

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

<b>IN RE: PETITION OF KINGS CHAPEL</b>	)	
<b>CAPACITY, LLC FOR APPROVAL OF</b>	)	<b>Docket No. 15-00037</b>
<b>A LEGAL &amp; REGULATORY EXPENSE</b>	)	
<b>RECOVERY RIDER</b>	)	

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**PETITION TO INTERVENE**

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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. Kings Chapel Capacity, LLC ("KCC") is a public utility regulated by the Authority. KCC provides wastewater services to approximately 100 residential customers in Williamson County, Tennessee.

3. KCC filed a *Petition for Approval of a Legal & Regulatory Expense Recovery Rider* ("Petition") under Tenn. Code Ann. § 65-5-103(d)(5) requesting that the TRA approve a rider to fund KCC's legal and regulatory costs related to its pending show cause proceeding, Docket 14-00007.

4. In Docket 14-00007, KCC is defending itself before the TRA regarding its alleged violation of wastewater rules. KCC claims it is unable to fund its defense from customers' current rates.

5. KCC currently assesses a \$0.40 per customer per month charge for "Rate Regulatory Expense," which includes expenses related to routine regulatory filings but not specific legal action.

6. To fund the specific legal action in Docket 14-00007, KCC proposes to recover up to \$20.00 per customer per month through a Legal & Regulatory Expense Recovery Rider ("L&RERR"). The L&RERR would allow KCC to aggregate its legal and regulatory costs annually and recovery these costs from customers over an indeterminable time period. KCC proposes that the L&RERR continue until its legal and regulatory costs are fully recovered.

7. If the L&RERR is implemented, consumers will experience a significant rate increase. Legal and regulatory surcharges may increase to fifty (50) times the current level. Consumers have an interest in assessing the propriety of that increase, and the Consumer Advocate is entitled to represent that interest.

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 this Petition to Intervene.

RESPECTFULLY SUBMITTED,



**HERBERT H. SLATTERY III** (BPR #09077)

Attorney General and Reporter  
State of Tennessee



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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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This the 6 day of May, 2015.

  
Erin Merrick