

orders made by the Commission with respect to: (a) the interpretation, application, and/or implementation of Tenn. Code Ann. 65-4-113 and -5-103(d), as well as other relevant statutory and regulatory provisions; (b) the review and analysis of the documentation, financial spreadsheets, and materials provided by Piedmont, (c) the review and analysis of the documentation, financial spreadsheets, and materials provided by Spire; and (d) the interpretation, application, and/or implementation of the terms and conditions of the Commission's Order in various TPUC dockets.¹

As such, the Consumer Advocate seeks to intervene in these proceedings to represent the interests of Tennessee consumers. Neither Piedmont nor Spire Tennessee 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.²

Although it is not an automatic or absolute right to participate in proceedings before the

¹ *Petition to Intervene*, p. 3 (September 24, 2025).

² Tenn. Code Ann. § 4-5-310.

Commission, Tenn. Code Ann. § 65-4-118(b)(1) provides a general basis for the qualification of the 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.³

In this docket, Piedmont and Spire Tennessee seek authority to transfer Piedmont's authority to provide utility services in Tennessee upon the closing of a proposed sale of Piedmont's property, operations, and authority to provide utility services in Tennessee. The closing of the proposed transaction is contingent upon Commission approval of the transfer. Granting the *Application* will result in a change of service provider for the customers of Piedmont. In addition, Spire Tennessee states that it will utilize Piedmont's existing rates, terms and conditions of service, tariffs, and regulatory structures on an interim basis, pending potential changes that may be proposed and/or approved by the Commission in the future. 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 Piedmont's Tennessee customers 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. Further, the Consumer

³ Tenn. Code Ann. § 65-4-118(b)(1).

Advocate's participation 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.

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