

IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE

IN RE:

PETITION OF CONVENTIONAL SEPTIC)
SYSTEM AT 0 OLD TULLAHOMA)
HIGHWAY, TULLAHOMA FRANKLIN)
COUNTY, TENNESSEE TO DETERMINE)
IF A CCN IS NEEDED)

DOCKET NO. 25-00084

PETITION TO INTERVENE

The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”), by and through counsel, 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 Conventional Septic System at 0 Old Tullahoma Highway, Tullahoma, Franklin County, Tennessee to Determine if a CCN Is Needed* (“*Petition*”) filed in TPUC Docket No. 25-00084.

The Consumer Advocate is intervening in this proceeding to review the complete filing by Joseph Denby and determine if the *Petition* is in the best interest of consumers.

For cause, 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 any matter or proceeding before the Commission in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. §§ 4-5-101, *et seq.*, and TPUC rules.

2. The *Petition* is seeking a determination by the Commission that the proposed development and its wastewater regulation is not subject to the Commission’s jurisdiction. The development is described as:

a total of three lots and a total of three buildings containing a total of 22 townhome units. There is one building being proposed for each lot. Each lot will consist of two conventional septic systems serving the buildings. Lot 1A contains a six unit building with two conventional gravity septic systems serving the six units. Lot 1B contains an eight unit building with two conventional gravity septic systems, and Lot 2B contains an eight unit building with conventional gravity septic systems serving the eight units.¹

The *Petition* explains that as a “horizontal property regime,”² the wastewater systems will be maintained by a yet-to-be-created homeowners association.³

3. Unfortunately, the *Petition* is a little over one page and provides little detail about the development or the proposed homeowners association beyond what is provided in ¶2 above. As such, the Consumer Advocate requires additional information before taking a position on whether this development and its wastewater system is exempt from the Commission’s regulatory authority.

4. The interests of consumers in this CCN *Petition* may be affected by determinations and orders made by the Commission with respect to its jurisdiction and its interpretation, application, and implementation of Tenn. Code Ann. § 65-4-101(6) and other relevant statutory and regulatory provisions. Only by participating as a party to this proceeding can the Consumer Advocate adequately carry out its statutory duty to represent the interests of Tennessee consumers.

Accordingly, the Consumer Advocate respectfully requests the Commission to grant this *Petition* to Intervene.

¹ *Petition* at 1.

² TENN. CODE ANN. §§ 66-27-102 *et. seq.* (2023).

³ *Petition* at 1.

RESPECTFULLY SUBMITTED,



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



KAREN H. STACHOWSKI (BPR No. 019607)
Deputy Attorney General
VANCE L. BROEMEL (BPR No. 011421)
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, Tennessee 37202-0207
Phone: (615) 741-2370
Fax: (615) 741-1026
Email: Karen.Stachowski@ag.tn.gov
Email: Vance.Broemel@ag.tn.gov

TPUC Docket No. 25-00084
CA's Petition to Intervene

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail,
with a courtesy copy by U.S. Mail, by request, provided upon:

Jeremy Bell
Copeland & Bell, PLC
111 West Grundy Street
Tullahoma, TN, 37388
Email: jbelle@cchlawnet

Kenny Sadler
Sadler & Associates Consulting Engineers, Inc.
Phone: (931) 409-5090
Email: kls@sadlerengineering.com

This the 16th day of October, 2025



KAREN H. STACHOWSKI
Deputy Attorney General