

**IN THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
<b>PETITION OF LAUREL HILLS</b>	)	
<b>CONDOMINIUMS PROPERTY OWNERS</b>	)	<b>DOCKET NO. 12-00030</b>
<b>ASSOCIATION FOR A CERTIFICATE</b>	)	
<b>OF PUBLIC CONVENIENCE AND</b>	)	
<b>NECESSITY</b>	)	

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**RESPONSE TO CUSTOMER INTERVENERS' REQUEST FOR SUBPOENA**

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The Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") does not oppose the Customer Interveners' Request for a Subpoena to take the deposition of Everett Bolin, a representative of the Crab Orchard Utility District.

The Consumer Advocate is cognizant of the costs associated with additional discovery. But the Consumer Advocate avers that the benefits of Tennessee's open discovery policy<sup>1</sup> outweigh the costs of acquiring the information.

But the Consumer Advocate would not object if the parties seek to acquire the information sought by means of written questions as contemplated by Tenn. R. Civ. P. 31, or through a functionally similar process, if, as Petitioners suggest, it is less burdensome to the parties. See Response of Laurel Hills Condominiums Property Owners Association to Customer Interveners' Request for Subpoena ("Subpoena Response").

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<sup>1</sup> Because of the broad policy favoring discovery, the trial court should not order limitations on discovery unless the party opposing discovery can demonstrate with more than conclusory statements and generalizations that the discovery limitations are necessary to protect the party from annoyance, embarrassment, oppression, or undue burden and expense. See *Duncan v. Duncan* 789 S.W.2d 557, 561 (Tenn. Ct. App. 1991).

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to be 'J. Baroni', written over a horizontal line.

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Dated: October 3, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to the Customer Interveners' Request for Subpoena was served via U.S. Mail or electronic mail upon:

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This the 3rd day of October, 2012.

  
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JOHN J. BARONI