

**From:** [Marcus W. Trathen](#)  
**To:** [Styers, Gray](#); ["Ferrell, David P."](#)  
**Cc:** [Risinger, Brad M.](#)  
**Subject:** [EXT] A-41, Sub 21  
**Date:** September 29, 2022 2:36:06 PM

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Gray and David:

I hope all is well.

I have communicated previously on this topic with Gray, but I don't know that I have with David.

On July 14, 2022, BHIT provided the Commission Notice of Pending Sale – providing the Commission 90-day notice of the potential consummation of the sale of the parking facilities to SharpVue as required by the order in the 2010 rate case. This 90-day period expires on October 12. This timing suggests that Limited and SharpVue could consummate the sale, notwithstanding the pendency of the A-41, Sub 21 proceeding. As you know, it is the Village's position in the Sub 21 proceeding that BHIT/Limited should be required to obtain the Commission's approval prior to selling the parking and barge assets.

By this email, I am asking that your clients provide confirmation that they will not consummate the sale of the parking and barge assets prior to a Commission decision in this proceeding. I would anticipate this this confirmation would be filed with the Commission to ensure its effect.

If you clients are unwilling to provide such confirmation, I anticipate that we will request an order from this Commission on this issue.

I am happy to discuss if that would be helpful. If I have not heard from you by 11:00 a.m. tomorrow, we will assume that you are not able to provide the requested confirmation.

Thanks very much.

**[Marcus W. Trathen](#)**



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