

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>JOINT PETITION OF CARTWRIGHT</b>	)	<b>DOCKET NO. 16-00097</b>
<b>CREEK, L.L.C. AND ARRINGTON</b>	)	
<b>NATIONAL DEVELOPMENT, LLC FOR</b>	)	
<b>APPROVAL OF SPECIAL CONTRACT</b>	)	

---

**PETITION TO INTERVENE**

---

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 Public Utility Commission (Commission) to grant the Consumer Advocate's intervention into this proceeding on behalf of the public interest, because consumers may be adversely affected by the special contract filed by Cartwright Creek, L.L.C., and Arrington National Development, LLC. 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 Commission in accordance with the Uniform Administrative Procedures Act and Commission rules.

2. Cartwright Creek is a public utility regulated by the Commission. Cartwright Creek sells wastewater services to consumers in the State of Tennessee. Cartwright Creek's

principal place of business in Tennessee is 2033 Richard Jones Road, Nashville, Tennessee 37215.

3. Arrington National Development, LLC, is a Tennessee limited liability company which plans to develop certain property in Williamson County.

4. Cartwright Creek and Arrington have entered into a Sewer and Wastewater System Service Agreement attached to the *Joint Petition of Cartwright Creek, L.L.C., and Arrington National Development, LLC for Approval of Special Contract*.

5. The Service Agreement at Section 5(a)(i) provides as follows with regard to Connection Fees for sewer service:

COMPENSATION.

a. Compensation for Operations:

b.

i. Connection Fees. The Collection System, WWTP, and Irrigation System are being constructed at the sole cost of the Owner. There will be no connection fees due Cartwright Creek for the residential and Development Amenities within Phase I and Phase 2 or any other phase of the Development, with Property described in Exhibit A, up to a maximum of 482 equivalent dwelling units (EDUs) plus the Development Amenities, provided that the Owner designs and constructs the expansion of the wastewater treatment and reuse facilities for these phases. Owner shall have sole discretion in the amount and manner of collection of such connection fees from lot owners (which fees shall belong to Owner), subject to any applicable law. (Emphasis added.)

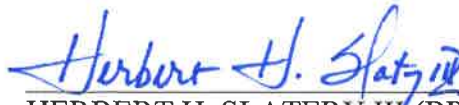
6. The provision regarding Connection Fees raises concerns about the amount to be charged to consumers, and whether the parties to the Service Agreement contend that the TPUC has no authority over setting Connection Fees in this case.

7. Other provisions in the Service Agreement may require review as well.

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

WHEREFORE, Petitioner respectfully asks the Commission to grant the Petition to Intervene.

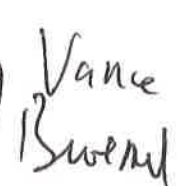

RESPECTFULLY SUBMITTED,



HERBERT H. SLATTERY III (BPR #09077)

Attorney General and Reporter

State of Tennessee



DANIEL P. WHITAKER III (BPR #035410)

Assistant Attorney General

VANCE L. BROEMEL (BPR #011421)

Senior Counsel

Office of the Attorney General

Consumer Protection and Advocate Division

P.O. Box 20207

Nashville, Tennessee 37202-0207

(615) 532-9299

Dated: May 18, 2017.

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:

Henry Walker  
Bradley Arrant Boulton Cummings, LLP  
1600 Division Street, Suite 700  
Nashville, TN 37203  
Phone: 615-252-2363  
Email: hwalker@babco.com

Charles B. Welch, Jr.  
Attorney for Arrington National Development, LLC  
Farris Bobango PLC  
414 Union Street, Suite 1105  
Nashville, TN 37219  
Phone: 615-726-1200  
Email: cwelch@fanis-law.com

This the 18 day of May 2017

  
\_\_\_\_\_  
DANIEL P. WHITAKER III  
Assistant Attorney General