

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**March 23, 2018**

<b>IN RE:</b>	)	
<b>PETITION OF CHATTANOOGA GAS COMPANY</b>	)	
<b>FOR APPROVAL OF AN ADJUSTMENT IN RATES</b>	)	<b>DOCKET NO.</b>
<b>AND TARIFF; THE TERMINATION OF THE AUA</b>	)	<b>18-00017</b>
<b>MECHANISM AND THE RELATED TARIFF</b>	)	
<b>CHANGES AND REVENUE DEFICIENCY</b>	)	
<b>RECOVER; AND AN ANNUAL RATE REVIEW</b>	)	
<b>MECHANISM</b>	)	

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**ORDER GRANTING THE PETITION TO INTERVENE FILED BY THE  
CHATTANOOGA REGIONAL MANUFACTURERS ASSOCIATION**

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This matter is before the Hearing Officer of the Tennessee Public Utility Commission (“Commission” or “TPUC”) to consider the *Petition of the Chattanooga Regional Manufacturers Association for Leave to Intervene* (“*Petition to Intervene*”) filed on March 8, 2018.

**RELEVANT BACKGROUND**

Chattanooga Gas Company (“CGC”) is a wholly-owned subsidiary of Southern Company Gas and is incorporated under the laws of Tennessee.<sup>1</sup> CGC is a public utility under the jurisdiction of the Commission and is in the business of transporting, distributing, and selling natural gas in the greater Chattanooga and Cleveland, Tennessee areas within Hamilton and Bradley Counties.<sup>2</sup> On February 15, 2018, CGC filed the *Chattanooga Gas Company Petition for Approval of an Adjustment in Rates and Tariff; the Termination of the AUA Mechanism and the Related Tariff Changes and Revenue Deficiency Recovery; and an Annual Rate Review Mechanism* (“*Petition*”).

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<sup>1</sup> *Petition*, p. 2 (February 15, 2018).

<sup>2</sup> *Id.*

**CHATTANOOGA REGIONAL MANUFACTURERS ASSOCIATION (“CRMA”) *PETITION TO INTERVENE***

On March 8, 2018, CRMA filed its *Petition to Intervene* seeking to intervene in the docket. According to the *Petition to Intervene*, CRMA is an association representing over 250 manufacturers and other businesses supporting, servicing and associated with the manufacturing sector. Many of CRMA’s members are customers of CGC. According to CRMA, “it has a legal interest in the outcome of this docket, and desires to intervene in order to fully protect the interests of its members.”<sup>3</sup> CRMA maintains that CGC seeks “to adjust certain rates and charges, including increases or changes that may adversely affect CRMA ratepayers.”<sup>4</sup>

**FINDINGS & CONCLUSIONS**

Tenn. Code Ann. § 4-5-310 establishes the following criteria for granting petitions to intervene:

- (a) The administrative judge or hearing officer shall grant one (1) or more petitions for intervention if:
  - (1) The petition is submitted in writing to the administrative judge or hearing officer, with copies mailed to all parties named in the notice of the hearing, at least seven (7) days before the hearing;
  - (2) The petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interest may be determined in the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and
  - (3) The administrative judge or hearing officer determines that the interests of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention.

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<sup>3</sup> *Petition to Intervene*, p. 1 (March 8, 2018).

<sup>4</sup> *Id.* at 2.

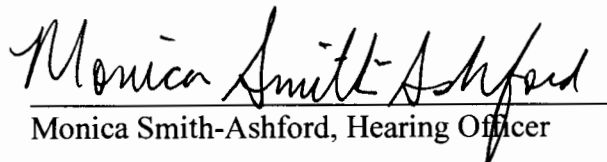
(b) The agency may grant one (1) or more petitions for intervention at any time, upon determining that the intervention sought is in the interests of justice and shall not impair the orderly and prompt conduct of the proceedings.<sup>5</sup>

Because granting CGC's *Petition* will impact the rates of CRMA members, the Hearing Officer finds that there is a sufficient factual basis to find that the legal rights or interests held by CRMA members may be determined in this proceeding.

THEREFORE, upon due consideration, the Hearing Officer concludes that the legal rights, duties, privileges, immunities or other legal interest of CRMA members may be determined in this proceeding. There is no opposition to its intervention, and its *Petition to Intervene* was timely-filed and should not impair the interests of justice or the orderly and prompt conduct of the proceedings. For these reasons, the Hearing Officer concludes that CRMA's *Petition to Intervene* should be granted.

**IT IS THEREFORE ORDERED THAT:**

The *Petition to Intervene* filed by the Chattanooga Regional Manufacturers Association is granted. The Chattanooga Regional Manufacturers Association may intervene and participate as a party in this proceeding and, as such, shall receive copies of any notices, orders, or other documents filed herein.

  
Monica Smith-Ashford, Hearing Officer

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<sup>5</sup> Tenn. Code Ann. § 4-5-310.