

BEFORE THE TENNESSEE REGULATORY AUTHORITY

IN RE:)	
)	
ALLEGED VIOLATIONS OF)	DOCKET NO. 15-00118
THE STATUTES AND RULES)	
REGULATING WATER UTILITIES)	
BY MOYTOY, LLC)	

**MOY TOY, LLC's FIRST REQUEST FOR DISCOVERY AND
REQUEST FOR ADMISSIONS**

**TO: Tennessee Regulatory Authority
c/o Shiva K. Bozarth, Esq.
502 Deaderick Street, 4th Floor
Nashville, TN 37243**

Comes Moy Toy, LLC, a Tennessee Limited Liability Company, by and through counsel, and makes its first Request for Discovery upon the Tennessee Regulatory Authority (hereafter "TRA") as follows.

INTERROGATORIES

1. Explain in detail the specific basis for the TRA's change in position, in going from the "REQUEST FOR DISMISSAL" to the "WITHDRAWAL OF REQUEST FOR DISMISSAL", copies of both pleadings being attached hereto, and state with specificity each and every fact, factor, reason or basis for the change in position, to include the reason(s) therefore, and further state in detail what "additional information obtained" by the TRA caused or affected the change in position.

2. As alleged and referenced in the TRA's "WITHDRAWAL OF REQUEST FOR DISMISSAL," identify all "documentation requested by the General Counsel of the TRA and other information" which Moy Toy, LLC, is alleged to have "failed to provide."

3. List with specificity and identify each and every "unusual and unacceptable restrictions" placed by Moy Toy on use of the Renegade Mountain water tower which were not part of the negotiated settlement that the TRA made with Moy Toy, LLC, or with Laurel Hills CPOA.

4. Relative to the "unusual and unacceptable restrictions," referenced in the letter of record in this case, a copy of said letter being attached, from the General Manager for Crab Orchard Utility District directed to the TRA, list with specificity and identify each and every action or actions desired to be taken, changes in operation, and/or enhancements which are contemplated to be instituted and/or which conflict with the current restrictive covenants governing use of the Renegade Mountain water system and/or the Renegade Mountain water tower.

5. Identify with particularity all state statutes and TRA rules which Moy Toy is alleged to have violated, and list with specificity each and every fact or factual basis known to or claimed by the TRA to form the basis for the alleged violations and/or which purport to cause the violation.

6. Identify each and every person who has knowledge of and/or who has alleged that Moy Toy, LLC, violated any statutory and/or regulatory standard knowingly or intentionally, and specify the violation alleged.

7. List with specificity each and every fact or factual basis for TRA's allegation that Moy Toy, LLC charged any customer for water service, and identify each and every alleged

customer by name and address and specify the charge or charges alleged to have been made or assessed and the date(s) of said changes.

8. State with specificity the time period over which Moy Toy, LLC, is alleged to have operated the water system on Renegade Mountain, to include the specific date on which operation commenced, and each and every date thereafter Moy Toy, LLC is alleged to have operated the water system.

9. State the rate or rates alleged to have been charged by Moy Toy, LLC, to any alleged customers.

10. Please identify each and every expert witness that you plan to call as a witness in this litigation. For each such expert witness, please state the following:

- (a) the subject matter on which the expert witness is expected to testify;
- (b) the conclusions or findings made by the expert pertaining to the subject matter of his or her testimony; and
- (c) any and all facts supporting any and all conclusions as cited by the expert in this matter.

11. Please identify each and every person who has claimed, claims, and/or you believe to have knowledge or information regarding any facts, circumstances or issues involved in this lawsuit, and with respect to such person or persons, state:

- (a) their name, address, and phone number;
- (b) their address at the time of the alleged incident in question;
- (c) whether they were an eyewitness to events at the Lot site;
- (d) whether they have rendered an oral or written statement, and, if so, please designate which; and
- (e) a brief summary of the incident in question.

REQUEST FOR DOCUMENTS

1. Produce all reports, including inspection reports, evaluations, and testing data associated with the water system at issue from inception through August 2016. This request includes the reports on the system while it was being managed and/or operated by any entity.

2. With regard to the operation and/or ownership of the Renegade Mountain water system and/or water tower, produce all complaints and/or allegations made against Moy Toy, LLC, by TRA employees and/or representatives, the TRA itself, and/or any third parties.

3. Produce all TRA records, administrative or otherwise, which identify all operators and/or all entities, firms, or persons alleged to have operated the Renegade Mountain water system in Cumberland County, Tennessee, for the past ten (10) years.

4. Produce any and all evidence and/or indication of any suggestions that Moy Toy, LLC, ever charged any person for water service via the water system on Renegade Mountain (i.e., the same water systems operated by Laurel Hills and the same water system which Laurel Hills conveyed or assigned to Receivership Management, Inc.).

5. Produce any and all evidence and/or documentation which suggests that Moy Toy, LLC, operated the water system on Renegade Mountain, in Cumberland County, Tennessee (which would be contrary to the TRA's statement in the "REQUEST FOR DISMISSAL" filed by the TRA in this proceeding).

6. Produce any and all evidence and/or documentation which suggests that Moy Toy, LLC, did not assist Laurel Hills CPOA in complying with its obligations under the Settlement Agreement in TRA Docket No. 12-00077 (which would be contrary to the TRA's statement in the "REQUEST FOR DISMISSAL" filed by the TRA in this proceeding).

REQUEST FOR ADMISSIONS

Comes Moy Toy, LLC, a Tennessee Limited Liability Company, by and through counsel, and makes and serves this Request for Admissions on the Tennessee Regulatory Authority (hereafter “TRA”), and pursuant to applicable Tennessee Rules of Civil Procedure, request the TRA to either admit or deny the following:

1. That the TRA claims or asserts that the Laurel Hills Condominium Property Owners Association (hereafter “Laurel Hills CPOA”), acquired the water system on Renegade Mountain from Moy Toy, LLC.
2. That the TRA claims or asserts that Moy Toy, LLC operated the water system on Renegade Mountain prior to the time period Laurel Hills CPOA operated the system.
3. That the TRA claims or asserts that Moy Toy, LLC is a predecessor of Laurel Hills in the ownership and operation of the Renegade Mountain Water System.
4. That Laurel Hills CPOA did not own the Renegade Mountain water tower or water tower parcel on September 25, 2015 or thereafter.
5. That Moy Toy, LLC was the record title holder of the Renegade Mountain water tower parcel on September 25, 2015.

/s/ Scott D. Hall

Scott D. Hall, Esq. BPR#014874
105 Bruce Street
Sevierville, TN 37862
Attorney for Moy Toy, LLC

Certificate of Service

The undersigned hereby certifies that a true and exact copy of the foregoing **Moy Toy, LLC's First Request for Discovery** has been served upon the following counsel or party in interest herein by delivering same to the address of said counsel or party via electronic mail, or by mailing same to the offices of said counsel or address of the party by United States Mail with sufficient postage thereon to carry it to its destination.

Herbert H. Slatery, III
Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202-0207

Vance L. Broemel, Senior Counsel
Office of Attorney General
P.O. Box 20207
Nashville, TN 37202-0207

Erin Merrick, Asst. Attorney General
Office of Attorney General
P.O. Box 20207
Nashville, TN 37202-0207

Shiva Bozarth, Esq.
Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, TN 37243

This 2nd day of September, 2016.

/s/ Scott D. Hall

BEFORE THE TENNESSEE REGULATORY AUTHORITY

RECEIVED

2016 FEB 29 PM 8:58

IN RE:

ALLEGED VIOLATIONS OF
THE STATUTES AND RULES
REGULATING WATER UTILITIES
BY MOYTOY, LLC

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T.R.A. DOCKET ROOM

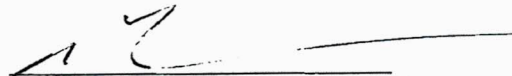
DOCKET NO. 15-00118

REQUEST FOR DISMISSAL

Comes now the Tennessee Regulatory Authority ("TRA" or "Authority") Compliance Division ("Compliance") by and through counsel and requests that the panel assigned to hear this case dismiss it for good cause. MoyToy, LLC has filed documentation indicating that they did not operate the water system on Renegade Mountain, in Cumberland County, Tennessee. Additionally, MoyToy, LLC assisted Laurel Hills Condominium Property Owner's Association in complying with its obligations under the Settlement Agreement in TRA Docket No. 12-00077. At this time Compliance is investigating who the responsible party was and states that at this time it is reasonable to dismiss the Show Cause against MoyToy, LLC.

WHEREFORE, Party Staff respectfully requests that the Authority dismiss this Show Cause Proceeding.

Respectfully submitted,



Shiva K. Bozarth, BPR No.22685
Chief of Compliance
Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243


CERTIFICATE OF SERVICE

I certify that I have served a copy of the forgoing document on the following persons by depositing a copy of same in the U.S. Mail, postage prepaid, addressed to them at the addresses shown below:

Scott D. Hall
105 Bruce Street
Sevierville, Tennessee 37862

Vance Broemel
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, Tennessee 37202

This the 2nd day of February 2016.



Shiva K. Bozarth

BEFORE THE TENNESSEE REGULATORY AUTHORITY

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IN RE:

ALLEGED VIOLATIONS OF
THE STATUTES AND RULES
REGULATING WATER UTILITIES
BY MOYTOY, LLC

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T.R.A. DOCKET ROOM

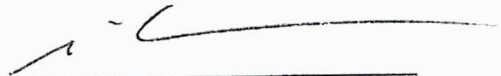
DOCKET NO. 15-00118

WITHDRAWAL OF REQUEST FOR DISMISSAL

Comes now the Tennessee Regulatory Authority ("TRA" or "Authority") Compliance Division acting as Party Staff ("Party Staff") and withdraws the Request for Dismissal filed in this docket on February 29, 2016. MoyToy, LLC has failed to provide documentation requested by the General Counsel of the TRA and other information has come to light which raises questions about MoyToy, LLC's conduct.

WHEREFORE, Party Staff respectfully withdraws its request for dismissal.

Respectfully submitted,



Shiva K. Bozarth, BPR No.22685
Chief of Compliance
Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

CERTIFICATE OF SERVICE

I certify that I have served a copy of the forgoing document on the following persons by depositing a copy of same in the U.S. Mail, postage prepaid, addressed to them at the addresses shown below:

Scott D. Hall
105 Bruce Street
Sevierville, Tennessee 37862

Vance Broemel
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, Tennessee 37202

This the 11th day of April 2016.



Shiva K. Bozarth