

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**October 22, 2025**

**IN RE:**

**APPLICATION OF TWO RIVERS UTILITY, LLC  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY TO SERVE THE CANTERBURY  
MANOR SUBDIVISION IN FAYETTE COUNTY,  
TENNESSEE**

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**DOCKET NO. 25-00073**

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**ORDER GRANTING THE PETITION TO INTERVENE  
FILED BY THE CONSUMER ADVOCATE**

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This matter is before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) to consider the *Petition to Intervene* filed by the Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) on October 6, 2025.

**RELEVANT BACKGROUND**

On September 4, 2025, Two Rivers Utility, LLC (“Two Rivers,” “Company,” or “Applicant”) filed an *Application of Two Rivers Utility, LLC for a Certificate of Public Convenience and Necessity* (“*Application*”). The *Application* seeks a Certificate of Public Convenience and Necessity (“CCN”) to provide wastewater service to the Canterbury Manor Subdivision in Fayette County.<sup>1</sup>

**CONSUMER ADVOCATE’S *PETITION TO INTERVENE***

On October 6, 2025, the Consumer Advocate filed a *Petition to Intervene* seeking to intervene in the docket in accordance with Tenn. Code Ann. § 65-4-118, which qualifies the Consumer Advocate to represent the interests of Tennessee consumers of public utility services in proceedings before the Commission. The Consumer Advocate asserts that:

The interests of consumers in this CCN *Petition* may be affected by

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<sup>1</sup> *Application* (September 4, 2025).

determinations and orders made by the Commission with respect to its interpretation, application, and implementation of Tenn. Code Ann. § 65-4-113 and other relevant statutory and regulatory provisions. Such interests include, but are not limited to, the technical financial, and managerial capabilities of the Company to provide wastewater services and that a public need exists for such services under Tenn. Code Ann. § 65-4-120(a), TPUC Rule 1220-4-13-.04(1)(b), and TPUC Rule 1220-4-13-.17.<sup>2</sup>

As such, the Consumer Advocate seeks to intervene in these proceedings to represent the interests of Tennessee consumers. Two Rivers has not filed any opposition to the Consumer Advocate's intervention in these proceedings.

## **FINDINGS & CONCLUSIONS**

Tenn. Code Ann. § 4-5-310 establishes the following criteria for granting petitions to intervene:

- (a) The administrative judge or hearing officer shall grant one (1) or more petitions for intervention if:
  - (1) The petition is submitted in writing to the administrative judge or hearing officer, with copies mailed to all parties named in the notice of the hearing, at least seven (7) days before the hearing;
  - (2) The petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interest may be determined in the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and
  - (3) The administrative judge or hearing officer determines that the interests of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention.
- (b) The agency may grant one (1) or more petitions for intervention at any time, upon determining that the intervention sought is in the interests of justice and shall not impair the orderly and prompt conduct of the proceedings.<sup>3</sup>

Although it is not an automatic or absolute right to participate in proceedings before the Commission, Tenn. Code Ann. § 65-4-118(b)(1) provides a general basis for the qualification of the

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<sup>2</sup> *Petition to Intervene*, p. 2 (October 6, 2025).

<sup>3</sup> Tenn. Code Ann. § 4-5-310.

Consumer Advocate to be permitted to intervene as a party to represent the interests of Tennessee public utility consumers. It provides as follows:

The consumer advocate division has the duty and authority to represent the interests of Tennessee consumers of public utilities services. The division may, with the approval of the attorney general and reporter, participate or intervene as a party in any matter or proceeding before the commission or any other administrative, legislative or judicial body and initiate such proceeding, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and the rules of the commission.<sup>4</sup>

In this docket, Two Rivers seeks authority to own and operate a wastewater system in Fayette County to serve the Canterbury Manor Subdivision.<sup>5</sup> The Consumer Advocate highlights that Two Rivers' *Application* is Company's first petition for a CCN, providing the Commission's first opportunity to review "the Company's technical, financial, and managerial capabilities to provide wastewater services."<sup>6</sup> For the foregoing reasons, the Administrative Judge finds that there is a sufficient factual basis to find that legal rights or interests held by those consumers may be determined in this proceeding.

Therefore, upon due consideration, the Administrative Judge concludes that the legal rights, duties, privileges, immunities, or other legal interest of Tennessee consumers may be determined in this proceeding. Further, the Administrative Judge finds that the Consumer Advocate qualifies under law as an intervenor for the purpose of representing those consumer interests, there is no objection to its intervention, and its *Petition to Intervene* was timely filed. In addition, the Consumer Advocate's participation in this docket should not impair the interests of justice or the orderly and prompt conduct of the proceedings. For these reasons, the Administrative Judge concludes that the Consumer Advocate's *Petition to Intervene* should be granted.

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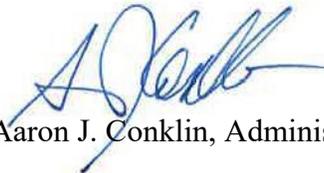
<sup>4</sup> Tenn. Code Ann. § 65-4-118(b)(1).

<sup>5</sup> *Application*, pp. 3-4 (September 4, 2025).

<sup>6</sup> *Petition to Intervene*, p. 2 (October 6, 2025).

**IT IS THEREFORE ORDERED THAT:**

The *Petition to Intervene* filed by the Consumer Advocate Division of the Office of the Tennessee Attorney General is granted. The Consumer Advocate Division of the Office of the Tennessee Attorney General may intervene and participate as a party in this proceeding and, as such, shall receive copies of any notices, orders, or other documents filed herein.



Aaron J. Conklin, Administrative Judge