

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

April 8, 2020

IN RE:)	
)	
CHATTANOOGA GAS COMPANY)	
PETITION FOR APPROVAL OF ITS)	Docket No.
2019 ANNUAL RATE REVIEW)	
FILING PURSUANT TO)	20-<u>00049</u>
TENN. CODE ANN. § 65-5-103(d)(6))	
)	

**CHATTANOOGA GAS COMPANY REQUEST TO ESTABLISH A DOCKET
AND EXTEND THE DUE DATE FOR FILING ITS PETITION FOR
APPROVAL OF ITS 2019 ANNUAL RATE REVIEW FILING**

Chattanooga Gas Company ("CGC" or "Company"), pursuant to Tennessee Code Annotated Section 65-5-103(d)(6) and the Rules of the Tennessee Public Utility Commission ("TPUC" or "Commission"), hereby files its Request to Establish a Docket and Extend the Due Date for Filing CGC's Petition for Approval of its 2019 Annual Rate Review Filing ("Request"). In view of the extraordinary current state of affairs in the State of Tennessee due to the novel coronavirus pandemic and the state of emergency declared by Governor Bill Lee for the State of Tennessee, CGC believes it would be in the public interest to delay until May 29, 2020, the filing of its first annual review of rates presently due to be filed on April 20, 2020. In support of this Petition, CGC states as follows:

1. In Docket No. 19-00047, CGC presented for approval its proposed annual rate review, identified therein as its annual review mechanism, or "ARM." By its Order Approving

Settlement Agreement issued on October 7, 2019 (“ARM Order”), this Commission approved a Stipulation and Agreement by and among the Consumer Advocate, the Chattanooga Regional Manufacturers Association, TPUC Party Staff, and CGC that approved a form of CGC’s ARM that incorporated a number of changes upon which the parties agreed. In addition, the Stipulation and Agreement approved by the ARM Order established that the first annual review proceeding of CGC’s 2019 performance data was set to be filed on or about April 20, 2020 with a first annual ARM effective date for rate and rate adjustments being September 1, 2020. (ARM Order at Exh. 1 (Stipulation and Agreement), Exh. A, pg. 1)

2. CGC has been diligent in working to prepare its ARM case filing, but the present novel coronavirus pandemic has materially and adversely impacted CGC’s customers and the larger communities served by CGC. Beginning with Governor Lee’s declaration of a state of emergency in his Executive Order No. 14, on March 12, 2020, stopping the spread of COVID-19 and protecting the citizens of Tennessee from this public health menace has become a matter of the greatest public importance, with life and death consequences for the citizens of this state, and, indeed our nation and the planet at large. Governor Lee has issued numerous Executive Orders in the last month, and the President of the United States and the Congress have taken unprecedented actions to protect the people of this nation.

3. This Commission has also been actively engaged in seeking to protect utility customers. On March 19, 2020, the Commission directed the utilities under its jurisdiction “to report to the Commission on an ongoing basis their emergency operational and response plans and all measures that have been instituted to ensure the continuity of safe and reliable service and to assist their customers during this time.” Further, on March 31, 2020, in Docket No. 20-00047, the Commission ordered that all jurisdictional utilities suspend service disconnections for

nonpayment. CGC has fully complied with these Commission requirements, and independent of the Commission CGC has undertaken further additional measures to protect customers and employees during this public health emergency, which are reported in more detail in the Company's weekly filings with the Commission.

4. As the Consumer Advocate noted in its March 23, 2020, letter to this Commission in Docket No. 20-00047, "The COVID-19 pandemic has caused widespread confusion and disarray. Consumers and corporate members of the utility industry are in uncharted territory, . . ." CGC agrees. In order to help provide a little greater stability in this time of uncertainty, CGC believes that extending the deadline for filing its ARM case to review its 2019 historical information is in the best interest of CGC's customers. CGC acknowledges and accepts that by filing its case on May 29, 2020, that this will delay the implementation of any rate changes that may be approved by the Commission from the original September 1, 2020, implementation date until October 1, 2020. CGC intends to fully comply with all of the detailed documentation requirements set forth in the ARM Order when it makes its May 29, 2020, filing, but given the present circumstances, CGC expects that it will provide all information electronically at the time of filing to the Commission and parties with any paper copies being provided as the Commission may direct or permit.

5. The only relief that CGC is seeking by this Request is for the Commission to now establish a new CGC ARM docket for the review of CGC's 2019 historical data so that the Commission may then issue the appropriate order delaying until May 29, 2020, the filing of CGC's ARM petition and supporting documentation required by the ARM Order. CGC appreciates the novelty of asking the Commission to open a docket in order to then approve a delay in a due date established by a prior order of the Commission. However, these are extraordinary times for CGC's

customers, and the requested extraordinary actions are appropriate and in the public interest.

6. CGC has consulted with the Commission Staff and the Consumer Advocate. The Consumer Advocate supports the relief requested herein. CGC has attempted to consult with counsel for Chattanooga Regional Manufacturers Association, but at the time of this filing has not yet communicated directly but will continue to reach out to counsel.

WHEREFORE, CGC respectfully requests that the Commission open a new docket in which it will process CGC's historic 2019 ARM review and that the Commission forthwith issue an order extending CGC's due date for filing its historic 2019 ARM review until May 29, 2020.

Respectfully submitted this 8th day of April, 2020.



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