

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 24, 2014

IN RE:

PETITION OF BERRY'S CHAPEL UTILITY, INC.
FOR A DECLARATORY ORDER

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DOCKET NO.
14-00075

ORDER ACCEPTING PETITION, GRANTING PETITIONS TO INTERVENE,
CONVENING A CONTESTED CASE AND APPOINTING A HEARING OFFICER

This matter came before Vice Chairman David F. Jones, Director Robin Bennett and Director James M. Allison of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 15, 2014 to determine whether to (1) convene a contested case proceeding, (2) appoint a Hearing Officer, and (3) grant Petitions to Intervene. On August 5, 2014, Berry's Chapel Utility, Inc. d/b/a Harpeth Wastewater Cooperative ("Berry's Chapel") filed a *Petition for Declaratory Order* ("*Petition*") requesting a declaratory order concerning the applicability of Tenn. Code Ann. § 65-4-109 to certain promissory notes issued by Berry's Chapel to Tyler L. Ring and John D. Ring (the "Rings"), the previous owners of Berry's Chapel. The Rings filed a *Petition to Intervene and Commence Contested Case* on August 8, 2014. On August 26, 2014, a *Petition to Intervene* was filed by the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate").

During the Authority Conference, the Directors voted unanimously to (1) accept the *Petition* for consideration, (2) grant the Petitions to Intervene filed by the Rings and the Consumer Advocate, (3) convene a contested case proceeding, and (4) appoint the Authority's General Counsel or her designee to act as Hearing Officer. The Hearing Officer was authorized to resolve any preliminary matters, including the preparation of notice required by Tenn. Code Ann. § 4-5-224, and to prepare this matter for hearing before the panel.

IT IS SO ORDERED.

Vice Chairman David F. Jones, Director Robin Bennett and Director James M. Allison concur.

ATTEST:



Earl R. Taylor, Executive Director