

BEFORE THE TENNESSEE REGULATORY AUTHORITY

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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 §§ )  
65-4-112, 65-4-113, 65-4-201, AND 65-5-101 )

T.R.A. DOCKET ROOM

DOCKET NO. 11-00065

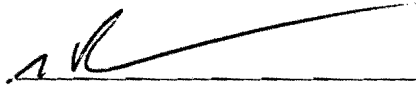
**OBJECTION TO THE CAD'S SECOND MOTION TO COMPEL**

Comes now the Tennessee Regulatory Authority staff participating as a party ("Party Staff") who respectfully requests that the Hearing Officer deny the Consumer Advocate Division's ("CAD") Motion to Compel. In support thereof Party Staff would show as follows:

1. Party Staff provided the same response to both of the CAD's requests and referenced the Party Staff brief as well as the utility's brief by reference. This was intended to provide the most complete response to the CAD's inquiry possible.
2. Party Staff stated its legal position as concisely as possible in these responses.
3. The CAD appears to want to dictate to the Party Staff how certain issues are argued or even the very nature of the issues in the case.
4. It is regrettable that the parties cannot agree on the nature of the issues in this case or the very nature of their respective legal positions. However, that does not change the fact that Party Staff has responded to the question as completely as possible.

**WHEREFORE**, Party Staff respectfully requests that the CAD's Motion be denied.

Respectfully submitted,



Shiva K. Bozarth, BPR No.22685  
Legal Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243


**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I have served a copy of the foregoing document on the following persons by U.S. Mail:

Henry M. Walker  
1600 Division Street, Suite 700  
P.O. Box 340025  
Nashville, TN 37203

Charlena Aumiller  
Vance L. Broemel  
Assistant Attorney General  
Office of Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202

This the 16<sup>th</sup> day of August, 2013.

  
Shiva K. Bozarth