

**RULES
OF
THE TENNESSEE COMPTROLLER OF THE TREASURY
TENNESSEE BOARD OF UTILITY REGULATION**

**CHAPTER 1715-04
CONTESTED CASES**

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1715-04-.01 JURISDICTION.

The Board may commence a contested case for the following reasons:

- (1) Removal of a utility district commissioner for:
 - (a) Failure to complete all continuing education or training requirements;
 - (b) Knowingly or willfully committing misconduct in office, neglecting to fulfill any duty imposed upon the member by law, or failing to fulfill the commissioner's fiduciary responsibility in the operation or oversight of the district; or,
 - (c) Upon the petition of at least twenty percent (20%) of the customers of a utility district;
- (2) To change the manner of filling vacancies as per T.C.A. §§ 7-82-307 or 7-82-702;
- (3) To conduct a rate review of a utility district's rates as per T.C.A. § 7-82-102; and,
- (4) Any other reason necessary to discharge its statutory duties.

Authority: T.C.A. §§ 4-5-201, et seq., 7-82-102, 7-82-307, and 7-82-702. **Administrative History:** Original rule filed August 26, 1988; effective October 10, 1988. Chapter 1200-22-05 moved to 1740-01 by the Secretary of State under the authority of Public Chapter 86 of Acts of 2007. Repeal and new rule filed June 29, 2010; effective September 27, 2010. Repeal and new rules filed February 1, 2016; effective May 1, 2016. Transferred from chapter 1740-01 pursuant to Public Chapter 463 of 2023 effective July 1, 2023. Amendments filed May 5, 2025; effective August 3, 2025.

1715-04-.02 CONDUCT OF CONTESTED CASES.

All contested cases before the Board shall be conducted pursuant to the UAPA and the uniform rules for contested cases.

Authority: T.C.A. §§ 4-5-201, et seq., and 7-82-702. **Administrative History:** Original rule filed August 26, 1988; effective October 10, 1988. Chapter 1200-22-05 moved to 1740-01 by the Secretary of State under the authority of Public Chapter 86 of Acts of 2007. Repeal and new rule filed June 29, 2010; effective September 27, 2010. Repeal and new rules filed February 1, 2016; effective May 1, 2016. Transferred from chapter 1740-01 pursuant to Public Chapter 463 of 2023 effective July 1, 2023. Amendments filed May 5, 2025; effective August 3, 2025.

1715-04-.03 CUSTOMER INITIATION.

Customers petitioning the Board to initiate a contested case hearing under T.C.A. §§ 7-82-102 or 7-82-307 must submit the petition to Board staff in a form and in sufficient detail that Board staff can reasonably verify the validity of signatures.

Authority: T.C.A. §§ 4-5-201, et seq., 7-82-102, 7-82-307, and 7-82-702. **Administrative History:** Original rule filed August 26, 1988; effective October 10, 1988. Chapter 1200-22-05 moved to 1740-01 by the Secretary of State under the authority of Public Chapter 86 of Acts of 2007. Repeal and new rule filed June 29, 2010; effective September 27, 2010. Repeal and new rules filed February 1, 2016; effective May 1, 2016. Transferred from chapter 1740-01 pursuant to Public Chapter 463 of 2023 effective July 1, 2023. Amendments filed May 5, 2025; effective August 3, 2025.

1715-04-.04 BOARD AUTHORIZATION REQUIRED.

The Board must authorize Board staff to commence a contested case.

Authority: T.C.A. §§ 4-5-201, et seq., and 7-82-702. **Administrative History:** Original rule filed August 26, 1988; effective October 10, 1988. Chapter 1200-22-05 moved to 1740-01 by the Secretary of State under the authority of Public Chapter 86 of Acts of 2007. Repeal and new rule filed June 29, 2010; effective September 27, 2010. Transferred from chapter 1740-01 pursuant to Public Chapter 463 of 2023 effective July 1, 2023. Amendments filed May 5, 2025; effective August 3, 2025.