



**TENNESSEE PUBLIC UTILITY COMMISSION**

**Andrew Jackson State Office Building  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, Tennessee 37243  
Telephone (615) 741-2904**

October 23, 2019

**MEMORANDUM**

**TO: Chair Robin L. Morrison  
Vice Chair Kenneth C. Hill  
Commissioner Herbert H. Hilliard**

**FROM: Ryan McGehee for Party Staff**

**SUBJECT: *In re Show Cause Proceeding Against Cartwright Creek for Charging An  
Unauthorized Rate or Fee. TPUC Docket 19-00098***

**AGENDA: November 4, 2019**

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On behalf of the designated Party Staff of the Tennessee Public Utility Commission ("Commission"), Party Staff requests that a docket be opened and a Hearing Officer be appointed to determine whether a Show-Cause proceeding should be initiated against the Cartwright Creek, LLC ("Cartwright Creek", "Company") for charging customers rates this Commission has not authorized.

The Commission has received information from the state's one call service, Tennessee 811, Inc., indicating Cartwright Creek is charging homeowners for locate requests (a request made to a utility to locate and mark their underground utilities prior to excavation activities to prevent damage to the underground utilities) that impact the homeowner's property. The Commission has not previously approved a tariff that would authorize Cartwright Creek to charge customers for locate requests that impact the customer's property.

Rates and fees charged by a regulated public utility must be approved by the Commission. Tenn. Code Ann. §§ 65-4-104, 65-5-103; Tenn. Comp. R. & Regs. 1220-04-13-.13(3). As such, Party Staff seeks the opening of a show-cause docket to ensure customers are only charged authorized rates and fees.

cc: Commissioner David F. Jones, Commissioner John Hie, Executive Director Earl Taylor and Division Directors