

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

IN RE:

**PETITION OF NAVITAS TN NG, LLC
FOR APPROVAL OF AN ADJUSTMENT
IN THE RATES, CHARGES, AND
TARIFFS**

Docket No. 19-00057

MOTION TO APPEAR AND PARTICIPATE TELEPHONICALLY AT HEARING

The hearing in the above-captioned matter is set by the Commission for February 18, 2020 at 1:00 P.M. (CST) at the Ground Floor, Room 201, Andrew Jackson State Office Building, 502 Deaderick Street, Nashville, Tennessee.

Pursuant to Tenn. Code Ann. § 4-5-312(c), Petitioner submits this 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, Petitioner hereby respectfully requests to participate in its hearing telephonically because personal attendance of company representatives, witness, and notary who reside in Costa Mesa, California would be burdensome.

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

1. Petitioner 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 Petitioner 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 Petition.

Wherefore, based on the foregoing, Petitioner respectfully requests that the Commission grant its Motion for Petitioner and to Appear and Participate Telephonically at Hearing as described herein.

Respectfully submitted this 7th day of February, 2020.




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CERTIFICATE OF SERVICE

The undersigned, H. LaDon Baltimore, does hereby certify on this 7th day of February, 2020, a copy of the foregoing was transmitted via electronic mail or United States Mail, first class, postage prepaid to the following:

Daniel Whitaker, III, Esq.
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Financial Division, Consumer Advocate Unit
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H. LaDon Baltimore