

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:)
)
PETITION OF CHATTANOOGA GAS)
COMPANY FOR APPROVAL OF) DOCKET NO. 06-00175
ADJUSTMENTS OF ITS RATES AND,)
CHARGES, COMPREHENSIVE RATE)
DESIGN PROPOSAL, AND REVISED)
TARIFF)

**OBJECTIONS OF THE CONSUMER ADVOCATE AND PROTECTION DIVISION OF
THE OFFICE OF THE ATTORNEY GENERAL OF TENNESSEE TO DISCOVERY
REQUESTS**

The Consumer Advocate respectfully submits these objections to the discovery requests submitted on October 20, 2006.

General Objections

A. The Consumer Advocate objects to the definitions and instructions contained in the data requests to the extent that the definitions and instructions attempt to impose on the Consumer Advocate a burden or obligation greater than that required by the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

B. The Consumer Advocate objects to the data requests to the extent they call for information and the production of documents which are protected from disclosure by the attorney-client privilege, the common interest privilege, the work product doctrine or any other applicable privilege or protection. In particular, the Consumer Advocate objects to requests seeking its legal research related to pertinent statutes, rules, orders and case law. The Consumer

Advocate objects to the data requests to the extent that the Company is attempting to impose on the Consumer Advocate obligations with regard to identification of privileged documents beyond those required by the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

C. The Consumer Advocate objects to the Company's data requests to the extent they seek information relating to matters not at issue in this litigation or to the extent they are not reasonably calculated to lead to the discovery of admissible evidence. By providing information in response to these requests, the Consumer Advocate does not concede that such information is relevant, material or admissible in evidence. The Consumer Advocate reserves all rights to object to the use of such information as evidence.

D. The Consumer Advocate objects to the Company's data requests to the extent that the Company is attempting to require the Consumer Advocate to provide information and produce documents beyond those in its possession, custody or control as that phrase is used in the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

E. The Consumer Advocate objects to the Company's data requests to the extent they seek information and documents that are readily available through public sources or are in the Company's own possession, custody or control. It is unduly burdensome and oppressive to require the Consumer Advocate to respond or produce documents that are equally available to the Company.

F. The Consumer Advocate's objections and responses to these requests are based on information now known to it. The Consumer Advocate reserves the right to amend, modify or

supplement its objections and responses if it learns of new information.

G. The Consumer Advocate's objections and responses to these requests are made without waiving or intending to waive the right to object to the use of any information provided in this response in any subsequent proceeding or trial of this or any other action. The Consumer Advocate's responses to these requests are also not a waiver of any of the foregoing objections or any objections it has made or may make with respect to any similar, related, or future data request, and the Consumer Advocate specifically reserves the right to interpose any objection to further requests notwithstanding any response or lack of objection made in this response.

H. The Consumer Advocate objects to any request seeking all documents reviewed by its witnesses over an undefined time period. Such a request is ambiguous, overly broad, burdensome and is not likely to lead to the discovery of admissible evidence.

I. The Consumer Advocate expressly incorporates these general objections into its objections and responses to discovery in this matter.

Specific Objections

CGC Request No. 1: The request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly burdensome, vague and ambiguous, and seeking privileged or confidential information, or work product. To the extent that the Company seeks specific documentation or information, the Company should make a specific request. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E).

CGC Request No. 2(d): The request is not reasonably calculated to the discovery of admissible evidence, is overly broad and unduly burdensome, and seeks information in the public

domain. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection F).

CGC Request No. 2(f): The request is overly broad and unduly burdensome and seeks documents that are confidential or attorney work product. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E). The Company specifically denied the obligation to produce working Microsoft Excel files for all work papers and exhibits. (See Company Objection D).

CGC Request No. 3: The request is overly broad and unduly burdensome and seeks documents that are confidential or attorney work product. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E). The Company specifically denied the obligation to produce working Microsoft Excel files for all work papers and exhibits. (See Company Objection D).

CGC Request No. 4: The request is not reasonably calculated to the discovery of admissible evidence, is overly broad and unduly burdensome, and seeks information in the public domain. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection G).

CGC Request No. 5: The request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly burdensome, vague and ambiguous, and seeking privileged or confidential information, or work product. To the extent that the Company seeks specific documentation or information, the Company should make a specific request. The

Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E).

CGC Request No. 6: The request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly burdensome, vague and ambiguous, and seeking privileged or confidential information, or work product. To the extent that the Company seeks specific documentation or information, the Company should make a specific request. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E).

CGC Request No. 7: The request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly burdensome, vague and ambiguous, and seeking privileged or confidential information, or work product. To the extent that the Company seeks specific documentation or information, the Company should make a specific request. The Consumer Advocate notes that the Company made a similar objection when the Consumer Advocate submitted a similar discovery request. (See Company Objection E).

CGC Request No. 8: The Consumer Advocate objects that the request is overly broad and unduly burdensome and seeks information in the public domain. The Company should not seek to dictate the analysis or methods of the Consumer Advocate's witnesses.

CGC Request No. 11: The Consumer Advocate objects that the request is overly broad and unduly burdensome and seeks information in the public domain. The Company should not seek to dictate the analysis or methods of the Consumer Advocate's witnesses.

CGC Request No. 18: The Consumer Advocate objects that the request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly

burdensome, and seeks information in the public domain. The Company should not seek to dictate the analysis or methods of the Consumer Advocate's witnesses.

CGC Request No. 23(a): The request is overly broad and unduly burdensome and seeks information that is in the public domain. The request is not reasonably calculated to lead to the discovery of admissible evidence.

CGC Request No. 29(b): The Consumer Advocate objects that the request is not reasonably calculated to lead to the discovery of admissible evidence, is overly broad and unduly burdensome, and seeks information in the public domain. The Company should not seek to dictate the analysis or methods of the Consumer Advocate's witnesses.

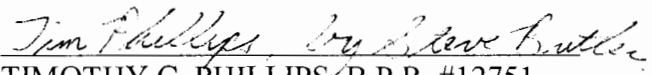
CGC Request No. 32(e): The Consumer Advocate objects that the request is overly broad and unduly burdensome, and seeks information in the public domain. The Company should not seek to dictate the methods and analysis of the Consumer Advocate's witness. Without waiving these objections, see page 44 of Dr. Brown's testimony.

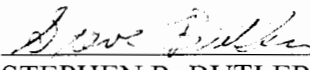
CGC Request No. 43: The request is overly broad and unduly burdensome and seeks to dictate the methods and analysis of the Consumer Advocate's witnesses. The Company has the burden of proof in this case.

CGC Request No. 53: The request is overly broad and unduly burdensome. If the Company is confused about the meaning of a specific word, the Company should make a specific request. Also, the Consumer Advocate does not want to contradict inadvertently any existing definitions that currently are utilized or understood in other jurisdictions or for other companies.

CGC Request No. 61: The request is overly broad and unduly burdensome and seeks information that is not within the knowledge of the Consumer Advocate's witnesses.

RESPECTFULLY SUBMITTED,


TIMOTHY C. PHILLIPS, B.P.R. #12751 *with permission*
Senior Counsel


STEPHEN R. BUTLER, B.P.R. #14772
Assistant Attorney General

Office of the Tennessee Attorney General
Consumer Advocate & Protection Division
P.O. Box 20207
Nashville, Tennessee 37202
(615) 741-8722
Fax: (615) 532-2910

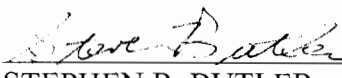
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on parties below via U.S. Mail, On October 24, 2006:

J.W. Luna, Esq.
Jennifer Brundige, Esq
Farmer & Lunda, PLLC
333 Union Street, Suite 300
Nashville, TN 37201

David C. Higney, Esq.
Grant Konvalinka & Harrison, P.C.
Ninth Floor, Republic Center
633 Chestnut Street
Chattanooga, TN 37450-0900

Henry M. Walker, Esq.
Boult Cummings Conners & Berry, PLC
1600 Division Street, Suite 700
Nashville, TN 37203.


STEPHEN R. BUTLER
Assistant Attorney General

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