

2022-2023
ANNUAL REPORT



TENNESSEE PUBLIC UTILITY COMMISSION

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deadrick Street, 4h Floor
Nashville, Tennessee 37242-0001

February 5, 2024

The Honorable Bill Lee
Governor

The Honorable Randy McNally
Lieutenant Governor

The Honorable Cameron Sexton
Speaker of the House of Representatives

Members of the General Assembly,

It is with great pleasure that I present to you the 2022-2023 Annual Report of the Tennessee Public Utility Commission. This report has been prepared in accordance with Tennessee Code Annotated § 65-1-111.

The Commission has jurisdiction over Tennessee's investor-owned utility companies including electric, telephone, water and wastewater, and natural and methane gas. Further, the Commission serves as the agency that performs the safety inspections of intrastate natural gas pipelines and mediates consumer complaints against utility service providers.

Through our numerous consumer outreach efforts, the Commission continues to provide Tennessee citizens with information that can enhance their daily lives and provide protection and relief from unwanted telephone solicitations and fraudulent activities through the Tennessee Do Not Call/Text program. The Commission also serves the hearing and/or visually impaired populations with its Telecommunications Devices Access Program (TDAP). It provides telecommunication devices for eligible Tennesseans. In addition, the Commission has initiated efforts to promote safety awareness. The state's underground utilities, through the Underground Utility Damage Prevention Act, is an effort designed to prevent harm to people, property, and underground utility facilities. The provisions of the Act are codified in Tenn. Code Ann. § 65-31-101 et al. of which the Commission's role is to assist the Underground Utility Damage Enforcement Board by providing administrative and investigative support.

We remain focused on the work that we have been entrusted to perform, as well as the role we play in protecting Tennessee consumers and maintaining an environment that is vigorously competitive. To the members of the Tennessee General Assembly, we look forward to working with you in continued service to the citizens of the Volunteer State.

Warmest Regards,

Earl R. Taylor,
Executive Director



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Commission Overview

The Tennessee Public Utility Commission, formerly the Tennessee Regulatory Authority, is the governing body to regulate investor owned public utilities in Tennessee. The Commission's mission is to ensure the safe and reliable provision of public utility services to the citizens of Tennessee.

In 2021, Public Chapter 583 was enacted which added two more commissioners. As a result, the agency has seven commissioners, each of whom serve on a part-time basis. The Governor, the Lieutenant Governor and the Speaker have two appointments each. The seventh appointment is selected by all three appointing authorities. Commissioner John Hie is the joint appointment. Commissioners David F. Jones and Herbert H. Hilliard are governor appointees. Commissioners Clay R. Good and Robin L. Morrison are Lt. Governor appointees and Commissioners Kenneth C. Hill and David Crowell are House Speaker appointments.

Earl R. Taylor was appointed Executive Director of the Tennessee Public Utility Commission in 2012 by Governor Bill Haslam, Lieutenant Governor Ron Ramsey and House Speaker Beth Harwell and reappointed by the commissioners in 2021 to a three year term.

The Executive Director has the principal responsibility of implementing the broad strategies, goals, objectives, long-range plans, and policies of the Commission. Among the Executive Director's duties, which are not limited to the following list, are to:

- ◇ Serve as chief operating officer of the Commission responsible for the day-to-day management of the Commission and the supervision and hiring of all staff members within the limits of available funds authorized from time to time by the legislature
- ◇ Administer, monitor and review the operating procedures of each division of the Commission ensuring that each employee and division of the Commission fully executes in an efficient and economical manner, the separate duties assigned to each
- ◇ Submit rules and policies for approval by the Commission
- ◇ Implement and administer rules and policies for the efficient and economical internal management of the Commission
- ◇ Coordinate the preparation of the report to the General Assembly as required by Tennessee Code Annotated Section 65-1-111
- ◇ Supervise the expenditure of funds and compliance with all applicable provisions of state and federal law in the receipt and disbursement of funds

Commission staff includes accountants, administrators, attorneys, consumer specialists, economists, engineers, information technology specialists, a consumer outreach manager, and administrative support.

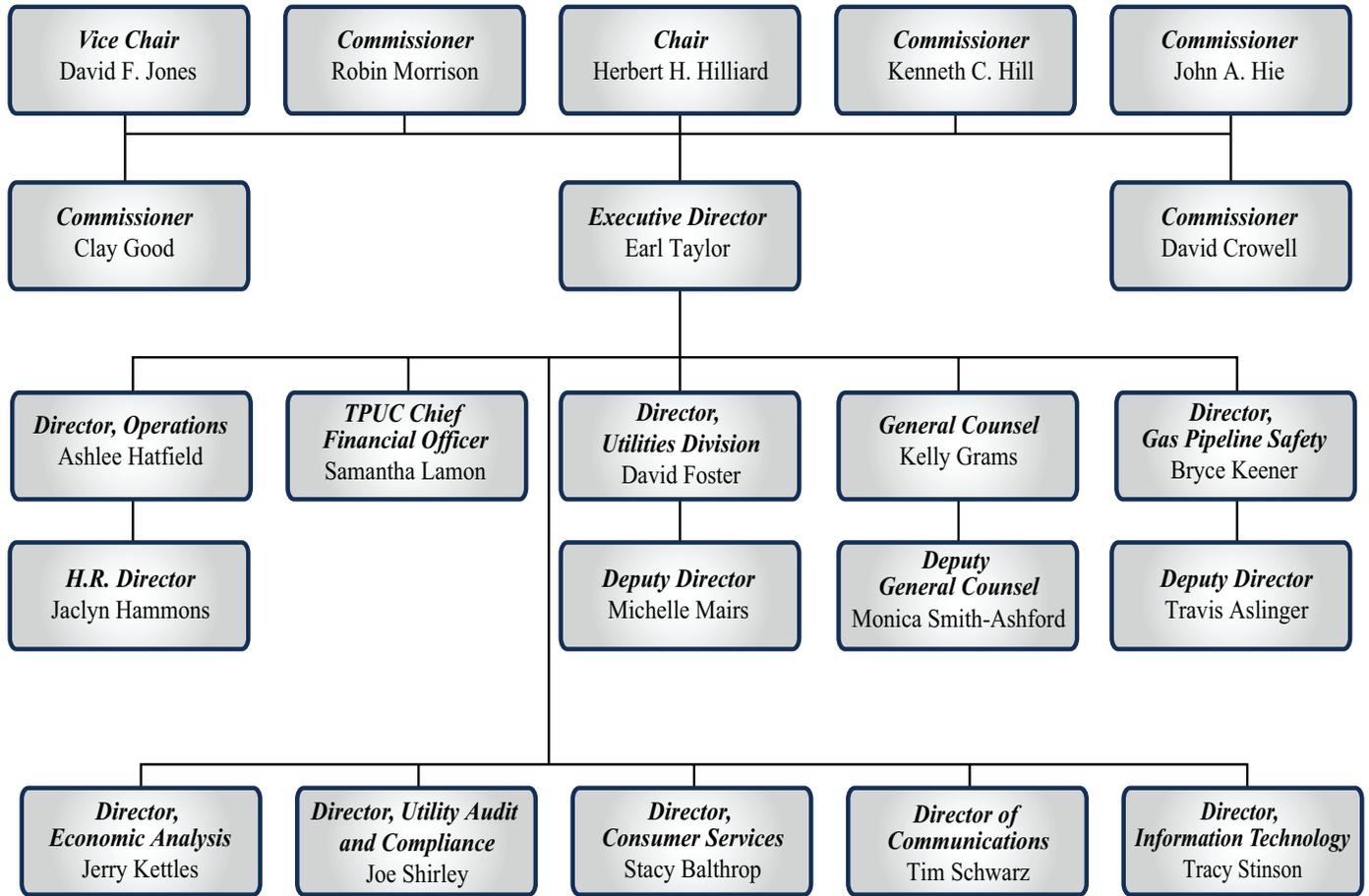
The Commission has jurisdiction over public utilities including:

- ◇ Electric companies
- ◇ Telephone companies
- ◇ Water and wastewater companies
- ◇ Natural gas companies
- ◇ Methane gas companies

The Commission is financially independent of Tennessee's general fund. The Commission's operational expenses are covered wholly by the industries it regulates, with a small portion coming from the federal government.



Tennessee Public Utility Commission Organization Chart and Staffing Levels



As of July 1, 2022, the Tennessee Public Utility Commission was budgeted for 62 total positions. As of June 30, 2023, the Commission had 52 filled positions and 10 vacancies.



Commission Leadership



**Earl R. Taylor,
Executive Director**

Earl R. Taylor was appointed to the Tennessee Public Utility Commission as Executive Director in 2012 by Governor Bill Haslam, House Speaker Beth Harwell, and Lieutenant Governor Ron Ramsey and has

been subsequently reappointed by the Commissioners.

Taylor received a Bachelor of Science degree from the University of Tennessee at Knoxville and a Juris Doctor from the University of Memphis School of Law. He began his career as an attorney in his hometown of Johnson City.

Later professional endeavors included the development of WKXT-TV, the CBS Television affiliate in Knoxville, and the subsequent launch of the Warner Brothers affiliate in the same market. Most recently, Taylor has been a franchisee of Panera Bread, developing bakery-cafes in Florida, Texas, and Louisiana.

Actively engaged in his community, he has served as a mentor in the Knoxville Fellows program, as a commissioner for the Metropolitan Knoxville Airport Authority, and on the Knoxville Young Life Committee. As Executive Director of TPUC, he functions as the Commission's Chief Operating Officer, responsible for the agency's administrative duties and responsibilities. Mr. Taylor is married to Sheryl Dawson Taylor. They have four children and 12 grandchildren.



**Herbert H. Hilliard,
Chairman**

Commissioner Hilliard was appointed to the Tennessee Public Utility Commission in 2012 by Governor Bill Haslam and reappointed in 2023.

Commissioner Hilliard served as Executive Vice President and Chief Government Relations Officer for First Horizon National Corporation. In this role, he was responsible for the corporation's lobbying activities at the federal and state levels. He is a forty-three-year veteran of the company, having joined First Horizon in 1969 after earning a BBA in Personnel Administration and Industrial Relations from the University of Memphis. Prior to his current role, he was Executive Vice President and Chief Risk Officer. Hilliard retired from First Horizon National Corporation on September 26, 2012.

Commissioner Hilliard is active in the community, currently serving as Chairman of the Board of Directors of The National Civil Rights Museum.

He was Chairman of the Memphis Housing Authority Board from 1992–1993, Chairman of the United Way General Fund Drive in 1987, and Chairman of the Annual NAACP Freedom Fund Dinner in 1988. He is a past member of the Memphis Park Commission, the University of Memphis National Alumni Board, the University of Memphis Foundation Board, and the Boards of Directors for the Chickasaw Council of the Boy Scouts of America and the Memphis Convention and Visitors Bureau.

Commissioner Hilliard has completed additional studies at the Southwestern Graduate School of Banking at Southern Methodist University, the Tennessee Executive Development Program at the University of Tennessee at Knoxville, Cornell University's Executive Development Program, and Crosby Quality College.

Commission Leadership (cont.)



**David F. Jones,
Commissioner, Vice Chair**

Commissioner Jones was reappointed to the Commission by Governor Bill Haslam, Lieutenant Governor Randy McNally, and House Speaker Beth Harwell in 2018. He is the Commission's past Chairman and serves on the National

Association of Regulatory Utility Commissioners (NARUC) Gas Committee.

Commissioner Jones is former CEO of Complete Holdings Group and EnableComp LLC, a complex medical claims (workers' compensation, motor vehicle accidents, Veterans Administration, and denials resolution and prevention) revenue cycle solutions company to more than 800 hospitals across 42 states. Commissioner Jones joined EnableComp in 2009 as President and became President/CEO in 2016. EnableComp has been recognized on the Inc. 5000 List as one of the fastest-growing companies in America. It has also been recognized by The Tennessean as a "Top Workplace" in 2019, 2020, and 2021; earned the *Nashville Business Journal's* "Best in Business Award"; been included on Becker's "Top 150 Workplaces in Healthcare 2019" list; and been a Tennessee Center for Performing Excellence award winner. EnableComp has offices in Franklin, Tennessee, and Tullahoma, Tennessee, and has over 500 employees. In late 2021, Welsh Carson bought the company and Commissioner Jones retired as its CEO.

Prior to joining EnableComp, Commissioner Jones spent 29 years in the energy industry with the nation's largest natural gas interstate transmission company where he worked as an executive in a variety of areas, including Field Operations and Human Resources. He served in leadership roles on several key industry committees and task forces with the Southern Gas Association, American Gas Association, and the Interstate Natural Gas Association of America. He is a certified facilitator/ executive coach working with CEOs and owners of private businesses where he helps these entrepreneurs to scale their businesses.

Commissioner Jones is a native of Portland, Tennessee, and graduated with honors with a B.S. in Business from the University of Tennessee at Knoxville, and an MBA from the University of Houston. He is the author of the book, *Surviving and Thriving After Losing Your Job*. He and his wife have been married over 40 years and have two children and six grandchildren.



**David Crowell,
Commissioner**

Commissioner Crowell was appointed to the Tennessee Public Utility Commission in 2022 by Speaker of the House Cameron Sexton.

Commissioner Crowell recently retired from Shelbyville Power,

Water and Sewerage System after serving 37 years in various roles including accountant, office manager, assistant general manager, and the last 21 years as general manager. Commissioner Crowell's earlier work experience includes sales tax auditor for the State of Tennessee and staff accountant with Winnett Associates CPA Firm.

Commissioner Crowell is active in his community, serving as Chairman of the Shelbyville/Bedford County Industrial Development Board and Chairman of the Tennessee Walking Horse National Celebration Board. He is a former board member of the Shelbyville/Bedford County Chamber of Commerce, the Tennessee Municipal Electric Power Association, the Middle Tennessee Industrial Development Association, the Central Service Association, and the Bedford County Joint Economic Development Board.

After graduating from Shelbyville Central High School in 1979, Commissioner Crowell received a Bachelor of Business Administration degree from Middle Tennessee State University in 1983.

Commissioner Crowell and his wife, Tammy, reside in Shelbyville. They have one son, Josh (Brandi) Crowell; one daughter, Dr. Chelsey (Zack) Gregory; and three granddaughters, Olivia Crowell, Sarah Cate Gregory, and Lucy Gregory.

Commission Leadership (cont.)



**Clay R. Good,
Commissioner**

Commissioner Good was appointed to TPUC in 2021 by the Honorable Randy McNally, the Lieutenant Governor and Speaker of the Senate.

Commissioner Good graduated with honors from Clinton High School in 1978. In his senior year he was inducted into the National Football Foundation Hall of Fame for his leadership on the field and in the classroom.

He completed undergraduate studies at Middle Tennessee State University and was accepted into the University of Tennessee College of Pharmacy at the University of Tennessee Center for Health Sciences in Memphis.

Upon graduating from pharmacy school, Dr. Good returned to the Clinton community where he began his pharmacy practice at the Methodist Medical Center of Oak Ridge, Tennessee. Early in his career at Methodist, Dr. Good was the Supervisor of Sterile Compounding. He served as Co-Chairman of the Methodist Medical Center's Institutional Review Board as well as serving on Methodist's Ethics Committee, Executive Cancer Committee, and the Methodist Medical Center Palliative Care Team. He also served as Chairman of the Board of Directors for the Methodist Medical Center Foundation. In addition, Dr. Good practiced pharmacy in long-term care as the Director of Pharmaceutical Services at NHC Healthcare of Oak Ridge.

For more than a decade, Commissioner Good was the Service Chairman for the American Cancer Society in Anderson County where he helped cancer patients and their families. Clay was the recipient of the State of Tennessee's Outstanding Achievement Award for his work with Methodist's Oncology Department and the American Cancer Society.

Dr. Good retired from NHC Oak Ridge in 2018 after 32 years and retired from full-time practice at Methodist Medical Center in 2021; however, he remains on the hospital's clinical staff.

Commissioner Good also served on the State of Tennessee's Commission for the Future of TennCare from 2000 to 2003.

Dr. Good has been involved with the City of Clinton serving as a Commissioner on the Mayor's 21st Century Commission and was subcommittee Chair for the revitalization of Clinton's Historic Downtown. Commissioner Good also served on the City of Clinton's Retail Task Force and the Board of Directors for the Anderson County Chamber of Commerce.



**John Hie,
Commissioner**

Commissioner Hie was appointed to TPUC by Governor Bill Haslam, Lieutenant Governor Randy McNally, and House Speaker Beth Harwell in 2018. Commissioner Hie was born in a small village outside of Dachau, Germany, to parents that fled Hungary in

January of 1945, as the Red Army was fighting in and around Budapest. Along with a small caravan of ox carts, his family moved across Hungary and Austria to settle in Bavaria, Germany. Eventually John and his four siblings, along with their mother and father, left the seaport town of Bremerhaven, Germany, on board the USS General A. W. Greenly and arrived in the United States at the port of New Orleans in October of 1951. The Hie family came to the U.S. as part of the Displaced Persons Act of 1948—an act on the part of the federal government authorizing the admission into the U.S. of a limited number of Europeans displaced following World War II. The Hie family's admission into the U.S. was sponsored by a farmer in Maury County, Tennessee; and following their transition to Middle Tennessee, the Hie family immediately began to learn the English language and the culture of the south.

Commissioner Hie attended grammar school in a two-room schoolhouse and graduated from Columbia Central High School in Columbia, Tennessee. At that time, there were several smokestack industries in Maury County that provided jobs for summer employment. These jobs, along with some scholarships, paid for Commissioner Hie's college education. Commissioner Hie graduated from the University of Tennessee's College of Pharmacy in 1969 and was drafted into the army the following year. His pharmacy training enabled him to work as a pharmacist at Walter Reed Army Medical Center—which he describes as an invaluable experience. After an honorable discharge from the army, Commissioner Hie and a business partner opened their own drugstore and ran it for ten years before selling it.

Commissioner Hie transitioned from the world of pharmacy to the world of finance, beginning work for the venerable J.C. Bradford investment firm in 1984 where he advised clients about their investments. After the sale of J.C. Bradford in the year 2000, John went to work for the investment firm Stephens, Inc., of Little Rock, Arkansas. John eventually retired from Stephens in 2015 to spend more time with family and friends, although he still works a few hours a week at Carezone Pharmacy in Nashville. John and his wife, Trish, have one son, one daughter-in-law, one grandson, AJ, and one grand dog named Luna.

Commission Leadership (cont.)



Dr. Kenneth C. Hill, Commissioner

Dr. Kenneth C. Hill, a native of Morrison City (North Kingsport), was appointed to TPUC by Lt.

Governor Ron Ramsey in 2009 and reappointed in 2014. He was reappointed in 2020 by the Honorable Cameron Sexton,

Speaker of the Tennessee House of Representatives.

Since his appointment, Dr. Hill has served as Chairman of TPUC and is currently active with the National Association of Regulatory Utility Commissioners (NARUC) and the Southeastern Association of Regulatory Utility Commissioners (SEARUC). He presently serves as SEARUC's President. He is a member of the NARUC Committee on Water, the NARUC Committee on International Relations, and the NARUC Subcommittee on Clean Coal Carbon Sequestration.

Dr. Hill is a member of the Board of NARUC and was formerly a member of the International Confederation of Energy Regulators (ICER) and the ICER Working Group for Small Energy Consumers, as well as a former mentor in the ICER Women In Energy Mentoring Program.

Dr. Hill has been a presenter at the NARUC and SEARUC annual meetings. He has also been a presenter and participant at the National Association of Water Companies (NAWC) Water Summit, the NAWC Commissioners' Forum, and the Emerging Issues Policy Forum (EIPF) (Energy) multiple times. Additionally, he has been a panelist at the NAWC Southeastern Chapter Conference, as well as the United States Department of Energy Industrial Energy Efficiency Conference in Little Rock, Arkansas.

During his tenure with TPUC, he has also served as a member of the Tennessee State Information Systems Council; member of the Board of the Organization of PJM States, Inc. (OPSI); member of the Eastern Interconnection States Planning Council (EISPC); delegate to the 5th and 6th World Forum on Energy Regulation (WFER); and a Tennessee Team Member of the National Governors' Association Policy Academy on Enhancing Industry through Energy Efficiency and Combined Heat and Power.

Dr. Hill has been active in communications and broadcasting throughout his adult life, having been involved for more than four decades in virtually every aspect of radio. For the past forty years, Dr. Hill has been President and CEO of the nonprofit Appalachian Educational Communication

Corporation (AECC) in Bristol, Tennessee. AECC is the licensee of WHCB 91.5 FM. Dr. Hill has also provided consulting services for nearly 40 years in the areas of technical writing and editing, public relations, proposal writing and editing, independent R&D documentation, government relations, corporate and business communication, media acquisition, media appraisal, and media utilization.

He earned his Bachelor of Science degree in Speech (Broadcasting) and History from East Tennessee State University; a Master of Science degree in Speech (Broadcasting) from Indiana State University; a Bachelor of Arts degree in Biblical Studies from Baptist Christian College; a Master of Religious Education from Manahath School of Theology; and a Doctor of Religious Education from Andersonville Baptist Seminary. Dr. Hill and his wife, Janet, reside in Blountville, Tennessee.



Robin L. Morrison, Commissioner

Commissioner Morrison was appointed to TPUC by House Speaker Beth Harwell in 2013 and reappointed in 2020 by Lieutenant Governor Randy McNally. Commissioner Morrison currently serves as a Vice President and a Private Client Relationship

Manager for one of the South's largest banks, First Horizon—formerly known as First Tennessee. She brings to TPUC broad experience in customer relations, business management, and federal and regulatory compliance.

A graduate of the University of Tennessee at Chattanooga with a Bachelor of Business Administration degree in Finance, Commissioner Morrison possesses a comprehensive background in banking and finance. She has obtained her Series 7/63 financial licenses to sell securities and is also licensed to sell life and health insurance.

In addition, Commissioner Morrison is a graduate of both the Southeastern School of Banking and Leadership Chattanooga. She is active in leadership roles in her community, having served on the boards of the South Broad Redevelopment Group, Junior League of Chattanooga, and the Chattanooga Chamber of Commerce's Southside Council. She serves on the Executive Board of Chattanooga Ballet and is a member of Chattanooga Women's Leadership Institute.



Our Mission

To ensure the safe and reliable provision of public utility services to the citizens of Tennessee.

The Commission's mission is fulfilled through three major operational components: consumer assistance and regulatory oversight of utility operations and market conditions, and public safety of underground utilities.

Consumer Assistance Component

The Commission offers an efficient forum for the filing, investigation, and hearing of consumer complaints against regulated utilities. The Commission also engages in consumer outreach activities in an effort to educate consumers on its services and the regulated utilities.

The Commission manages consumer-friendly programs such as the Do Not Call, Do Not Text, and Do Not Fax Programs, the Telecommunications Devices Access Program (TDAP), and the National Deaf & Blind Equipment Distribution Program (iCanConnect).

Regulatory Oversight Component

The Commission has regulatory oversight over privately-owned utilities serving Tennessee consumers. The Commission provides an accessible and efficient process that is fair and unbiased. Through this process, the Commission evaluates many items including requests for rate modifications, applications for authority to provide service, requests for approval of financing transactions, requests for approval of mergers, petitions for transfer of authority to provide service, numbering appeals, requests for numbering allocations, requests for rule modifications, petitions for approval of interconnection agreements and utility-to-utility complaints. The Commission also monitors utility markets to evaluate current trends and determine the need for future action.

Underground Utility Damage Prevention

As delegated by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, the Commission ensures the safety of natural gas distribution and transmission pipeline facilities in the state.

The Commission seeks to ensure the protection of the state's underground utility infrastructure. As such, the Underground Utility Damage Prevention Act, signed into law in 2015, is designed to prevent harm to people, property, and underground utility facilities. The provisions of the Act are codified in Tenn. Code Ann. § 65-31-101 et al., and the Commission's role is to assist the Underground Utility Damage Enforcement Board by providing administrative and investigative support on matters related to underground utilities.



Utilities Under the Commission's Jurisdiction

The following are the number of utilities under the jurisdiction of the Tennessee Public Utility Commission as of June 30, 2023.

Energy and Water

Electric	4
Natural Gas Pipeline Companies	7
Water & Wastewater	20
Methane Gas Provider	1

Telecommunications

Competing Telephone Service Providers	143
Customer Owned-Coin Operated Telephone Providers	24
Incumbent Telephone Companies	26
Resellers and Operators Service Providers, Long Distance Facility Providers	142

Gas Pipeline Safety

Intrastate Pipeline	16
Liquefied Natural Gas (LNG) Operators	2
Master Meters	24
Housing Authorities	17
Municipalities	70
Utility Districts	23
Private Utilities	6
Apartments/Condos	6
Military Base (Fort Campbell)	1
Transmission	14
Gathering Line Type A	2

Total Public Utilities	548
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Budget Summary

Appropriations, Fees, and Expenditures

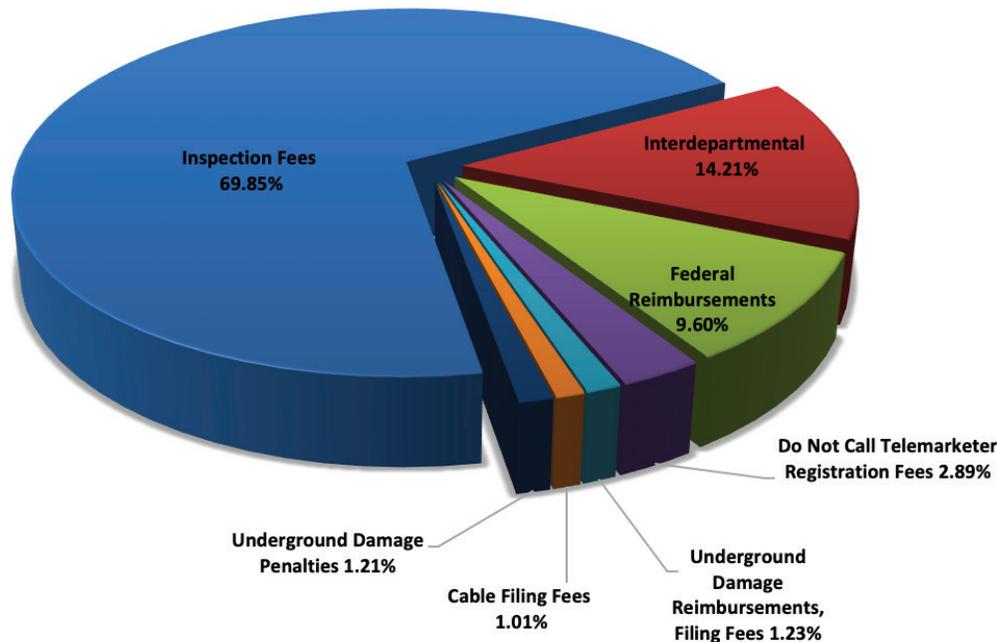
The Tennessee Public Utility Commission (TPUC) budget for fiscal year 2022-2023 (FY22-23) was \$9,688,300. Actual expenditures by the agency during the fiscal year totaled \$7,957,200. This represented a total savings of \$1,731,100 (24.2%) from budgeted expenditures.

Total revenues collected by the TPUC during FY22-23 were \$9,054,900. The majority of the revenue was derived from utility inspection fees paid by the public utilities regulated by the Commission. Total inspection fee revenue collected during FY22-23 was \$6,507,000. In addition to inspection fee revenue, the TPUC received \$1,200,800 in interdepartmental revenue related to the TDAP/Relay program, \$811,500 in federal revenue, \$244,000 in registration fees from telemarketers for the “Do Not Call” program, \$98,900 in current services fees attributable to reimbursements related to the Underground Utilities Damage Enforcement Board, \$85,100 in annual fees from

cable companies, \$102,500 in penalties collected by the Underground Utilities Damage Enforcement Board, and \$5,100 in filing fees.

All TPUC revenues, except for revenue received from contributions for TDAP and penalties levied by the Underground Utilities Damage Enforcement Board, are earmarked for the Public Utilities Account and are to be used to defray the cost of operations by the TPUC. Should revenues in future fiscal years not be sufficient to cover the costs of the TPUC for a given fiscal year, the deficit would be funded by the Public Utilities Reserve Account. As of June 30, 2023, the Public Utilities Reserve Account balance was \$7,159,400. The TDAP Program revenue is specifically earmarked for the purchase of TDAP equipment for the qualifying disabled citizens of Tennessee and the administration of the program. The TDAP Reserve Account had a balance of \$679,700 as of June 30, 2023. The Underground Utilities Damage Fund had a balance of \$176,900.

TPUC FY 22-23 Revenues





Consumer Services Division

Stacy Balthrop, Director

Mission

To ensure consumers receive an adequate level of service from regulated companies and to educate consumers regarding changes and new programs in the regulated utility sector. This mission is accomplished through monitoring services utilities provide using quality of service reports and test, initiating investigations, and mediating consumer-utility disputes resulting from consumer complaints.

Duties include:

The Consumer Services Division (“CSD”) is responsible for monitoring the quality of services provided by regulated utilities and enforcing the rules and regulations of the Commission. One aspect of this responsibility is to investigate and mediate consumer complaints filed against regulated utilities pursuant to T.C.A. § 65-4-119, 65-4-401 et seq., and 65-4-501 et seq.

The CSD also performs other functions such as administering the Do Not Call telemarketing initiative through the registration of telemarketing companies, maintaining the Do Not Call Register, and administering the Do Not Fax Program which is designed to prevent unsolicited faxes.

The CSD administers the Telecommunications Devices Access Program (“TDAP”), which is designed to improve access to the telephone network by distributing equipment to assist individuals with disabilities. Additionally, the CSD monitors the operation of the Captioned Telephone and Tennessee Relay Center for individuals with a hearing loss or speech disability.

The CSD provides recommendations in enforcement actions involving utilities and telemarketing solicitors not in compliance with state law or the rules and regulations of the Commission.

Major Activities

- Received 714 consumer complaints filed against utility companies.
- Distributed 420 TDAP devices to Tennessee residents who qualified for assistive communication devices.
- The Tennessee Relay Service call center processed approximately 72,239 calls during the fiscal year.
- Administratively reviewed the reported operational practices of the Tennessee Relay Center to ensure that it is complying with the Commission’s rules and regulations.
- Received 370 Underground Utility Damage prevention complaints.

The CapTel Service is designed to assist individuals who are late deafened or hard of hearing to make and receive telecommunications calls with a captioning display feature offered by this service. The CapTel Service processed 27,283 calls during the fiscal year.

- Administratively reviewed the reported operational practices of the Tennessee CapTel Service to ensure that it is complying with the Commission’s rules and regulations.

At the end of the fiscal period, 5,624,654 Tennesseans registered with the “Do Not Call” program and 195 active telemarketers had registered as solicitors. The Commission received 332 “Do Not Call” telemarketing complaints by consumers against telemarketing companies.

Communications Division

Tim Schwarz, Director

Mission

The mission of the Communications Division is to advance and support the Tennessee Public Utility Commission’s larger role of promoting the public interest through consumer outreach & education, external & internal communication, legislative and policy initiative and Title VI compliance.

The duties of the Division include responding to media inquiries on matters related to the Commission’s regulatory jurisdiction and providing timely responses to requests for information from media outlets, utility regulatory trade publications and other utility industry organizations. In addition, the Division prepares and provides communications counsel to staff in handling media interviews.

The Division writes and issues press releases on the Commission’s regulatory actions, manages its social media pages, and oversees the agency’s special reports, including its Annual Report to the Tennessee General Assembly, its Title VI Report to the Tennessee Human Rights Commission and Affirmative Action report to the Tennessee Division of Human Resources. The Division ensures that compliance

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is maintained for the agency’s forms and documents and engages in consumer outreach to inform the general public of the Commission’s programs and services. The legislative and policy activities of the Division are predicated on the principle of protecting the agency’s interests and priorities at the state legislature. There are a number of ways which include, but are not limited to, assisting the agency in framing policy; drafting legislation and amendments; and representing the agency as an advocate, in support of or against legislation. The agency identified, influenced and tracked 64 bills during the first session of the 113th Tennessee General Assembly.

Economic Analysis

Jerry Kettles, Director

Mission

The primary function of the TPUC’s Economist (TE) is to conduct research and formulate recommendations on economic and policy matters pending before the Commission.

The TE is responsible for crafting recommendations concerning cost of capital and the return on equity in rate case proceedings. The TE provides analytic support to other groups within the TPUC on a diverse range of topics including financial derivatives used in the natural gas industry, implementation of orders issued by the Federal Communications Commission and interpretation of statistical analysis. The TE identifies and analyzes market trends that may impact regulation or consumers in natural gas, electric, water, wastewater, and telecommunications markets. The TE also has responsibility for analysis of mergers, acquisitions and the issuance of financial instruments by public utilities. The TE often coordinates agency staff and rule making actions initiated by the agency. The TE also produces several reports for the agency and completes special projects as requested by the Executive Director and Commissioners.

Gas Pipeline Safety Division

Bryce Keener, Director

Travis Aslinger, Deputy Director

Mission

The mission of the TPUC’s Gas Pipeline Safety Division (GPSD) is to contribute to the safety and reliability of natural gas distribution and transmission pipeline facilities and to minimize the risk to public health and safety associated with the accidental release of natural gas.

Chapter 601, Title 49 of the United States Code provides the statutory basis for the pipeline safety program. Chapter 601 establishes a framework for promoting pipeline safety through Federal delegation to the States for all or part of the responsibility for intrastate pipeline facilities under annual certification or agreement. Chapter 601 authorizes Federal grants-in-aid of up to 80 percent of a State agency’s personnel, equipment, and activity costs for its pipeline safety program.

The State of Tennessee enters into certification agreement each year with the Secretary of the Department of Transportation and accepts the responsibility for regulation of intrastate natural gas pipeline facilities. The program is administered by the DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) and the TPUC is the regulating state agency. The GPSD enforces safety regulations in accordance with the Tennessee Code Annotated (“Tenn. Code Ann.”) § 65-2-102, the Tennessee Comprehensive Rules and Regulations (“Tenn. Comp. R. & Regs.”) 1220-04-05 and Title 49 of the Code of Federal Regulations (“CFR”) Chapter 1, Subchapter D, Parts 191, 192, 193, 195 and 199 as incorporated in the Tennessee rules by reference.

Natural gas is transported statewide through approximately 40,000 miles of distribution and transmission lines that provide service to over 1,356,000 customers. Distribution operators range in size from 8 to 307,000 customers and include 6 private companies, 70 municipalities, 24 utility districts, 2 liquefied natural gas plants and storage facilities, 7 apartment complexes, and 18 housing authorities. There are 18 jurisdictional intrastate transmission lines.

All natural gas operators are required by code to maintain records, compile reports, update operation and maintenance plans, and promptly repair hazardous leaks. The GPSD has nine inspectors who logged a minimum of 85 inspection days per calendar year.



Information Technology Division

Tracy Stinson, Director

Mission

The mission of the Information Technology Division (IT) is to provide, support, and protect hardware and software computer systems used by the staff of the Tennessee Public Utility Commission. The Division strives to meet the professional needs of its own staff members through training, team building, challenging work, recognition and personal and professional growth.

The division consists of an IT Chief and Executive Assistant.

Duties of the Information Technology Division:

- ◇ Develop the Information Systems three year plan
- ◇ Develop and maintain the Commission LAN
- ◇ Procure and maintain Commission desktop computer systems
- ◇ Develop new software systems
- ◇ Monitor software license needs
- ◇ Enforce state network acceptable usage policy
- ◇ Provide information resource training to Commission staff and IT staff
- ◇ Develop and administer Commission databases
- ◇ Oversee computer hardware inventory management
- ◇ Provide technical support and training to Commission staff
- ◇ Provide technical advice to Commission leadership

Legal Division

Kelly Cashman-Grams, Esq.
General Counsel

Mission

To provide the Tennessee Public Utility Commission, its staff, and the administratively attached Underground Utility Damage Enforcement Board and Executive Committee with sound and timely legal advice, effective counsel in the deliberative process, and zealous representation before state and federal agencies and reviewing courts.

The division’s key responsibilities include:

Legal Advice & Counsel

- Provide legal advice, analysis, and recommendations to the Commission, its Executive Director, and staff on legal and regulatory matters related to the its jurisdiction and authority to ensure legal policy and procedural sufficiency and verify consistency with Commission and Board precedents;
- Provide administrative support and counsel to the Board on matters related to Tenn. Code Ann. § 65-31-101 et seq.;
- Review proposed and newly enacted legislation for potential legal and policy effect on the Commission and Board; and,
- Review and coordinate the execution and renewal of Commission procurement contracts with outside vendors.

Representation

- Represent the Commission and its Commissioners in their official capacities, in litigation before the courts, including in all appellate review of Commission orders;
- Represent the Commission in enforcement actions brought against regulated entities for violations of Commission statutes and rules;
- Represent staff designated as parties in contested case proceedings and the Commission’s Consumer Services Division staff in its investigative support functions performed for the Board;
- Advocate for Commission and Board proposed rules and legislation; and,
- Appear with Commission and Board personnel that have been requested to provide testimony in legislative hearings before the Tennessee General Assembly;



Case Administration

- Serve as Hearing Officers in contested case proceedings involving substantive and complex utility and business issues, render determinations on the merits as directed, and prepare cases for hearing before the Commission and Board;
- Collaborate with Commission staff and the Board in the development of rulemakings and drafting rules to be promulgated by the Commission and Board;
- Prepare all notices and orders memorializing the actions of the Commission and Board within all statutory and other required deadlines; and,
- Maintain official Commission records in compliance with law and agency policy, coordinate and respond to public records requests, and process all utility docket filings.

Throughout the 2022–2023 fiscal year (FY23), the Commission opened 131 new dockets and processed over 1200 filings in 235 docketed matters. The division provided advice and counsel, representation, and case administration for the Commissioners and staff in most of these dockets. During the year, the division drafted 69 final agency orders issued by the Commission as well as approximately 107 delegated orders and 59 interconnection agreement approval notices issued by staff.

During FY23 division personnel provided advice and counsel, representation, and case administration to the Board and investigative staff, receiving and resolving approximately 370 complaints. On behalf of the Board, division personnel opened six and resolved four (three from FY23 and one from fiscal year 2021-2022) contested case matters where a violator disputed issued citations. Also, division personnel opened and resolved three show cause proceedings for failure to comply with an issued citation. Lastly, division staff issued eight delegated orders in contested and show cause proceedings.

Utilities Division

David Foster, Director

Mission

To provide the Commissioners of the TPUC with detailed technical and financial analyses to aid the Commissioners in making informed decision on issues related to the establishment of just and reasonable rates for public utilities, audits results, new certificates of service and telecommunications issues related to the continued development of competitive markets.

The division is comprised of ten full-time and three part-time employees with diversified experience and background. The Staff’s credentials and background consist mainly of Certified Public Accountants along with an engineer. The Staff has over 260 years of combine experience in the utility industry.

The division is responsible for analyzing all utility petitions relating to rate changes for investor owned electric, gas, telecommunications, water and wastewater service utilities operating within the state. Of note, the Commission regulates rates for approximately 425,000 residential, commercial and industrial customers receiving natural gas service in Tennessee (primarily Chattanooga and the metro Nashville area); 49,000 electric customers in the Kingsport; and 84,000 water customers in Chattanooga, while maintaining regulatory oversight over approximately 150 individual water and wastewater systems.

The financial analysis focuses on establishing a reasonable return the utility can earn on its investment as well as establishing a reasonable amount of prudent expenses to be recovered. The division also develops and recommends rate designs for customer classes, e.g., residential, commercial and industrial. Each utility segment also has unique characteristics and distinctive federal and state mandates for review.

The division works closely together with smaller utilities especially water and wastewater in order to ensure their viability both financially and from a quality of service standpoint. The larger utilities (e.g., Piedmont Natural Gas, Atmos Energy, Chattanooga Gas, Tennessee-American Water and Kingsport Power) are continually monitored from a financial/rate standpoint. The division also conducts a series of annual audits on utilities regarding their financial status and for compliance with TPUC rules and applicable state and federal laws, orders and tariffs.



Appendix A

Significant TPUC Proceedings for the 2022-2023 Fiscal Year Include:

TPUC Dockets

- *In Re: Docket to Investigate and Consider Potential Issues and Modifications to the Collective Capital Riders of Tennessee-American Water Company, Docket No. 19-00103*
- *In Re: Petition of Superior Wastewater Systems, LLC to Amend Its Certificate of Convenience and Necessity to Provide Wastewater Service to the Taliaferro Road Parcel in Williamson County, Docket No. 21-00001*
- *In Re: Application of Limestone Water Utility Operating Company, LLC for Authority to Sell or Transfer Title to the Assets, Property, and Real Estate of a Public Utility, Cartwright Creek, LLC, and for a Certificate of Public Convenience and Necessity, Docket No. 21-00053*
- *In Re: Application of Limestone Water Utility Operating Company, LLC for Authority to Sell or Transfer Title to the Assets, Property, and Real Estate of a Public Utility, Shiloh Falls Utilities, Inc. and for a Certificate of Public Convenience and Necessity, Docket No. 21-00055*
- *In Re: Application of Limestone Water Utility Operating Company, LLC for Authority to Purchase Title to the Assets, Property, and Real Estate of a Water System, Candlewood Lakes, and for a Certificate of Public Convenience and Necessity, Docket No. 21-00059*
- *In Re: Application of Limestone Water Utility Operating Company, LLC for Authority to Purchase Title to the Assets, Property, and Real Estate of a Wastewater System, Chapel Woods, and for a Certificate of Public Convenience and Necessity, Docket No. 21-00060*
- *In Re: Petition of Jackson Sustainability Cooperative to Determine if a Certificate of Convenience and Necessity is Needed, Docket No. 21-00061*
- *In Re: Atmos Energy Corporation Performance Base Ratemaking Filing (PBR) for Tennessee Excluding Union City, Docket No. 21-00063*
- *In Re: Staff Compliance Audit of Superior Wastewater Systems, LLC's Compliance with Commission Rule 1220-04-13-.17 and 1220-01-13.08 Regarding Financial Security and Rule 1220-04-13-.16 Regarding Affiliate Transactions, Docket No. 21-00086*
- *In Re: Chattanooga Gas Company Actual Cost Adjustment (ACA) Filing for the Period of July 1, 2020 Through June 30, 2021, Docket No. 21-00099*
- *In Re: Atmos Energy Corporation 2021 ACA Filing for Tennessee Excluding Union City and for Union City, Docket No. 21-00100*
- *In Re: Piedmont Natural Gas Company, Inc. Actual Cost Adjustment (ACA) Filing for the Period of July 1, 2020 Through June 30, 2021, Docket No. 21-00101*
- *In Re: Piedmont Natural Gas Company, Inc. Annual Performance Incentive Plan Filing for the Period July 1, 2020 Through June 30, 2021, Docket No. 21-00102*
- *In Re: Petition of Kingsport Company d/b/a AEP Appalachian Power Company for a General Rate Increase, Docket No. 21-00107*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. to Adopt an Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 21-00135*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. for Approval of an Integrity Management Rider to Its Approved Rate Schedules and Service Regulations, Docket No. 21-00141*
- *In Re: Petition of Kingsport Power Company d/b/a AEP Appalachian Power for October, 2020 Through September, 2021 Annual Recovery Under the Targeted Reliability Plan and Major Storm Rider ("TRP&MS"), Alternative Rate Mechanisms Approved in Docket No. 17-00032, Docket No. 21-00142*
- *In Re: Chattanooga Gas Company Petition for Approval of Tariff Amendments to Its T-1, T-2 and T-3 Tariffs, Docket No. 22-00004*
- *In Re: Petition of Tennessee-American Water Company Regarding the 2022 Production Costs and Other Pass-Throughs Rider, Docket No. 22-00005*
- *In Re: Petition of Atmos Energy Corporation for Approval of Its 2022 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 22-00010*
- *In Re: Tennessee-American Water Company Petition in Support of the Calculation of the 2022 Capital Recovery Riders Reconciliation, Docket No. 22-00021*
- *In Re: Petition of Aqua Green Utility, Inc. to Amend Its Certificate of Convenience and Necessity to Expand Its Service Area to Include a Portion of Sevier County in Tennessee Known as Thunder Mountain Located on Little Cove Road Near the Intersection of Thunder Mountain Road, Docket No. 22-00028*
- *In Re: Chattanooga Gas Company Petition for Approval of Its 2021 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 22-00032*
- *In Re: Air Voice Wireless, LLC d/b/a Airtalk Wireless' Petition for Designation as an Eligible Telecommunications Carrier in Tennessee, Docket No. 22-00033*
- *In Re: Global Connection Inc. of America d/b/a Standup Wireless' Petition for Designation as an Eligible Telecommunications Carrier, Docket No. 22-00034*
- *In Re: Petition of Atmos Energy Corporation for Approval of a Smart Choice Carbon Offset Rider, Docket No. 22-00035*



- *In Re: TruConnect Communications, Inc. Petition for Designation as an Eligible Telecommunications Carrier, Docket No. 22-00036*
- *In Re: Q Link Wireless LLC's Petition for designation as an Eligible Telecommunications Carrier, Docket No. 22-00037*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. for Waiver of Periodic Meter Testing Under TPUC Rule 1220-04-05.23(1)(e), Docket No. 22-00038*
- *In Re: Petition of Telrite Corporation d/b/a Life Wireless for Designation as an Eligible Telecommunications Carrier, Docket No. 22-00041*
- *In Re: Atmos Energy Corporation Performance Base Ratemaking Filing (PBR) for Tennessee Excluding Union City, Docket No. 22-00046*
- *In Re: Petition of East Tennessee for 211 Transfer of Upper East Tennessee Designation for Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington Counties, Docket No. 22-00047*
- *In Re: Joint Petition of Tennessee-American Water Company and Walker County Water and Sewage Authority for Expedited Approval of a Special Contract, Docket No. 22-00049*
- *In Re: Audit of Chattanooga Gas Company's Weather Normalization Adjustment for the Period November 1, 2021 to April 30, 2022, Docket No. 22-00051*
- *In Re: Audit of Atmos Energy Corporation's Weather Normalization Adjustment for the Period October 1, 2021 Through April 30, 2022, Docket No. 22-00052*
- *In Re: Audit of Piedmont Natural Gas Company's Weather Normalization Adjustment for the Period October 1, 2021 to April 20, 2022, Docket No. 22-00053*
- *In Re: Application of Limestone Water Utility Operating Company, LLC for (1) Authority to Expand Its Certificate of Convenience and Necessity to Include the Laurel Creek Subdivision, Sevier County, Tennessee and (2) Motion to Waive Commission Rule 1220-04-13-.17(2)(c)(3), Docket No. 22-00059*
- *In Re: Petition of Tennessee-American Water Company Regarding the 2022 Investments and Related Expenses Under the Qualified Infrastructure Investment Program Rider, the Economic Development Investment Rider and the Safety and Environmental Compliance Rider, Docket No. 22-00072*
- *In Re: Limestone Water Utility Operating Company, LLC Notice Regarding Extension of Service to Contiguous Territory Pursuant to TPUC Rule 120-01-04-.13, Docket No. 22-00073*
- *In Re: Petition of Tennessee Wastewater Systems, Inc. to Amend Its Certificate of Convenience and Necessity to Include Derby Meadows Subdivision, Docket No. 22-00074*
- *In Re: Boomerang Wireless, LLC d/b/a Entouch Wireless Petition for Designation as an Eligible Telecommunications Carrier in the State of Tennessee, Docket No. 22-00077*
- *In Re: Application of Bradley Fiber, LLC for a Certificate of Convenience and Necessity to Provide Competing Telecommunications Service, Docket No. 22-00079*
- *In Re: 2022 Annual State Certification Support for Eligible Telecommunications Carriers Pursuant to 47 C.F.R. § 54-314, Docket No. 22-00080*
- *In Re: Application of E. Ritter Communications Holdings, LLC d/b/a Ritter Communications, for a State-Issued Certificate of Franchise Authority, Docket No. 22-00082*
- *In Re: Notice of Fusion, LLC and Fusion Cloud Services LLC, Regarding a Transaction That Will Result in a Material Change in Their Ultimate Ownership, Docket No. 22-00083*
- *In Re: Atmos Energy Corporation 2021 Through 2022 ACA Filing for Tennessee Excluding Union City and for Union City Tennessee, Docket No. 22-00084*
- *In Re: Piedmont Natural Gas Company, Inc., Actual Cost Adjustment (ACA) Filing for the Period of July 1, 2021 Through June 30, 2022, Docket No. 22-00085*
- *In Re: Piedmont Natural Gas Company, Inc., Annual Performance Incentive Plan Report for the Period July 1, 2021 Through June 20, 2022, Docket No. 22-00086*
- *In Re: Joint Petition of Superior Wastewater Systems, LLC and Commission Staff as a Party to Increase Rates and Charges, Docket No. 22-00087*
- *In Re: Chattanooga Gas Company Annual Report of Performance Based Ratemaking Mechanism for the Twelve Months Ended June 30, 2022, Docket No. 22-00093*
- *In Re: Chattanooga Gas Company Actual Cost Adjustment (ACA) Filing for the Period of July 2, 2021 Through June 30, 2022, Docket No. 22-00094*
- *In Re: Petition of ISHA Foundation, Inc. to Determine if a CCN is Needed, Docket No. 22-00099*
- *In Re: Complaints and Petitions of Ronald C. McCabe v. Tennessee Wastewater Systems, Inc., Docket No. 22-00105*
- *In Re: Application of Southpointe Community Church to Determine if a CCN is Needed, Docket No. 22-00107*
- *In Re: Navitas TN NG, LLC Actual Cost Adjustment (ACA) Filing for the Period of January 1, 2021 Through December 31, 2021, Docket No. 22-00108*
- *In Re: Application of Kingsport Power Company d/b/a Appalachian Power Company for Permission to Make Notes to Evidence Indebtedness Not to Exceed \$30,000,000 Through December 31, 2024, Docket No. 22-00109*
- *In Re: Kingsport Power Company d/b/a AEP Appalachian Power 2022 Revised Fuel and Purchased Power Adjustment Rider Tariff Filing, Docket No. 22-00111*
- *In Re: CCN Notice of Pro Forma Change of Control of TN Backhaul Networks, LLC, Docket No. 22-00113*



- *In Re: Petition of Tennessee Water Service, Inc. and Corix Infrastructure (US) Inc., for Approval of Authority to Transfer Control Pursuant to Tenn. Code Ann. § 65-4-113, Docket No. 22-00114*
- *In Re: Petition of the North American Numbering Plan Administrator on Behalf of the Tennessee Telecommunications Industry for Relief of the 423 Numbering Plan Area, Docket No. 22-00128*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. to Offer the Voluntary Greenedge Program and for the Commission to Issue an Accounting Order Authorizing the Company to Maintain a Deferred Account for Recording Associated Costs and Revenues, Docket No. 22-00130*
- *In Re: Petition of Tennessee Wastewater Systems, Inc. to Amend Its Certificate of Public Convenience and Necessity to Include Hilltop Ridge Subdivision in Montgomery County, Tennessee, Docket No. 22-00133*
- *In Re: Petition of Tennessee Wastewater Systems, Inc. to Amend Its Certificate of Convenience and Necessity to Include Lake Haven Subdivision in Jefferson and Sevier Counties Tennessee, Docket No. 22-00134*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. for Approval of Negotiated Franchise Agreement with Hartsville/ Trousdale County, Tennessee Pursuant to Tennessee Code Annotated § 65-4-107, Docket No. 22-00136*
- *In Re: Expedited Petition of West Tennessee Gas Pipeline, LLC for the Issuance of a Certificate of Public Convenience and Necessity, Docket No. 22-00138*
- *In Re: Petition of Tennessee Wastewater Systems, Inc. to Amend Its Certificate of Convenience and Necessity to Include Meadowside Subdivision in Williamson County, Tennessee, Docket No. 22-00139*
- *In Re: Application of Loretto Communication Services Inc. for a Certificate to Provide Competing Local Telecommunication Services in Tennessee, Docket No. 22-00140*
- *In Re: Pickwick Cablevision, Inc. Application for Tennessee Certificate of Franchise Authority, Docket No. 22-00145*
- *In Re: Rulemaking to Promulgate Rules for Utility Cybersecurity Plan Reporting as Required Under Tenn. Code Ann. § 65-4-127, Docket No. 23-00001*
- *In Re: Petition of Tennessee-American Water Company Regarding the 2023 Production Costs and Other Pass Throughs Rider, Docket No. 23-00007*
- *In Re: Petition of Atmos Energy Corporation for Approval of Its 2023 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 23-00008*
- *In Re: Petition of Dish Wireless LLC d/b/a Gen Mobile for Designation as an Eligible Telecommunications Carrier in the State of Tennessee for the Limited Purpose of Offering Lifeline Service to Qualified Households, Docket No. 23-00010*
- *In Re: Expedited Joint Application of Limestone Water Utility Operating Company, LLC and DSH & Associates, LLC at Lakeside Estates Development in Lafollette, Campbell County, Tennessee and to Transfer or Issue a Certificate of Public Convenience and Necessity, Docket No. 23-00016*
- *In Re: Petition of Tennessee-American Water Company in Support of the Calculation of the 2023 Capital Recovery Riders Reconciliation, Docket No. 23-00018*
- *In Re: Petition of Kingsport Power Company d/b/a AEP Appalachian Power for October, 2021 Through December, 2022 Annual Recovery Under the Targeted Reliability Plan and Major Storm Rider (“TRP&MS”), Alternative Rate Mechanisms Approved in Docket No. 17-00032, Docket No. 23-00019*
- *In Re: Limestone Water Utility Operating Company, LLC’s Notice of Extension of Service to Contiguous Territory to Serve the Wilson, Garratt, Bilbrey, and Killen Parcels Pursuant to Tennessee Public Utility Commission Rule 1220-04-01-.13, Docket No. 23-00020*
- *In Re: Petition of GO MD USA, LLC for Designation as an Eligible Telecommunications Carrier in the State of Tennessee for the Limited Purpose of Offering Lifeline Service to Qualified Households, Docket No. 23-00022*
- *In Re: Petition of Chattanooga Gas Company for Approval of Tariff Change to Performance Based Ratemaking Mechanism RFP Procedures and Removal of Requirement for RFP Approval, Docket No. 23-00024*
- *In Re: Petition of Atmos Energy Corporation for Approval of a Tennessee Hedging Program, Docket No. 23-00026*
- *In Re: Counce Natural Gas Company, Inc. ACA Audit for Filing Period October 1, 2021 Through September 30, 2022, Docket No. 23-00028*
- *In Re: Chattanooga Gas Company Petition for Approval of Its 2022 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 23-00029*
- *In Re: In Re Rulemaking to Amend Tenn. R. & Regs. 1220-04-11 Et Seq. to Incorporate Reference for Unsolicited Text Messages in Accordance with Public Chapter 126 (2023), Docket No. 23-00030*
- *In Re: Notification Regarding the Transfer of Point Broadband Fiber Holding, LLC to BP Broadband Aggregator, L.P., Docket No. 23-00034*
- *In Re: Petition of Piedmont Natural Gas Company, Inc. for Approval of Its 2023 Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 23-00035*
- *In Re: Limestone Water Utility Operating Company, LLC’s Application to Expand Its Certificate of Convenience and Necessity to Serve the Nash Ridge Subdivision in Williamson County, Tennessee, Docket No. 23-00036*

- *In Re: Joint Application of Limestone Water Utility Operating Company, LLC and Integrated Resource Management, Inc. d/b/a IRM Utility, Inc., for Approval of the Acquisition of and to Operate the Wastewater System of Integrated Resource Management, Inc. d/b/a IRM Utility, Inc. in Decatur County, Tennessee and to Transfer or Issue a Certificate of Public Convenience and Necessity, Docket No. 23-00037*
- *In Re: Atmos Energy Corporation 2023 Performance Base Ratemaking Filing (PBR) for Tennessee Excluding Union City, Docket No. 23-00040*
- *In Re: Application of BIF IV Intrepid OpCo LLC for a Certificate of Convenience and Necessity to Provide Competing Local Exchange and Interexchange Telecommunications Services in the State of Tennessee, Docket No. 23-00045*
- *In Re: Petition of Tennessee Water Service, Inc. to Adopt Annual Review Mechanism and Tariff Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 23-00046*
- *In Re: TerraCom Inc. d/b/a Maxsip Tel Petition for Designation as an Eligible Telecommunications Carrier, Docket No. 23-00047*
- *In Re: Petition of Superior Wastewater Systems, LLC for a Certificate of Convenience and Necessity to Amend Its Existing Service Territory in Williamson County, Tennessee, Docket No. 23-00049*
- *In Re: Atmos Energy Corporation Notice of Filing Depreciation Study and Request for Approval of New Depreciation Rates, Docket No. 23-00050*



Underground Utility Damage Enforcement Board

Contested Case and Show Cause Proceedings for the 2021-2022 Fiscal Year Include:

- *In Re: Contested Case Proceeding Concerning Citation Issued to Nitzschke Communications, Inc., for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0003*
- *In Re: Contested Case Proceeding Concerning Citation Issued to Marable Pirkle Services, LLC, for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0004*
- *In Re: Contested Case Proceeding Concerning Citation Issued to Lakeshore Pools, Inc., for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0005*
- *In Re: Contested Case Proceeding Concerning Citation Issued to Joon Properties, LLC, for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0006*
- *In Re: Citation Issued to Cable Tel Services, Inc., for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0007*
- *In Re: Contested Case Proceeding Concerning Citation Issued to Don Wood Plumbing Company, Inc., for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U22-0008*
- *In Re: Citation Issued to The Pipe Doctor, LLC for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U23-0001*
- *In Re: Citation Issued to The Resource Management Company, Inc. for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U23-0002*
- *In Re: Citation Issued to Shoffner Kalthoff MES, Inc. for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U23-0003*
- *In Re: Citation Issued to Thornhill Lawn Care for Alleged Violations of Tenn. Code Ann. § 65-31-101 et seq., U23-0004*



Appendix B

Docket Room and Commission Activity

Formal Case Docket Activity

Type of Docket	Fiscal 2022-2023
	(7/1/22 - 6/30/23)
Total	131
Alternative Rate Mechanism & Rate Cases	11
Cable Franchise	2
Certificates of Public Convenience & Necessity (CCN)	14
Complaints, Investigations, Show Cause	1
Eligible Telecom Carrier Designations (ETC)	5
Local Franchise Approval	1
N11/Number Pooling	1
Name Changes	8
Notices of Contiguous Territory Expansion	2
Notice of Election of Market Regulation	3
Rulemaking	2
Telecom Interconnection/Resale Agreements	53
Utility Audits	13
Utility Acquisitions, Transfers, Financing	13
Other	2



Appendix C

Annual Report on Utility Cybersecurity Plan Compliance

Public Chapter 1111 of 2022, later codified in T.C.A. § 65-4-127 (the “Statute”), the General Assembly established a requirement that public utilities under the jurisdiction of the Commission that provide natural gas, electric, water, or wastewater service “prepare and implement” a cybersecurity plan.¹ The cybersecurity plan must “... provide for the protection of the utilities facilities from unauthorized use, alteration, ransom or destruction of electronic data.”² By July 1st of each year, each public utility must evidence its compliance with the Statute through a filing made in writing and “under oath by the chief executive officer, president or other person with and equivalent role.” The Commission promulgated rules implementing the Statute, which became effective September 25, 2023.

Municipal Utilities, Utility Districts and Cooperatives are also required to have cybersecurity plans per Public Chapter 1111. The Comptroller of the Treasury oversees compliance by these utilities.

The Statute requires that the Commission include in this Annual Report “... a separate report regarding compliance ...” with the preparation and implementation of public utility cybersecurity plans.³ Calendar year 2023 was the first year that public utilities were required to have implemented a cybersecurity plan. Compliant filings were made by utilities representing over 99% of customers served by public utilities governed by the Statute. Overall, 76% of utilities made filings responsive to the statute. Despite the concerted efforts of the Commission staff, the following six (6) public utilities have not complied with the requirements of the Statute.

Public Utility	Service Provided	Customers
Counce Natural Gas	Natural Gas	120
Integrated Resource Management	Wastewater	223
General Gas Pipeline	Natural Gas	0 Retail
Navitas Tennessee	Natural Gas	589
Newport Resort Water System	Water	48
Old Hickory Water	Water & Wastewater	110

The Commission continues to work with these small utilities to bring them into compliance with the essential public safety requirement established by the Statute.

¹ Tennessee Code Annotated §65-5-127(b)(1).

² Id.

³ Tennessee Code Annotated §65-5-127(f).