

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 18, 2013

IN RE:

PETITION OF BERRY'S CHAPEL UTILITY,
INC. TO RECOVER FLOOD-RELATED COSTS
RESULTING FROM IMPROPER FILING BY
THE CONSUMER ADVOCATE

DOCKET NO.
13-00109

ORDER APPOINTING A HEARING OFFICER

This matter came before Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Robin Bennett of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 9, 2013 for the purpose of determining whether to appoint a Hearing Officer. On July 31, 2013, Berry's Chapel Utility, Inc. filed a *Petition to Recover Flood-Related Costs Resulting from Improper Filing by the Consumer Advocate*. A *Petition to Intervene* was filed on August 26, 2013 by the Consumer Advocate and Protection Division of the Office of the Attorney General.

During the Authority Conference, the Directors voted unanimously to appoint the Authority's General Counsel or her designee to act as Hearing Officer to determine whether a contested case proceeding should be convened and to otherwise prepare this case for hearing, including establishing a procedural schedule, entering a protective order, and ruling on intervention requests and discovery issues.

IT IS SO ORDERED.

Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Robin Bennett concur.

ATTEST:



Earl R. Taylor, Executive Director