

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 4, 2016

IN RE:)	
)	
PETITION FOR APPROVAL OF A SPECIAL)	DOCKET NO.
CONTRACT FOR ALTERNATIVE FEED SERVICE)	16-00075
BETWEEN KINGSPORT POWER COMPANY d/b/a)	
AEP APPALACHIAN POWER AND EASTMAN)	
CHEMICAL COMPANY)	

ORDER ACCEPTING WITHDRAWAL OF PETITION

This matter came before Chairman David F. Jones, Vice Chairman Robin L. Morrison, and Director Kenneth C. Hill of the Tennessee Regulatory Authority (the “Authority” or “TRA”), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on September 12, 2016 for consideration of the *Motion to Withdraw Petition* (“*Motion to Withdraw*”) between Kingsport Power Company d/b/a AEP Appalachian Power (“KPC”) and Eastman Chemical Company filed by KPC on August 17, 2016.

In its *Motion to Withdraw*, KPC states that on August 9, 2016, the Authority approved a *Stipulation and Settlement Agreement* in KPC’s recent rate case, Docket No. 16-00001. According to KPC, a portion of the settlement agreement established terms and conditions applicable to the alternate feed service to be provided by Eastman under the Special Contract, and relief sought in this docket is moot. KPC further states that the Consumer Protection and Advocate Division of the Office of the Attorney General (“Consumer Advocate”) filed a *Petition to Intervene* on July 28, 2016 in this docket, and consideration of whether to convene a contested case was deferred at the August 8, 2016 Authority Conference. KPC maintains that since the

Consumer Advocate was a party to the *Stipulation and Settlement Agreement*, its *Petition to Intervene* in this docket should be denied because it is moot.

During the Authority Conference held on September 12, 2016, upon consideration of the entire record in this matter, the panel voted unanimously to grant KPC's *Motion to Withdraw*. In addition, the panel voted unanimously to deny the Consumer Advocate's *Petition to Intervene* because granting the *Motion to Withdraw* rendered the *Petition to Intervene* moot.

IT IS THEREFORE ORDERED THAT:

1. The *Motion to Withdraw Petition* filed by Kingsport Power Company d/b/a AEP Appalachian Power is granted.
2. The *Petition to Intervene* filed by the Consumer Protection and Advocate Division of the Office of the Attorney General is denied.
3. The Tennessee Regulatory Authority Docket Manager is directed to close this docket.

Chairman David F. Jones, Vice Chairman Robin L. Morrison and Director Kenneth C. Hill concur.

ATTEST:



Earl R. Taylor, Executive Director