

STATE OF TENNESSEE

Office of the Attorney General



JONATHAN SKRMETTI
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202
TELEPHONE (615) 741-3491
FACSIMILE (615) 741-2009

August 20, 2026

Electronically Filed in TPUC Docket Room
on August 20, 2026 at 12:00 p.m.

Chairman Herbert H. Hilliard
c/o Ms. Tory Lawless, Docket Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37242-0001

In Re: *Petition of Berry's Chapel Utility for an Increase in its Rates and Charges*, TPUC
Docket No. 26-00039.

Dear Chairman Hilliard:

Since the submission of the rate case petition by Berry's Chapel Utility ("BCU") in the above-referenced matter, BCU and the Consumer Advocate Division in the Office of the Tennessee Attorney General ("Consumer Advocate") have been involved in cooperative discussions and have exchanged various information related to the Petition. With the recent submission of the Consumer Advocate's Testimony of Clark Kaml, the parties hereby jointly represent that there are no outstanding procedural matters requiring resolution by the Administrative Judge in TPUC Docket No. 26-00039.

After considering the entire record, including BCU's responses to discovery, it is the joint position of the parties that this matter is ripe for consideration on the merits by the Tennessee Public Utility Commission ("TPUC" or the "Commission"). As reflected in the Pre-filed Direct of Mr. William H. Novak and the Pre-filed Direct Testimony of Mr. Clark D. Kaml, there are no contested issues between the parties on the merits of the Petition, and it is the position of the parties that this matter should be resolved in favor of the positions set forth in BCU's Petition. In summary, the parties agree with BCU's proposed revenue requirement in this docket of \$97,687.¹ The parties further have no dispute regarding BCU's proposed "across the board" rate design, although the Consumer Advocate reserves the alternative rate design proposals and other concerns, including recovery of rate case expense and cost of debt, which may be addressed in future proceedings.² Consistent with agency practice, the parties hereby jointly request that the

¹ *Direct Testimony of Clark D. Kaml*, pp. 9, 17, TPUC Docket No. 26-00039 (August 14, 2026). *See also Direct Testimony of William H. Novak Testimony*, p.6, Exhibit A, Sch. 1, TPUC Docket No. 26-00039 (May 14, 2026).

² *Direct Testimony of William H. Novak Testimony*, pp.6-7, TPUC Docket No. 26-00039 (May 14, 2026). *See also Direct Testimony of Clark D. Kaml*, pp. 17-20, TPUC Docket No. 26-00039 (August 14, 2026).

entire official record in this docket, including discovery, be made a part of the evidentiary record. Further, other than follow-up and/or clarifying questions in response to questions of any witness by a TPUC Commissioner or TPUC Staff, the Parties hereby waive cross examination of witnesses. The Parties further request that this docket be heard by the Commission at the scheduled conference on September 14, 2026.

As required, the original plus four (4) hard copies will be mailed to your office. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Ryan McGehee".

Ryan L. McGehee (BPR No. 025559)
Assistant Attorney General

cc: Henry Walker, Esq.