

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**DOCKET TO EVALUATE CHATTANOOGA
GAS COMPANY'S GAS PURCHASES AND
RELATED SHARING INCENTIVES**

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**DOCKET NO.
07-00224**

**CONSUMER ADVOCATE'S MOTION FOR LEAVE TO SERVE ONE ADDITIONAL
DISCOVERY REQUEST**

Robert E. Cooper, Jr., the Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division ("Consumer Advocate"), respectfully moves for leave to serve one additional discovery request. The Consumer Advocate acknowledges that the period for discovery is over but believes that the information it is seeking could assist in the evaluation of a position taken in the Surrebuttal Testimony of Steve Brown which in turn could lead to a saving of time and resources.

In Exhibits 03 and 04 to the Surrebuttal Testimony of Consumer Advocate witness Steve Brown, references are made to certain "Third Parties" who are said to be using the ETNG and SONAT pipelines for the years 2003 and 2005. Copies of Exhibits 03 and 04 are attached to this Motion for the convenience of the readers. "Third Parties" are defined by Steve Brown at page 7 of his Surrebuttal as "'Transportation of Gas of Others Through Transmission Facilities,' i.e., Transport Customers, as defined by FERC Form 2." Chattanooga Gas is taking the position that Third Parties are using the amounts of gas as set forth in Mr. Sherwood's Exhibit TSS-17 to Mr. Sherwood's Supplemental Testimony; these amounts are also reproduced on Exhibits 03 and 04. Consumer Advocate witness Steve Brown is taking the position that the amounts set forth by Mr. Sherwood for Third Party Gas are too high because they allegedly result in improbably high load factors as set forth in Exhibits 03 and 04.

In addition, this dispute over the correct amount of Third Party Gas is related to significant portions of the Rebuttal Testimony of Steve Brown. In his Rebuttal Testimony, Steve Brown argues that Chattanooga Gas Company shifted its use of gas from the ETNG pipeline to the SONAT pipeline even though it is more expensive because this move "enhanced Sequent's access to ETNG's capacity." Brown Rebuttal at page 42:11-12 (the ETNG/SONAT issue is discussed at pages 34-47 so it is a substantial portion of the testimony). In fact, it is this dispute over the alleged shift from the ETNG to SONAT pipeline that generated the Third Party issue in the Surrebutttal Testimony.

In order to help resolve this dispute and possibly save time and resources of the parties and the TRA at hearing, the Consumer Advocate requests permission to serve the following discovery request regarding Third Party gas:

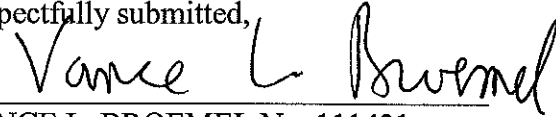
In Exhibits 03 and 04 to Consumer Advocate witness Steve Brown's Surrebuttal Testimony, references are made to Third Parties using the ETNG and SONAT pipelines for the years 2003 and 2005 ("Third Parties" are defined by Steve Brown at page 7 of his Surrebuttal as "'Transportation of Gas of Others Through Transmission Facilities,' i.e., Transport Customers, as defined by FERC Form 2.>"). Please provide documentation for transactions between these Third Parties as listed on Exhibits 03 and 04, giving volumes of throughput and dates of transactions, if any, between these Third Parties and Chattanooga Gas Company where gas was transported "through transmission facilities" of Chattanooga Gas Company. If gas was not sent through transmission facilities of Chattanooga Gas Company, please describe the nature of the transactions, if any, with these Third Parties. If you believe the Third Parties on Exhibits 03 and 04 are incorrect, please state the names of the Parties you believe to be the correct Third Parties and their respective volumes for the relevant years.

The Consumer Advocate recognizes that Chattanooga Gas is under no obligation to respond to this request, but as stated above, believes that this request could result in a considerable saving of time and resources. In addition, this material regarding Third Parties, if it exists, is likely to be in the possession of Chattanooga Gas Company and, upon information

and belief, is not available to the Consumer Advocate.

A copy of the discovery request is being filed with this Motion.

Respectfully submitted,



VANCE L. BROEMEL No. 111421

Assistant Attorney General

Tennessee Attorney General's Office

Consumer Advocate & Protection Division

P.O. Box 20207

Nashville, Tennessee 37202-0207

Phone: (615) 741- 8700

Facsimile: (615) 532-2910

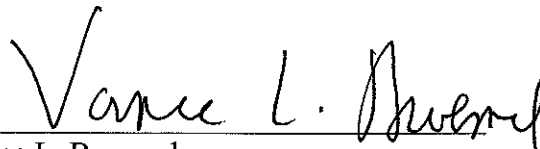
Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served via first-class U.S. Mail, postage prepaid, electronic mail, or hand delivery, upon the parties of record in this case on the June 22, 2009.

J. W. Luna
Farmer & Luna PLLC
333 Union Street, Suite 300
Nashville, Tennessee 37201

L. Craig Dowdy
McKenna Long & Aldridge LLP
303 Peachtree Street
Suite 5300
Atlanta, Georgia 30308

Kelly Cashman-Grams
Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243



Vance L. Broemel

Assistant Attorney General

2003 Transportation Capacity Per SONAT FERC Customer Index

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Report: Year And Quarter

CHATTANOOGA GAS COMPANY		2003/01	2003/04	2003/07	2003/10	Annual Reported Capacity
SONAT CGC Throughput Per Mr. Sherwood Exhibit TSS-17		27,000	27,000	27,000	27,000	27,000
CGC Annual Load Factor On SONAT						45.4%
Third Parties:						
SOUTHWEST ENERGY SERVICES LLC		2003/01	2003/04	2003/07	2003/10	Annual Reported Capacity
TEXICAN NATURAL GAS COMPANY		1,754	1,754	1,754	1,754	1,754
Total Third Party Capacity		650	650	650	650	650
SONAT Third Party Throughput Per Mr. Sherwood Exhibit TSS-17		2,404	2,404	2,404	2,404	2,404
Third Party Annual Load Factor						22.6%
2003 Transportation Capacity Per ETNG FERC Customer Index						
Report: Year And Quarter						
CHATTANOOGA GAS COMPANY		2003/01	2003/04	2003/07	2003/10	Annual Reported Capacity
ETNG CGC Throughput Per Mr. Sherwood Exhibit TSS-17		46,350	46,350	46,350	46,350	46,350
CGC Annual Load Factor On ETNG						31.0%
Third Parties:						
Alliance Energy Services		2003/01	2003/04	2003/07	2003/10	Annual Reported Capacity
Archer Daniels Midland Company		4,400	4,400	4,400	4,400	4,400
Total Third Party Capacity		1,500	1,500	1,500	1,500	1,500
ETNG Third Party Throughput Per Mr. Sherwood Exhibit TSS-17		5,900	5,900	5,900	5,900	5,900
Third Party Annual Load Factor						322.4%

2005 Transportation Capacity Per SONAT FERC Customer Index Report: Year And Quarter

	2005/01	2005/04	2005/07	2005/10	Annual Reported Capacity
CHATTANOOGA GAS COMPANY	27,425	27,425	27,425	27,425	27,425
SONAT CGC Throughput Per Mr. Sherwood Exhibit TSS-17					4,123
CGC Annual Load Factor					41.2%
Third Parties:					
Southstar Energy Services LLC	1,754	1,791	1,791	1,791	1,782
Texican Natural Gas Company	650	664	664	664	661
Jefferson - Cocke County Utility District	350	357	357	357	355
Powell - Clinch Utility District	200	204	204	204	203
Total Third Party Capacity	2,954	3,016	3,016	3,016	3,001
SONAT Third Party Throughput Per Mr. Sherwood Exhibit TSS-17					3,724
Third Party Annual Load Factor					340.1%

2005 Transportation Capacity Per ETNG FERC Customer Index Report: Year And Quarter

	2005/01	2005/04	2005/07	2005/10	Annual Reported Capacity
CHATTANOOGA GAS COMPANY	46,350	46,350	46,350	46,350	46,350
ETNG CGC Throughput Per Mr. Sherwood Exhibit TSS-17					6,529
CGC Annual Load Factor					38.6%
Third Parties:					
Constellation New Energy-Gas Division, Llc.	3,500	3,500	3,500	3,500	3,500
Enbridge Marketing (U.S.) L.P.	1,800				450
Total Third Party Capacity	5,300	3,500	3,500	3,500	3,950
ETNG Third Party Throughput Per Mr. Sherwood Exhibit TSS-17					2,248
Third Party Annual Load Factor					155.9%