

STATE OF TENNESSEE

## Office of the Attorney General



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### VIA ELECTRONIC FILING

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**Re: Tennessee Public Utility Commission, Docket No. 20-00047, *Emergency Petition to Suspend Service Disconnections***

Dear Mr. Walker:

The Consumer Advocate Unit in the Financial Division of the Office of the Tennessee Attorney General (Consumer Advocate) continues to monitor the responses to the Tennessee Public Utility Commission's (TPUC) requests for information by regulated public utilities, including responses to the Staff's Data Request.

On July 13, 2020, Berry's Chapel Utility, Inc. ("Berry's Chapel") filed its responses to the Staff's Data Request. In its response to Data Request No. 2, Berry's Chapel explained that it had not been accruing late charges for delinquent accounts since "[t]he company does not currently have a late charge in its tariffs but is planning on adding a charge effective August 1."<sup>1</sup>

A regulated utility must have the Commission's authorization before charging any rate or fee to its customers.<sup>2</sup> Please provide the source of Berry Chapel's authority to assess late fees that are not contained in its current tariffs, or provide an explanation of the process Berry's Chapel will follow in requesting the Commission's authorization to assess late penalties.

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<sup>1</sup> *Berry's Chapel Utility Inc. Response to the Commission Staff's June 30, 2020 Data Request*, TPUC Docket No. 20-00047 (July 13, 2020) (emphasis added).

<sup>2</sup> Tenn. Code Ann. §§ 65-4-104 and 65-5-103 and TPUC Rule 1220-04-13-.13(3).

Letter to Berry's Chapel Utility, Inc.  
TPUC Docket No. 20-00047  
July 16, 2020

The Consumer Advocate requests that Berry's Chapel files its responses with the Commission in this Docket. The Consumer Advocate appreciates your time and attention to this follow-up inquiry. I hope that you remain well.

Sincerely,



**Karen H. Stachowski**  
Assistant Attorney General

cc: TPUC Docket No. 20-00047  
Kelly Cashman Grams, TPUC  
David Foster, TPUC