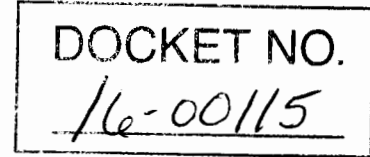


# TENNESSEE REGULATORY AUTHORITY

502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, Tennessee 37243

## MEMORANDUM

To: King's Chapel Capacity, LLC  
Company ID#128917



From: James R. Layman, Counsel for TRA Party Staff *JRL*

Date: September 30, 2016

Re: Show Cause proceeding against Kings Chapel, LLC for violation of Tenn. Code Ann. §§ 65-4-301 *et seq* for failing to file an annual report and nonpayment of inspection fees.

### Background:

Tennessee Regulatory Authority ("TRA" or "Authority") Staff Appointed as Party ("TRA Party Staff") asserts that King's Chapel Capacity, LLC ("King's Chapel") has violated the laws regulating water utilities in that it has failed to file the UD-20 Form and pay the appropriate inspection fee.

According to TRA records, the **2015 Statement of Gross Earnings and Computation of Inspection Fee ("UD-20") together with the applicable fee ("2015 Statement")** due **April 1, 2016**, have **not** been received from King's Chapel.

The Staff sent notice via certified mail on May 5, 2016, advising King's Chapel of its obligation to file the UD-20 form and pay the appropriate inspection fee. On June 15, 2016, the Staff sent another notification via certified mail that unless the 2015 Statement with the payment of the inspection fee and the appropriate penalty were received by July 20, 2016, the Staff would request a show cause hearing for the purpose of imposing civil penalties against King's Chapel. Both notices were returned undelivered.

On September 28, 2016, Staff contacted Mr. John Powell via cellphone to advise him that unless the payment of the inspection fee and the appropriate penalty were paid on or before September 30, 2016, Staff would request that a docket be opened to consider initiating a show cause hearing. Mr. Powell assured Staff that the Authority would receive the payment on or before September 30, 2016.

At that time, Mr. Powell was also informed that the notices, sent via certified mail, were returned to the Authority stamped "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD." Mr. Powell informed Staff that he no longer resides or conducts business at the addresses the Authority has on file and provided a P.O. Box to which future correspondence should be mailed

**Recommendation:**

The Staff respectfully requests that the Authority appoint a hearing officer to determine whether to initiate a Show Cause proceeding against King's Chapel for failure to comply with Tenn. Code Ann. §§ 65-4-301 *et seq* concerning filing an annual report and paying the appropriate inspections fees, as well as other possible statutory and regulatory requirements of the law. Staff further requests that the hearing officer prepare this matter for hearing.