

2/20/14

Tennessee Regulatory Authority
Ms. Jean Stone
General Counsel
500 Deaderick Street,
4th Floor
Nashville, TN 37242-0001

RECEIVED
FEB 20 PM 3:24
T.R.A. DOCKET ROOM

Dear Ms. Stone:

Please find the enclosed copy of a petition to call a special meeting to elect a new board to Berry's Chapel Utility. In that we have never had the opportunity to vote for a board in the past 4 years, I am requesting the TRA postpone any additional actions on Rate Case 14-00004 filed by Berry's Chapel Utility. AS members and ratepayers we have never given our approval to continually file actions with the TRA that impact us dramatically. The rate case should be postponed until the outcome of the election.

In his answer to question 12 of 27 questions I asked Mr. Buckner and emailed to me on February 5th "The law firm of Bradley, Arant, Boult and Cummings ("BABC") charged the Company \$56879.84 for the four month period ending December 3013". From September 1 – December 31 Legal fees so high they can only have a negative impact on the company. As members we believe these actions only benefit the people who continue to control the company and not its members.

In that it is the intent of the members to elect an independent board, if/when the new board votes on it, we would also request a settlement hearing to finish the agreement on docket 1300109 and determine who is responsible for that debt to the Ratepayers in that some of it was incurred under the for profit company. It doesn't make sense to argue with ourselves over what we owe each other!

Finally, We request the TRA rule on the validity of both the 2007 1.2 million dollar loan from Tennessee Commerce Bank as well as the Deeds of Trust from John and Tyler Ring Directors of Berry's Chapel a Non Profit TN Corporation to John and Tyler Ring personally. IN a recent meeting with the Cottonwood HOA Board Mr. Henry stated these loans were based on an inflated appraisal and not included in the current 14-00004 rate case. These loans as well as a \$277,000 UCC filed against Berry's Chapel by TennContractors (also owned by the Rings) must be addressed.

If you are not the appropriate person to review these items please pass them onto the person with the authority to protect us and forward the information to us as well.

Regards,



Charles E Kildgore

WHY NOW?

I am one of your neighbors, my name is Charles E Kildgore and I live at 116 Cottonwood Circle with my wife Cindy. Cindy has lived here 20 years. When I began looking into what Lynwood Utility/Berry's Chapel Utility had been doing I started writing letters, giving public statements to the Tennessee Regulatory Authority and stopped paying my bill! Nothing had any impact but I learned a LOT!

As a Non-Profit entity Berry's Chapel Utility is required to hold special meetings when called for by members. When this started they had 56 members (I am # 56). It is our goal to sign up 100 new members and sign a petition to elect a new board. Membership give you the right to vote!

This is a way for us to express our desires to the TRA by electing a new board. On March 13th either a new board will take over the utility or the current "owners" the Rings will attempt to stop it. In either case we win! This process will be in full public view of both the TRA and TN Attorney General.

Will you be part of the 10% of people who make things happen?

Contact me at 615-479-3802

Berry's Chapel Utility needs
a new board NOW!

We are trying to make sure every neighbor in Cottonwood is contacted and given the chance to help us call a special meeting to elect a new board at 6:00 March 13th, 2014

In January Berry's Chapel Utility filed **ANOTHER** rate case with the TRA to raise rates another \$9.00 per ratepayer per month. That's \$108 per year! *That's after paying \$11000 for John Ring's Life Insurance, \$54,000 to Tyler Ring's "utility management" company and \$57000 for Henry Walkers Attorney's Fees in 2013!*

Since becoming a Non-Profit Member benefit corporation On 7/16/2010 it is estimated over \$360,000.00 has been misspent by the Rings in their self -dealing and mismanagement of the utility. Had it TRULY been a NON-PROFIT COMPANY run by its members there most likely would be no need for a rate increase.

Only Ratepayers are allowed to become members of the NON-Profit and to vote. Help us by filling out the form, signing a petition and voting on March 13th 2014!

2/19/14

From: Charles E Kildgore
Rate Payer/Member
116 Cottonwood Circle
Franklin, TN 37069

TO: Berry's Chapel Utility, INC
106 Mission Court
Suite 203-A
Franklin, TN 37067

RE: Mr. Walkers request

Dear Sirs:

As per Mr. Henry Walker's request at the Cottonwood Board of Directors meeting on or about Thursday, January 16th 2014, please find membership forms for Ratepayers in Cottonwood.

I'm requesting a copy in alphabetical order of ALL members including their Name, Address, Telephone number and email address. As per the Tennessee Code Section 48 Non-Profit Corporation act I wish to receive them on or before Tuesday February 25th at 12:00 NOON. I will gladly come by your office and pick the copy of the completed alphabetical list.

I'm requesting a notarized copy of all Ratepayers of record as of this date. I will gladly come by your office and pick the copy of all rate payers of record on Tuesday February 25th.

Furthermore, I request to review all Board MINUTES and business files located at the main office of the Utility as is spelled out in our bylaws and Charter and as is appropriate under Section 48.

I look forward to reviewing the information you provide.

Regards

Charles E Kildgore

2/20/14

From: Charles E Kildgore
Rate Payer/Member
116 Cottonwood Circle
Franklin, TN 37069

TO: Secretary
Berry's Chapel Utility, INC
106 Mission Court
Suite 203-A
Franklin, TN 37067

RE: Mr. Walkers request

Dear Sirs:

As per Mr. Henry Walker's request at the Cottonwood Board of Directors meeting on or about Thursday, January 16th, 2014, please find signed petitions equaling an estimated 53% of all members to call a special meeting of the members for the purpose of electing a new board and passing resolutions and conducting the business of the corporation.

As per your bylaws please inform all members about the meeting. As you can see on the petition, all members gathered in the past week have waived their right to notice of the meeting to be held at the Cottonwood Clubhouse at 6:00 PM on March 13th 2014.

Based on Mr. Walkers answer to question 15 of the 27 Questions submitted in January and email to me on February 5th, **"The company has 55 members as of December 31st 2013 You, Mr. Kildgore are the only member who has signed up during collections: therefore 56 members."**, and the recent submission of membership forms this week basic math would indicate there are 108 members at this time. Please provide me an alphabetical list of all members on or before Tuesday February 25th at Noon.

In that I am a member I have also waved notice but if you believe it is more efficient to mail notice to all members that would be your prerogative.

I look forward to seeing you at the meeting

Regards

Charles E Kildgore