

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**PETITION OF  
OLD HICKORY WATER, LLC  
TO POST ALTERNATIVE FINANCIAL  
SECURITY**

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**DOCKET NO. 16-00077**

**AMENDED MOTION TO APPEAR AND PARTICIPATE TELEPHONICALLY AT  
HEARING**

The hearing in the above-captioned matter is set by the Authority for December 12, 2016 at 1:00 P.M. (CST) at the Hearing/Conference Room, Ground Floor, Andrew Jackson State Office Building, 502 Deaderick Street, Nashville, Tennessee.

Pursuant to Tenn. Code Ann. § 4-5-312(c), Applicant submits this Amended Motion to Appear and Participate Telephonically at Hearing and provides the following in support of this Motion:

Tenn. Code Ann. § 4-5-312(c) addresses electronic participation at a hearing as follows:

(c) In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and if technically feasible, to see the entire proceedings while taking place.

In accord with the above referenced statute, Applicant hereby respectfully requests

to participate in its hearing telephonically because personal attendance of company representatives and witness, who reside in Middlesboro, Kentucky, and Maynardville, TN would be burdensome.

If this Motion is granted, Applicant agrees that its telephonic appearance and participation in the hearing will be subject to the following conditions:

1. Applicant is solely responsible for, and shall be required to, secure a properly licensed Notary Public in good standing in the State of the jurisdiction where the testimony is to be given, and who will physically appear with any company representative or witness who will be called at the Hearing to give live testimony or to ratify pre-filed testimony.

2. The Notary Public obtained by Applicant shall be duly authorized to administer the Oath, and shall do so during the Hearing and remain physically present with the witness at all times during the witness' testimony until such witness is excused from examination by the Hearing Officer.

3. Following the conclusion of the Hearing, the Notary Public shall prepare and sign an Affidavit, affirming the proven identity of the witness, the fact that such person was sworn by the Notary Public, and that testimony given by the sworn witness was in accordance with the highest ethical and legal standards as observed by the Notary Public. The Affidavit shall bear the official seal of the signing Notary Public, and the testifying witness shall also be required to sign a Witness Certification.

4. The Affidavit above must be post-marked within five (5) days of the Hearing and received by the Hearing Officer via postage-paid U.S. Mail or overnight delivery. Should a proper Affidavit containing the affirmations noted above fail to be produced to the Hearing

Officer as set forth herein, the testimony of the witness shall be struck from the record, which may constitute grounds sufficient for denial of the Application.

Wherefore, based on the foregoing, Old Hickory Water, LLC respectfully requests that the Authority grant its Amended Motion for Applicant to Appear and Participate Telephonically at Hearing as described herein.

Respectfully submitted this 6th day of December, 2016,

A handwritten signature in black ink, appearing to read 'H. LaDon Baltimore', written over a horizontal line.

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