



WOOLF, McCLANE, BRIGHT, ALLEN & CARPENTER, PLLC

A T T O R N E Y S

900 Riverview Tower | 900 S. Gay Street | Knoxville, TN 37902-1810

Mailing Address: Post Office Box 900 | Knoxville, TN 37901-0900

Phone: (865) 215-1000 | Fax: (865) 215-1001

www.wmbac.com

DALE C. ALLEN
J. NICHOLAS ARNING, JR.
HUGH B. BRIGHT, JR.
LUIS C. BUSTAMANTE
W. KYLE CARPENTER
APRIL A. CARR
WILLIAM F. CLAYTON
J. KEITH COATES, JR.
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O. E. SCHOW, IV
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C. GAVIN SHEPHERD
M. AARON SPENCER
ROBERT L. VANCE
LOUIS C. WOOLF (RETIRED)

Filed Electronically in TPUC Docket Room on 12/19/2017

December 19, 2017

Via Electronic Mail and Federal Express
(tpuc.docketroom@tn.gov)

Tory Lawless, Acting Docket Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

Re: *In Re: Petition of the Laurel Hills Water System Receivership for Provisional Certificate of Public Convenience and Necessity*
Tennessee Public Utility Commission, Docket No. 17-00098

Dear Ms. Lawless:

Attached is an Intervenor's Motion to Abate the Proceedings to be filed in the above-styled matter. The original and four copies will follow by Federal Express. Copies of the Motion have been served by first class mail on the parties listed in the Certificate of Service.

Thank you for your assistance in this matter.

Sincerely,


Daniel J. Moore

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DJM:ar
Enclosure

cc: Mr. Michael McClung
Robert Schwerer, Esq.
Aaron Conklin, Esq.
G. Everett Sinor, Jr., Esq.
Robert E. Moore, COO
James L. Gass, Esq.
Scott D. Hall, Esq.
Roger York, Esq.
Vance L. Broemel, Esq.
Daniel P. Whitaker, III, Esq.

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:

**PETITION OF THE LAUREL HILLS
WATER SYSTEM IN RECEIVERSHIP
FOR PROVISIONAL CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

Docket No. 17-00098

INTERVENOR'S MOTION TO ABATE THE PROCEEDINGS

Comes now Renegade Mountain Community Club (the "Community Club"), by and through counsel, and respectfully submits this, its Motion to Abate the Proceedings in this matter.

1. The Community Club is a Tennessee nonprofit corporation. It is the homeowners association for Renegade Mountain. As such, the residents of Renegade Mountain are members of the Community Club.

2. The Community Club is charged with the maintenance of common areas of the Renegade Mountain subdivision, including, but not limited to, easements upon the roads, for the benefit of the members of the Community Club.

3. The residents of Renegade Mountain, who are members of the Community Club, receive their water from the Laurel Hills Water System ("LHWS").

4. Portions of the LHWS lie within the boundaries of the common areas of Renegade Mountain, including the easements over the roads that benefit the Community Club and the members of the Community Club.

5. As such, the Community Club and its members are interested parties and have standing to bring objections in this matter.

6. The Receiver is a Tennessee corporation appointed by Chancellor Thurman to serve as the Receiver of the LHWS in the matter styled *Tennessee Public Utility Commission, Petitioner, v. Laurel Hills Condominiums Property Owners Association, Respondent, Moy Toy, LLC, Intervening Party, No. 2012-CH-560*, currently pending in the Chancery Court for Cumberland County, Tennessee, Thirteenth Judicial District at Crossville (the “Chancery Court”).

7. The Receiver is a creature and arm of the Chancery Court and can only act under the direct supervision of the Chancery Court.

8. There are currently pending before the Chancery Court several motions regarding the activities of the Receiver, including whether the Receiver has the authority and approval from the Chancery Court to pursue the Receiver’s Petition in this matter (the “Petition”) with the Tennessee Public Utility Commission (the “TPUC”) to seek a Provisional Certificate of Public Convenience and Necessity (“CCN”).

9. In addition, there is currently pending before the Chancery Court the Receiver’s Motion for Approval and Adoption of its First Modified Receivership Plan, filed on or about November 21, 2017 (the “Application”), under which the Receiver proposes to either sell the water system or, if no buyer is found, to terminate the Receivership and return the water system to the jurisdiction of the Court.

10. The Community Club has also requested that the Chancery Court direct the Receiver to abate and stay all proceedings on its Petition for a provisional CCN until all interested persons, including the Community Club, have had an opportunity to be heard on whether there is a legal or factual basis for the Receiver to continue its application with the TPUC, and a final ruling has been issued by the Chancery Court.

11. The motions referred to above are set to be heard by the Chancery court on February 20, 2018. The rulings on the motions currently pending before the Chancery Court will materially affect the proceedings in this matter.

WHEREFORE, the Community Club respectfully requests the following:

1. That all proceedings on the Petition be abated until after all motions referred to above are heard by the Chancery Court, and the Court has issued its rulings on such motions; and
2. That if the proceedings in this matter are not resolved by the Chancery, then the parties to this proceeding shall reconvene to modify the Scheduling Order in this matter accordingly; and
3. That the TPUC grant the Community Club such further relief as is just and equitable and in the best interest of the LHWS receivership assets.

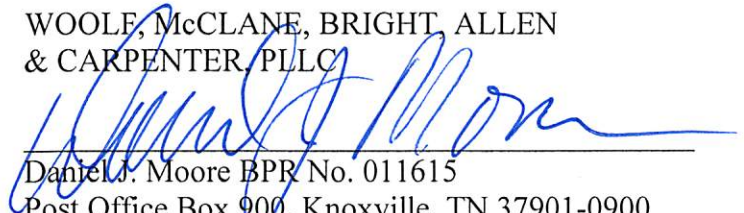
RESPECTFULLY SUBMITTED THIS 19th DAY OF DECEMBER, 2017.

Renegade Mountain Community Club

By: 

Michael McClung, Chairman

WOOLF, McCLANE, BRIGHT, ALLEN
& CARPENTER, PLLC



Daniel J. Moore BPR No. 011615

Post Office Box 900, Knoxville, TN 37901-0900

Telephone: (865) 215-1000

Facsimile: (865) 215-1001

Attorney for Renegade Mountain Community Club

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing pleading has been served upon the following counsel for the parties in interest herein by delivering same to the offices of said counsel, or by mailing same to the offices of said counsel by United States Mail with sufficient postage thereon to carry the same to its destination.

Aaron Conklin, Esq.
Staff Attorney
Tennessee Public Utility Commission
502 Deaderick Street, Fourth Floor
Nashville, Tennessee 37243

G. Everett Sinor, Jr.
Attorney at Law
Counsel for Receivership Management, Inc.
3504 Robin Road
Nashville, Tennessee 37204

Robert E. Moore, Jr.
Chief Operations Officer
1101 Kermit Drive, Suite 735
Nashville, Tennessee 37217

James L. Gass, Esq.
Ogle, Gass & Richardson
Counsel for Laurel Hills Condominiums
Property Owners Association
103 Bruce Street
Sevierville, Tennessee 37862

Scott D. Hall, Esq.
Counsel for Moy Toy, LLC
Counsel for Terra Mountain, LLC
74 Forks of the River Parkway
Sevierville, TN 37862

Roger York, Esq.
York & Bilbrey
456 North Main Street, Suite 201
Crossville, Tennessee 38555

Vance L. Broemel, Senior Counsel
Daniel P. Whitaker III, Assistant Attorney General
Counsel for Herbert H. Slatery, III, Attorney General
and Reporter State of Tennessee
Office of the Tennessee Attorney General
Public Protection Section
Consumer Protection and Advocate Division
P.O. Box 20207
Nashville, Tennessee 37202-0207

This the 19th day December, 2017.



Daniel J. Moore, Esq.