

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 27, 2014

IN RE:

**PETITION OF PLAINS AND EASTERN CLEAN LINE
LLC FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY APPROVING A PLAN TO CONSTRUCT
A TRANSMISSION LINE AND TO OPERATE AS AN
ELECTRIC TRANSMISSION PUBLIC UTILITY**

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**Docket No.
14-00036**

PRE-HEARING ORDER

Pursuant to Tenn. Code Ann. § 4-5-306(d) and TRA Rule 1220-1-2-.12, this matter is before the Hearing Officer of the Tennessee Regulatory Authority (“TRA” or “Authority”) to establish the orderly conduct of the hearing scheduled in this matter. This Order is entered in lieu of a pre-hearing conference with the Petitioner, Plains and Eastern Clean Line, LLC (“Clean Line”).

PROCEDURAL MATTERS

A. Notice of Hearing & Public Comment

The purpose of the hearing is to consider the *Petition for Certificate of Public Convenience and Necessity* filed by Clean Line on April 4, 2014. The hearing will begin at **9:00 a.m. CST on November 4, 2014**, in Hearing Room G.201 located on the Ground Floor of the Andrew Jackson State Office Building, 500 Deaderick Street, Nashville, Tennessee. A *Notice of Hearing* was issued on October 24, 2014, notifying the public of the hearing and encouraging public participation by filing written comments in the docket file and/or presenting verbal comments during the hearing.

B. Exhibits & Documents

Clean Line should have its own copy of all exhibits and documents, including those appended to pre-filed testimony, available for reference during the hearing. Further, Clean Line is responsible for supplying a sufficient number of copies of any exhibits and documents that it intends to reference or discuss with a witness. While Clean Line should use its own judgment and discretion in determining the total number of copies to have on hand, at a minimum, copies should be provided to the court reporter, each Director, Legal Staff, and each Authority Division Chief. A copier may not be available for use during the hearing, and delaying or interrupting the proceedings to make copies is disfavored and, in the discretion of the panel, may not be permitted.

C. Technological and Other Special Requests

Clean Line should inform the Hearing Officer of any requests or requirements as to visual display aids and technology that might be needed during the hearing. So that the appropriate arrangements and accommodations may be made, all such requests and information should be provided via email to the Hearing Officer at kelly.grams@tn.gov on or before October 30, 2014.

D. Confidential Information

Concerning the disclosure of confidential information during the hearing, Clean Line should notify the Chairman/Presiding Director before beginning a line of questioning that is likely to involve the disclosure of confidential information. Whenever possible, discussion of confidential information should be conducted so as to reduce the time and number of instances that the panel would have to clear the Hearing Room or take special measures to maintain the confidentiality of protected information.

E. Opening Statement & Closing Arguments

There have been no requests for party intervention filed in the docket file. Therefore,

after public comment is heard and preliminary matters are considered, if any, Clean Line may make an opening statement. Upon completion of the examination of all witnesses, Clean Line may make a closing argument. The filing of a post-hearing brief may be permitted in the discretion of the presiding panel.

F. Examination of Witnesses and Questions by the Authority

During direct examination, Counsel may present and question each witness in order to elicit pertinent testimony and/or the witness may summarize his pre-filed testimony. The Authority's Advisory Staff may ask questions following the completion of direct examination and before any redirect examination. It is the panel's prerogative to question witnesses at any time. Redirect examination of a witness should be limited to matters elicited during questioning by the Authority Staff and Directors that require clarification. Redirect examination should not raise any new issues. In addition, each witness is subject to recall and should remain available throughout the length of the proceedings.

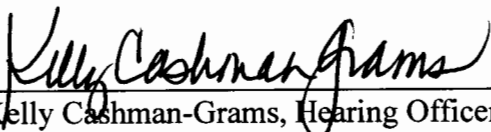
G. Summary Outline of Hearing

For the convenience of the presiding panel and the parties, a *Procedural Outline of Hearing* has been provided as an attachment to this Order.

IT IS THEREFORE ORDERED THAT:

1) The Hearing, scheduled to begin at **9:00 a.m. CST on November 4, 2014**, shall proceed in accordance with this Order and the attached *Procedural Outline of Hearing*, unless otherwise ordered by the Panel or the Presiding Director.

2) Requests for or requirements concerning visual aids or technology shall be provided **via email to the Hearing Officer at kelly.grams@tn.gov on or before October 30, 2014.**


Kelly Cashman-Grams, Hearing Officer

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PROCEDURAL OUTLINE OF HEARING

HEARING ON THE MERITS

- Scheduled to begin at 9:00 a.m. CST on November 4, 2014

A. Hearing Convened by Chairman/Presiding Director & Introductions

B. Miscellaneous/Preliminary matters (if any)

C. Public comments

D. Opening Statement by Clean Line

E. Witness Testimony

1) Clean Line Witness: Michael Skelly, President & CEO, Clean Line

- Oath Administered/Witness Sworn -

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Questions by TRA Advisory Staff (if any)¹

Re-direct examination by Clean Line

2) Clean Line Witness: Mario Hurtado, Exec. VP, Clean Line

- Oath Administered/Witness Sworn -

¹ Directors may ask questions at any time throughout the proceedings.

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Questions by TRA Advisory Staff

Re-direct examination by Clean Line

3) Clean Line Witness: Wayne Galli, Exec. VP, Clean Line

- Oath Administered/Witness Sworn -

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Questions by TRA Advisory Staff

Re-direct examination by Clean Line

4) Clean Line Witness: Jason Thomas, Director of Environmental, Clean Line

- Oath Administered/Witness Sworn -

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Questions by TRA Advisory Staff

Re-direct examination by Clean Line

5) Clean Line Witness: David (Dave) Berry, Exec. VP, Clean Line

- Oath Administered/Witness Sworn -

Direct Examination and/or Witness Summary of Direct Pre-Filed Testimony

Questions by TRA Advisory Staff

Re-direct examination by Clean Line

F. Final public comments

G. Consideration of final matters/issues (if any)

H. Closing Argument by Clean Line

I. Hearing Adjourned