

**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 THE COMPANY’S MOTION TO STAY
THE ORDER COMPELLING DISCOVERY**

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 Tennessee American Water Company’s (“the Company’s”) motion to reconsider the order compelling discovery, or in the alternative, for interlocutory review of the order by the Tennessee Regulatory Authority. The Consumer Advocate respectfully opposes the motion.

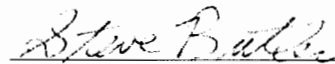
The motion is unsupported by any specific source of law. There is no need for the supplemental protective order, and that order is fatally flawed in numerous ways as explained in other filings in this docket. There already is a protective order in this case, and it is sufficient.

The Company says, “As TAWC has repeatedly stated, for both legal and business reasons, this information could not be more sensitive or confidential.” (Company’s motion, p. 1). This

assertion by the Company clearly is an exaggeration. There has been no claim of a national security threat or of any potential physical harm to any person. The argument that the information at issue “could not be more sensitive or confidential” is clearly inaccurate. Moreover, simply repeating the unsupported claim that there is a meaningful distinction between confidential information and “highly confidential” information is not a legitimate substitute for actual citations to specific sources of law that create the alleged category of “highly confidential” information.

The Consumer Advocate respectfully requests denial of the Company’s motion.

RESPECTFULLY SUBMITTED,

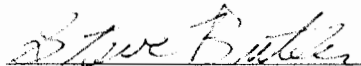


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Dated: March 20, 2007

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 March 20, 2007.



Stephen R. Butler
Assistant Attorney General

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