

November 17, 2022

Electronically Filed in TPUC Docket Room
on November 17, 2022 at 3:30 p.m.

VIA ELECTRONIC FILING

Hon. Herb Hilliard, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

RE: *In Re: Joint Petition of Tennessee-American Water Company and Walker County Water and Sewerage Authority for Expedited Approval of a Special Contract, Docket No. 22-00049*

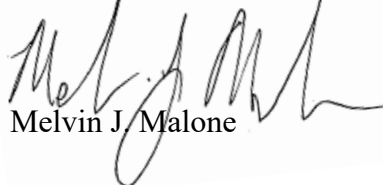
Dear Chairman Hilliard:

Consistent with the deliberations of the Tennessee Public Utility Commission ("TPUC" or "Commission") in the above-captioned matter on October 10, 2022, attached is the executed Amended Water Purchase Agreement between Tennessee-American Water Company ("TAWC") and Walker County Water and Sewerage Authority ("WCWSA").

As required, the original plus four (4) hard copies will be mailed to your office. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw

Attachment

cc: Bob Lane, TAWC
Grady Stout, TAWC
Shannon Whitfield, WCWSA
Karen H. Stachowski, Consumer Advocate Division
Vance Broemel, Consumer Advocate Division

AMENDED WATER PURCHASE AGREEMENT

THIS AMENDED WATER PURCHASE AGREEMENT ("Amended Agreement") is executed this 10th day of October 2022 by and between **TENNESSEE-AMERICAN WATER COMPANY ("TAWC")** and the **WALKER COUNTY WATER AND SEWERAGE AUTHORITY ("WCWSA")** (collectively, the **"PARTIES"**).

WHEREAS, TAWC, a Tennessee corporation, is a public utility which owns and operates a water utility system in and around the City of Chattanooga, Tennessee including the contiguous cities of Red Bank, East Ridge, Ridgeside, and Lookout Mountain, plus the cities of Rossville and Lookout Mountain, Georgia, and areas in the Georgia counties of Dade, Walker and Catoosa; and

WHEREAS, WCWSA, a Georgia government entity, was created by a legislative act by the General Assembly of the State of Georgia and serves residents in Walker County, Georgia; and

WHEREAS, WCWSA and TAWC executed the attached Water Purchase Agreement on February 8, 2022; and

WHEREAS, WCWSA and TAWC are desirous of amending the February 8, 2022 Water Purchase Agreement; and

WHEREAS, the PARTIES have reached agreement on amending the Water Purchase Agreement to clarify the rates and charges; and

WHEREAS, the amended rate agreed upon by the PARTIES reflects an equitable and reasonable compromise; and

WHEREAS, the amended rate set forth herein is fair, just, reasonable and not unduly discriminatory; and

NOW, THEREFORE, in consideration of the following covenants, the PARTIES agree as follows:

I. AMENDMENT

Paragraph 2(b) of the Water Purchase Agreement, captioned "Purchase of Water," is hereby amended as follows:

2. PURCHASE OF WATER

b. WCWSA shall pay a base rate of \$1.351560 per 1000 gallons, plus TAWC's Capital Recovery Riders, as approved by the Commission (the "Purchased Water Rate"). As of the Effective Date of this Amended Agreement, the Purchased Water Rate is \$1.75 per 1000 gallons (Base Rate of \$1.351560 + CRR Surcharge \$0.449529 + PCOP Surcharge \$0.007298 – TCJA Credit \$0.058387).¹ The Purchased Water Rate shall be adjusted, to the extent necessary, to reflect the then applicable and approved Capital Recovery Riders and PCOP or similar mechanisms approved by the Tennessee Public Utility Commission ("TPUC" or "Commission").

¹ $\$1.351560 + \$1.351560 (\text{CRR}\% (33.26\%)) + \$1.351560 (\text{PCOP}\% (0.54\%)) - \$1.351560 (\text{TCJA}\% (4.32\%)) = \1.75 per 1000 gallons.

II. MISCELLANEOUS

- a. The Parties acknowledge that this Amended Water Purchase Agreement, upon execution by the Parties, shall be filed with the TPUC. WCWSA pledges its assistance in complying with applicable TPUC rules and regulations. The Effective Date of this Amended Agreement shall be October 11, 2022, the date the Water Purchase Agreement was conditionally approved by TPUC.
- b. This Amended Water Purchase Agreement shall be governed by and constructed under the laws of the State of Tennessee.

TAWC

TENNESSEE-AMERICAN WATER COMPANY



President

17. NOV. 2022
Date

WCWSA

WALKER COUNTY WATER AND SEWERAGE AUTHORITY



Chairman

11/04/2022
Date

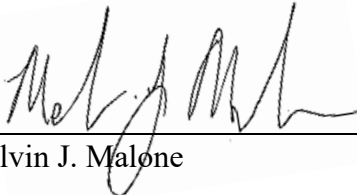
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Vance L. Broemel, Esq.
Senior Assistant Attorney General
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Consumer Advocate Division
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This the 17th day of November 2022.



Melvin J. Malone