IN THE TENNESSEE PUBLIC UTILITY COMMISSION AT NASHVILLE, TENNESSEE

| IN RE: |) | |
|--------------------------------|---|----------------------------|
| |) | |
| PETITION OF SUPERIOR WATER |) | |
| SERVICE, LLC FOR A CERTIFICATE |) | DOCKET NO. 17-00120 |
| OF CONVENIENCE AND NECESSITY |) | |
| TO PROVIDE WATER SERVICE TO A |) | |
| PORTION OF KING'S CHAPEL |) | |
| SUBDIVISION IN WILLIAMSON |) | |
| COUNTY |) | |

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 (TPUC) 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 Superior Water Service*, *LLC for a Certificate of Convenience and Necessity to Provide Water Service to a Portion of King's Chapel Subdivision in Williamson County (Petition)*. For cause, the Consumer Advocate would show as follows:

1. The Consumer Advocate, in accordance with Tenn. Code Ann. § 65-4-118, has the duty and authority to represent the interests of Tennessee consumers of public utilities services by initiating and intervening as a party in any matter or proceeding before TPUC in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-101 et seq., and TPUC rules.

- 2. Superior Water Service, LLC (Superior) is "an affiliate of King's Chapel Capacity, LLC ("KCC"). [sic] and was created in order to provide water service to a portion of the King's Chapel Subdivision in Williamson County."¹
- 3. On October 30, 2017, Superior filed its *Petition* requesting a Certificate of Convenience and Necessity (CCN) along with proposed Tariffs, Rules, Regulations, and a Customer Service Application. While Superior avers in its Petition that it is in good standing with the State of Tennessee², this is Superior's first appearance before TPUC and first request for a CCN.
- 4. Superior requests that TPUC allow it to adopt the current rates of the Nolensville/College Grove Utility District and to adopt the existing Rules and Regulations of King's Chapel Capacity.
- 5. Since this is the first request for a CCN, Superior will need to demonstrate the requisite managerial, financial and technical capabilities to provide wastewater services at Casey Cove Estates and that a public need exists for such service as required under Tenn. Code Ann. § 65-4-201(a) and TRA Rule 1220-4-13-.04(1)(b).
- 6. On November 7, 2017, Counsel for the Nolensville/College Grove Utility District submitted a letter to TPUC detailing that District's concerns with certain statements Superior made in support of its *Petition*.
- 7. The interests of consumers, including without limitation the proposed rates and other charges to be paid by Superior's consumers under the *Petition*, may be affected by determinations and orders made by TPUC in this matter.

¹ Petition at 1.

² *Id*.

8. Only by participating as a party in this proceeding can the Consumer Advocate adequately carry out its statutory duty to represent the interests of Tennessee consumers.

WHEREFORE, the Consumer Advocate respectfully requests TPUC to grant this Petition to Intervene.

RESPECTFULLY SUBMITTED,

HERBERT H. SLATERY III (BPR #09077)

Attorney General and Reporter

State of Tennessee

DANIEL P. WHITAKER, III (BPR #035410)

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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:

John Powell President, Superior Water Service, LLC P.O. Box 40 Arrington, TN 37014

Henry Walker, Esq. Counsel for Nolensville/College Grove Utility District Roundabout Plaza 1600 Division Street, Ste. 700 Nashville, TN 37203

Benjamin A. Gastel, Esq. Michael J. Wall, Esq. 223 Rosa L Parks Blvd., #200 Nashville, TN 37203

This the 28th day of November, 2017.

Daniel P. Whitaker, III Assistant Attorney General