

## Monica Smith-Ashford

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**From:** Ben Gastel [beng@branstetterlaw.com]  
**Sent:** Thursday, September 27, 2012 4:56 PM  
**To:** John J. Baroni; Monica Smith-Ashford; Don Scholes; Charlena Aumiller; Ryan McGehee; Melanie Davis (mdavis@kizer-black.com); Shiva Bozarth; Tabatha Blackwell  
**Cc:** Vance Broemel  
**Subject:** RE: TRA Docket No. 12-00030

Dear Ms. Smith-Ashford

On September 21, 2012, the Hearing Officer in the above-styled docket requested the parties develop a modified procedural schedule in light of the late discovery requests filed by the Intervenors. After a good faith negotiation with the Consumer Advocate Division (the "CAD"), Laurel Hills Condominium Property Owners Association ("Laurel Hills") and CAD have not been able to come to an agreement on a modified procedural schedule. Given that the case became off schedule because both the CAD and the Consumer-Intervenors filed untimely discovery requests (although Laurel Hills understands that the CAD claims its discovery requests were timely), Laurel Hills does not believe that a modification of the hearing date is proper and desires to move forward with the hearing on November 7, 2012. Accordingly, Laurel Hills proposes the following schedule:

**September 27, 2012:** Responses to all discovery requests by all parties

**October 15, 2012:** Direct testimony of all intervenors

**October 22, 2012:** Rebuttal testimony of Petitioners

**October 31, 2012:** Pre-hearing conference

**November 7, 2012:** Hearing on the Merits

**November 14, 2012:** Post-Hearing Briefs

Additionally, given that Laurel Hills today filed its responses to the Customer-Intervenors discovery requests, and obviously cognizant of the reasons the Customer Intervenors needed an extension, Laurel Hills does not object to the Motion to Extend time and considers this Motion mooted given the responses. Notwithstanding this, Laurel Hills maintains that the November 7 hearing can still go forward as planned under the proposed-modified schedule.

Warmest Regards,

Ben

Ben Gastel  
Branstetter, Stranch & Jennings, PLLC