

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

IN RE:

**PETITION OF TENNESSEE-AMERICAN
WATER TO MODIFY TARRIFF,
CHANGE AND INCREASE CHARGES,
FEES, AND RATES, AND FOR
APPROVAL OF GENERAL RATE
INCREASE**

DOCKET NO. 24-00032

FILED: June 28, 2024

**PETITION TO INTERVENE OF UTILITY WORKERS UNION
OF AMERICA, AFL-CIO, AND UWUA LOCAL 121**

The Utility Workers Union of America, AFL-CIO (“UWUA”), and UWUA Local 121 (hereinafter collectively “UWUA”), by and through counsel, pursuant to Tenn. Code Ann. §§ 4-5-310 and 65-2-107 and Rule 1220-1-2-.08 of the Rules of the Tennessee Public Utility Commission (the “Commission”), hereby respectfully petition to intervene in this proceeding because the legal rights, duties, privileges, and other legal interests of UWUA and its members may be determined or affected by the Petition of Tennessee-American Water Company (“TAWC” or the “Company”) in this matter.

For cause, UWUA would show as follows:

1. All notices, correspondence, pleadings, and other communications concerning this proceeding should be sent to the attention of UWUA counsel, as follows:

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2. This is a contested case within the meaning of Tenn. Code Ann. § 65-2-101(2), as it involves the determination of “the legal rights, duties, or privileges of specific parties,” including UWUA, as well as “the fixing of rates.”

3. TAWC is a public utility providing residential, commercial, industrial, and municipal water service, including public and private fire protection, to more than 87,000 customers in Chattanooga, Tennessee and surrounding areas.

4. UWUA is national labor organization representing approximately 45,000 workers primarily in water, electric, and gas utility companies across the United States. UWUA has participated in proceedings before state utility commissions throughout the Nation, including before this Commission’s predecessor agency the Tennessee Regulatory Authority involving TAWC in Docket No. 10-00189, as well as in proceedings involving additional water and other utility companies across the U.S.

5. UWUA Local 121 represents 61 TAWC employees performing a variety of jobs essential to the delivery to customers of high quality and safe water services, including process technician (covering water plant operations and water sampling), field service representative, truck driver/utility, heavy equipment operator, laboratory worker, laborer/laborer relief, and master maintenance mechanic. The members of UWUA Local 121 therefore constitute a substantial majority of TAWC’s entire 101-employee workforce. Many – if not most – of these UWUA members are also TAWC customers.

6. UWUA seeks to intervene in this proceeding to protect the legal interests of its members who are employees of TAWC. As the representative of a majority of the Company’s workforce, UWUA has a substantial interest in ensuring that TAWC is permitted to charge just and

reasonable rates – *i.e.*, those that will permit, among other things, the Company’s workforce to perform their essential functions for customers in an appropriate manner. At the same time, UWUA is concerned that TAWC must fulfill its obligation to use the revenues it is authorized to collect from ratepayers in a manner consistent with the provision of safe, reliable, and high-quality utility service. For example, notwithstanding the extraordinary size of TAWC’s proposed rate increase in this matter, UWUA is concerned the Company remains unwilling to address a central problem impeding its ability to deliver reliable and high-quality services to customers – namely, the lack of an adequate complement of hourly staff.

7. UWUA anticipates that its participation in this proceeding will assist the Commission by providing an understanding of the extent to which rate relief should be focused on meeting the Company’s staffing needs which – by extension – must provide tangible benefits to TAWC customers. UWUA is uniquely positioned to address the staffing needs and practices of the Company, including both whether current staffing levels are adequate and whether the present staffing complement is being utilized in an effective manner best calculated to promote the delivery of safe and reliable service to customers. As such, UWUA can assist the Commission in determining whether the rates proposed by TAWC are “just and reasonable” for consumers, and moreover to help promote appropriate inquiry into “the safety, adequacy and efficiency or lack thereof of the service or services furnished by” the Company, as required by Tenn. Code Ann. § 65-5-101(a).

8. In addition to UWUA’s unique position as the representative of hourly employees who deliver essential utility services to TAWC customers every day, the Preamble to the UWUA Constitution specifically mandates that UWUA should participate in regulatory proceedings “to protect the interests of consumers and the public (including our members) in reliable, safe and

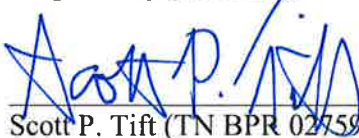
environmentally sound utilities at affordable, just and reasonable costs.”¹ The UWUA Constitution is thus strikingly consistent with Tennessee’s statutory mandate that utilities must provide safe, adequate, and efficient services to the public at just and reasonable rates. UWUA’s participation in this proceeding will therefore assist the Commission in determining whether and to what extent granting rate relief as requested by the Company’s Petition will best promote the delivery of safe and reliable utility services to customers.

9. Granting UWUA’s petition to intervene will not impair the interests of justice or the orderly and prompt conduct of these proceedings. Nor is the UWUA petition duplicative, as no other party has sought to intervene to represent the unique interests of UWUA members – as both TAWC employees and consumers committed to safe, adequate, and reliable water utility services at just and reasonable rates. UWUA will, of course, coordinate its participation with other parties to preclude any complication or duplication of these proceedings.

WHEREFORE, for the foregoing reasons, UWUA and UWUA Local 121 respectfully request that the Commission grant this petition to intervene.

Dated: June 28, 2024

Respectfully submitted,



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¹ See <https://uwua.net/uwua-constitution/>.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served
via U.S. Mail, with a courtesy copy sent via electronic mail, upon:

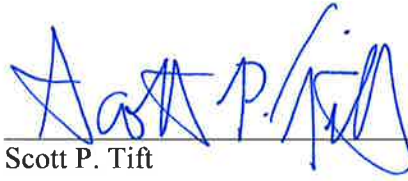
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