

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

<b>IN RE:</b>	)	
<b>PETITION OF GATEWAY UTILITY</b>	)	
<b>COMPANY, INC. FOR A CERTIFICATE</b>	)	<b>DOCKET NO. 15-00123</b>
<b>OF CONVEIENCE AND NECESSITY</b>	)	
<b>TO PROVIDE WATER SERVICE IN</b>	)	
<b>GATEWAY VILLAGE IN WILLIAMSON</b>	)	
<b>COUNTY</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 Protection and Advocate 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 *Petition of Gateway Utility Company, Inc. for a Certificate of Convenience and Necessity to Provide Water Service in Gateway Village in Williamson County* ("Petition") filed on December 17, 2015, in this TRA Docket by Gateway Utility Company, Inc. ("Gateway Utility"). For cause, the Consumer Advocate 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. Gateway Utility provides water service to Gateway Village in Williamson County, Tennessee. Gateway Utility serves approximately 350 residential and commercial customers.

3. In its *Petition*, Gateway Utility requests that the Authority grant it a certificate of convenience and necessity ("CCN") because the Tennessee Department of Environment and Conservation ("TDEC") determined that Gateway Utility is a public water system. *Petition* at 2.

4. Gateway Utility states that while its own board members do not have the capabilities necessary to run the utility, it outsources all billing and maintenance services. Gateway Utility is "actively pursuing a company to purchase the utility and/or to continue the outsourcing of all operation, maintenance and billing services." *Petition* at 2.

5. Gateway Utility has plans to further develop property within its service area to include 54 additional residential units and 36,000 sq. ft. of commercial space. *Petition* at 2.

6. Consumers have an interest in ensuring that Gateway Utility and its potential purchaser possess the requisite managerial, technical, and financial capability to operate a water utility, especially as Gateway Utility expands its service to include planned residential and commercial growth.

7. Only by participating in this proceeding can the Consumer Advocate work adequately to protect the interests of consumers.

WHEREFORE, the Consumer Advocate respectfully asks the Authority to grant the *Petition* to Intervene.

RESPECTFULLY SUBMITTED,

A handwritten signature in dark ink, reading "Herbert H. Slattery III". The signature is stylized with a large, sweeping initial "H" and a prominent "III" at the end.

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

*Erin Merrick*

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ERIN MERRICK (BPR #033883)  
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Dated: *Feb 10, 2016.*

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:

Lynn Ellsworth, President  
Gateway Utility Company, Inc.  
5042 Thoroughbred Lane  
Brentwood, TN 37027  
615-373-5427  
lynnellsworth@msn.com

This the 16 day of Feb, 2016.

  
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ERIN MERRICK