

KINGS CHAPEL CAPACITY

Providing Superior Wastewater Service to Tennessee

December 2, 2013

Via Electronic

Hon. James M. Allison, Chairman
c/o Sharla Dillon
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

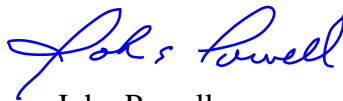
**Re: Petition of Kings Chapel Capacity for Exemption from Financial Security as
Required by the TRA's Wastewater Regulations -- Request to Continue Exemption
Docket 13-00141**

Dear Chairman Allison:

Kings Chapel Capacity files the attached **third initial response** to the TRA Party Staff's letter of November 15, 2013.

Please contact me if you have any questions.

Sincerely,



John Powell

Enclosure

Cc: William H. Novak

KINGS CHAPEL CAPACITY

Providing Superior Wastewater Service to Tennessee

December 2, 2013

Mr. Shiva Bozarth
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

**Re: Petition of Kings Chapel Capacity for Exemption from Financial Security as
Required by the TRA's Wastewater Regulations -- Request to Continue Exemption
Docket 13-00141**

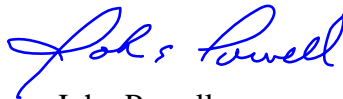
Dear Mr. Bozarth:

Kings Chapel Capacity (KCC) has received your latest correspondence (dated in error as November 15th and attached hereto) as a second follow-up to your data request of November 8, 2013. KCC is providing this **third initial response** as a partial answer to your data request.

KCC continues its objections to the outstanding requests as we have previously stated. KCC also objects to your request for information in this docket that are "part of an investigation that Party Staff is pursuing pursuant to Tenn. Code Ann. §65-4-117(a)(1)" as you indicated in your last correspondence.

After careful consideration, KCC is declining to provide any further data responses until these objections can be presented to a hearing officer for a resolution.

Sincerely,



John Powell

Attachment

TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

November 15, 2013

shiva.bozarth@tn.gov

Mr. John Powell
King's Chapel Capacity
1413 Plymouth Drive
Brentwood, TN 37027

Dear Mr. Powell:

Party Staff has reviewed King's Chapel Capacity's November 21, 2013, response to Party Staff's data request. In your letter you assert that you continue to believe that this matter should be turned into a contested case and a hearing officer should be appointed.

Allow me to clear up what appears to be a misconception on the part of King's Chapel Capacity (King's Chapel). It appears that you believe that the data requests arise solely out of docket 13-00141. While some requests arise from that docket others are part of an investigation that Party Staff is pursuing pursuant to Tenn. Code Ann. §65-4-117(a)(1).¹

Because these data requests are made pursuant to Tenn. Code Ann. §65-4-117(a)(1) your objections regarding the scope of data requests 3 & 5 - 8 are inappropriate. Regarding your other objections they are addressed individually below.

Data Request 2 originally contained a typographical error and should read as follows:

2. Please review the letter from Kristi Dunlap Earwood attached hereto as Exhibit 3 and explain why in your opinion the bonds discussed in Ms. Earwood's letter may be utilized to fulfill King's Chapel obligations to the TRA.

Data Request 10 requires that King's Chapel identify who its affiliates are. Affiliates are defined in the question. I am uncertain

¹ The Authority has the power to investigate upon its own initiative... any matter concerning any public utility as defined in §65-4-101.

how to make the question clearer. Perhaps if you could identify what is confusing about the question I can assist you in understanding the nature of the request.

Data Request 14 required sample bills for ten (10) customers and your response indicates that you believe this will require that you provide "specific customer identifiable information." At this time party staff will accept ten (10) sample customer bills that have had the customer name and addresses redacted from the bills.

Please provide a response to the previously unanswered data requests no later than December 2, 2013. If you have questions or need further assistance, please call me at 615-741-2904, ext. 132 or email me at shiva.bozarth@tn.gov. Please respond by sending the original and 13 copies either by U.S. Mail or express mail. Alternatively, you may send the original and four (4) copies along with an electronic file to:

Ms. Sharla Dillon, Docket Room Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-050
Email: Sharla.Dillon@tn.gov

Sincerely,



Shiva K. Bozarth
Legal Counsel
Compliance Division