

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**January 17, 2006**

<b>IN RE:</b>	)	
	)	
<b>REVIEW OF NASHVILLE GAS COMPANY'S</b>	)	<b>DOCKET NO.</b>
<b>IPA RELATING TO ASSET MANAGEMENT FEES</b>	)	<b>05-00165</b>

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**ORDER AMENDING PROCEDURAL SCHEDULE**

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This matter came before the Hearing Officer upon the filing of the *Motion for Extension of Time* by Nashville Gas Company ("Nashville Gas") on January 12, 2006.

At a status conference held on November 2, 2005, Nashville Gas, the Consumer Advocate and TRA Staff, the parties to this docket, agreed to a procedural schedule. The procedural schedule was memorialized by an order issued on November 28, 2005.<sup>1</sup> Pursuant to the procedural schedule, the second round of discovery requests was due on January 3, 2006, with responses and objections to the second round of requests due by January 20, 2006. According to the *Motion for Extension of Time*, TRA Staff mailed the second round discovery requests to the prior address of Nashville Gas' counsel, so that Nashville Gas did not receive the discovery requests until January 9, 2006.<sup>2</sup> Due to this delay, Nashville Gas is requesting additional time, until Friday, January 27, 2006, to respond to these discovery requests. Nashville Gas states that counsel for TRA Staff has no objection to the request for extension of time.

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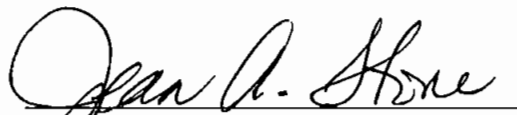
<sup>1</sup> See *Order Establishing Procedural Schedule* (November 28, 2005)

<sup>2</sup> The TRA Staff's discovery requests were posted on the TRA's web site on January 3, 2006

The Hearing Officer finds that the request for an extension of time is reasonable and should be granted. However, the Hearing Officer notes that the current procedural schedule sets a deadline of January 27, 2006 for any motions to compel, followed by an extremely tight schedule for responses and a discovery conference related to the second round of discovery requests. The *Motion for Extension of Time* does not address these deadlines. The Hearing Officer also notes that TRA Staff's discovery requests arrived at Nashville Gas six (6) days after being mailed, or some five (5) days after normal mail delivery. Therefore, after considering the interests of Nashville Gas in having an adequate time to prepare its responses and the interests of all parties and the Authority in maintaining the procedural schedule previously agreed upon, the Hearing Officer concludes that a five (5) day extension should be granted. As a result, Nashville Gas Company's responses to the TRA Staff's second-round discovery requests shall be due no later than **2:00 p.m. on Wednesday, January 25, 2006**. The rest of the November 28, 2005 procedural schedule is unchanged and shall remain in effect.

**IT IS THEREFORE ORDERED THAT:**

1. The *Motion for Extension of Time*, filed by Nashville Gas Company, is granted to the extent that Nashville Gas Company's responses to TRA Staff's second-round discovery requests shall be due no later than **2:00 p.m. on Wednesday, January 25, 2006**.
2. The rest of the November 28, 2005 procedural schedule is unchanged and remains in effect.

  
Jean A. Stone, Counsel  
As Hearing Officer