

# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

shiva.bozarth@tn.gov

October 23, 2013

Sharla Dillon  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: In Re: Laurel Hills, Docket No. 12-00030

Dear Ms. Dillon:

Enclosed are two Orders of the Thirteenth Judicial District Chancery Court of Cumberland County, Tennessee, in *TRA v. Laurel Hills Condominiums Property Owners Assoc.*, Case No. 2012-CH-560:

- a) *Order*, entered on October 16, 2013, (memorializing the Chancellor's April 22, 2013 ruling that required Laurel Hills to maintain water service to its customers and, consistent with the TRA's April 18, 2013 order, instituted a rate of \$33.10/month); and
- b) *Agreed Order*, entered on August 20, 2013 (staying the Chancery Court proceedings pending resolution of this pending appeal in the Court of Appeals).

I am requesting that these orders be filed in Docket No. 12-00030 to ensure that the agency's docket file contains a complete and accurate record of the related proceedings instituted by Investigative Staff in the Cumberland County Chancery Court pursuant to the Authority's *Order Appointing a Hearing Officer* entered in this docket on June 21, 2012.

Thank you for your attention to this matter and please feel free to contact me with any questions whatsoever.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. K. Bozarth', with a long horizontal stroke extending to the right.

Shiva K. Bozarth  
Legal Counsel

Encl: Cumberland County Chancery Court Orders

Cc: Ben Gastel  
Charlena Aumiller  
Melanie Davis

RECEIVED  
10-8-13

IN THE CHANCERY COURT OF CUMBERLAND COUNTY, TENNESSEE  
THIRTEENTH JUDICIAL DISTRICT  
AT CROSSVILLE

TENNESSEE REGULATORY AUTHORITY, )

Petitioner, )

v. )

LAUREL HILLS CONDOMINIUMS )  
PROPERTY OWNERS ASSOCIATION, )

Respondent. )

No.2012-CH-560

FILED 1:30  
Date 10-16 2013 at AM  
Entered 10-16-13 PM  
SUE TOLLETT, CLERK & MASTER  
Cumberland County, Crossville, TN  
BY *GT*

ORDER

The Court held a status conference on April 22, 2013,<sup>1</sup> where counsel for all parties appeared. Based upon the representations of counsel, the Court finds as follows:

1. The Tennessee Regulatory Authority ("TRA") issued an order on April 18, 2013.
2. As part of that order, the TRA recommended that this Court order a temporary rate for water service in the amount of thirty-three dollars and ten cents (\$33.10) per month.

**IT IS THEREFORE ORDERED** that the Respondent, Laurel Hills Condominiums Property Owners Association, and its respective officers, directors, agents, employees, members, attorneys, successors, accountants and assigns are hereby restrained during the pendency of this order, in the following manner:

This Court's August 9, 2012 Proposed Agreed Order shall remain in effect until  
further order of the Court except that the monthly rate for water service in

<sup>1</sup> The parties inadvertently did not file this Order immediately after the April 22, 2013, hearing. However, nothing in this order is intended to change or modify the subsequent orders of the Court including the August 16, 2013, Agreed Order staying the proceedings.

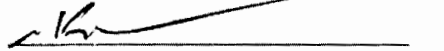
paragraph 11 is amended. Laurel Hills may not charge more than thirty-three dollars and ten cents (\$33.10) per month to any individual consumer.


ISSUED at 9:00 a.m. this 14<sup>th</sup> day of October, 2013.


**IT IS SO ORDERED.**


  
CHANCELLOR RONALD THURMAN

APPROVED FOR ENTRY:

  
Shiva K. Bozarth, BPR No. 22685  
Legal Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

  
Donald Scholes, BPR No. 10102  
Benjamin A. Gastel, BPR No. 28699  
Branstetter, Stranch, & Jennings  
227 Second Avenue North  
Fourth Floor  
Nashville, TN 37201

  
Charlena Aumiller, BPR No. 34165  
Assistant Attorney General  
Office of Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202

  
Melanie Davis, BPR No. 17947  
Kizer & Black Attorneys, PLLC  
329 Cates Street  
Maryville, Tennessee 37801

IN THE CHANCERY COURT FOR CUMBERLAND COUNTY, TENNESSEE

GARY HAISER, et al.,

Plaintiff,

v.

LAUREL HILLS CONDOMINIUMS POA,  
INC.,

Defendant.

CASE NO.: 18CH2-2012-CH-513

FILED 12:30  
Date 8-20 2013 at AM  
Entered: 8-20-13  
SUE TOLLETT, CLERK & MASTER  
Cumberland County, Crossville, TN  
BY G

TENNESSEE REGULATORY AUTHORITY,

Plaintiff,

v.

LAUREL HILLS CONDOMINIUMS POA,

Defendant.

CASE NO.: 18CH2-2012-CH-560

AGREED ORDER

On August 9, 2013, Defendant, Laurel Hills Condominiums Property Owners' Association filed an Agreed Motion seeking to stay these matters pending resolution of Tennessee Court of Appeals matter number M2013-01392-COA-R12-CV.

Finding good cause for the Motion, the Court orders as follows:

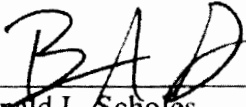
All proceedings pending in the above-styled cases are stayed pending resolution of Tennessee Court of Appeals matter number M2013-01392-COA-R12-CV.

It is so ORDERED.

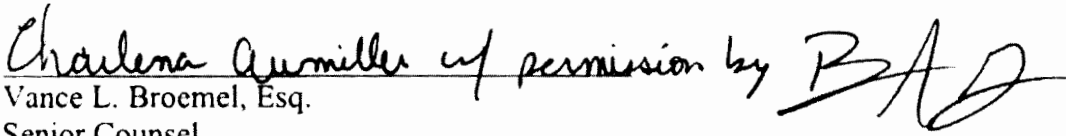
*This 16<sup>th</sup> day of August, 2013.*

*Ronald Thurman*  
CHANCELLOR RONALD THURMAN

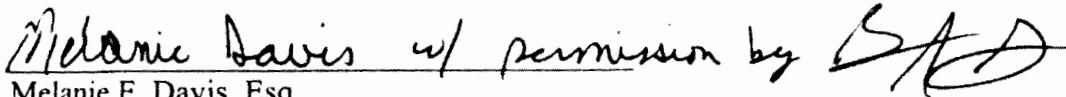
**AGREED BY:**



Donald L. Scholes  
Benjamin A. Gastel  
Branstetter, Stranch & Jennings, PLLC  
227 Second Avenue North, Fourth Floor  
Nashville, TN 37201-1631  
(615) 254-8801

  
Vance L. Broemel, Esq.

Senior Counsel  
Charlena S. Aumiller, Esq.  
Assistant Attorney General  
Office of the Tennessee Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202-0207

  
Melanie E. Davis, Esq.

Kizer & Black Attorneys, PLLC  
329 Cates Street  
Maryville, TN 37801

  
Jean Stone, Esq.

Shiva Bozarth, Esq.  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243