the interests of Tennessee consumers.

WHEREFORE, the Consumer Advocate requests the Authority to grant the Petition to Intervene.

RESPECTFULLY SUBMITTED,



HERBERT H. SLATTERY III (BPR #09077)
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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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Franklin, TN 37067

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This the 11 day of February, 2015

Vance L. Broemel
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