

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**March 30, 2022**

**IN RE:**

**PETITION OF JACKSON SUSTAINABILITY  
COOPERATIVE TO DETERMINE IF A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY IS NEEDED**

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**DOCKET NO.  
21-00061**

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**ORDER ON MARCH 28, 2022, STATUS CONFERENCE AND REVISING AMENDED  
PARTIAL PROCEDURAL SCHEDULE**

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This matter came before the Hearing Officer of the Tennessee Public Utility Commission (“Commission” or “TPUC”) during a telephone Status Conference held on March 28, 2022, to discuss discovery issues and revising the *Amended Partial Procedural Schedule* issued by the Hearing Officer on March 1, 2022. On March 18, 2022, Tennessee Electric Cooperative Association (“TECA”) filed an update in the docket file, asking that the deadline for Motions to Compel be extended to April 14, 2022, because Northern Reliability, Inc., a third-party located in Vermont, could not be served until March 10<sup>th</sup> and its responses would be due March 31<sup>st</sup>. Jackson Sustainability Corporation (“JSC”) requested a Status Conference, which was noticed by the Hearing Officer for March 28, 2022. By email dated March 22, 2022, the Hearing Officer communicated to the parties that Motions to Compel would not be due on March 25<sup>th</sup> as set forth in the *Amended Partial Procedural Schedule* to allow time for the Status Conference to be held.

During the telephone Status Conference, JSC objected to extending the deadline for Motions to Compel for all of the discovery responses because discovery responses for the other third parties, Hunt Solar, LLC, E A Solar, LLC, and SynEnergy, Inc, and for Part II of Emberling’s testimony,

were filed before the March 11<sup>th</sup> deadline. TECA pointed out that some of the documents received as part of the third-party discovery responses needed to be designated confidential and TECA was waiting for JSC to tell them what documents should be confidential prior to distributing the discovery responses to the other Intervenors and filing them in the docket file. JSC stated they had a confidential list for two of the third parties and hoped to have the last list by Thursday, March 31, 2022.

The Hearing Officer finds that because of the delay in serving Northern Reliability, Inc. in Vermont and issues regarding the confidential designation of certain third-party documents, it is necessary to modify the *Amended Partial Procedural Schedule* to accommodate these brief delays. It is the goal of the Hearing Officer to continue to move these proceedings forward in an expeditious manner to a hearing on the merits. However, moving forward can't be done for the sake of plowing ahead but must be done in a rational manner that is procedurally reasonable for the docket. Therefore, the Hearing Officer hereby establishes the *Revised Partial Procedural Schedule* set forth in **Exhibit A** attached to this Order.

**IT IS HEREBY ORDERED.**

A handwritten signature in black ink that reads "Monica Smith-Ashford". The signature is written in a cursive, flowing style.

Monica Smith-Ashford, Hearing Officer

## **REVISED PARTIAL PROCEDURAL SCHEDULE**

**Docket No. 21-00061**

March 29, 2022

<b>Due Date</b>	<b>Filing/Activity</b>
April 14, 2022	Motions to Compel, if necessary
April 18, 2022 10:30 a.m. (CDT)	Telephone Status Conference on discovery disputes

- All filings shall be filed in the TPUC docket room by 2:00 p.m. (central) on the date due.
- Nothing herein restricts the parties from participating in additional informal discovery.
- Copies of all discovery exchanged between the parties shall be filed with TPUC within 3 business days of the exchange of information.

### **EXHIBIT A**