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November 1, 2012

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and

FIRST CLASS MAIL

Sharla Dillon, Clerk

Tennessee Regulatory Authority

460 James Robertson Parkway

Nashville, Tennessee 37243

In Re: Petition of Laurel Hills Condominiums Property Owners Association for
a Certificate of Public Conveyance and Necessity
Docket No. 12-00030

Dear Ms. Dillon:

Please find attached hereto for filing in the above matter the following:

1. Motion for Order Allowing for Additional Discovery Requests by Customer Interveners.
2. Response of Gary Haiser; John Moore, Gerald Nugent, et al to the First Laurel Hills Discovery Request Dated October 15, 2012.
3. Motion to Compel Laurel Hills Condominiums Property Owners Association ("Laurel Hills") to Respond to Second Discovery Requests of Customer Interveners.

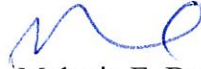
I will be forwarding to you today by first class mail the original and four copies of these documents.

Should you have any questions, please give me a call at the direct dial number above.

November 1, 2012

With kindest regards, I am

Very truly yours,



Melanie E. Davis

MED:ps

Enclosures

cc: Shiva Bozarth, General Counsel
John Baroni, Attorney
Donald Scholes, Attorney
Benjamin Gastel, Attorney
John Moore, et al

BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re:

PETITION OF LAUREL HILLS
CONDOMINIUMS PROPERTY
OWNERS ASSOCIATION
FOR A CERTIFICATE OF PUBLIC
CONVEYANCE AND NECESSITY.

Docket No. 12-00030

MOTION TO COMPEL LAUREL HILLS CONDOMINIUMS
PROPERTY OWNERS ASSOCIATION ("LAUREL HILLS") TO RESPOND TO
SECOND DISCOVERY REQUESTS OF CUSTOMER INTERVENERS

Come now the Customer Interveners and file this Motion to Compel responses by Laurel Hills to the Second Discovery Requests of Customer Interveners up through forty (40) total requests. Laurel Hills Condominiums Property Owners Association filed an objection to some requests on October 19, 2012, based on the fact that we exceeded forty (40) discovery requests. A Motion to extend the number of Interrogatories has been filed to address that objection.

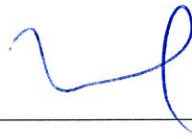
However, for Nos. 5, 6, 8 and 9, the answer was "None" regarding objections, but no substantive answer was provided. A copy of the responses at issue is attached hereto and incorporated herein by reference. Furthermore, No. 7 was not properly answered in that there was an objection instead to it being overly broad, unduly burdensome and seeking irrelevant information. This is in fact a very targeted, specific request in response to Laurel Hills involving its alleged request sent to Customers regarding account information. Customer Interveners aver that

the communications claimed by Laurel Hills do not in fact exist. If they do exist, they are discoverable as they go to whether or not Laurel Hills was in fact properly communicating with its Customers and attempting to reach its Customers regarding their accounts. Laurel Hills wants to assert that its Customers somehow did not cooperate with them in billing matters. Laurel Hills did not provide any proof to back up their allegation and now refuse to provide such documentation.

It is the Customer Interveners contention that Laurel Hills has been failing consistently to communicate with its Customers. This response thus should be answered and the Motion to Compel should issue.

The Customer Interveners reserve the right to file further Motion to Compel after they have a response on their Motion to extend the number of Interrogatories to address substantive responses to the remaining questions.

RESPECTFULLY SUBMITTED,



MELANIE E. DAVIS, Attorney for
Customer Interveners
Tennessee Bar No. 017947
Kizer & Black Attorneys, PLLC
329 Cates Street
Maryville, Tennessee 37801
Telephone: (865) 980-1625

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing of MOTION TO COMPEL LAUREL HILLS CONDOMINIUMS PROPERTY OWNERS ASSOCIATION ("LAUREL HILLS") TO RESPOND TO SECOND DISCOVERY REQUESTS OF CUSTOMER INTERVENERS has been served upon the following:

David Foster, Chief-Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Shiva Bozarth, General Counsel
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505


John J. Baroni, Attorney
Consumer Advocate Division
Office of the Attorney General
P.O. Box 20207
425 5th Avenue North, 2nd Floor
Nashville, TN 37243-0500

Donald L. Scholes, Attorney
Branstetter, Stranch and Jennings, PLLC
227 Second Avenue North, 4th Floor
Nashville, TN 37201-1631

Benjamin A. Gastel, Attorney
Branstetter, Stranch and Jennings, PLLC
227 Second Avenue North, 4th Floor
Nashville, TN 37201-1631

by mailing a true and accurate copy via U.S. Mail, postage prepaid, this the 1st day of November, 2012

Kizer & Black Attorneys, PLLC:



Melanie E. Davis

BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re:

PETITION OF LAUREL HILLS
CONDOMINIUMS PROPERTY
OWNERS ASSOCIATION
FOR A CERTIFICATE OF PUBLIC
CONVEYANCE AND NECESSITY.

Docket No. 12-00030

RESPONSE OF GARY HAISER; JOHN MOORE; GERALD NUGENT; ROY
PERRY; JOHN PETERS; JOEL MATCHAK; ROBERT ADKINS; JOE GARNER;
TERRY COPE; ROBERT SCHWARTZ; ONUS WILLIAMS; GENE MANERS;
MICHAEL KRABOUSANOS; WENDELL BLAIR; LUKE DUNN; DAVID BREG;
KENT LATHAM; CORTEZ INVESTMENT GROUP, INC.; JIMMY DOUGLAS;
THOMAS BAUER; DONALD SANDLIN; JUDY SCALES PATTERSON; ISAAC
GAMBLE; RENEE TODD; RICHARD KNAPP; JOHN CHAMBERS; JOHN P.
PETERS REVOCABLE TRUST; AND CUMBERLAND POINT CONDOMINIUM
OWNERS ASSOCIATION TO LAUREL HILLS CONDOMINIUMS PROPERTY
OWNERS ASSOCIATION TO LAUREL HILLS DISCOVERY REQUEST DATED
OCTOBER 15, 2012.

To: David Foster,
Chief Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

The following are the Responses of Gary Haiser, et al ("Customers") to the
First Laurel Hills Discovery Request dated October 15, 2012.

1. For each Customer Intervenor, other than Cumberland Point, identify
the Customer Intervenor's: full legal name, social security number, street address
for service, billing address if different from service address, phone number for
service and phone number for billing, whether the Customer Intervenor owns or

rents the service address, and the number of weeks per year, on average, the Customer Intervenor occupies the service address.

RESPONSE:

The Customer Interveners object to the publishing of individual Social Security numbers and delineating the average amount of time each residence is occupied. This information is irrelevant and not reasonably calculated to lead to admissible evidence. Social Security numbers are protected and confidential. All Customer Interveners pay the full flat monthly rate for water service regardless of occupancy status. Subject to the objections listed, the remaining information requested is attached as Exhibit 1.

2. For Cumberland Point identify: the name and billing address for every unit where Cumberland Point sends its request for membership dues, the name and unit number for any full time residents, and for all other units not occupied on a full time basis, the average number of weeks per year each unit is occupied.

RESPONSE:

The Customer Interveners object to this request as over burdensome and irrelevant to the proceedings. The Cumberland Point Condominium Association (CPCA), as admitted by Laurel Hills many times, acts as a single customer with respect to water service and billing by paying a flat monthly amount for water service. How, when and from whom the CPCA collects the individual amounts for water service is an internal matter reserved for the CPCA and is not relevant to these proceedings.

3. For John Moore, identify all communications, either written or oral, between Mr. Moore and any manager or employee of the Crab Orchard Utility District related to the procurement of water for the Renegade Mountain development by stating: the date of the communication, or approximate date if the exact date is not known, the participants in the communication, the substance of the communication, and the purpose of the communication.

RESPONSE:

To the best of Customer Intervener John Moore's recollection the following represents the notable contacts with the Crab Orchard Utility District (COUD):

<u>DATE</u>	<u>WHO</u>	<u>SUMMARY</u>
April 2011	Everett Bolin	Asked who was operating Renegade System and who paying the water bill.
Jan 2012	Everett Bolin	After Dec 30, 2011 letter indicated COUD may cut water off, asked if this was the case.
Jan 19, 2012	Everett Bolin	After Laurel Hills abandoned electric to Mullinix Pump Station explored options to keep operating.
Feb 2, 2012	Everett Bolion	After Laurel Hills cut water off on Feb 1, asked about options to maintain operations.
Feb 13, 2012	Everett Bolin	Asked for testimony at upcoming hearing.
March 2012	COUD Board	Asked the BOD for options to keep system operating.
May 2012	Everett Bolin	Asked Mr. Bolin to attend TRA hearing.
Jun 2012	Everett Bolin	Following marking of water lines, asked if COUD could identify GPS locations and mark on map.
Jul 2012	Unknown	Met with COUD representative to mark valves/meter
Aug 2012	Everett Bolin	Asked Mr. Bolin to attend TRA hearing.

Aug 2012	Everett Bolin	Reacting to letter from COUD to cut water off contacted about payments and payment options
Sep 2012	Everett Bolin	Asked Mr. Bolin for direct Pre-filed Testimony.
Oct 2012	Everett Bolin	Advised Mr. Bolin that he would be subpoenaed
Oct 2012	Everett Bolin	Contacted for updated water map for TRA use.

4. Identify the monthly rate of service fee the Customer Interveners seek in this proceeding and identify the basis for why the Customer Interveners believe that rate is a fair and reasonable rate of service.

RESPONSE:

The Customer Interveners object to this request, specifically that this is a complex calculation that requires many of the previously requested responses from Laurel Hills in order to complete and one in which the Customer Interveners could not possibly complete prior to receiving all needed discovery, some of which has not been provided by Laurel Hills as requested. After all information is provided, this answer may be supplemented.

5. Reference the Direct Testimony of John Moore, identify all facts and documents supporting, Mr. Moore's contention that the Renegade Mountain Community Club owned and operated the water system.

RESPONSE:

Customer Intervener John Moore bases his assertion that the Renegade Mountain Community Club (then operating as Cumberland Gardens) operated the water system prior to 2001 based on:

a. Michael Haines as Secretary of the Renegade Mountain Community Club (RMCC) on November 6, 2000, signed the water certification portion of the Block 17, Renegade Mountain Plat as filed on November 6, 2000 at the Cumberland County Courthouse in Plat Book 10, Page 419. Since other certifications were signed by Michael Haines, representing the developer (Renegade Inc.), it was with intent that Michael Haines represented that the RMCC was responsible for the water service to Block 17 of Renegade Resort.

b. Discussions with residents who paid water fees prior to 2001.

c. Cancelled checks from Gerald Nugent showing sewerage and water payments made to Cumberland Gardens (predecessor to the RMCC), see Exhibit 1, Attachment 1 to John Moore's Direct Pre-Filed Testimony.

d. To confirm this assertion, and as part of Cumberland County Chancery Court Case 2011-CH-508, the records of the Renegade Mountain Community Club have been requested by individuals and Counsel numerous times without success.

6. Reference the Direct Testimony of John Moore, describe in detail how Mr. Moore learned that the Renegade Mountain Community Club at some point owned and operated the water system.

RESPONSE:

The Customer Intervener's response to Request #6 is incorporated in the Response to Request #5.

7. Reference the Direct Testimony of John Moore, describe in detail Mr. Moore's contention that the developer of Renegade Mountain did not have the right

to sell the water system to anyone other than the Renegade Mountain Community Club.

RESPONSE:

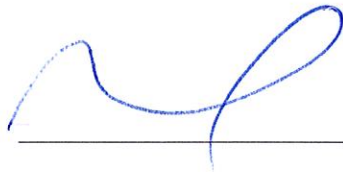
The 1972 Covenants and Restrictions, Article V, Section 1 paraphrased says the water system "...shall remain the privately owned and sole and exclusive property of the developer...". Section 2 identifies the water system as a utility and as paraphrased it states that, unless the water system is conveyed to the "Club" by written instrument, it is specifically reserved unto the developer. The water system thus is supposed to be owned (1) by the developer, or (2) by the Club, and no one else. Section 2 also indicates that the developer may organize companies to provide water, enter into agreements or lease the system to a third party or to allow a local entity to operate the system however it also states that such companies should be wholly or partially owned by the developer and that all consideration shall belong to the developer. The conveyance between Laurel Hills and Moy Toy, LLC was a permanent sale which does not meet the requirements as outlined in the Declarations. This conveyance is void or voidable. The direct wording of these two sections eliminate the ability of the developer to sell or transfer the water system to another party, except for the sale or transfer to the Community Club. In addition, the water tower property was purchased on September 28, 2010 by Moy Toy, LLC from J.L. Wucher Co., LLC who previously purportedly purchased the system from the developer on December 10, 2002. This conveyance could not be legally conveyed to this entity. The conveyance was in contradiction to the Declarations. J.L. Wucher Co., LLC was not the developer for Renegade Mountain. It should be noted that changes to the Declarations recorded in 1988 and 2006 are currently being challenged as part of Cumberland County Chancery Court Case 2011-CH-508.

However, the language in all later documents remains substantially unchanged from the original Declarations. Interestingly, the water tower property was conveyed to Moy Toy, LLC as part of a larger land transaction which included over 800 acres and two commercial buildings for a total sales price of \$321,000. Just eight months later, Moy Toy, LLC sold a portion of the property (0.43 acres) to Laurel Hills for \$400,000.

RESPECTFULLY SUBMITTED,

Gary Haiser, John Moore, Gerald Nugent
and others as listed above.

By Counsel:



MELANIE E. DAVIS,
Tennessee Bar No. 017947
Kizer & Black Attorneys, PLLC
329 Cates Street
Maryville, Tennessee 37801
Telephone: (865) 980-1625

Customer	Service Address	Official Property Location	MAILING ADDRESS LINE 1	ADDRESS LINE 2	CITY	ST	ZIP	PRI TELEPH
ADKINS ROBERT	MOUNTAIN LAUREL 82	154B E	P.O. Box 31		Crab Orchard	TN	37723	330-760-2851
BAUER, THOMAS	RENEGADE MOUNTAIN PKWY	141L A	18 MESA ST		KENNER	LA	70065	504-881-8458
BLAIR WENDELL R	RENEGADE MOUNTAIN PKWY	154B D	PO BOX 346		CRAB ORCHARD	TN	37723	865-414-9163
BREG DAVID	RENEGADE MOUNTAIN PKWY	141L B	837 Old Hendrys Church Rd		Canon	GA	30520	706-376-8606
COPE TERRY L	RENEGADE MOUNTAIN PKWY	142P C	400 PARKER FORD RD		CROSSVILLE	TN	38571	931-248-2056
CHAMBERS JOHN B	GREAT WARRIOR	142I A		PO Box 94	CRAB ORCHARD	TN	37723	931-456-0911
CORTEZ INVESTMENT GROUP	GREAT WARRIOR	142I A	412 S MAIN ST		BROOKSVILLE	FL	34601	727-423-1385
PERRY ROY	RUNNING DEER	142P C	412 S MAIN ST		BROOKSVILLE	FL	34601	727-423-1385
DOUGLAS JAMES L	RUNNING DEER	142I E	37 RIVERSIDE DR		OAK RIDGE	TN	37830	865-388-7981
DUNN LUKE N &	RENEGADE MTN PKWY 2842	142P D	234 Danoyer Walk		Murfreesboro	TN	37128	615-962-8960
GAMBLE ISAAC	RENEGADE MTN PKWY 3834	141L A	8012 SE Doubletree		Hobe Sound	FL	33455	772-486-0850
GARNER JANET	RUNNING DEER	142P D	6233 MORNING GLORY DR		HARRISON	TN	37341	423-344-9678
HAISER GARY M	RENEGADE MOUNTAIN PKWY	141L B	PO Box 385		Crab Orchard	TN	37723	931-484-9969
KNAPP RICHARD ETUX	APPLEWOOD DR 92	154A E	PO BOX 62		CRAB ORCHARD	TN	37723	931-456-4294
KRABOUSANOS MICHAEL W	HICKORY TRL	142P F	100 REBECCA DR		CROSSVILLE	TN	38555	931-484-1267
LATHAM KENT E	DRAGON CANOE	142I B	718 MORGAN ST		HARRIMAN	TN	37748	
MANERS EMMETT E	BRIARWOOD LN 661	154H A	202 N. ORANGE ST.		ALBION	IN	46701	574-216-9493
MATCHAK JOEL	FOXWOOD AVE	154A A						
MOORE JOHN S	HICKORY TRL 95	142P F	848 Livingston Rd, Ste 101		CROSSVILLE	TN	38555	931-484-2354
NUGENT GERALD B	RENEGADE MTN PKWY 4024	141L A	P.O. Box 163		Crab Orchard	TN	37723	931-456-7789
PATTERSON JUDY SCALES	RUNNING DEER 574	142P B	106 NICHOLS CT		NASHVILLE	TN	37205	615-385-4028
PATTERSON JUDY SCALES	RUNNING DEER 539	142P C	106 NICHOLS CT		NASHVILLE	TN	37205	615-385-4028
PETERS JOHN P	RUNNING DEER 947	154A A	1505 COUNTRY CLUB LN SE		DECATUR	AL	35601	256-318-0020
PETERS JOHN P TRUSTEE	RENEGADE MOUNTAIN PKWY	141L B	1505 Country Club LN SE		Decatur	AL	35601	256-318-0020
RENAUD NORMAN A	RENEGADE MTN PKWY 2877	142P C	Unit 15543	Box 68	APO	AP	96224	931-456-6618
SANDLIN DONALD	RENEGADE MOUNTAIN PKWY	141L B	816 Hunters Hill Trace		Old Hickory	TN	37138	615-847-3886
SCHWARTZ ROBERT	RENEGADE MOUNTAIN PKWY	141L B	5680 Northwest 88th Terrace		Coral Springs	FL	33067	954-701-3346
TODD RENEE	RENEGADE MOUNTAIN PKWY	141L B	11373 NW 49th Drive		Coral Springs	FL	33076	954-857-8102

Customer	Service Address	Official Property Location			MAILING ADDRESS LINE 1	ADDRESS LINE 2	CITY	ST	ZIP	PRI TELEPH
WILLIAMS ONUS V	APPLEWOOD DR 40	154A	E	008.00	PO BOX 203		CRAB ORCHARD	TN	37723	931-260-1508

Customer	Service Address	Official Property Location			COMMENTS
ADKINS ROBERT	MOUNTAIN LAUREL 82	154B	E	038.00	Former Duplex
BAUER, THOMAS	RENEGADE MOUNTAIN PKWY	141L	A	004.00	
BLAIR WENDELL R	RENEGADE MOUNTAIN PKWY	154B	D	014.00	
BREG DAVID	RENEGADE MOUNTAIN PKWY	141L	B	002.00	Woodridge/Rent
COPE TERRY L	RENEGADE MOUNTAIN PKWY	142P	C	010.00	
CHAMBERS JOHN B	GREAT WARRIOR	142I	A	014.00	
CORTEZ INVESTMENT GROUP	GREAT WARRIOR	142I	A	012.00	Rent to own
PERRY ROY	RUNNING DEER	142P	C	013.00	Rent to Own
DOUGLAS JAMES L	RUNNING DEER	142I	E	004.00	
DUNN LUKE N &	RENEGADE MTN PKWY 2842	142P	D	023.00	
GAMBLE ISAAC	RENEGADE MTN PKWY 3834	141L	A	001.00	
GARNER JANET	RUNNING DEER	142P	D	003.00	Rent
HAISER GARY M	RENEGADE MOUNTAIN PKWY	141L	B	001.00	Woodridge
KNAPP RICHARD ETUX	APPLEWOOD DR 92	154A	E	009.00	
KRABOUSANOS MICHAEL W	HICKORY TRL	142P	F	001.00	
LATHAM KENT E	DRAGON CANOE	142I	B	025.00	
MANERS EMMETT E	BRIARWOOD LN 661	154H	A	007.00	
MATCHAK JOEL	FOXWOOD AVE	154A	A	016.00	
MOORE JOHN S	HICKORY TRL 95	142P	F	004.00	
NUGENT GERALD B	RENEGADE MTN PKWY 4024	141L	A	010.00	
PATTERSON JUDY SCALES	RUNNING DEER 574	142P	B	003.00	Estate Probate
PATTERSON JUDY SCALES	RUNNING DEER 539	142P	C	024.00	Estate Probate
PETERS JOHN P	RUNNING DEER 947	154A	A	003.00	
PETERS JOHN P TRUSTEE	RENEGADE MOUNTAIN PKWY	141L	B	002.00	Woodridge
RENAUD NORMAN A	RENEGADE MTN PKWY 2877	142P	C	006.00	
SANDLIN DONALD	RENEGADE MOUNTAIN PKWY	141L	B	002.00	Woodridge
SCHWARTZ ROBERT	RENEGADE MOUNTAIN PKWY	141L	B	001.00	Woodridge/Rent
TODD RENEE	RENEGADE MOUNTAIN PKWY	141L	B	001.00	Woodridge

Customer	Service Address	Official Property Location			COMMENTS
WILLIAMS ONUS V	APPLEWOOD DR 40	154A	E	008.00	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing of RESPONSE OF GARY HAISER; JOHN MOORE; GERALD NUGENT, ET AL TO THE FIRST LAUREL HILLS DISCOVERY REQUEST DATED OCTOBER 15, 2012, has been served upon the following:

David Foster, Chief Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Jean Stone, General Counsel
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

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by mailing a true and accurate copy via U.S. Mail, postage prepaid, this the 1st day November, 2012

Kizer & Black Attorneys, PLLC



Melanie E. Davis