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February 7, 2013

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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 enclosed for filing in the above matter the Customer Interveners' Responses to First, Second and Third Motions in Limine of the Petitioners.

With kindest regards, I remain

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

CUSTOMER INTERVENERS' RESPONSE TO FIRST MOTION IN LIMINE

Come now the Customer Interveners and file this Response to the Petitioners' First Motion in Limine filed in this matter. This Motion in Limine seeks to exclude the testimony of Everett Bolin, Manager of Crab Orchard Utility District.

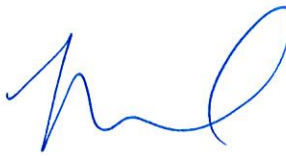
Mr. Bolin will appear in person at the hearing. As shown in his deposition, he has information that will substantially assist the trier of facts regarding water systems in general and the costs of operating a water system and related services in Cumberland County. He can speak the reasonableness of various costs and to the alternative that Crab Orchard Utility District offers in providing water to the customers at issue.

It is undisputed that Mr. Bolin has significant experience in the provision of water to customers in Cumberland County. He does not necessarily know the specifics of Laurel Hills but he knows generally information that is helpful in looking at the costs and expenses that Laurel Hills is claiming as part of its rate structure.

Customer Interveners accordingly are in opposition to the Motion and aver that Mr. Bolin's testimony should be taken for what it is worth at the hearing and that any objection to his testimony should be heard and determined at the time he testifies.

Customer Interveners assert that this is a case where Laurel Hills does not like the content of Mr. Bolin's testimony and therefore is seeking to exclude the testimony that is otherwise helpful and relevant. Mr. Bolin has information and knowledge that would assist in this hearing and Customer Interveners assert that he should be allowed to be heard.

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 CUSTOMER INTERVENERS' RESPONSE TO FIRST MOTION IN LIMINE 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 E-Mail transmission and U.S. Mail, postage prepaid, this the 7th day of February, 2013.

Kizer & Black Attorneys, PLLC:



Melanie E. Davis

BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re:

PETITION OF LAUREL HILLS
CONDOMINIUMS PROPERTY
OWNERS ASSOCIATION
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CONVEYANCE AND NECESSITY.

Docket No. 12-00030

CUSTOMER INTERVENERS' RESPONSE TO SECOND MOTION IN LIMINE

Come now the Customer Interveners and in Response to the Petitioners' Second Motion in Limine regarding the testimony of John Moore would state as follows:

1. Mr. Moore has provided in support of his testimony a check that shows payment in 2000 to the Cumberland Gardens Community Club. Further, the language in the restrictions for the community which are public record and not in dispute discuss the water system and only mention a sale or transfer to the Renegade Mountain Community Club. Mr. Moore wishes to testify to this fact. Mr. Moore is not intending to testify as a lawyer. He just simply raises questions regarding whether the Laurel Hills entity could properly own the water system under the circumstances. To date more information about the trail of ownership of the system has not been provided by Laurel Hills. The Renegade Mountain Community Club's prior directors including Mr. McClung have

been sued in a consolidated case styled Haiser, et al v. Michael McClung, et al, Cumberland County Chancery Court, Docket No. 2011-CH-508 and Renegade Mountain Community Club, et al v. Gary Haiser, et al, Cumberland County Chancery Court, Docket No. 2012-CH-527. Mr. Moore and other Customer Interveners have asked for corporate historical documents related to the Renegade Mountain Community Club from Mr. McClung and others but they have not been provided. Such documents may well shed light on whether a legitimate transfer was made of the water system.

2. Customer Interveners aver that it is within the bounds of what the Authority to consider this testimony and to at least take this testimony under consideration.
3. Customer Interveners will be glad to amend their witness list to add the restrictions of record if needed.

RESPECTFULLY SUBMITTED,



MELANIE E. DAVIS, Attorney for
Customer Interveners
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Shiva Bozarth, General Counsel
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Kizer & Black Attorneys, PLLC:



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NASHVILLE, TENNESSEE

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Docket No. 12-00030

CUSTOMER INTERVENERS' RESPONSE TO THIRD MOTION IN LIMINE

Come now the Customer Interveners and in Response to the Petitioners' Third Motion in Limine filed by Laurel Hills in this matter as follows:

Apparently Petitioner objects to fifteen (15) exhibits identified on our list of exhibits on the grounds that they were not produced as part of direct testimony. It is averred that there is no requirement in law or prior Orders in this matter that such materials to be used as evidence be provided along with pre-trial testimony. All of the exhibits were available to the Petitioner and/or were public documents. Petitioner has no basis to exclude these documents from evidence and has had equal opportunity to obtain these documents and/or review these documents so it can claim no surprise.

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

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David Foster, Chief-Utilities Division
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Benjamin A. Gastel, Attorney
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227 Second Avenue North, 4th Floor
Nashville, TN 37201-1631

by mailing a true and accurate copy via E-Mail transmission and U.S. Mail, postage prepaid, this the 7th day of February, 2013.

Kizer & Black Attorneys, PLLC:



Melanie E. Davis