

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 27, 2014

IN RE:

**APPLICATION OF B&W PIPELINE, LLC FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO OPERATE A NATURAL GAS
PIPELINE SYSTEM IN PICKETT, MORGAN AND
FENTRESS COUNTIES**

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**DOCKET NO.
13-00151**

PRE-HEARING ORDER

Pursuant to Tenn. Code Ann. § 4-5-306(d) and TRA Rule 1220-1-2-.12, this matter is before the Hearing Officer of the Tennessee Regulatory Authority (“TRA” or “Authority”) to establish the orderly conduct of the hearing scheduled in this matter. This Order is entered in lieu of a pre-hearing conference with the parties, B&W Pipeline, LLC (“B&W”) and the Consumer Advocate and Protection Division of the Office of the Attorney General (“Consumer Advocate”).

PROCEDURAL MATTERS

A. Notice of Hearing & Public Comment

The purpose of the hearing is to consider the *Application of B&W Pipeline, LLC for a Certificate of Convenience and Necessity* filed on December 9, 2013. The hearing will be convened during the Authority Conference scheduled to begin at **1:00 p.m. CDT on November 4, 2014**, in Hearing Room G.201 located on the Ground Floor of the Andrew Jackson State Office Building, 500 Deaderick Street, Nashville, Tennessee. A *Notice of Hearing* was issued on October 24, 2014, notifying the public of the hearing and encouraging public participation by filing written comments in the docket file and/or presenting verbal comments during the hearing.

B. Exhibits & Documents

The parties are directed to exchange any demonstrative exhibits related to a witness's pre-filed testimony before that witness appears on the stand. Each party should have its own copy of all exhibits, including those appended to pre-filed testimony, available for reference during the hearing, and is responsible for supplying a sufficient number of copies of any exhibits that it intends to reference or discuss with a witness. While a party should use its own judgment and discretion in determining the total number of copies to have on hand, at a minimum, copies of an exhibit should be provided to the court reporter, each Director, Legal Staff, and each Authority Division Chief. A copier may not be available for use during the hearing, and delaying or interrupting the proceedings to make copies is disfavored and, in the discretion of the panel, may not be permitted.

C. Technological and Other Special Requests

The parties should inform the Hearing Officer of any requests or requirements as to visual display aids and technology that might be needed during the hearing. So that the appropriate arrangements and accommodations may be made, all such requests and information should be provided via email to the Hearing Officer at kelly.grams@tn.gov on or before October 30, 2014.

D. Confidential Information

Concerning the disclosure of confidential information during the hearing, a party should notify the Chairman/Presiding Director before beginning a line of questioning that is likely to involve the disclosure of confidential information. Whenever possible, discussion of confidential information should be conducted so as to reduce the time and number of instances that the panel would have to clear the Hearing Room or take special measures to maintain the confidentiality of protected information.

E. Opening Statements

After public comment is heard and preliminary matters are considered, if any, each party is permitted a maximum of ten (10) minutes to present an opening statement. B&W is permitted to make the first opening statement, followed by the Consumer Advocate.

F. Examination of Witnesses and Questions by the Authority

During direct examination, B&W may present and question its witness in order to elicit pertinent testimony and/or the witness may summarize his pre-filed testimony. Re-direct examination of a witness is allowed, however, redirect examination is to be limited to matters elicited during cross-examination that require clarification. It is not appropriate to raise new issues during redirect examination. Re-cross examination will not be permitted unless a new issue is raised during the immediately preceding re-direct examination. In addition, each witness is subject to recall and should remain available throughout the length of the proceedings. Finally, the Authority's Advisory Staff may ask questions following the completion of cross-examination and before any redirect examination, and it is the panel's prerogative to question witnesses at any time.

G. Closing Arguments

Upon completion of the examination of all witnesses, each party is permitted ten (10) minutes to present a closing argument. The Consumer Advocate may make first make a closing argument, followed by B&W.

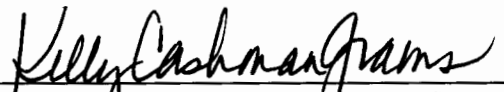
H. Summary Outline of Hearing

For the convenience of the presiding panel and the parties, a *Procedural Outline of Hearing* has been provided as an attachment to this Order.

IT IS THEREFORE ORDERED THAT:

1) The Hearing, which will be convened during the Authority Conference scheduled to begin at **1:00 p.m. CDT on November 4, 2014**, shall proceed in accordance with this Order and the attached *Procedural Outline of Hearing*, unless otherwise ordered by the Panel or the Presiding Director.

2) Requests for or requirements concerning visual aids or technology shall be provided via email to the Hearing Officer at kelly.grams@tn.gov on or before **October 30, 2014**.



Kelly Cashman-Grams, Hearing Officer

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NASHVILLE, TENNESSEE

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APPLICATION OF B&W PIPELINE, LLC FOR A)	13-00151
CERTIFICATE OF CONVENIENCE AND)	
NECESSITY TO OPERATE A NATURAL GAS)	
PIPELINE SYSTEM IN PICKETT, MORGAN AND)	
FENTRESS COUNTIES)	

PROCEDURAL OUTLINE OF HEARING

HEARING ON THE MERITS

- Scheduled to be convened during the Authority Conference on November 4, 2014

A. Hearing Convened by Chairman/Presiding Director & Introductions

B. Miscellaneous/Preliminary matters (if any)

C. Public comments

D. Opening Statements: 1) B&W, then 2) Consumer Advocate

E. Witness Testimony

1) **B&W witness:** **Rafael E. Ramon**

- Oath Administered/Witness Sworn -

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Cross-examination by Consumer Advocate

Questions by TRA Advisory Staff (if any)¹

Re-direct examination by B&W

F. Final public comments

G. Consideration of final matters/issues (if any)

H. Closing Arguments: 1) Consumer Advocate, then 2) B&W

I. Hearing Adjourned

¹ Directors may ask questions at any time throughout the proceedings.