

IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE

IN RE:)	
)	
PETITION OF PIEDMONT NATURAL)	
GAS COMPANY, INC. FOR APPROVAL)	DOCKET NO. 24-00036
OF ITS 2024 ANNUAL REVIEW OF)	
RATES MECHANISM 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 *Petition of Piedmont Natural Gas Company, Inc. for Approval of Its 2024 Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. §65-5-103(d)(6)* filed by Piedmont Natural Gas Company, Inc. (“Piedmont” 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. Piedmont is a public utility incorporated under the laws of North Carolina,

regulated by the Commission, and engaged in the business of providing natural gas service to residential, commercial, and industrial customers in Tennessee. Piedmont's principal office in Tennessee is located at 83 Century Boulevard, Nashville, Tennessee.¹

3. In 2021, Piedmont filed a petition seeking to opt into the annual review mechanism ("ARM") procedure established under Tenn. Code Ann. § 65-5-103(d)(6).² In the 2021 petition, Piedmont requested TPUC's approval of an ARM based on the Company's meeting two statutory preconditions: (1) the Company's engagement in a general rate case within the last five years; and (2) the Company's filing for an ARM based on the methodologies it alleged were adopted in its most recent rate case.³ The Consumer Advocate was an intervenor in the 2021 docket.

4. The Company's first annual ARM filing was TPUC Docket No. 23-00035.⁴ The Consumer Advocate was also an intervenor in that docket.

5. The present docket is the Company's second annual ARM filing. The Company seeks a rate increase to recover (1) Historic Base Period ("HBP") Revenue Requirement Deficiency of approximately \$13,492,350, plus carrying costs which taken together represent \$14.6 million.⁵ The Company also seeks to implement certain revisions to the ARM Tariff schedules⁶ and incorporate new depreciation rates from an updated depreciation study.⁷

6. In the instant matter, the Consumer Advocate seeks to represent the interests

¹ *Petition of Piedmont Natural Gas Company, Inc. for Approval of Service Schedule No. 319 to Its Tennessee Service Regulations*, 1-2, TPUC Docket No. 22-00130 (November 29, 2022).

² *Petition of Piedmont Natural Gas Company, Inc. to Adopt an Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. § 65-5-103(d)(6)*, TPUC Docket No. 21-00135 (Nov. 05, 2021).

³ *Id.* at 4.

⁴ *Petition of Piedmont Natural Gas Company, Inc. for Approval of Its 2023 Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. § 65-5-103(d)(6)*, TPUC Docket No. 23-00035 (May 19, 2023).

⁵ *Direct Testimony of Pia Powers*, at 7, TPUC Docket No. 24-00036 (May 20, 2024).

⁶ *Id.* at 7.

⁷ *Id.* at 8.

of consumers served by Piedmont; specifically, the Consumer Advocate opposes the inclusion and incorporation of new, proposed depreciation rates from an updated depreciation study within the Company's current petition. By intervening, the Consumer Advocate seeks determination by the Commission that inclusion of such a study and request in this docket is inconsistent and impracticable when considering the goals and purposes of this filing pursuant Tenn. Code Ann. § 65-5-103(d)(6).

7. The interests of consumers, including without limitation the proposed increase in rates to be paid by Piedmont's 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; (2) the review and analysis of the supporting schedules and other documentation, financial spreadsheets, and materials provided by Piedmont, and (3) the sufficiency and propriety of the Company's request in its petition given its proposal to include a new depreciation study and new depreciation rates through the vehicle of its annual filing pursuant to Tenn. Code Ann. § 65-5-103(d)(6).

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

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
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CA's Petition to Intervene

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S.

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This the 5th day of June 2024.



VICTORIA B. GLOVER
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