

June 26, 2008

**Via E-Mail and USPS**

Chairman Eddie Roberson, Ph.D.  
c/o Ms. Sharla Dillon  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

filed electronically in docket office on 06/26/08

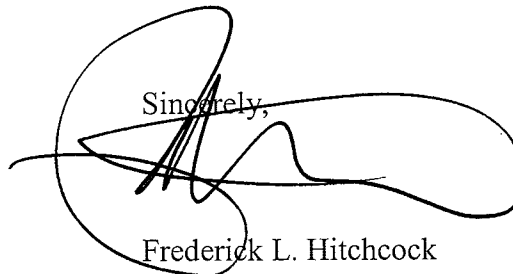
**Re: Docket No. 08-00039**  
**In Re: Petition of Tennessee American Water Company to Change and**  
**Increase Certain Rates**

Dear Chairman Roberson:

Enclosed please find an original and five (5) copies of a Joint Certification of Counsel which has been filed electronically and served today.

I would appreciate you stamping one copy of the document as "filed," and returning to me in the enclosed, self-addressed and stamped envelope.

With best regards, I am

Sincerely,  
  
Frederick L. Hitchcock

FLH:kw  
Enclosures

cc: Ryan L. McGehee, Esq. (w/encl.)  
Timothy C. Phillips, Esq. (w/encl.)  
David C. Higney, Esq. (w/encl.)  
R. Dale Grimes, Esq. (w/encl.)  
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Henry M. Walker, Esq. (w/encl.)  
Michael A. McMahan, Esq. (w/encl.)

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

**IN RE:** )  
)  
**PETITION OF TENNESSEE 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** )  
**SERVICE TO ITS CUSTOMERS** )

**Docket No. 08-00039**

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**JOINT CERTIFICATION OF COUNSEL**

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This joint certification of the undersigned counsel is made in response to certain statements made by counsel for Petitioner, Tennessee American Water Company ("TAWC"). The undersigned counsel for Intervenors, the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") and the City of Chattanooga ("City") hereby certify as follows:

1. Neither the Consumer Advocate, the City, nor counsel for either has requested at any time that any former employee of TAWC or of any parent or affiliate of TAWC provide or disclose confidential information concerning TAWC or any parent or affiliate of TAWC.
2. TAWC first provided the Consumer Advocate a copy of the Severance Agreement and General Release (the "Severance Agreement") between Mr. Impagliazzo and American Water Works Services Company on June 5, 2008.
3. Upon receiving TAWC's objection to the use of Mr. Frank Impagliazzo in this proceeding, the Consumer Advocate asked Mr. Impagliazzo whether he had disclosed to any Intervenor in this case, to their counsel, or to Snively, King, Majoros, O'Connor & Bedell, Inc. or its employees confidential information concerning TAWC or any parent or affiliate of TAWC. Mr. Impagliazzo advised the Consumer Advocate that he had not done so.

4. Counsel for the Consumer Advocate and the City hereby state that they have not, to the best of their knowledge and belief, received from Mr. Impagliazzo, directly or indirectly, any confidential information concerning TAWC or any parent or affiliate of TAWC.

5. Counsel for the Consumer Advocate and the City further state that they have no knowledge of any action taken by Mr. Impagliazzo in connection with this docket that violated the Severance Agreement.

Respectfully submitted,

By: 

Timothy C. Phillips (BPR No. 12751)  
Senior Counsel  
Office of the Attorney General and Reporter  
Consumer Advocate and Protection Division  
P.O. Box 20207  
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*Attorney for the Consumer Advocate and  
Protection Division*

CITY OF CHATTANOOGA, TENNESSEE  
RANDALL L. NELSON, CITY ATTORNEY

By: 

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*Attorneys for the City of Chattanooga*

By: 

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*Attorneys for the City of Chattanooga*

### CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served a true and correct copy of the foregoing pleading by electronic mail and by depositing same in the United States mail, postage prepaid, and addressed to the following:

Ryan L. McGehee, Esq.  
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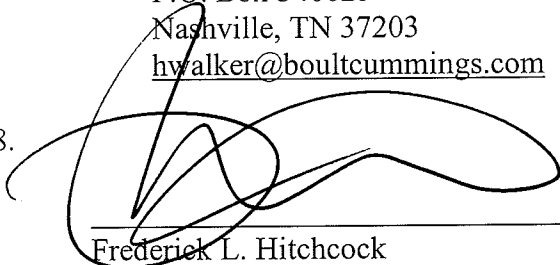
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This the 26<sup>th</sup> day of June, 2008.



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Frederick L. Hitchcock