

## Kelly Grams

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**From:** Kelly Grams  
**Sent:** Thursday, September 05, 2013 12:07 PM  
**To:** 'Charles Kildgore'  
**Cc:** Jean A. Stone; Sharla Dillon  
**Subject:** RE: comments on Berry's chapel Lynwood Utility (TRA Docket No. 11-00065)

**In re: TRA Docket No. 11-00065**  
**Berry's Chapel Utility, Inc.**

Mr. Kilgore,

Thank you for your emails, sent earlier today, concerning the upcoming Hearing in TRA Docket 11-00065. The Authority appreciates your interest and would very much like to hear from you. The Hearing is scheduled to begin at **9:00 a.m. CDT on Monday, September 9, 2013**, in the Hearing Room located on the Ground Level of the Offices of the Tennessee Regulatory Authority at 460 James Robertson Parkway, Nashville.

After the Hearing is convened and any preliminary matters resolved, the Authority will hear Public Comment from any member of the public that is present and would like to speak, and from anyone that has requested to comment by telephone. The purpose of Public Comment is to allow members of the public an opportunity to provide information and opinion concerning the particular matter currently before the Authority. Following the time designated for Public Comment, the Hearing will proceed with Opening Statements and witness testimony. Members of the public that were not available or present during Public Comment may, in the discretion of the Directors, be heard at other times during the proceedings. In addition, comments may be filed in the docket file, if you would like to do so.

You are welcome to be present throughout the proceedings and to make comments in person. As you have indicated that you intend to be present, please be aware that you will need to enter through the main entrance of the building facing James Robertson Parkway. Public metered parking may be available on the street or nearby in designated public-pay lots. Upon arriving at the TRA, you will be required to sign in at the Security Desk and receive a Visitors Badge before proceeding to the Ground Floor Hearing Room. The Hearing will begin promptly at its scheduled time so please allow time to locate appropriate parking and go through Security.

In the event that your plans change and you would prefer to comment by telephone, please notify me as soon as possible so that I may make the necessary arrangements and provide you with the information that you will need in order to do so. Please let me know if you have any questions or concerns. Again, thank you for your interest and willingness to comment.

*Kelly Cashman-Grams*

Deputy General Counsel/Hearing Officer  
Tennessee Regulatory Authority  
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**From:** Charles Kildgore [<mailto:ckildgore@gmail.com>]  
**Sent:** Thursday, September 05, 2013 10:35 AM  
**To:** Kelly Grams  
**Subject:** comments on Berry's chapel Lynwood Utility

I would like to make comments in person if possible on Monday at 9:00 AM  
In the event that is not possible I would like to make them by phone 615-596-0781

I believe the owners should not benefit financially at the ratepayers expense.

In addition there are simply too many questions that have not been addressed including the debt placed on the company by its owners. This begins with the 2.4 Million due the Rings after the new name was assigned and leads to the 1.4 million due Tn Commerce bank that replaced 1.2 million owed to TennContractors after the company was quitclaimed to the Rings from the original buyer Terry.

There is also the property involved at Legends Ridge that can not be accounted for as well as many many expenses that only benefit the owners not the rate payers. Their bad decisions should be paid for by them not us. Saying they are unable to pay the overcharges due the ratepayers is simply incorrect. 1: Any payments to Rings and people/companies associated with them in any manner should stop. 2: Any interest payments to the company who bought the note from the FDIC from the failed Tennessee Commerce Bank should stop until such time as the ratepayers are made whole again. 3: All payments should be prioritized starting with the true cost to run the utility and ending with the note and the Rings being paid last.

I believe any compromise at this time would only put off the eventual receivership by the TRA of Lynwood. Its a bandaid on a mortal wound. A full audit of the company should be completed by the TRA to establish what amounts the Rings owe the Ratepayers as well as to verify the current owners have effectively bankrupt the utility. THEN moving forward the receiver could run the company with reserves for repair and replacement as well as compliance with the TDEC current and coming requirements.

I have many other questions I would like to have answered but it is my request the TRA say no to this compromise and move forward with receivership. That will be the ultimate solution either now or the future.

Charles Kildgore  
615-596-0781

## Kelly Grams

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**From:** Charles Kildgore [ckildgore@gmail.com]  
**Sent:** Thursday, September 05, 2013 10:42 AM  
**To:** Kelly Grams  
**Subject:** Attending and schedule

I plan to be at the hearing and would like to meet at some time. I will have my phone with me as well as written questions.

Please let me know how you want to proceed as far as scheduling.

Charles

6155960781 [CKildgore@gmail.com](mailto:CKildgore@gmail.com)