

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)	
)	
TENNESSEE WATER SERVICE, INC.)	
PETITION TO ADOPT ANNUAL REVIEW)	DOCKET NO. 23-00046
MECHANISM AND TARIFF PURSUANT)	
TO TENN. CODE ANN. § 65-5-103(d)(6))	

PETITION TO INTERVENE

The Consumer Advocate Division of the Office of the Attorney General (“Consumer Advocate”), by and through Jonathan Skrmetti, Attorney General and Reporter for the State of Tennessee, pursuant to Tenn. Code Ann. § 65-4-118, respectfully petitions the Tennessee Public Utility Commission (“TPUC” or the “Commission”) to grant the Consumer Advocate’s intervention into this proceeding because consumers’ interests, rights, duties, or privileges may be determined or affected by the *Tennessee Water Service, Inc. Petition to Adopt Annual Review Mechanism and Tariff Pursuant to Tenn. Code Ann. §65-5-103(d)(6)* filed by Tennessee Water Service, Inc. (“TWS” or the “Company”). The Consumer Advocate would show as follows:

1. The Consumer Advocate is authorized by Tenn. Code Ann. § 65-4-118 to represent the interests of Tennessee consumers of public utility services by initiating and intervening as a party in proceedings before the Commission in accordance with the Uniform Administrative Procedures Act and Commission rules.

2. TWS is a public utility organized under the laws of Tennessee, operating in Tennessee, and engaged in the provision of water utility service to the public for compensation.

The Company's business address is #2 N. Wolfscratch Drive, Jasper, GA 30143.¹

3. TWS's last general rate case, TPUC Docket No. 19-00028, established the Company's current base rates. The Consumer Advocate Division intervened and participated in that matter.

4. In the current Docket, TWS seeks to utilize the ratemaking methodologies established in its last general rate case to institute an annual review of rates mechanism ("ARM"). An ARM is designed to update and refresh the Company's rates each year through a reconciliation and tariff-setting process.

5. The present docket is the Company's first petition to adopt an ARM. The Company seeks a one-step filing process where the Company will calculate whether there is an excess or deficiency in earnings for the historic period, and the Company will calculate an annual true-up rate adjustment deferral to either avoid under-recovery for the Company or provide a credit to customers to account for any earnings in excess of the Company's authorized return.² The Company will not file forward-looking or forecasted data.³

6. In the instant matter, the Consumer Advocate seeks to represent the interests of consumers served by TWS. The interests of consumers, including without limitation the proposed increase in rates to be paid by TWS consumers, may be affected by determinations and orders made by the Commission with respect to: (1) the interpretation, application, and implementation of Tenn. Code Ann. § 65-5-103(d)(6) and other relevant statutory and regulatory provisions; and (2) the review and analysis of the supporting schedules and other documentation,

¹ *Tennessee Water Service, Inc. Petition to Adopt Annual Review Mechanism and Tariff Pursuant to Tenn. Code Ann. §65-5-103(d)(6)*, at 4, TPUC Docket No. 23-00046 (June 20, 2023).

² *Id.* at 7.

³ *Id.*

financial spreadsheets, and materials provided by TWS.

7. Only by participating in this proceeding can the Consumer Advocate carry out its statutory duty to represent the interests of consumers.


8. TWS has no objection to the intervention of the Consumer Advocate in this docket.

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

RESPECTFULLY SUBMITTED,



JONATHAN SKRMETTI (BPR No. 031551)
Attorney General and Reporter
State of Tennessee



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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,
with a courtesy copy by electronic mail upon:

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This the 12 day of July 2023.



MASON C. RUSH
Assistant Attorney General