

**IN THE TENNESSEE REGULATORY AUTHORITY
AT 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
ITS CUSTOMERS**

DOCKET NO. 08-00039

**CONSUMER ADVOCATE AND PROTECTION DIVISION'S RENEWED MOTION TO
ASK ADDITIONAL DISCOVERY QUESTIONS**

Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate"), pursuant to TRA Rule 1220-1-2-.11(5)(a), hereby moves for leave to ask additional discovery questions of Tennessee American Water Company ("TAWC" or "Company").

For cause, petitioner would show the following:

1. On May 12, 2008, the Consumer Advocate filed in this docket the Consumer Advocate and Protection Division's Motion to Ask Additional Discovery Questions and related Consumer Advocate and Protection Division's Memorandum in Support of Motion to Ask Additional Discovery Questions, wherein the Consumer Advocate demonstrated its need to ask additional discovery questions, primarily because this matter involves a complex rate case that requires the analysis of a substantial number of technical and fact-intensive issues. The Consumer

Advocate renews this motion and incorporates the Motion and Memorandum by reference as if fully rewritten herein.

2. The Consumer Advocate's second round of discovery requests is limited to the following categories of questions: (a) questions related to TAWC's proposed witnesses, positions, and trial exhibits that were not asked during the first round of discovery; (b) follow-up questions that have arisen as a result of the Consumer Advocate's review and analysis of the information provided from the first round of discovery; (c) questions requesting updated financial and operational information that was not available at the time the Consumer Advocate issued its first round of discovery requests; and (d) clarifying questions to obtain information that was requested during the first round of discovery but not provided.¹

3. The Consumer Advocate needs TAWC's answers to the discovery requests set forth in the Second Discovery Request of the Consumer Advocate and Protection Division to Tennessee American Water Company, which is filed contemporaneously with this renewed motion, in order to adequately prepare for the hearing on the merits in this matter.

4. If the Consumer Advocate is not allowed to obtain the information it needs to adequately prepare for the hearing on the merits in this matter, its opportunity for a fair hearing will be diminished and its due process rights will be infringed.

¹ See Order on Discovery Disputes Argued During the June 20, 2008 Status Conference, pp. 7-9, entered by the Hearing Officer in this docket on July 18, 2008.

WHEREFORE, the Consumer Advocate requests the Hearing Officer to approve its renewed motion to ask additional discovery questions of TAWC.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Ryan L. McGehee", written over a horizontal line.

RYAN L. McGEHEE

Assistant Attorney General

Office of the Attorney General and Reporter

Consumer Advocate and Protection Division

P.O. Box 20207

Nashville, TN 37202-0207

Dated: July 24, 2008

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing is being served via U.S. Mail and/or electronic mail upon:

R. Dale Grimes, Esq.
Ross Ian Booher, Esq.
Bass, Berry & Sims PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238

Michael A. McMahan, Esq.
Valerie L. Malueg, Esq.
Special Counsel
City of Chattanooga
801 Broad Street, Suite 400
Chattanooga, TN 37402

Frederick L. Hitchcock, Esq.
Harold L. North, Jr., Esq.
Chambliss, Bahner & Stophel, P.C.
1000 Tallan Building
Two Union Square
Chattanooga, TN 37402-2500

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

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

This the 24 day of July, 2008.



RYAN L. McGEHEE
Assistant Attorney General

#121759