

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

July 19, 2013

IN RE:

PETITION OF LAUREL HILLS CONDOMINIUMS)
PROPERTY OWNERS ASSOCIATION FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY)

DOCKET NO.
12-00030

ORDER DECLINING TO RULE ON MOTION


This matter is before the Hearing Officer of the Tennessee Regulatory Authority ("Authority" or "TRA") on the *Motion to Request Information in Compliance with the TRA Order Issued on April 18, 2013* ("*Motion for Information*") filed by the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") on July 1, 2013. In its *Motion for Information*, the Consumer Advocate asks that the Hearing Officer request Laurel Hills Condominiums Property Owners Association ("Laurel Hills") to provide the following in 30 days:

[I]nformation about the terms of the offers for sale required by the TRA's Orders (including but not limited to sales price, payment terms, etc.); when the offers were made; to whom the offers were made (company and contact); and how the offers were made (in writing or orally).

The Consumer Advocate also asks the Hearing Officer to request that Laurel Hills provide:

[W]ritten affirmation that it is maintaining operations in compliance with all laws, including but not limited to staying current on amount due to vendors providing services necessary for operations (e.g., Crab Orchard [Utility District], etc.). Furthermore, the Consumer Advocate request periodic affirmations on an ongoing basis, perhaps every 30 days, to ensure that any non-compliance can be timely remedied.

On August 31, 2012, the TRA issued its Order appointing a Hearing Officer “for the purpose of preparing the case for hearing, including but not limited to, entering a protective order, establishing a procedural schedule, and ruling on intervention requests and discover issues.”¹ The hearing in this matter was held on February 13, 2013, and the Authority has issued its Order.² The Hearing Officer has fulfilled the duties delegated by the TRA and does not have authority to decide the Motion. Therefore, the *Motion for Information* filed by the Consumer Advocate is not properly before the Hearing Officer. The Consumer Advocate may withdraw its *Motion for Information* and re-file the Motion requesting a decision by the panel of Directors assigned to this docket.


Monica Smith-Ashford
Hearing Officer

¹ *Order Convening a Contested Case and Appointing Hearing Officer*, p. 2 (August 31, 2012).

² *See Order Denying Certificate of Public Convenience and Necessity and Requiring Divestiture* (April 18, 2013).