

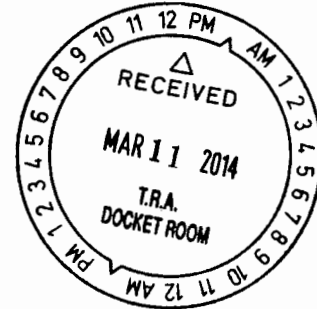
TENNESSEE REGULATORY AUTHORITY



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Shiva.Bozarth@TN.gov

March 5, 2014



Sharla Dillon
Tennessee Regulatory Authority
Andrew Jackson State Office Building
502 Deaderick Street, Suite 400
Nashville, Tennessee 37243

Re: *Berry's Chapel Utility Inc.*, Docket No. 14-00004

Ms. Dillon:

Party Staff to Tennessee Regulatory Authority Docket No. 12-00046 *Petition of Berry's Chapel Utility, Inc. to Transfer Authority Nunc Pro Tunc* requests that this letter be filed in the above styled matter. Party Staff is concerned that one of the Consumer Advocate's discovery requests in Docket No. 14-00004 and the resulting response may lead to confusion about Party Staff's role.

The Consumer Advocate's First Discovery Request #31 states "Refer to page 8 of Mr. Buckner's testimony regarding the Company's management contract with Utility Consultants of TN. Is it the Company's contention that the January 23rd letter from the TRA Party Staff in Docket 12-00046 actually "approved" the management contract with Utility Consultants of TN, Inc. and Mr. Tyler Ring?"

The word "approved" used in Mr. Buckner's testimony and again by the Consumer Advocate is not clearly defined and is likely to lead to confusion regarding Party Staff's role in reviewing the referenced contract. Party Staff was obligated by the July 17, 2012, Authority Order in 12-00046 to review the contract "solely to ensure that sufficient managerial, technical, and financial qualifications" would be retained by Berry's Chapel Utility Inc. for the term of the contract. Party Staff's review determined that the contract met the requirements of the Authority Order.

It should be noted that Party Staff contends that any failure on the company's part to have in place a contract which ensures adequate managerial, technical, and financial expertise would constitute a violation of the TRA's order and could result in the immediate filing of an enforcement action.

Party Staff neither took a position regarding the reasonableness of compensation nor to the extent that the contracted amounts should be included in rates. Party Staff takes no position on those issues in Docket No. 14-00004.

Sincerely,

A handwritten signature in black ink, appearing to be 'Shiva K. Bozarth', with a long, sweeping horizontal line extending to the right.

Shiva K. Bozarth

Cc: Henry Walker, Esq.
Vance Broemel