



filed in the docket file. In its *Response Opposing Extension of Time*, the Consumer Advocate and Protection Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) states that extending the filing date for rebuttal testimony to June 24, 2014, eliminates, and thereby prejudices, the Consumer Advocate’s ability to file and/or respond to any pre-hearing motions provided in the 2<sup>nd</sup> Revised Procedural Schedule. In addition, until such time as it is able to review any rebuttal testimony that is filed by Berry’s Chapel, it is not able to determine whether there will be issues to be addressed before the hearing. Finally, the Consumer Advocate asserts that neither the possibility of a settlement, nor the travel schedule of counsel is sufficient to outweigh the resulting prejudice to the Consumer Advocate in the event that the extension is granted.

Upon due consideration, the Hearing Officer finds that the *Motion for Extension of Time* negatively impacts the deadlines set forth in the 2<sup>nd</sup> Revised Procedural Schedule as such extension would impinge both upon the ability of the Consumer Advocate to file and/or respond to pre-hearing motions and upon the Hearing Officer to ready this matter for a hearing on July 7, 2014. Nevertheless, with the agreement of Berry’s Chapel and upon the request of the parties, the deadline for resolving this matter was extended to August 16, 2014.<sup>1</sup> And further, because the Authority’s Conference, and so also the Hearing in this matter, has been rescheduled to July 22, 2014, there is room in the schedule to move the remaining deadlines. Therefore, in light of the foregoing, the Hearing Officer finds that Berry's Chapel's request to file rebuttal on June 24, 2014, should be granted, and revises the remaining deadlines in the procedural schedule as follows:

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<sup>1</sup> *Joint Motion to Revise Procedural Schedule* (April 1, 2014); and see *Order Establishing Revised Procedural Schedule* (April 2, 2014).

### **3RD REVISED PROCEDURAL SCHEDULE**

Docket No. 14-00004

June 18, 2014

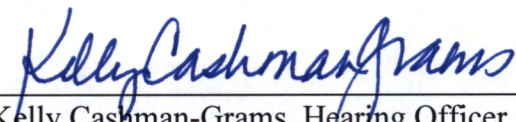
<b>Due Date</b>	<b>Filing Deadline</b>
June 24, 2014	Utility Pre-Filed Rebuttal Testimony*
July 1, 2014	Pre-Hearing Motions**
July 8, 2014	Responses to Pre-Hearing Motions**
<b>July 10, 2014 1:30 p.m. (CDT)</b>	Pre-Hearing Conference (Andrew Jackson Bldg., 4 <sup>th</sup> Floor Exec. Conference Rm.)
<b>July 22, 2014 9:00 a.m. (CDT)</b>	Panel Hearing on the Merits (Andrew Jackson Bldg., Ground Floor Hearing Rm. G.201)

Except where otherwise indicated:

\* General Filings & Testimony must be filed by 4:00 p.m. (Central) on the due date.

\*\* Motions & Responses to Motions must be filed by 2:00 p.m. (Central) on the due date.

**BE IT HEREBY ORDERED.**

  
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Kelly Cashman-Grams, Hearing Officer