

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**November 21, 2014**

**IN RE:**

**SHOW CAUSE PROCEEDING AGAINST KING'S  
CHAPEL CAPACITY, LLC, FOR ALLEGED  
VIOLATIONS OF WASTEWATER UTILITY LAWS  
& TRA RULES**

**DOCKET NO.  
14-00007**

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**ORDER GRANTING JOINT MOTION TO CONTINUE HEARING, AND  
ESTABLISHING DEADLINES FOR A PROPOSED PROCEDURAL SCHEDULE AND  
FILINGS RELATED TO THE CONSUMER ADVOCATE'S PETITION TO INTERVENE**

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This matter is before the Hearing Officer of the Tennessee Regulatory Authority ("TRA" or "Authority") upon a *Joint Motion to Continue Hearing* ("*Joint Motion*") filed by King's Chapel Capacity, LLC ("KCC") and the TRA Compliance Division ("Compliance" or "Party Staff") (collectively, the "Parties") on November 21, 2014. Also, on November 21, 2014, the Hearing Officer held a telephone conference with the Parties, in which the Consumer Advocate and Protection Division of the Office of the Attorney General also participated,<sup>1</sup> concerning the status of the docket and the Parties' *Joint Motion*.

Concerning their *Joint Motion*, the Parties state that KCC requires additional time in which to conduct discovery and prepare its defense to the allegations raised against it in the Show Cause Order issued on October 13, 2014. As such, the Parties request that the Hearing Officer establish a procedural schedule in this matter and continue the hearing until the

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<sup>1</sup> During the telephone conference, KCC was represented by Ms. Michele McGill, Esq., of the Law Office of Richard Militana, and Party Staff was represented by Mr. Shiva Bozarth, Esq. Further, in light of its petition to intervene pending in the docket file, the Consumer Advocate, represented by Mr. Vance Broemel, Esq., was permitted to participate in the telephone conference.

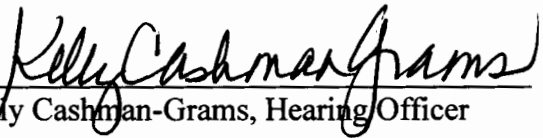
Authority's February Conference. Also, during the telephone conference, the Consumer Advocate's petition to intervene was discussed and deadlines for filing responses were set and agreed upon by the parties. The Consumer Advocate was informed that the deadlines for responses to its petition to intervene and its reply thereto extended beyond the deadline by which the Parties are required to submit a proposed procedural schedule to completion of the proceedings. The Consumer Advocate acknowledged and stated that it had no objection to the fact that the procedural schedule may be established and implemented prior to a ruling on its petition to intervene.

Therefore, upon review and finding good cause shown, the Hearing Officer agrees that the hearing should be continued until such time as KCC has had an adequate opportunity to conduct discovery and prepare its defense in this matter. Further, the Hearing Officer directs the Parties to submit a proposed procedural schedule to completion for review and consideration. Finally, the Hearing Officer establishes certain deadlines for the filing of responses to the petition to intervene and a reply by the Consumer Advocate, if needed.

**IT IS THEREFORE ORDERED THAT:**

- 1) The *Joint Motion to Continue Hearing* filed by King's Chapel Capacity, LLC and the TRA Compliance Division on November 21, 2014, is granted.
- 2) The Parties shall submit a proposed procedural schedule to the Hearing Officer on or before December 3, 2014.
- 3) Kings Chapel Capacity, LLC, and the TRA Compliance Division Party Staff shall file responses to the petition to intervene filed by the Consumer Advocate and Protection Division of the Office of the Attorney General no later than December 8, 2014.

4) The Consumer Advocate and Protection Division of the Office of the Attorney General may file a reply to the responses of Kings Chapel Capacity, LLC, and the TRA Compliance Division Party Staff concerning its petition to intervene no later than December 11, 2014.

  
Kelly Cashman-Grams, Hearing Officer