

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 28, 2009

IN RE:

PETITION OF LYNWOOD UTILITY CORPORATION  
TO CHANGE AND INCREASE RATES AND  
CHARGES

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DOCKET NO.  
09-00034

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ORDER GRANTING PETITION TO INTERVENE AND  
ESTABLISHING PROCEDURAL SCHEDULE

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These matters came before the Hearing Officer at the April 28, 2009 Status Conference. 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 18, 2009. No response to that Petition was filed, and Lynwood Utility Corporation. ("Lynwood") 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, Lynwood and the Consumer Advocate proposed to the Hearing Officer the following procedural schedule, which subject to limited modifications (below), is hereby approved and adopted:

<b>May 4, 2009</b>	<b>First round of discovery requests<sup>1</sup></b>
<b>May 7, 2009</b>	<b>Objections to discovery</b>
<b>May 14, 2009</b>	<b>Status Conference (if required)</b>
<b>May 26, 2009</b>	<b>Response to first round of discovery requests</b>

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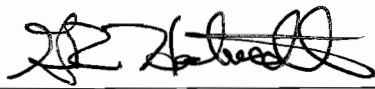
<sup>1</sup> If more than the allotted number of first round discovery requests as permitted by rule are served and filed, a motion for permission to exceed the allotment provided by rule shall accompany such request(s), and unless an objection is timely lodged, such motion will be deemed granted.

<b>June 19, 2009</b>	<b>Consumer Advocate Direct Testimony</b>
<b>June 26, 2009</b>	<b>Second round of discovery requests</b>
<b>June 30, 2009</b>	<b>Objections to discovery</b>
<b>July 7, 2009</b>	<b>Status Conference (if required)</b>
<b>July 17, 2009</b>	<b>Response to second round of discovery requests</b>
<b>July 31, 2009</b>	<b>Lynwood's Rebuttal Testimony</b>
<b>August 10, 2009</b>	<b>Pre-hearing Conference (tentative)</b>
<b>August 17-19, 2009</b>	<b>Hearing on the Merits (tentative)</b>
<b>August 26, 2009</b>	<b>Post-Hearing Briefs</b>
<b>September 11, 2009</b>	<b>Six months from rate case filing<sup>2</sup></b>

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. The March 18, 2009 *Petition to Intervene* of the Consumer Advocate is granted.
2. The procedural schedule is established as stated herein.
3. 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.

  
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 Gary Hotvedt, Hearing Officer

<sup>2</sup> Technically, the six month deadline is September 5, 2009, but at the Status Conference, both parties agreed to extend the deadline until September 11, 2009.