

TENNESSEE REGULATORY AUTHORITY



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JAN 21 2011

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

TRAAL DIVISION

January 21, 2011

VIA FACSIMILE AND U.S. MAIL

Donald L. Scholes, Esq.
Branstetter, Stranch & Jennings, PLLC
227 Second Avenue North, 4th Floor
Nashville, TN 37201-1631

RE: Consumer Advocate's Petition for a Declaratory Order that Berry's Chapel Utility, Inc.,
is a Public Utility under Tennessee Law and should be Regulated by the TRA
TRA Docket No. 11-00005

Dear Mr. Scholes:

On January 10, 2011, the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") filed a petition requesting the Tennessee Regulatory Authority ("TRA") convene a contested case proceeding and issue a declaratory order that Berry's Chapel Utility, Inc. f/k/a Lynwood Utility Corporation, is in fact a public utility under Tennessee law subject to regulation by the TRA. The Certificate of Service shows that you and your clients, John and Tyler Ring, were served with a copy of the Petition on January 10, 2011. Pursuant to TRA Rule 1220-1-2-.03 Berry's Chapel Utility, Inc. f/k/a Lynwood Utility Corporation has thirty (30) days from the date of receipt of the Petition within which to file a responsive pleading. Please file your client's response in the docket file no later than February 9, 2011. Thereafter, the parties will receive notice from the TRA regarding additional filings and proceedings in this docket.

Thank you for your attention and cooperation regarding this matter.

Very truly yours,

A handwritten signature in black ink that reads "J. Richard Collier".

J. Richard Collier
General Counsel

c: Vance Broemel, Esq., Consumer Advocate and Protection Division
Docket No. 11-00005