

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

IN RE:)	
)	
SHOW CAUSE PROCEEDING AGAINST)	
LAUREL HILLS CONDOMINIUMS)	DOCKET NO.
PROPERTY OWNERS ASSOCIATION FOR)	12-00077
ALLEGED VIOLATIONS OF TENN. CODE)	
ANN. 65-4-201, 65-4-301(A), 65-5-102,)	
65-4-101 AND/OR 65-4-103, AND 65-4-115)	
)	

**REQUEST FOR STAY OF PROCEEDINGS
PENDING RESOLUTION OF JUDICIAL REVIEW**

The Consumer Advocate and Protection Division of the Office of the Attorney General (“Consumer Advocate”) respectfully requests the Tennessee Regulatory Authority (“TRA” or “Authority”) to grant a stay of proceedings in TRA Docket 12-00077. In support of its request, the Consumer Advocate submits the following:

1. On June 29, 2015, at the regularly scheduled Authority conference, the presiding panel of TRA directors heard oral arguments regarding the Consumer Advocate’s Petition to Intervene in this matter. The panel voted two to one to uphold the hearing officer’s February 4, 2015, order denying the Consumer Advocate’s Petition to Intervene.
2. At this time, the TRA has not issued a written order regarding the panel’s denial of the Consumer Advocate’s Petition to Intervene.
3. On July 14, 2015, the TRA issued a revised procedural order for this docket. The procedural order sets the hearing on the merits for August 17, 2015.
4. Pursuant to Tenn. Code Ann. § 4-5-322(c), an administrative agency may grant a stay of proceedings pending judicial review of a decision of the agency.

5. Upon issuance of the TRA's order denying the Petition to Intervene, the Consumer Advocate intends to seek judicial review of the TRA's decision in the Davidson County Chancery Court pursuant to Tenn. Code Ann. § 4-5-322(a)(1). The decision of the TRA to deny the Petition to Intervene is a "preliminary, procedural, or intermediate" agency action that is subject to immediate review by the chancery court because appeal of the final order would not provide an adequate remedy.
6. A stay is necessary in order to maintain the status quo and to preserve the opportunity for the Consumer Advocate to participate in this docket, which would otherwise be lost. The TRA's denial of the Petition to Intervene conflicts with Tenn. Code Ann. § 65-4-118(b)(1), which provides that the Consumer Advocate may participate or intervene in any matter or proceeding before the Authority. Appeal of the final order would not provide an adequate remedy because the matter would have been heard and decided without the Consumer Advocate's participation, causing consumer interests to go unrepresented in the resolution of the case.
7. Given that the proceedings are scheduled to conclude on August 17, 2015, the Consumer Advocate requests an immediate stay of proceedings pending judicial review of the TRA's decision.

For the foregoing reasons, the Consumer Advocate respectfully requests that the TRA grant this Request for a Stay of Proceedings.

Respectfully submitted,

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Attorney General and Reporter



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DATE: July 21, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via U.S.

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This the 21 day of July, 2015.


Rachel A. Newton