

NASHVILLE, TENNESSEE

IN RE:

DOCKET NO.
11-00005

ORDER APPOINTING A HEARING OFFICER

This matter came before Chairman Mary W. Freeman, Director Eddie Roberson and Director Sara Kyle of the Tennessee Regulatory Authority (the “Authority”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on January 24, 2011. At the request of Director Roberson, the panel considered expediting the Authority’s handling of the *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* filed by the Consumer Advocate and Protection Division of the Office of the Attorney General on January 10, 2011. Director Roberson made the request in light of a significant number of consumer complaints reviewed by the Authority’s Consumer Services Division (“CSD”) pertaining to an increase in charges levied by Berry’s Chapel Utility, Inc. After discussion, the panel voted unanimously to appoint Director Eddie Roberson to act as Hearing Officer for the purpose of considering whether to convene a contested case in this docket and, if the Hearing Officer determined that a contested case was appropriate, that the Hearing Officer be authorized to rule on any preliminary matters and to prepare the matter for hearing before the panel.

IT IS SO ORDERED.

Mary W. Snow

Mary W. Freeman, Chairman

2nd Oct

Eddie Roberson, Director


Sara Kyle, Director

Sara Kyle, Director