

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**IN RE:**

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

**DOCKET NO. 14-00007**

---

**DISCOVERY REQUESTS OF KING'S CHAPEL, LLC  
TO TRA PARTY STAFF**

---

This Discovery Request is hereby served upon TRA Party Staff (hereafter "Party Staff") pursuant to the Authority's Order Granting TRA Party Staff Petition to Appear and Show Cause Why the TRA Should Not Take Action Against It for Violation of State Law and TRA Rules entered on October 13, 2014. King's Chapel requests that full and complete responses be provided and supplemented, as necessary in accordance with the Tennessee Rules of Civil Procedure and TRA Rule 1220-1-2-.11.

**PRELIMINARY MATTERS AND DEINITIONS**

These discovery requests are to be considered continuing in nature, and are to be supplemented from time to time as information is received by the Party Staff, which would make a prior response inaccurate, incomplete, or incorrect.

If any objections to this discovery are raised on the basis of privilege or immunity, please include in your response a complete explanation concerning the privilege or immunity asserted. If you contend that you are entitled to refuse to fully answer any of this discovery, please state the exact legal basis for each such refusal.

The term "communication" means any transmission of information by oral, graphic, pictorial or otherwise perceptible means, including but not limited to personal conversations,

telephone conversations, letters, memoranda, telegrams, electronic mail, newsletters, recorded or handwritten messages, or otherwise.

The term "document" as used herein shall have the broadest possible meaning under applicable law. "Document" as used herein means any medium upon which intelligence or information can be recorded or retrieved, such as any written, printed, typed, drawn, filmed, taped, or recorded medium in any manner, however produced or reproduced, including but not limited to any writing, drawing, graph, chart, form, letter, note, report, electronic mail, memorandum (including memoranda, electronic mail, report, or note of a meeting or communication), workpaper, spreadsheet, photograph, videotape, audio tape, computer disk or record, or any other data compilation in any form without limitation, which is in your possession, custody or control. If any such document was, but no longer is, in your possession, custody or control, please state what disposition was made of the document and when it was made.

### **DISCOVERY REQUESTS**

1. Admit or deny that King's Chapel file for an exemption and was approved for alternative financial security in Docket Nos. 06-00061, 07-00151, and 08-00069 which was approved just before the 2009 filing due date.

2. Admit or deny that in 2010, King's Chapel filed for another exemption at the request of Party Staff, in Docket No. 10-00207.

3. Admit or deny that no order, oral or written, was provided in Docket 10-00207.

4. Admit or deny that immediately after the Authority's General Counsel's inquiry, King's Chapel again filed a Petition for Exemption from Financial Security in Docket No. 13-00141.

5. Admit or deny that King's Chapel Petition in Docket No. 13-00141 was orally denied by the Directors at the Conference on the January 13, 2013, but no written order was ever executed.

6. Admit or deny that the surcharge for the Williamson County's bonds was approved in a tariff that is still binding today.

7. Admit or deny that King's Chapel is required to charge the rate in the filed tariff-regardless if costs change.

8. Admit or deny that although the Authority has recently rejected the Williamson County bonds as an alternative to the financial security, they are still necessary costs to the facility and utilities are entitled to recover necessary cost to the facility.

9. Admit or deny that requiring King's Chapel to obtain bond for both the TRA and Williamson County will require additional financial costs that will negatively impact the consumers through increase of rates.

10. Please describe and list specifics as to how King's Chapel has violated Tenn. Code. §§ 65-3-106(b), 65-4-115, and 65-4-117(a)(1) as described in the Show Cause Order.

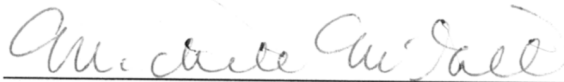
11. Please describe and list specifics as to how King's Chapel has violated TRA's Wastewater Rules, Tenn. Comp. R. & Regs. 1220-04-13-.07(2), (5) and (7)(b) as described in the Show Cause Order.

12. Tenn. Code Ann. § 65-2-106 demands the TRA afford a utility an opportunity to correct conditions alleged unless imminent threat to public health or safety, or the utility is unable to provide safe, adequate, and reliable service. Please describe how King's Chapel poses a threat to public safety or is unable to provide adequate or reliable service. In the alternative,

please list the occasions the TRA have given King's Chapel opportunity to correct the perceived violations as alleged in the Show Cause Order.

13. Admit or deny that King's Chapel never had a consumer complaint, refused service to a consumer, or ever had an environmental violation.

Respectfully submitted,



---

Michele L. McGill (BPR #033433)  
Counsel for King's Chapel  
109 Holiday Court, Suite B-5  
Franklin, TN 37067  
(615) 948-9005  
michele@militalaw.com

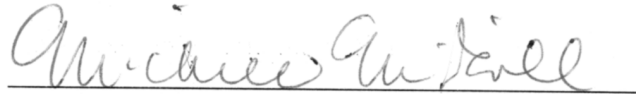
*Counsel for Kings Chapel Capacity*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of November, 2014, a copy of the foregoing document was served on the parties of record, via electronic mail and U.S. Mail, postage prepaid, addressed as follows:

Shiva Bozarth  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243  
Shiva.K.Bozarth@tn.gov

Vance Broemel  
Office of the Attorney General  
425 5<sup>th</sup> Avenue North  
P.O. Box 20207  
Nashville, TN 37202-0207  
vance.broemel@ag.tn.gov

  
MICHELE MCGILL