

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 26, 2012

IN RE:

**PETITION OF BERRY'S CHAPEL UTILITY,
INC. TO RECOVER COSTS TO REPAIR
FLOOD DAMAGE AND TO REFUND
CUSTOMER SERVICE FEES**

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**DOCKET NO.
11-00180**

**ORDER GRANTING JOINT MOTION TO DELAY FILING OF TESTIMONY &
ORDERING STATUS REPORT**

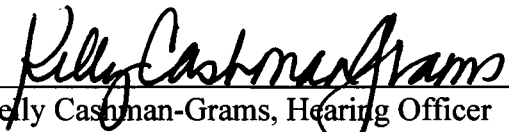
This matter is before the Hearing Officer upon a *Joint Motion of Berry's Chapel and Consumer Advocate to Delay Filing of Testimony ("Joint Motion")* filed by the parties in this docket, Berry's Chapel Utility, Inc. and the Consumer Advocate and Protection Division of the Office of the Attorney General, with the Tennessee Regulatory Authority ("TRA" or the "Authority") on March 13, 2012. In the *Joint Motion*, the parties state that additional time is needed in order to work on discovery issues, and, as no procedural order has been entered in the docket, their request will not prejudice any party. Finally, the parties state that, upon resolution of the discovery issues, they will propose a new filing date or ask the Hearing Officer to set a new date.

The filing deadlines set by the Hearing Officer during the March 1, 2012 Status Conference did not extend beyond the date for filing Intervenor pre-filed testimony, the parties are in agreement in making this request, and assert that no prejudice will result due to the delay. Therefore, the Hearing Officer finds the request of the parties to be acceptable, and agrees that the date for filing testimony will be delayed until such time as the parties have resolved their

discovery issues. At such time, the parties shall propose a new filing date or request the Hearing Officer to set a new date. Nevertheless, if the discovery issues have not been resolved and a new date for filing set by April 16, 2012, parties are ordered to promptly file a detailed status report as to the progress and anticipated time for resolution of such matters in the docket file.

BE IT THEREFORE ORDERED THAT:

1. The *Joint Motion of Berry's Chapel and Consumer Advocate to Delay Filing of Testimony* is granted.
2. In the event that the parties have not already resolved the discovery issues and no new filing date has been requested or set, the parties shall promptly file a detailed status report as to the progress and anticipated time for resolution of such matters in the docket file no later than **April 16, 2012.**



Kelly Cashman-Grams, Hearing Officer