

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 7, 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**

IN RE:

**BERRY'S CHAPEL UTILITY, INC. TO
CHANGE AND INCREASE RATES AND
CHARGES**

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**DOCKET NO.
11-00198**

ORDER CONSOLIDATING DOCKETS & AMENDING PROCEDURAL SCHEDULE

This matter came before the Hearing Officer of the Tennessee Regulatory Authority ("TRA" or the "Authority") during a Status Conference with the parties, Berry's Chapel Utility, Inc. ("Berry's Chapel" or the "Company") and the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate"), held on May 3, 2012. The Status Conference, for which public notice was issued on April 30, 2012, was held to discuss the progression of the above-styled dockets and to establish an amended procedural schedule to completion.

The Status Conference was convened as noticed in the Hearing Room on the Ground Floor of the Tennessee Regulatory Authority at 460 James Robertson Parkway, Nashville, Tennessee. The parties in attendance were as follows:

For Berry's Chapel:

Henry Walker, Esq., Bradley Arant Boult Cummings, 1600 Division Street, Suite 700, Nashville, Tennessee 37203; and,

For the Consumer Advocate:

Scott Jackson, Esq. and Dave Peters, Office of the Attorney General, Consumer Advocate and Protection Division, P.O. Box 20207, Nashville, Tennessee, 37202.

During the Status Conference, the parties requested that Docket No. 11-00180 and Docket No. 11-00198 be consolidated. For the sake of efficiency, the Hearing Officer agreed that the dockets should be consolidated. In addition, as agreed by both of the parties during the conference, the Hearing Officer modifies and amends the Procedural Schedule previously entered on January 24, 2012, as attached reflected in **Exhibit A** attached to this Order. In setting the dates for Hearing and anticipated deliberations of the Authority, Berry's Chapel stated that it did not object and took no issue to extending the statutory deadline from June 22, 2012 to June 25, 2012.

IT IS THEREFORE ORDERED THAT:

1. Docket No. 11-00180 and Docket No. 11-00198 are hereby consolidated.
2. The Amended Procedural Schedule, attached to this Order as **Exhibit A**, is hereby adopted and is in full force and effect.


Kelly Cashman-Grams, Hearing Officer

Amended Procedural Schedule

(May 7, 2012)

Due Date	Filing
Thurs., January 19, 2012	First Round of Discovery Requests Due
Tues., January 24, 2012	Objections to First Round Discovery Due
Thurs., January 26, 2012	Motions to Compel Due <u>2:00 p.m.</u> Status Conference to address Motions to Compel & other relevant issues (as needed) (may be waived)
Thurs., February 9, 2012	Responses to First Round of Discovery Requests Due
Mon., April 23, 2012	Intervenor Pre-filed Direct Testimony Due
Mon., May 21, 2012	Utility's Pre-filed Rebuttal Testimony Due
Wed., May 30, 2012	Motions in Limine Due (if any)
Tues., June 5, 2012	1:30 p.m. Pre-Hearing Conference (if needed)
Mon., June 11, 2012	Hearing on the Merits
Mon., June 25, 2012	Authority Deliberations on Petition (subj. to Director approval)

Exhibit A