

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

<b>IN RE:</b>	)	
<b>PETITION OF B&amp;W PIPELINE, LLC</b>	)	
<b>FOR AN INCREASE IN RATES</b>	)	<b>DOCKET NO. 15-00042</b>

---

**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 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 any matter or proceeding before the Authority in accordance with the Uniform Administrative Procedures Act (“UAPA”), Tenn. Code Ann. § 4-5-101 *et seq.*, and Authority rules.

2. B&W Pipeline, LLC (“B&W” or “Company”) is a natural gas transportation company that owns and operates approximately fifty (50) miles of pipeline in Pickett, Morgan, and Fentress Counties. B&W currently supplies transportation services of natural gas to Navitas TN NG, LLC (“Navitas”), a natural gas distribution company that serves residential, commercial, and industrial consumers.

3. In its Petition, B&W claims that its current rate for the transportation of natural gas generates a net operating loss. The Company states that the current rate of \$0.60 per Mcf was established before B&W purchased the pipeline. The Company also notes that the pipeline was formerly part of Gasco Distribution Systems, Inc. ("Gasco"), which also owned the distribution system currently owned by Navitas. B&W contends that the current rate was never intended to cover the total revenue requirement of the pipeline as a stand-alone business.

4. B&W has petitioned the TRA to find its current rates inadequate and to increase its net operating income to \$422,688 during calendar year 2016, the attrition period used by the Company. B&W claims that under its current rates the Company will incur a net operating loss of \$162,151 during the attrition period. The Company asserts that the rate increase is necessary to cover its projected loss and other expenses, including depreciation and a fair rate of return. B&W states that it is currently discussing an appropriate rate design with Navitas, but has not yet filed a proposed rate design with the TRA.

5. The interests of consumers, including without limitation the proposed increase in rates to be paid by B&W's customers, may be affected by the TRA's decisions in this proceeding. 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 its Petition to Intervene.

RESPECTFULLY SUBMITTED,



HERBERT H. SLATTERY III (BPR #09077)  
Attorney General and Reporter  
State of Tennessee

Rachel Newton

RACHEL A. NEWTON (BPR #022960)

Assistant Attorney General

Office of the Tennessee Attorney General

Consumer Advocate and Protection Division

P.O. Box 20207

Nashville, Tennessee 37202-0207

(615) 741-8733

Dated: 4/20, 2015.

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:

Henry Walker, Esq.  
Bradley Arant Boult  
Cummings, LLP  
1600 Division St., Suite 700  
Nashville, TN 37203

This the 20 day of April, 2015.

  
\_\_\_\_\_  
RACHEL A. NEWTON