

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)
)
PETITION OF BERRY’S CHAPEL) **Docket No. 26-00039**
UTILITY FOR AN INCREASE IN ITS)
RATES AND CHARGES)

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 Berry’s Chapel Utility for an Increase in its Rates and Charges* (“Petition”) filed in TPUC Docket No. 26-00039. For cause, Petitioner 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. Berry’s Chapel Utility, Inc. (“Berry’s Chapel” or the “Company”) is a nonprofit public utility regulated by the Commission that provides wastewater services to all or some of the Chapelwood, Cottonwood, Dunblane, Farmington, Hart’s Landmark, Legend’s Ridge, and River Landing’s subdivisions in Williamson County, Tennessee, as well as a few residences near these subdivisions and non-residential customers. It provides service to approximately 1,000 residential customers.

3. Berry's Chapel also provides service to three non-residential customers: a nearby school, church, and convenience store.

4. The Company's business location is located at 106 Mission Court, #203B, Franklin, TN 37067.¹

5. The Company is not seeking full recovery of the revenue deficiency of \$216,161 that has been calculated by the Company's expert, Mr. William H. Novak. The Company's *Petition* requests a 10% increase in rates to be paid by Berry's Chapel customers to produce additional revenues of approximately \$98,000.²

6. The Company's *Petition* notes that its three non-residential customers generate approximately 9% of the wastewater that is treated by the utility and around 1% of the total annual revenue.³

7. The Consumer Advocate seeks to represent the interests of consumers served by Berry's Chapel. The interests of consumers, including without limitation the proposed increase in rates to be paid by the Company's consumers, the proposed rate design, and proposed methodologies, may be affected by determinations and orders made by the Commission with respect to the review and analysis of the supporting schedules and other documentation, financial spreadsheets, and materials provided by Berry's Chapel. The Company has indicated to the Consumer Advocate that it has no objection to this *Petition to Intervene*.⁴

8. Only by participating as a party to this proceeding can the Consumer Advocate

1 *Direct Testimony of James Savage* at 1:3-4, TPUC Docket No. 26-00039 (May 14, 2026).

2 *Petition* at p. 2, ¶5 and MFR #17, TPUC Docket No. 26-00039 (May 14, 2026).

3 *Id.*

4 Email to Ryan McGehee, Consumer Advocate, from Henry Walker, Esq. for Company (May 15, 2026, 11:59am) (on file with Ryan McGehee).

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.

RESPECTFULLY SUBMITTED,



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



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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 by electronic mail provided upon:

Henry Walker (B.P.R. 000272)
Bradley Arant Boult Cummings LLP
1221 Broadway, Suite 2400
Nashville, Tennessee 37203
Email: hwalker@bradley.com

This the 27 day of May, 2026.

A handwritten signature in cursive script that reads "Ryan McGehee".

RYAN MCGEHEE (BPR No. 025559)
Assistant Attorney General