

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 6, 2009

IN RE:)	
)	
PETITION OF TENNESSEE WATER SERVICES,)	DOCKET NO.
INC. TO CHANGE AND INCREASE CERTAIN)	09-00017
RATES AND CHARGES)	

**ORDER GRANTING APPLICATION TO APPEAR *PRO HAC VICE*,
GRANTING PETITION TO INTERVENE, AND
ESTABLISHING PROCEDURAL SCHEDULE**

These matters came before the Hearing Officer at the April 14, 2009 Status Conference. Included with the Petition filed on January 30, 2009 are Christopher J. Ayers' *Application to Appear Pro Hac Vice* ("Application") and a letter of recommendation from J. Keith Coates, Jr., a member in good standing of the Tennessee Bar. Pursuant to Rule 19 of the Rules of the Supreme Court of Tennessee, TRA Rule 1220-1-2-.04(7) and for good cause shown, Mr. Ayers' Application is granted.

A *Petition to Intervene* ("Petition") by the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") was filed on March 2, 2009. No response to that Petition was filed, and Tennessee Water Services, Inc. ("TN Water") lodged no objection at the Status Conference, therefore the Hearing Officer granted the Consumer Advocate's *Petition to Intervene*, without objection.

Prior to the Status Conference, TN Water and the Consumer Advocate proposed to the Hearing Officer the following procedural schedule, which subject to limited modifications (below), is hereby approved and adopted:

May 6, 2009	First round of discovery requests¹
June 3, 2009	Response to first round of discovery requests
June 24, 2009	Consumer Advocate Direct Testimony
July 8, 2009	TN Water Rebuttal Testimony
July 15, 2009	Pre-hearing Conference
July 29, 2009	Hearing on the Merits

The Pre-hearing Conference will be set by the Hearing Officer and the Hearing will be set by the panel; a specific notice will announce the precise dates and times. If a discovery dispute arises, the parties are admonished to attempt to resolve it, and if a resolution can not be reached, then a motion to compel shall be filed with the Authority, and the Hearing Officer shall resolve such dispute at a specially set status conference.

IT IS THEREFORE ORDERED THAT:

1. Christopher J. Ayers' *Application to Appear Pro Hac Vice* is granted.
2. The *Petition to Intervene* filed on March 2, 2009 by the Consumer Advocate is granted.
3. The procedural schedule is established as stated herein.
4. All filings are due no later than **2:00 p.m.** on the dates indicated in the procedural schedule. One copy of all discovery requests, objections and responses shall be filed with the Authority.



Gary Hotvedt, Hearing Officer

¹ If more than the allotted number of first round discovery requests as permitted by rule are served and filed, a motion for permission to exceed the allotment provided by rule shall accompany such request(s), and unless an objection is timely lodged, such motion will be deemed granted.