

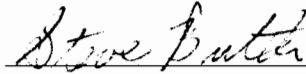
**IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:)	
)	
PETITION OF TENNESSEE)	DOCKET NO. 06-00290
AMERICAN WATER COMPANY TO)	
CHANGE AND INCREASE CERTAIN)	
RATES AND CHARGES SO AS TO)	
PERMIT IT TO EARN A FAIR AND)	
ADEQUATE RATE OF RETURN ON)	
ITS PROPERTY USED AND USEFUL IN)	
FURNISHING WATER SERVICE TO)	
ITS CUSTOMERS)	
)	

CONSUMER ADVOCATE’S RESPONSE TO MOTION

Robert E. Cooper, Jr., the Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of Attorney General (“Consumer Advocate ”), respectfully submits this response to the motion of Tennessee American Water Company (“Company”) for a second protective order. The City of Chattanooga already has explained the objections to the motion and proposed order. In essence, the Company inappropriately seeks to bind the Attorney General’s Office and the other parties to a particular position regarding a hypothetical Public Records request. Also, there already is a protective order that is appropriate and adequate. To the extent that the Company seeks the waiver of sovereign immunity, the motion is inappropriate, because the doctrine of sovereign immunity cannot be waived. To the extent that the Company seeks to create causes of action and jurisdiction where such things do not currently exist, the motion is inappropriate and unnecessary.

RESPECTFULLY SUBMITTED,



STEPHEN R. BUTLER B.P.R. #14772

Assistant Attorney General

Office of the Attorney General

Consumer Advocate and Protection Division

P.O. Box 20207

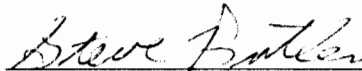
Nashville, Tennessee 37202

(615) 741-8722

Dated: February 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or facsimile to the parties of record on February 20, 2007.



Stephen R. Butler

Assistant Attorney General

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