

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

July 18, 2013

IN RE:

**INVESTIGATION AS TO WHETHER A SHOW CAUSE
ORDER SHOULD BE ISSUED AGAINST BERRY'S
CHAPEL UTILITY, INC. AND/OR LYNWOOD
UTILITY CORPORATION FOR VIOLATION OF TRA
RULE AND TENNESSEE STATUTES, INCLUDING BUT
NOT LIMITED TO, TENN. CODE. ANN. SECTIONS 65-
4-112, 65-4-113, 65-4-201, AND 65-5-101**

**DOCKET NO.
11-00065**

ORDER GRANTING JOINT MOTION TO AMEND THE PROCEDURAL SCHEDULE

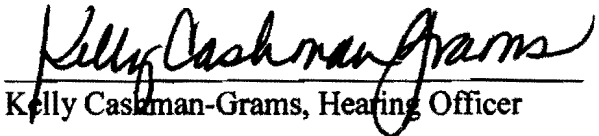
This matter is before the Hearing Officer of the Tennessee Regulatory Authority ("Authority" or "TRA") upon the *Joint Motion to Amend the Procedural Schedule* filed by the Consumer Advocate and Protection Division of the Office of the Attorney General of the State of Tennessee ("Consumer Advocate"), Tennessee Regulatory Authority staff participating as a party ("Party Staff"), and Berry's Chapel Utility, Inc. ("Berry's Chapel") (the "Parties") on July 17, 2013. In the *Joint Motion to Amend the Procedural Schedule*, the Parties request that the Procedural Schedule be amended because of scheduling conflicts within the Consumer Advocate's office. The procedural schedule now proposed by the Parties not only amends certain filing deadlines for existing briefs, but also incorporates the following new filings: 1) TRA Party Staff's discovery responses to the Consumer Advocate's First Discovery Request, by July 19, 2013,¹ and 2) a limited Reply by Party Staff and Berry's Chapel.

¹ The *First Discovery Request of the Consumer Advocate and Protection Division to the Tennessee Regulatory Authority Party Staff* was recently filed by the Consumer Advocate on July 11, 2013.

Upon review and consideration of the *Joint Motion to Amend the Procedural Schedule*, and finding the parties' requests not to be unreasonable, the Hearing Officer hereby adopts the deadlines as set forth therein, and enters the Amended Procedural Schedule attached hereto as Exhibit A.

IT IS THEREFORE ORDERED THAT:

The Amended Procedural Schedule, attached to this Order as **Exhibit A**, is adopted and hereby established in full force and effect.


Kelly Cashman-Grams, Hearing Officer

Amended Procedural Schedule

(July 18, 2013)

Due Date	Filing/Action
Not later than July 19, 2013	TRA Party Staff files discovery responses to the Consumer Advocate's First Discovery Request
Not later than July 29, 2013	Consumer Advocate's Initial Brief (legal argument) & Pre-filed Testimony (factual proof) (if any) setting forth: 1) The reasons for its opposition to the terms of the Settlement Agreement; and, 2) The effect on the issues and/or docket proceedings of its refusal to join or consent to the Settlement Agreement.
The <u>earlier</u> of: <ul style="list-style-type: none">• August 19, 2013, or• 10 business days after the Consumer Advocate's Initial Brief & Testimony	Party Staff & Berry's Chapel Response(s)
The <u>earlier</u> of: <ul style="list-style-type: none">• August 26, 2013, or• 5 business days after the last Response filed	Consumer Advocate's Reply
The <u>earlier</u> of: <ul style="list-style-type: none">• September 3, 2013, or• 5 business days after the Consumer Advocate's Reply	Party Staff & Berry's Chapel Reply (Limited to any new issues raised in the Consumer Advocate's Reply)
TBD	Public Hearing (Target date: September 9, 2013 Authority Conference)

*All filings are *due no later than 2:00 p.m. CDT* on the designated due date.